

August 23, 2010; Agenda Item No. 9

Resolution No. 10-

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE MALIBU PARKS PUBLIC ACCESS ENHANCEMENT PLAN - PUBLIC WORKS PLAN, SCH NO. 2009091018, CITY OF MALIBU AND SURROUNDING UNINCORPORATED AREA.

WHEREAS, The Legislature found and declared that the Santa Monica Mountains Conservancy Zone is a unique and valuable environmental, educational and recreational resource; and

WHEREAS, The Conservancy is authorized to acquire and improve real property upon a finding that such action is consistent with the Santa Monica Mountains Comprehensive Plan pursuant to Section 33203.5 of the Public Resources Code; and

WHEREAS, The Conservancy is authorized to do any and all other things necessary to carry out the purposes of the Conservancy Act pursuant to Section 33211(d) of the Public Resources Code; and

WHEREAS, The Malibu Parks Public Access Enhancement Plan - Public Works Plan furthers the goal of the Conservancy to maximize and prioritize public access and recreational opportunities at parkland and recreation areas in the coastal areas of Malibu and the Santa Monica Mountains in the City of Malibu and unincorporated County of Los Angeles; furthers the goals, objectives and policies of Chapter 3 of the Coastal Act and Chapter 2 of the Malibu Local Coastal Program Land Use Plan; and is consistent with the Chapter 3 policies of the Coastal Act, the certified City of Malibu Local Coastal Plan and the Malibu Parks Public Access Enhancement Plan Overlay; and

WHEREAS, The Santa Monica Mountains Comprehensive Plan provides: “The Santa Monica Mountains are most suitable for recreational activities such as camping, hiking, horseback riding, nature walks, and picnicking. The demand for these activities is already relatively high in the Santa Monica Mountains Area; most of the existing recreational facilities, as well as those future recreational facilities planned to serve the State of California within the Mountains have been designed to serve this need.” ; and

WHEREAS, The Trails Element of the Santa Monica Mountains Comprehensive Plan provides: “All local and regional jurisdictions in the Santa Monica Mountains should adopt a coordinated system of continuous trails. This is the first step toward building a trails system. Coordination among the jurisdictions is essential to assure that the trails are continuous and connect major parks, beaches and communities without regard to political boundaries.”; and,

WHEREAS, The Trails Element of the Santa Monica Mountains Comprehensive Plan further provides: “Opportunities to expand the extent and use of the trail system, should be explored and implemented.”;

Therefore Be It Resolved, That the Santa Monica Mountains Conservancy hereby:

FINDS that the proposed action is consistent with the Santa Monica Mountains Comprehensive Plan.

1. FINDS that the proposed action is consistent with the Conservancy’s Strategic Objectives.
2. ADOPTS the staff report dated August 23, 2010 for this item.
3. ADOPTS all of the preceding whereas clauses and finds them to be true and correct.
4. FINDS that Malibu Parks Public Access Enhancement Plan - Public Works Plan furthers the goal of the Conservancy to maximize and prioritize public access and recreational opportunities at parkland and recreation areas in the coastal areas of Malibu and the Santa Monica Mountains in the City of Malibu and unincorporated County of Los Angeles; furthers the goals, objectives and policies of Chapter 3 of the Coastal Act and Chapter 2 of the Malibu Local Coastal Program Land Use Plan; and is consistent with the Chapter 3 policies of the Coastal Act, the certified City of Malibu Local Coastal Plan and the Malibu Parks Public Access Enhancement Plan Overlay; and.
5. AUTHORIZES the Executive Director to do any and all acts necessary to carry out this resolution and any recommendations made by the Governing Board.
6. FINDS that on September 13, 2002, the California Coastal Commission (the “Commission”) certified the City of Malibu Local Coastal Program (the “LCP”), hereby incorporated by this reference. Subsequently, on June 10, 2009, the Commission certified an amendment to the LCP, incorporating Section 3.4.2, the Malibu Parks Public Access Enhancement Plan Overlay which is hereby incorporated by this reference. The Overlay acts as a special land use and implementation plan overlay that includes a comprehensive set of policies and development standards for public access and recreation-oriented development within specific park properties and recreation areas in Malibu, including Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park, and the Malibu Bluffs Conservancy Property. The Overlay identifies specific actions necessary to implement improvements intended to enhance public access and recreation opportunities throughout the area covered by the Overlay including: creation of an interconnected system of trails, parks, open space, and habitats, improvement of alternative methods of transportation between parklands in the area; and identification of recreational facility and program improvements for the park properties to better support existing recreational demand and to facilitate an increased level of accessibility for visitors with diverse backgrounds, interests, ages, and abilities.

7. FINDS that the Santa Monica Mountains Conservancy (the “Conservancy”) and the Mountains Recreation and Conservation Authority (“MRCA”) are jointly proposing, as co-lead agencies, the Malibu Parks Public Enhancement Plan-Public Works Plan (the “Project” for purposes of this Resolution), which is hereby incorporated by this reference, in an effort to improve a variety of trail connections and achieve implementation of a key segment of the Coastal Slope Trail and the Beach to Backbone Trail in the Plan area and, thus, ultimately connect significant Federal and State-owned coastal parklands, including Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Solstice Canyon Park, Corral Canyon Park, and Malibu Creek State Park, for the benefit of the public seeking recreation and retreat within the Malibu coastal area. In addition, the Conservancy and MRCA strive to maintain and develop new recreational, interpretative, and educational programs that will accommodate various means of access for all visitors. As such, the proposed Plan provides for specific improvements to existing park facilities in the Plan area, for development of trail resources, and for limited overnight recreational opportunities designed to accommodate visitors of diverse backgrounds, interests, ages, and abilities. Given the various constraints of each park property addressed in the Plan, the need to preserve, protect, restore, and enhance coastal parklands for the benefit of coastal resources, and in the interest of all people, the Conservancy and MRCA have considered a combination of design features and public programs specifically intended to facilitate access opportunities that provide alternative solutions to accessibility where the physical challenges of natural parks, or current limitations on accessibility due to lack of transit or necessary support facilities, might otherwise deny access to people of all races, cultures, and incomes.
8. FINDS that on September 2, 2009, a Notice of Preparation (“NOP”) was distributed to the State Office of Planning and Research and responsible trustee agencies as well as private organizations and individuals that may have had an interest in the proposed Project. Formal comments were accepted on this NOP from September 8, 2009 to October 7, 2009. Additionally, a public scoping hearing was held on October 1, 2009 to receive comments from the public. All comments on this NOP were considered in preparing the subsequent environmental document.
9. FINDS that on February 2010, a Draft Environmental Impact Report (the “DEIR”) was prepared for the Project. In accordance with the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code §21000 et seq.) and the State Guidelines (the “Guidelines”) (14 Cal. Code Regs. §15000 et seq.) promulgated with respect thereto, the Conservancy and MRCA analyzed the Project’s potential impacts on the environment.
10. FINDS that the DEIR and its Appendices for the Project were circulated to the public and other interested parties for a minimum 45-day comment period, consistent with Guideline § 15105, from February 2, 2010 to March 22, 2010. Although the public comment period closed on March 22, 2010, in order to respond to all comments and concerns, the Conservancy and MRCA accepted late comments through April 22, 2010. Additionally, the Conservancy and MRCA held a public meeting to receive oral testimony on the DEIR on February 22, 2010.

11. FINDS that Notices of Availability were provided by mail to public agencies, interested persons, and individual property owners within the Project vicinity prior to the release of the DEIR.
12. FINDS that written responses were provided to all comments received on the DEIR through April 22, 2010, and those responses to comments are incorporated into the Final Environmental Impact Report (the "Final EIR"). In compliance with CEQA, the Responses to Comments were distributed to all public agencies that submitted comments on the DEIR, at least 10 days prior to certification of the Final EIR.
13. FINDS that in response to those oral and written comments, the Conservancy and MRCA refined the existing Redesign Alternative contained in the DEIR to create the Modified Redesign Alternative. This Modified Redesign Alternative was determined in the Final EIR to be the environmentally superior alternative as it would reduce all significant and unavoidable impacts to less than significant with the incorporation of mitigation.
14. FINDS that the Final EIR is comprised of the DEIR dated February 2010 and all Appendices thereto, the Comments and Response to Comments on the DEIR, the inclusion of the Modified Redesign Alternative and all Appendices thereto, and the Mitigation Monitoring and Reporting Program.
15. FINDS that the findings made in this Resolution are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence that has been presented at the hearings and in the record of the proceedings. The documents, staff reports, technical studies, appendices, plans, specifications, and other materials that constitute the record of proceedings on which this Resolution is based are available for public viewing at the Los Angeles River Center, 570 West Avenue 26, Suite 100, Los Angeles, CA 90065. Each of those documents is incorporated herein by reference.
16. FINDS that agencies and interested members of the public have been afforded ample notice and opportunity to comment on the EIR and the Project.
17. FINDS that Section 15091 of the State CEQA Guidelines requires that a public agency, before approving the Project, make one or more of the following written finding(s) for each significant effect identified in the Final EIR accompanied by a brief explanation of the rationale for each finding:
 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR; or,
 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or,

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
18. FINDS that Section 15093 of the State CEQA Guidelines requires that if the Project will cause significant unavoidable adverse impacts, the lead agency must adopt a Statement of Overriding Considerations prior to approving the project. A Statement of Overriding Considerations states that any significant adverse project effects are acceptable if expected project benefits outweigh unavoidable adverse environmental impacts.
19. FINDS that other Alternatives to the Project and the Modified Redesign Alternative that might eliminate or reduce significant environmental impacts are described in Exhibit A, Section IV, attached hereto and incorporated herein by reference.
20. FINDS that environmental impacts identified in the Initial Study and Final EIR for the Modified Redesign Alternative that are found to be less than significant and do not require mitigation are described in Sections V and VI, respectively of Exhibit A, attached hereto and incorporated herein by reference.
21. FINDS that environmental impacts identified in the Final EIR for the Modified Redesign Alternative as potentially significant, but that can be reduced to less than significant levels with mitigation, are described in Exhibit A, Section VII, attached hereto and incorporated herein by reference.
22. FINDS that there are no environmental impacts identified in the Final EIR for the Modified Redesign Alternative that would be significant and unavoidable, as the imposition of feasible mitigation measures would reduce all impacts to a level of insignificance. See, Section VII of Exhibit A, attached hereto and incorporated by this reference.
23. FINDS that Public Resources Code section 21081.6 requires the Conservancy and MRCA to prepare and adopt a mitigation monitoring and reporting program for any project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The Mitigation Monitoring and Reporting Program is attached hereto as Exhibit B, and is hereby incorporated herein by reference.
24. FINDS that prior to taking action, the Conservancy and MRCA reviewed, considered and exercised their independent judgment on the Final EIR and all of the information and data in the administrative record, and all oral and written testimony presented to them during meetings and hearings, and find that the Final EIR is adequate and was prepared in full compliance with CEQA.
25. FINDS that no comments or any additional information submitted to the Conservancy and MRCA, or any new information included in the Final EIR, has produced any significant new information pursuant to the requirements and examples provided by

CEQA Guideline 15088.5 requiring additional recirculation or additional environmental review under CEQA.

26. HEREBY certify the Final EIR and: adopt findings pursuant to the California Environmental Quality Act, as set forth in Exhibit A attached hereto and incorporated herein by reference; adopt the Mitigation Monitoring and Reporting Program attached hereto as Exhibit B and incorporated herein by reference; and impose each mitigation measure as a condition of Project approval. Conservancy and MRCA staff shall implement and monitor the mitigation measures as described in Exhibit B.

~End of Resolution~

I HEREBY CERTIFY that the foregoing resolution was adopted at a meeting of the Santa Monica Mountains Conservancy, duly noticed and held according to law, on the 23rd day of August, 2010 at Pacific Palisades, California.

Dated: _____

Executive Director

EXHIBIT A

Findings and Facts in Support of Findings

I. Introduction.

The California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines (the “Guidelines”) provide that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that will occur if a project is approved or carried out unless the public agency makes one or more of the following findings:

A. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects identified in the EIR.

B. Such changes or alterations are within the responsibility of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

C. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.¹

Pursuant to the requirements of CEQA, the Conservancy and MRCA hereby make the following environmental findings in connection with the proposed Malibu Parks Public Enhancement Plan-Public Works Plan (the “Plan”). These findings are based upon evidence presented in the record of these proceedings, both written and oral, the DEIR, and all of its contents, the Comments and Responses to Comments on the EIR, the analysis of Modified Redesign Alternative contained in the Final EIR and all of its appendices and reports, and staff and consultants’ reports presented through the hearing process, which comprise the Final EIR (“FEIR”).

II. Project Objectives.

As set forth in the EIR, the objectives that the Conservancy and MRCA seeks to achieve with this project (the “Project Objectives”) are as follows:

A. Enhance public access and recreation opportunities to park facilities in the Plan area to the maximum extent feasible for both local and non-local visitors, and for visitors with diverse backgrounds, interests, ages, and abilities.

B. Plan, design and develop trail connections throughout the Plan area and new overnight camping opportunities, and ensure that sufficient support facilities are provided, to readily serve the existing and growing demand for public access and recreation in the Santa

¹ Cal. Pub. Res. Code § 21081; 14 Cal. Code Regs. § 15091.

Monica Mountains and Malibu coastal area, and to increase accessibility to parklands for all people.

C. Develop a continuous inland public access trail system that provides unique and spectacular views of the coast and ocean and, wherever feasible, complete linkages for the Coastal Slope Trail, the Beach to Backbone Trail, from the beach to Malibu Bluffs, and other connector trails to access the coastal mountains and the shoreline.

D. Facilitate the right of way acquisition and construction of a section of the Coastal Slope Trail between Kanan Dume Road and Corral Canyon Park. The proposed Coastal Slope Trail extends between Topanga State Park and Leo Carrillo State Park.

E. Facilitate the California Coastal Trail vision to "Create linkages to other trail systems and to units of the State Park system, and use the Coastal Trail system to increase accessibility to coastal resources from urban population centers." (Completing the California Coastal Trail, Coastal Conservancy 2003.)

F. Secure trail easements and land purchases where necessary and feasible to connect Conservancy/MRCA-owned coastal parks and link with the regionally significant Coastal Slope Trail and Backbone Trail in the City of Malibu and unincorporated County of Los Angeles, and across National Park Service and State Park lands.

G. Implement a Beach to Bluffs Trail plan, connecting Malibu Bluffs with existing shoreline access facilities.

H. Provide public access to, and promote use of, coastal parks and trails by visitors outside of the City of Malibu, consistent with Coastal Act section 30223: "Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible."

I. Provide low-impact and low-cost camping and trail facilities for all persons in the coastal zone, and specifically the Malibu coastal zone.

J. Provide for public access and recreation uses and support facilities approved by the Coastal Commission (No. 4-98-334) at Ramirez Canyon Park.

K. Provide public outreach at coastal parks and trails, including educational/interpretive/recreational programs, for visitors with diverse backgrounds, interests, ages, and abilities.

L. Encourage non-vehicular circulation between park areas over vehicular use and emphasize pedestrian circulation between park areas and the shoreline as a primary form of circulation.

M. Protect and enhance, wherever feasible, sensitive habitats and water quality when developing park facility improvements and when establishing park uses and programs.

N. Establish park uses consistent with resource protection policies applicable to specific park areas taking into consideration available support facilities, opportunities to

develop new support facilities, accessibility, protection of natural resources, public safety issues, and neighborhood compatibility.

III. Background

The Draft Environmental Impact Report (DEIR) considered a range of reasonable alternatives for the proposed project including, the No Project Alternative, the 2002 LCP Alternative, and the Redesign Plan Alternative. As detailed in the DEIR, the proposed project would result in two unavoidable impacts: geotechnical/seismic impacts associated with the proposed facilities at the Latigo Trailhead, and land use and planning impacts associated with potential Coastal Act and LCP ESHA, and geotechnical/seismic policy consistency impacts. The DEIR identified the Redesign Alternative, as the Environmentally Superior Alternative. Under the Redesign Alternative, the unavoidable geotechnical/seismic and related land use policy consistency impact of the proposed project would be reduced to a level considered significant, but mitigatable. However, the unavoidable ESHA policy consistency impact would remain.

In response to oral and written comments received on the DEIR, the Conservancy and MRCA, as detailed in Section 14 of the FEIR, further refined the existing Redesign Alternative in the DEIR, by expanding on the clustering concept embodied in the Redesign Alternative, to create the Modified Redesign Alternative. The Final EIR (FEIR) for the proposed project included a detailed analysis of the Modified Redesign Alternative in Sections 14 and 15.

The Modified Redesign Alternative was designed to reduce all significant and unavoidable impacts associated with the proposed project analyzed in the DEIR to a level of insignificance and to further respond to community concerns. For this reason the Modified Redesign Alternative was identified in the FEIR as the Environmentally Superior Alternative in Section 15 of the FEIR. More specifically, the Modified Redesign/Environmentally Superior Alternative would cluster camping primarily at two park locations located adjacent to Pacific Coast Highway (PCH), Corral Canyon Park and Malibu Bluffs Conservancy Property. Within each park, the campsites would also be clustered. Clustering facilitates more effective oversight and management of the camp areas, lowers operational costs, maximizes efficiency and effectiveness of fire protection and relocation plans. In furtherance of this direction to cluster and concentrate the proposed campsites, camping at Escondido Canyon, Camp Area 2 at Corral Canyon Park and camping at Latigo Trailhead have been removed from the Modified Redesign/Environmentally Superior Alternative. In addition, camping at Ramirez Canyon Park is limited to two accessible campsites, and can only be used if an alternative emergency access road is constructed under the Modified Redesign /Environmentally Superior Alternative, if required by the responsible fire agency.

In addition, numerous project features have been added to the Modified Redesign/Environmentally Superior Alternative to address fire concerns. Under the Modified Redesign/Environmentally Superior Alternative cooking at campsites is limited to small electrical appliances. The use of flame-less cook-stoves and lanterns would be required. Propane stoves are not permitted. A camp host, staff maintenance person, or Ranger, (all of whom would be wildland fire-trained), would be required to be onsite at each park property with campsites during times when camping is permitted at the locations. Every camp host shall

be designated and trained as a uniformed public officer pursuant to the provisions of the Public Resources Code. Such camp hosts shall enforce all applicable misdemeanors or infractions, including the “cold camping” provisions cited within the Plan pursuant to the MRCA Ordinance and other provisions of law. MRCA park rangers are sworn California peace officers and can enforce felony as well as misdemeanor and other infraction violations.

Additional Delaplaine and Ramirez Canyon Roads and Via Acero Road improvements are proposed to address Los Angeles County Fire Department (LACFD) comments. Changes to proposed waterlines have been made to respond to LACFD and Los Angeles County Waterworks’ comments.

Furthermore, to respond to some commentors’ concerns and reduce total project grading impacts, all project elements at Escondido Canyon Park have been eliminated with the exception of the proposed extension of the Coastal Slope Trail.

These revisions eliminated the significant and unavoidable impacts associated with land use planning inconsistency in regards to geological and ESHA impacts, as well as the significant and unavoidable geological and seismic hazard impact at Latigo Trailhead.

IV. Project Alternatives.

The Conservancy and MRCA considered a range of reasonable alternatives for the proposed Project including, the No Project Alternative, the 2002 LCP Alternative, the Redesign Plan Alternative, and the Modified Redesign Alternative. Between the analysis of the proposed project and three alternatives analyzed in the DEIR, and the analysis of the Modified Redesign Alternative contained in Chapters 14 and 15 of the Final EIR, the potential impacts of the proposed project have been fully assessed, fully disclosed, and mitigated or avoided to the extent feasible.

The Conservancy and MRCA also considered a number of alternatives that were rejected and not analyzed in the DEIR including the King Gillette Ranch Alternative, the Charmlee Park Alternative, the Tuna Canyon Park Alternative, and the Solstice Canyon Park and the Zuma/Trancas Canyons Site of the Santa Monica Mountains National Recreation Area Alternative. However, as further detailed in the FEIR, these alternatives were rejected as they would not meet many of the Plan objectives.

The No Project Alternative, the 2002 LCP Alternative, the Redesign Plan Alternative, and the Modified Redesign Alternative are discussed below.

A. NO PROJECT ALTERNATIVE

1. Summary of Alternative

The No Project Alternative assumes continuation of the existing park operations at Escondido Canyon Park, Corral Canyon Park and the Malibu Bluffs Conservancy Property. With respect to Latigo Trailhead, the No Project Alternative assumes that the property would remain vacant open space for the foreseeable future. With respect to Ramirez Canyon Park, the No Project Alternative assumes that the park property would be closed and all existing uses

discontinued, including public outreach and recreation programs, park administration, planning and maintenance, the MRCA Western Area Emergency Operations Center, and the Ranger/Maintenance Supervisor residence. No new development would occur at any of the parklands other than the proposed Ramirez Canyon Creek Enhancement/Restoration Plan, which would be implemented according to proposed project plans, and continued fuel modification activities as mandated by fire agencies. The Plan's proposed Fire Protection Plan would not be implemented at any of the park sites and road improvements to facilitate emergency ingress/egress on Delaplaine, Ramirez Canyon Road, and Via Acero would not be constructed.

Although trails, camping, public parking areas and other parkland support facilities (including park offices), and public gatherings/programs are primary permitted uses at the parklands included in the Plan, given the extraordinary history of debate and contention over development of the proposed parkland uses and facilities, and to provide a very conservative basis for comparative impact analysis, the No Project Alternative assumes no new implementation of additional recreational amenities within the Plan area.

2. Reasons for Rejecting Alternative: Infeasibility

The No Project Alternative would eliminate some of the environmental impacts associated with the proposed project. However, this Alternative could potentially cause greater impacts with regard to fire hazards and recreation. This is so, because no fire protection plans would be implemented in this area which could reduce fire hazards, and additionally no new park and recreational facilities would be provided with this Alternative. Finally, the No Project Alternative would not achieve any of the Plan objectives.

As the No Project Alternative would not meet any of the Plan objectives, it is deemed socially infeasible.

The Conservancy and MRCA hereby finds that each of the reasons set forth above would be an independent ground for rejecting the No Project Alternative as infeasible, and by itself, independent of any other reason, would justify rejection of the No Project Alternative as infeasible.

B. 2002 LCP ALTERNATIVE

1. Summary of Alternative

The 2002 LCP Alternative would maintain many of the goals, policies, and objectives of the proposed project analyzed in the DEIR, but has been designed to be generally consistent with the original 2002 LCP, which was in effect prior to the Malibu Parks Public Access Enhancement Plan Overlay being certified by the Coastal Commission in June 2009. The 2002 LCP Project would have a total of 49 campsites and 96 parking spaces, which would be an approximate 30% reduction in the camp sites and a 11% reduction (existing + proposed spaces) in the parking spaces when compared to the proposed project analyzed in the DEIR.

Under this alternative, the secondary access to Ramirez Canyon Park associated with the proposed project analyzed in the DEIR would no longer be facilitated by an extension of

Via Acero to Kanan Dume, but would instead utilize the Lauber property, which the Conservancy/ MRCA has determined may be available for purchase and which has already been largely graded and re-contoured in preparation for residential development. A 20-foot wide access road/ trail would be installed/ improved from its western-most extent at Kanan Dume Road to its eastern connection down in the canyon below at Ramirez Canyon Road. Parking previously located along the roadside at Kanan Dume, which required the construction of fairly substantial retaining walls (and related biological impacts) would be substantially reduced under this alternative, with most parking (18 spaces) relocated to parking areas located on the Lauber property. An additional 9 parallel parking spaces would be located along Kanan Dume Road. Immediately east of the last parking area at the Lauber property, the access road/trail would have a security gate installed; the gate would allow for passage by pedestrian, equestrians, and bicyclists. Vehicle access from the Lauber parking lots to Ramirez Canyon Park would be for (1) emergency ingress/ egress to Ramirez Canyon Park, (2) park staff, and under limited circumstance, (3) members of the public only (e.g., reservations or other pre-arranged visits only). Members of the public would not be able to drive anytime into Ramirez Canyon Park. The Conservancy/ MRCA would continue to adhere to a total 40 round trips/day standard for vehicles entering from both Ramirez Canyon Road and the Lauber property security gate.

The amount of new pavement required to implement the Lauber property access road and parking would be approximately 41,220 SF and 7,500 SF respectively (a total of 58,465 SF with a 20% contingency); paving for the Kanan Dume parallel parking areas would not be required under this alternative. Although paving for Via Acero pursuant to the proposed project analyzed in the DEIR would be slightly less at 40,728 SF, when the Kanan Parking improvements are added in (20,700 SF), the proposed project analyzed in the DEIR's paving would be 61,428 SF. The paving associated with the 2002 LCP Alternative at Lauber/ Kanan Dume would, therefore, be slightly less than the paving improvements associated with the proposed project analyzed in the DEIR at Via Acero/ Kanan Dume.

Camping sites and restroom facilities have been eliminated from a number of locations when compared to the proposed project analyzed in the DEIR, and campsites have largely been replaced with picnic tables at these locations. Implementation of all mitigation measures identified within the DEIR is assumed for this alternative.

2. Reasons for Rejecting Alternative: Infeasibility

The 2002 LCP Alternative would provide for approximately 69% of the number of campsites as the proposed project analyzed in the DEIR: 49 campsites in comparison to 71 campsites under the proposed project analyzed in the DEIR. It would provide approximately half the small campsites as the proposed project analyzed in the DEIR (29 as compared to 57), but would result in more than 1 ½ times the number of larger campsites (16 as compared to 10 under the proposed project analyzed in the DEIR). In addition, it would provide for seven more day use areas than the proposed project analyzed in the DEIR. This Alternative was designed to meet most of Plan Objectives to enhance public access and accessibility. This alternative would result in a reduction in the aesthetics, agricultural, air quality, biological resources, fire hazards, climate change, hydrology and water quality, public services, transportation and parking and utilities and services impacts. The LCP Reduced Project alternative would reduce the

unavoidable seismic hazard impact at the Latigo Trailhead to a level which is significant but mitigable. All potentially significant impacts associated with the LCP Reduced Project Alternative would be reduced to less-than-significant levels, through implementation of the mitigation measures identified in the DEIR, with the exception of the unavoidable Land Use & Planning impact related to inconsistency with Coastal Act and LCP policies for impacts to ESHA for non-restoration activities. The provision of park and recreational opportunities and a camping component would satisfy some of the goals of the Plan Objectives, but it would provide fewer facilities to meet current and growing demands for park and recreational facilities, particularly accessible facilities. Although this alternative would attain many of the Plan Objectives, including the development of accessible trails and overnight campsites and the creation of a long-term management plan for the five parks, it would fall short in providing adequate facilities to meet not only current, but future demand for park and recreational facilities. Additionally, the 2002 LCP Alternative would provide fewer recreational camping amenities than the Redesign and Modified Redesign Alternatives. The Conservancy and MRCA hereby finds that each of the reasons set forth above would be an independent ground for rejecting the 2002 LCP Alternative as infeasible, and by itself, independent of any other reason, would justify rejection of the 2002 LCP Alternative as infeasible.

C. REDESIGN PLAN ALTERNATIVE

1. Summary of Alternative

The Redesign Alternative Plan would maintain all of the goals, policies, and objectives of the proposed project analyzed in the DEIR, but has been designed to minimize Class I and Class II environmental impacts associated with the proposed project analyzed in the DEIR. The Redesign Alternative Project would have a total of 54 campsites and 106 parking spaces, which would be an approximate 24% reduction in the camp sites and a 14% reduction (Existing + Proposed Spaces) in the parking spaces when compared to the proposed project analyzed in the DEIR.

Similar to the 2002 LCP Alternative, the Redesign Alternative would utilize the Lauber property for secondary access to Ramirez Canyon Park; secondary access associated with the proposed project analyzed in the DEIR by an extension of Via Acero to Kanan Dume would no longer be facilitated, but would instead utilize the Lauber property. A 20-foot wide access road/trail would be installed/ improved from the Lauber property's western-most extent at Kanan Dume Road to its eastern connection down in the canyon below at Ramirez Canyon Road.

Parking previously located along the roadside at Kanan Dume, which required the construction of fairly substantial retaining walls (and related biological impacts) would be substantially reduced under this alternative, with most parking (18 spaces) located in parking areas located on the Lauber property; an additional 9 parallel parking spaces would be located along Kanan Dume Road. Immediately east of the last parking area at the Lauber property, the access road/trail would have a security gate installed; the gate would allow for passage by pedestrian, equestrians, and bicyclists. Vehicle access from the Lauber parking lots to Ramirez Canyon Park would be for (1) emergency ingress/ egress to Ramirez Canyon Park, (2) park staff, and under limited circumstance, (3) members of the public only (e.g., reservations or other pre-arranged visits only). Members of the public would not be able to drive anytime into

Ramirez Canyon Park. The Conservancy/ MRCA would continue to adhere to a total 40 round trips/day standard for vehicles entering from both Ramirez Canyon Road and the Lauber property security gate.

The amount of new pavement required to implement the Lauber property access road and parking would be approximately 41,220 SF and 7,500 SF respectively (a total of 58,465 SF with a 20% contingency); paving for the Kanan Dume parallel parking areas would not be required under this alternative. Although paving for the proposed project analyzed in the DEIR's Via Acero would be slightly less at 40,728 SF, when the Kanan Parking improvements are added in (20,700 SF), the proposed project analyzed in the DEIR's Via Acero/ Kanan paving would be 61,428 SF. The paving associated with the Redesign Alternative at Lauber/ Kanan Dume would, therefore, be slightly less than the paving improvements associated with the proposed project analyzed in the DEIR at Via Acero/ Kanan Dume.

With respect to camping and related facilities, to avoid and/or minimize geologic and ESHA impacts related to the proposed project analyzed in the DEIR, camping sites and restroom facilities have either been eliminated or re-located at a number of locations when compared to the proposed project analyzed in the DEIR. Similar to the 2002 LCP Alternative, the Redesign Alternative would reduce the number of camp sites and restroom facilities at specific Parks. Campsites, in some cases, have been replaced with picnic tables. Implementation of all mitigation measures identified within the DEIR is assumed for this alternative.

2. Reasons for Rejecting Alternative; Infeasibility

The Redesign Alternative would provide for approximately 76% of the number of campsites as the proposed project analyzed in the DEIR: 54 campsites in comparison to 71 campsites under the proposed project analyzed in the DEIR. It would provide slightly more than half the small campsites as the proposed project analyzed in the DEIR (31 as compared to 57), but would result in twice the number of larger campsites (19 as compared to 10 under the proposed project analyzed in the DEIR). In addition, it would provide for six more day use areas than the proposed project analyzed in the DEIR. This Alternative was designed to meet most of the Plan Objectives to enhance public access and accessibility. This alternative would result in a reduction in the aesthetics, agricultural, air quality, biological resources, fire hazards, climate change, hydrology and water quality, public services, transportation and parking and utilities and services impacts. Like the LCP Reduced Project alternative, the Redesign Alternative would reduce the unavoidable seismic hazard impact at the Latigo Trailhead to a level which is significant but mitigable. All potentially significant impacts would be reduced to less-than-significant levels, through implementation of the mitigation measures identified in the DEIR, with the exception of the unavoidable Land Use & Planning impact related to inconsistency with Coastal Act and LCP policies for impacts to ESHA for non-restoration activities. The provision of park and recreational opportunities and a camping component would satisfy some of the Plan Objectives, but it would provide fewer facilities to meet current and growing demands for park and recreational facilities, particularly accessible facilities. Although this alternative would attain many of the Plan Objectives, including the development of accessible trails and overnight campsites and the creation of a long-term management plan

for the five parks, it would fall short in providing adequate facilities to meet not only current, but future demand for park and recreational facilities. Additionally, the Redesign Alternative would provide fewer recreational camping amenities than the Modified Redesign Alternative. The Conservancy and MRCA hereby finds that each of the reasons set forth above would be an independent ground for rejecting the Redesign Alternative as infeasible by itself, and independent of any other reason would justify rejection of the Redesign Alternative as infeasible.

D. MODIFIED REDESIGN ALTERNATIVE

1. Summary of Alternative

The Modified Redesign Alternative would maintain all of the goals, policies, and objectives, but has been designed (as a modification of the Redesign Alternative) to avoid Class I and minimize Class II environmental impacts associated with the proposed project and address the concerns raised during the public review period. The Modified Redesign Alternative would have a total of 54 campsites and 73 new parking spaces, which would have an approximate 24% reduction in camp sites and a 22% reduction (existing + proposed) in parking spaces when compared to the proposed project analyzed in the DEIR.

With respect to camping, in summary, the Modified Redesign Alternative consists of clustered camping primarily at two park locations close to Pacific Coast Highway, Corral Canyon Park and Malibu Bluffs Conservancy Property. The campsites at Corral Canyon Park and Malibu Bluffs Conservancy Property would be clustered and located along the bluffs overlooking the Pacific Ocean. It should be noted that in comparison to the proposed project, no campsites at Corral Canyon Park would be located along the creek as in the original proposed project analyzed in the DEIR. Under this alternative, no camping is proposed at Escondido Canyon Park and Latigo Trailhead. Latigo Trailhead would be improved as a trailhead/ day-use facility only (e.g., parking, restrooms, trails, picnic areas, etc.), while activity at Escondido Canyon Park would be limited to trails. Only two accessible campsites are proposed at Ramirez Canyon Park. The Modified Redesign Alternative's campsites are considered "clustered" because they are focused primarily on only two park locations (when compared to the proposed project analyzed in the DEIR), and within each of those two parks, the campsites would be located within relatively close proximity to each other in order to facilitate the active monitoring and patrolling of campsite activity by MRCA Rangers, camp hosts, and staff.

Improvements at Ramirez Canyon Park would be phased under this Alternative, as described below.

Kanan Dume Parking: A proposed parking facility accessed from Kanan Dume Road would provide a new public parking resource to accommodate 14 vehicles. Informational and regulatory signage would be installed at the parking lot entrance. Additional striping and lanes are proposed along Kanan Dume Road to facilitate access to these parking areas. The Kanan Dume parking areas would be required to be operational in advance of any public use of the proposed Trail Alignment 1A and/or Kanan Spur Trail.

Ramirez Canyon Park: The Modified Redesign Alternative consists of two phases with respect to the portions of the alternative plan that cover Ramirez Canyon Park. Phase 1 continues existing uses at the park (with events/ programming not exceeding the 40 guests per day, plus 20 staff, and vehicle trips limited to 40 round trips/day baseline) with only minor new improvements. Phase 2 would implement a full complement to Phase I specialized programs and uses, including the construction of a secondary access road (if required by the responsible fire agency) from Kanan Dume Road to Ramirez Canyon Park (through an extension and widening of Via Acero), to be used for emergency access only. Under Phase 2, there would be 16 large special events per year at Ramirez Canyon Park (note: the proposed project analyzed in the DEIR had 32 large events and the analysis of the impacts of the Modified Redesign Alternative was based on 32 large events per year) and similar to the proposed project analyzed in the DEIR, public outreach (7 days per week) and tours and small gatherings (12 tours per month). Phase 2 also includes new accessible campsites, new parking improvements, new day use areas, and new restrooms.

Five day-use/ picnic areas, two day-use/multi-purpose use areas, and an adjacent parking area (existing) would be improved. Improvements would likely be phased consistent with the Concept – Modified Redesign Alternative Civil plans. These areas would be improved with picnic amenities and the periphery of the areas revegetated with native plants to enhance the visual quality and habitat of the currently degraded site areas. During Phase 2 of the implementation of improvements at Ramirez Canyon Park, a new single restroom facility meeting the specifications for accessibility would be provided east of an existing parking lot, which would be restriped and reconfigured as part of that phase; the restroom would be connected to the Park's existing advanced wastewater treatment system. The Area 1-A parking lot, located at the southern entrance to the park, would be improved during Phase 2 construction to provide 8 standard and 2 accessible spaces, for a total of 48 parking spaces available on-site.

Via Acero: Under this alternative, if required by the responsible fire agency, an approximate 20 ft wide secondary access to Ramirez Canyon Park would be facilitated by a northwesterly extension of Via Acero's current western terminus to Kanan Dume Road, similar to the proposed project analyzed in the DEIR. In addition, to maintain adequate room for operations during an emergency incident along Ramirez Canyon Road and/or Delaplaine Road, additional widening to a total road width of approximately 26 feet would occur for a length of approximately 50 feet adjacent to all existing fire hydrant locations, if required by the responsible fire agency. Vehicle access from Kanan Dume Road to Ramirez Canyon Park through use of an extension of Via Acero would be utilized only for emergency ingress/ egress to Ramirez Canyon Park. The Conservancy/ MRCA would continue to adhere to a total 40 round trips/day standard for vehicles entering from Ramirez Canyon Road. The amount of new pavement required to implement the paving of Via Acero would be slightly higher than the proposed project analyzed in the DEIR in order to meet minimum grade and width requirements. With respect to camping and related facilities, to avoid and/or minimize geologic and ESHA impacts related to the proposed project analyzed in the DEIR, camping sites and restroom facilities have either been eliminated or re-located at a number of locations when compared to the proposed project analyzed in the DEIR. Similar to the 2002 LCP Alternative and Redesign Alternative, the Modified Redesign Alternative would reduce the number of

camp sites and restroom facilities at specific Parks. Campsites, in some cases, have been replaced with picnic tables.

Under the Modified Redesign Alternative, camping would be clustered within Corral Canyon Park and Malibu Bluffs Conservancy Property; camping at Ramirez Canyon Park would be reduced to two accessible sites. Camp Areas proposed at Escondido Canyon Park and Latigo Trailhead within the proposed project analyzed in the DEIR would be removed under this Alternative.

Implementation of a fire protection plan (see Appendix MRA-5) would be required for the Modified Redesign Alternative. Also implementation of the majority of mitigation measures detailed in the DEIR would be required, as more fully detailed in Section 14 of the FEIR.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

An EIR must also identify an “environmentally superior” alternative among those examined, and where the No Project Alternative is identified as environmentally superior, the EIR must identify an environmentally superior alternative from among the other alternatives. The environmental impacts of each alternative are compared to the proposed project and evaluated as to whether their impacts would be similar to the proposed project, greater, or less than the proposed project.

The Modified Redesign Alternative would be the Environmentally Superior Alternative because it is the only alternative that reduces both of the proposed project’s unavoidable environmental impacts, to a level of that is significant but mitigable. The Modified Redesign Alternative also provides more of the park and recreational amenities than the other alternatives and comes closest to fully achieving Plan Objectives of the four alternatives. In addition, the Modified Redesign Alternative includes a number of features designed to address community concerns, which are not included in the other alternatives. Based upon the discussion above, the Modified Redesign Alternative should be considered the environmentally superior alternative.

As detailed in Section 15 of the FEIR, the Modified Redesign/Environmentally Superior Alternative, is not considerably different from the Redesign Alternative concept analyzed in the DEIR, would not result in new or more severe significant impacts as compared to those already studied as part of the environmental analysis for the proposed project and alternatives analyzed in the DEIR, and would lessen the environmental impacts of the proposed project. Therefore, pursuant to Section 15088.5 (a)(3) the Modified Redesign Alternative/Environmentally Superior Alternative would only trigger the requirement to recirculate the EIR, if the agency declines to adopt it.

F. THE SELECTION OF THE MODIFIED REDESIGN/ ENVIRONMENTALLY SUPERIOR ALTERNATIVE

1. Summary of Modified Redesign/Environmentally Superior Alternative

The Modified Redesign Alternative is detailed in Sections 14 and 15 of the FEIR.

2. Reasons for Selecting the Modified Redesign Alternative (the “Project”)

The Conservancy and MRCA have carefully reviewed the attributed and environmental impacts of the proposed project analyzed in the DEIR, and all the alternatives proposed. The Conservancy and MRCA finds that the all of the alternatives, with the exception of the Modified Redesign/Environmentally Superior Alternative are infeasible for various environmental, economic, technical, social, or other reasons as set forth above. Additionally, the Conservancy and MRCA find that the proposed project analyzed in the DEIR is environmentally infeasible as it will result in significant and unavoidable impacts that can only be eliminated with the selection of the Modified Redesign/Environmentally Superior Alternative.

The Modified Redesign Alternative would reduce all significant and unavoidable impacts, is the Environmental Superior Alternative, would come closest of the alternatives to fully achieving the plan objectives, and includes a number of features designed to address community concerns, which are not included in the other alternatives or in the proposed project. Therefore, the Conservancy and MRCA select the Modified Redesign/Environmentally Superior Alternative.

In selecting the Modified Redesign/Environmentally Superior Alternative, the Conservancy and MRCA, thereby, make the following finding:

A. Changes or alterations have been required in, or incorporated into, The Modified Redesign/Environmentally Superior Alternative which avoid or substantially lessen the significant environmental effects identified in the EIR.

V. Effects Determined to be Less Than Significant/No Impact in the Initial Study/Notice of Preparation.

The Conservancy and MRCA prepared a Notice of Preparation (NOP) and Initial Study to determine the potential environmental effects of the proposed project analyzed in the DEIR. In the course of this evaluation, the proposed project analyzed in the DEIR was found to have no impact in certain impact categories because a project of this type and scope would not create such impacts or because of the absence of project characteristics producing effects of this type. The following effects were determined not to be significant or to be less than significant for the reasons set forth in the Initial Study, and were not analyzed in the EIR because they require no additional analysis to determine whether the effects could be significant. The Conservancy and MRCA’s scaling down of the proposed project analyzed in the DEIR into the Modified Redesign/Environmentally Superior Alternative would not change the conclusions of the Initial Study.

A. AIR QUALITY

1. The Modified Redesign/Environmentally Superior Alternative will not create objectionable odors affecting a substantial number of people.

B. HAZARDOUS AND HAZARDOUS MATERIALS

1. The Modified Redesign/Environmentally Superior Alternative would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.

2. The Modified Redesign/Environmentally Superior Alternative will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

3. The Modified Redesign/Environmentally Superior Alternative is not located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport.

4. The Modified Redesign/Environmentally Superior Alternative are not located within the vicinity of a private airstrip, and thus would not result in a safety hazard.

C. HYDROLOGY AND WATER QUALITY

1. The Modified Redesign/Environmentally Superior Alternative will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

2. The Modified Redesign/Environmentally Superior Alternative will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

D. LAND USE

1. The Modified Redesign/Environmentally Superior Alternative will not physically divide an established community.

2. The Modified Redesign/Environmentally Superior Alternative will not conflict with any applicable habitat conservation plan or natural community conservation plan.

E. MINERAL RESOURCES

1. The Modified Redesign/Environmentally Superior Alternative will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

2. The Modified Redesign/Environmentally Superior Alternative will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

F. NOISE

1. The Modified Redesign/Environmentally Superior Alternative is not located within an airport land use plan or within two miles of a public airport or public use airport, and thus would not expose people residing or working in the Plan area to excessive noise levels from airport activities.

2. The Modified Redesign/Environmentally Superior Alternative is not located within the vicinity of a private airstrip, and thus would not expose people residing or working in Plan area to excessive noise levels from airstrip activities.

G. POPULATION AND HOUSING

1. The Modified Redesign/Environmentally Superior Alternative will not induce substantial population growth in an area either directly or indirectly as no large scale housing or employment opportunities are associated with the Modified Redesign/Environmentally Superior Alternative.

2. The Modified Redesign/Environmentally Superior Alternative will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, because no housing currently exists at the Modified Redesign/Environmentally Superior Alternative sites.

3. The Modified Redesign/Environmentally Superior Alternative will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere, because no one currently resides at the Modified Redesign/Environmentally Superior Alternative sites as they are natural parks.

H. PUBLIC SERVICES

1. The Modified Redesign/Environmentally Superior Alternative will not result in substantial adverse physical impacts associated with the provision or need of new or physically altered schools, the construction of which could cause significant environmental impacts, because it would not generate any new students.

2. The Modified Redesign/Environmentally Superior Alternative will not result in substantial adverse physical impacts associated with the provision or need of new or physically altered parks, the construction of which could cause significant environmental impacts, as the Modified Redesign/Environmentally Superior Alternative involves the creation of trails and campsites in already existing parks.

3. The Modified Redesign/Environmentally Superior Alternative are not anticipated to cause any environmental impacts related to any other type of public facility.

I. TRANSPORTATION/TRAFFIC

1. The Modified Redesign/Environmentally Superior Alternative will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

VI. Effects Determined to be Less Than Significant Without Mitigation in the EIR.

The EIR found that the proposed project detailed in the DEIR would have a less than significant impact without the imposition of mitigation on a number of environmental topic areas listed below. A less than significant environmental impact determination was made for each of the following topic areas listed below, based on the more expansive discussions contained in the Final EIR. Further, the Conservancy and MRCA's scaling down of the proposed project analyzed in the DEIR into the Modified Redesign/Environmentally Superior Alternative does not change the conclusions below as further detailed in the FEIR.

A. AESTHETICS

1. The Modified Redesign/Environmentally Superior Alternative will not conflict with adopted Visual Resource Policies.

2. Implementation of the mitigation measures intended to reduce any significant impacts to a less than significant level would not substantially degrade the existing visual character or the quality of the Plan areas or the surrounding area.

3. The Modified Redesign/Environmentally Superior Alternative will not have a cumulative visual resources impact.

B. AGRICULTURAL RESOURCES

1. Implementation of the Modified Redesign/Environmentally Superior Alternative would not Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

2. Implementation of the Modified Redesign/Environmentally Superior Alternative would not conflict with existing zoning for agricultural use, or a Williamson Act contract.

3. The Modified Redesign/Environmentally Superior Alternative would not involve other changes in the existing environment, which, due to location or nature, could result in conversion of Farmland to non-agricultural use.

4. Implementation of the Modified Redesign/Environmentally Superior Alternative would not result, on a cumulative basis, in any agricultural resource impacts.

C. AIR QUALITY

1. The operation of the Modified Redesign/Environmentally Superior Alternative would not exceed South Coast Air Quality Management District's operational significance thresholds.

2. The operation of the Modified Redesign/Environmentally Superior Alternative would not result in carbon monoxide "hotposts" at vehicle intersections or roadways.

3. The Modified Redesign/Environmentally Superior Alternative would not create objectionable odors.

4. The Modified Redesign/Environmentally Superior Alternative would not conflict with or obstruct implementation of the applicable air quality plan.

5. Implementation of the mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative would not result in any significant impacts on air quality.

6. The Modified Redesign/Environmentally Superior Alternative would not result in a cumulatively considerable net increase in any criteria pollutant for which the South Coast Air Basin is in nonattainment under federal or state ambient air quality standards.

D. BIOLOGICAL RESOURCES

1. The Modified Redesign/Environmentally Superior Alternative will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because there are no such plans that apply to the Modified Redesign/Environmentally Superior Alternative sites.

2. The Modified Redesign/Environmentally Superior Alternative will not cause any direct impacts on wildlife movement or cause any disruption of habitat linkages within the Plan area.

3. Implementation of mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative's improvements would not: 1) have a substantial, adverse effect on any species being a candidate, sensitive, or special-status species or riparian habitat in local regional plans, policies, or regulations, or by CDFG or USFWS; 2) have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act; 3) interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; 4) conflict with any local policies or ordinances protecting biological resources or conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan or other approved local, regional or state habitat conservation plan.

4. The Modified Redesign/Environmentally Superior Alternative will result in a less than significant cumulative contribution to the loss of species identified as being a candidate, sensitive, or special-status species or federally protected wetlands through the direct removal, filling, hydrological interruption or other means, or interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

E. CULTURAL RESOURCES

1. The Modified Redesign/Environmentally Superior Alternative would not have the potential to increase impacts to archeological resources based on long-term access and unauthorized collection of such resources based on Project facilities, including trails, campsites, and other improvements.

2. Construction of the proposed project and the Modified Redesign/Environmentally Superior Alternative's proposed trails, camping facilities, and parking facilities would not destroy, directly or indirectly, a significant paleontological resource or site located within or in the vicinity of the Modified Redesign/Environmentally Superior Alternative areas.

3. Construction of the Modified Redesign/Environmentally Superior Alternative's proposed trails, camping facilities, and parking facilities would not disturb any human remains as there are no recorded cemeteries located within or in the vicinity of the Plan areas.

4. The Modified Redesign/Environmentally Superior Alternative would not result in a cumulatively considerable cultural resources impact.

F. FIRE HAZARDS

1. Implementation of the Modified Redesign/Environmentally Superior Alternative's proposed improvements, including the Fire Protection Plan, would not expose people to significant risk of loss, injury, or death involving wildland fires.

2. Implementation of the Modified Redesign/Environmentally Superior Alternative would not interfere with response and/or evacuation requirements in the case of an emergency.

3. Implementation of mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative would not result in significant fire hazards.

4. Implementation of the Modified Redesign/Environmentally Superior Alternative would not result in cumulatively significant contribution to wildland fire impacts in Plan area.

G. GEOLOGY AND SOILS

1. The Modified Redesign/Environmentally Superior Alternative would not create an impact from soils incapable of supporting the use of alternative wastewater disposal systems.

2. Implementation of mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative would result in less than significant impacts associated with geology, soils, and seismic hazards.

3. With implementation of the Modified Redesign/Environmentally Superior Alternative Plan's policies, including adherence to the California Building Code, the Modified Redesign/Environmentally Superior Alternative's contribution to cumulative impacts associated with geology, soils, and seismic hazards would be less than significant.

H. GLOBAL CLIMATE CHANGE

1. As more fully detailed in the FEIR, implementation of the Modified Redesign/Environmentally Superior Alternative would not conflict with or impede the State's ability to achieve the goals of AB 32 and associated impacts would be less than significant.

2. Implementation of the mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative would result in less than significant impacts on global climate change.

I. HAZARDS AND HAZARDOUS MATERIALS

1. The routine transportation and handling of hazardous materials within the Plan area under the Modified Redesign/Environmentally Superior Alternative would create a less than significant hazard to the public or the environment.

2. Implementation of the Modified Redesign/Environmentally Superior Alternative would not locate proposed improvements on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result, would result in less than significant impacts.

3. Implementation of the Modified Redesign/Environmentally Superior Alternative would not result in a cumulatively significant contribution to health risks associated with soil/groundwater contamination or emission of hazardous materials into the environment.

J. HYDROLOGY, DRAINAGE AND WATER QUALITY

1. The Modified Redesign/Environmentally Superior Alternative would not substantially alter the existing drainage pattern of the site or area, including though the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site.

2. The Modified Redesign/Environmentally Superior Alternative would not place new habitable structures within areas potentially inundated by a tsunami and would be less than significant.

3. The Modified Redesign/Environmentally Superior Alternative would not create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems and would be less than significant.

4. The Modified Redesign/Environmentally Superior Alternative improvements would not violate any water quality standards or waste discharge requirements and associated impacts would be less than significant.

5. The Modified Redesign/Environmentally Superior Alternative would not result in a degradation of water quality except with regard to animal waste as further detailed in section VI below.

6. Implementation of the mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative's improvements would result in less than significant impacts.

7. No significant cumulative impacts will result from the Modified Redesign/Environmentally Superior Alternative in combination with other projects.

K. LAND USE

1. The Modified Redesign/Environmentally Superior Alternative would not physically divide an established community.

2. Implementation of the Modified Redesign/Environmentally Superior Alternative would not conflict with any habitat conservation plan or natural community conservation plan.

3. Implementation of mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative's improvements would not 1) physically divide an established community, 2) conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Plan area adopted for the purpose of avoiding or mitigating an environmental effect, or 3) conflict with any applicable habitat conservation plan or natural community conservation plan. Therefore, impacts related to land use and planning would be considered less than significant.

4. The Modified Redesign/Environmentally Superior Alternative would not result in a cumulatively significant land use impact which would 1) physically divide an established community, 2) conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Plan area adopted for the purpose of avoiding or mitigating an environmental effect, or 3) conflict with any applicable habitat conservation plan or natural community conservation plan. Therefore, cumulative impacts related to land use and planning would be considered less than significant.

L. NOISE

1. The Modified Redesign/Environmentally Superior Alternative would not expose overnight campers to ambient noise levels which exceed the recommended maximum 65 dba CNEL threshold and would, therefore, be less than significant.

2. The Modified Redesign/Environmentally Superior Alternative would not generate traffic that would result in a substantial increase in mobile source noise level, and therefore would result in a less than significant impact on sensitive receptors.

3. Implementation of the mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative's improvements would not result in any significant noise impacts.

4. The Modified Redesign/Environmentally Superior Alternative's contribution to cumulative noise impacts would not be cumulatively considerable and would be considered less than significant.

M. PUBLIC SERVICES

1. Implementation of the Modified Redesign/Environmentally Superior Alternative would not incrementally increase the demand for police protection services and would be less than significant.

2. Emergency response times for fire and police serving the Modified Redesign/Environmentally Superior Alternative areas would not be negatively affected by implementation of the Modified Redesign/Environmentally Superior Alternative and impacts would be less than significant.

3. Implementation of mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative would result in less than significant impacts on existing fire and police protection services.

4. Implementation of the Modified Redesign/Environmentally Superior Alternative would not result in a cumulatively considerable impact on fire protection services demand and would not require new facilities or staffing. Thus this impact would be less than significant.

5. Implementation of the Modified Redesign/Environmentally Superior Alternative would not result in a cumulatively considerable impact on police protection services demand and would not require new facilities or staffing. Thus this impact would be less than significant.

N. RECREATION

1. Implementation of the Modified Redesign/Environmentally Superior Alternative would create a less than significant impact on existing park and recreational facilities.

2. Implementation of mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative would result in less than significant impacts on existing park and recreational facilities.

3. Implementation of the Modified Redesign/Environmentally Superior Alternative, on a cumulative basis, would actually reduce demand on existing park and recreational facilities within the region, and would have a less than significant and beneficial impact.

O. TRAFFIC

1. The Modified Redesign/Environmentally Superior Alternative would not increase traffic, during its operational phase, that would be generate trips that would measurably change the operation of studied roadway segments and intersections. Thus, operational traffic impacts would be less than significant.

2. The Modified Redesign/Environmentally Superior Alternative would not result in a significant construction traffic impact.

3. The Modified Redesign/Environmentally Superior Alternative would provide adequate parking capacity for all parks.

4. The Modified Redesign/Environmentally Superior Alternative would not conflict with programs supporting alternative transportation and would be less than significant.

5. Implementation of mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative would not result in significant traffic or parking impacts.

6. Implementation of the Modified Redesign/Environmentally Superior Alternative would not result in a cumulative considerable increase in traffic.

7. Project generated trips under the baseline scenario detailed in the FEIR, would not result in significant traffic impacts.

8. Project generated trips under the baseline scenario detailed in the FEIR, would not result in cumulatively considerable traffic impact.

P. UTILITIES/SERVICE SYSTEMS

1. Implementation of the Modified Redesign/Environmentally Superior Alternative's improvements would increase the demand for electricity and natural gas services. However, the increase in demand would not require the construction of new energy facilities; impacts would be less than significant.

2. Implementation of the Modified Redesign/Environmentally Superior Alternative's improvements would not increase the demand for public wastewater service or

require the expansion or construction of new public wastewater facilities; impacts would be less than significant.

3. Implementation of the Modified Redesign/Environmentally Superior Alternative's improvements would not require or result in the construction of new or expansion of storm water drainage facilities; impacts would be less than significant.

4. Implementation of the Modified Redesign/Environmentally Superior Alternative's improvements would incrementally increase the demand for water; however, the District has adequate water supplies to serve the Plan site and serving the Plan would not require the construction of new water supply facilities; impacts would be less than significant.

5. Implementation of mitigation measures intended to reduce impacts associated with the Modified Redesign/Environmentally Superior Alternative's improvements would not result in substantial demands for new utility services or infrastructure. Therefore, impacts related to utilities would be considered less than significant.

6. Implementation of the Modified Redesign/Environmentally Superior Alternative's improvements would not create a cumulatively considerable demand for energy such that the construction of new or expansion of existing energy facilities would be required; impacts would be less than significant.

7. Implementation of the Modified Redesign/Environmentally Superior Alternative's improvements would not create a cumulatively considerable demand for wastewater services such that expansion or construction of new wastewater facilities would be required; impacts would be less than significant.

8. Implementation of the Modified Redesign/Environmentally Superior Alternative's improvements would not create a cumulatively considerable demand for storm drainage facilities such that the expansion or construction of new storm drainage facilities would be required; impacts would be less than significant.

9. Implementation of the Modified Redesign/Environmentally Superior Alternative's improvements would not create a cumulatively considerable demand for water such that new water supplies would need to be secured to serve the Plan site nor would the construction of new water supply facility be required; impacts would be less than significant.

10. Implementation of the Modified Redesign/Environmentally Superior Alternative's improvements would not create a cumulatively considerable demand for solid waste services such that expansion or construction of new solid waste facilities would be required; impacts would be less than significant.

VII. Potentially Significant Environmental Impacts Determined to be Mitigated to a Less Than Significant Level.

The EIR identified the potential for the proposed project to cause significant environmental impacts in the areas of aesthetics, agricultural resources, air quality, biological resources, cultural resources, fire hazards, geology, soils and seismic hazards, global climate

change, hazardous materials, hydrology, drainage, and water quality, land use and planning, noise, public services, recreation, transportation, circulation and parking, and utilities/service systems. Measures were identified that would mitigate all of these impacts to a less than significant level, with the exception of geology, soils and seismic hazards impacts at the Latigo Trailhead and land use and planning impacts, as discussed in VIII, below.

Selection of the Modified Redesign/Environmentally Superior Alternative would have similar significant environmental impacts as the proposed project in the areas of cultural resources, hazardous materials, and marginally greater public services impacts. As discussed below, measures were identified that would mitigate all of these impacts to a less than significant level.

Selection of the Modified Redesign/Environmentally Superior Alternative would reduce but not eliminate the significant environmental impacts in the areas of aesthetics, agricultural resources, air quality, biological resources, fire hazards, geology, soils and seismic hazards (other than those at the Latigo Trailhead), global climate change, hydrology, drainage, and water quality, noise, public services, transportation, circulation and parking, and utilities/service systems. As discussed below, mitigation measures were identified that would mitigate all of these impacts to a less than significant level.

The Conservancy and MRCA find that the feasible mitigation measures for the proposed project and the Modified Redesign/Environmentally Superior Alternative identified in the Final EIR would reduce the Modified Redesign/Environmentally Superior Alternative's impacts to a less than significant level. The Conservancy and MRCA will adopt all of the feasible mitigation measures for the Modified Redesign/Environmentally Superior Alternative, described in the Final EIR, as conditions of approval of the Plan and incorporate those into the Plan if approved. Further, the Conservancy and MRCA's scaling down of the proposed project analyzed in the DEIR into the Modified Redesign/Environmentally Superior Alternative does not change the following conclusions, and those conclusions are equally applicable to the proposed project analyzed in the DEIR and the Modified Redesign/Environmentally Superior Alternative, with the exceptions noted herein.

A. AESTHETICS

1. Existing Visual Character of the Plan Areas

The Final EIR determined that implementation of the proposed project's proposed improvements may degrade the existing visual character of the Plan area and have the potential to create a significant impact. Specifically, the proposed water tanks, fire shelters, and fire sheds have the potential to create a significant impact. However, with the implementation of the measures detailed below, a less than significant impact will result.

(a) Findings

Changes or alterations have been required in, or incorporated into, the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures that avoid or substantially lessen the potential degradation of the existing visual character of the Plan areas. Specifically, the following mitigation measures are imposed

upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant impact:

MM VIS-1.1 Restroom facilities, water tanks, optional emergency fire shelters, storage sheds and fire truck storage sheds shall be designed with colors that are compatible with the surrounding landscape and native, drought tolerant landscape screening shall be used to minimize visibility of the structures.

MM VIS-1.2 To reduce potential impacts on blue-water ocean views from Pacific Coast Highway, Malibu Bluffs Parking Area 3 shall be constructed a minimum 3-feet below road grade of Pacific Coast Highway which would have the effect of “lowering” the height of the water tank and restroom structures. This shall occur within the same footprint of the proposed Malibu Bluffs Parking Area 3. In addition, the proposed restroom, water tank shall be relocated within the Malibu Bluffs Parking Area 3 existing footprint to minimize impacts on blue-water ocean views and visibility from Pacific Coast Highway.

MM VIS-1.3 Stepped or terraced retaining walls with planting in between shall be used to support parking areas, where feasible. Stepped or terraced retaining walls shall not exceed twelve feet in height. If stepped or terraced retaining walls are determined infeasible, a small planter area shall be placed in front of the retaining wall, to allow for planting of shrubs, vines, etc. to visually screen the wall.

Plan Requirement and Timing: Geotechnical, structural, and engineering analyses shall be conducted consistent with this mitigation, and any recommendations resulting therefrom, shall be prepared and submitted to MRCA for review and approval prior to soil disturbance activity. Applicable recommendations shall be identified on the grading, construction, and restoration plans for each phase.

Monitoring: Prior to grading, MRCA shall review Geotechnical, structural, and engineering analyses and shall review final grading, construction, and restoration plans to ensure consistency with the technical recommendations. MRCA staff shall inspect construction sites during construction to verify compliance with this requirement.

(b) Facts in Support of Findings

The Modified Redesign/Environmentally Superior Alternative includes development of low-impact camp sites, restroom facilities, emergency fire shelters, fire truck storage sheds, water tanks, trails, and expanded parking facilities. The camp area improvements, including restrooms, emergency fire shelters and fire truck storage sheds, are designed to be clustered in specific locations that would not damage existing scenic resources; visibility from primary public viewing areas is minimized. Furthermore, camp facility improvements are sufficiently set back on the marine terrace at Corral Canyon Park and the coastal bluff at Malibu Bluffs and would generally not be visible from the beach below or from Pacific Coast Highway. The

Modified Redesign/Environmentally Superior Alternative's improvements are minor in nature and would provide additional public access and recreational opportunities to enjoy the substantial open spaces and visual resources afforded protection by the existing parklands in the Plan area. The Modified Redesign/Environmentally Superior Alternative includes standards for the screening of restrooms, and any necessary retaining walls for trail construction from view of public trails, and other scenic viewing areas. Specifically, as more fully detailed in the FEIR and the Public Works Plan, hereby incorporated by this reference, The Modified Redesign/Environmentally Superior Alternative includes the various policies and implementation measures that call for locating new improvements in level areas to minimize grading, and within areas where vegetation exists or where topography naturally screens the improvement areas from public views. Where necessary, native vegetation would be planted to provide a buffer between new campsites and trail corridors and to screen proposed restroom facilities and retaining walls.

The Modified Redesign/Environmentally Superior Alternative also calls for limited additional grading to "tuck" the restroom facilities into the hillside and thereby blend with the natural terrain. The restroom facilities are to be implemented with colors that are compatible with the surrounding landscape; further, landscape screening would be used to minimize visibility of the structures. The Modified Redesign/Environmentally Superior Alternative 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 Modified Redesign/Environmentally Superior Alternative also requires that retaining walls not exceed six feet; stepped or terraced retaining walls (up to twelve feet in height), with planting in between, are permissible where necessary. All retaining walls are to 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.

As described above, restrooms, water tanks, emergency fire shelters, the fire truck storage sheds, and retaining wall structures are the primary permanent structures required for trail support that may potentially be visible from public viewing areas; however, most of these improvements would be located and designed so as not to be visible from significant public viewing areas.

Because The Modified Redesign/Environmentally Superior Alternative includes new trail improvements, public parking and camp facilities that inevitably would be somewhat visible from public trails within existing parklands, The Modified Redesign/Environmentally Superior Alternative provides for landscape screening measures to reduce visibility of these improvements to minimize the potential impacts to visual resources. The Modified Redesign/Environmentally Superior Alternative does not involve development of new structures on any prominent ridgelines or other intervening ridgelines.

Although trail improvements would potentially be visible from Pacific Coast Highway, Kanan Dume Road, Latigo Canyon Road, and Corral Canyon Road, the trail improvements are minor in nature and would not result in a substantial change in the visual character of the area from these roadways.

In addition, the Modified Redesign/Environmentally Superior Alternative's improvements would be subject to Chapter 6 of the City of Malibu's Local Implementation Plan (LIP), which includes specific development standards (e.g., designing structures to blend into the natural hillside setting, minimizing grading, preserve blue-water views, etc.) to enhance and protect the scenic and visual qualities of the coastal and mountain areas within the City.

Although implementation of the Plan's policies and implementation measures, compliance with the City's LIP, and incorporation of the many Modified Redesign/Environmentally Superior Alternative design features would minimize the potential for existing public views to be obstructed by the proposed improvements, the proposed water tanks, emergency fire shelters, and the fire truck storage sheds may create potentially significant impacts on the existing visual character of Plan area.

The Conservancy and MRCA's scaling down of the proposed project analyzed in the DEIR into the Modified Redesign/Environmentally Superior Alternative would aid in further reducing the potentially significant impacts to existing visual character of the Plan area. This is so because the Modified Redesign/Environmentally Superior Alternative would result in the elimination of a water tank, restrooms, and an optional fire shelter at Escondido Canyon Park and the removal of a water tank and optional fire shelter at Latigo Trailhead. Further, at Ramirez Canyon Park, a total of three campsites will be eliminated. This would result in the reduction of the potentially significant visual character impacts at three campsite locations.

As further detailed in Section 14 and 15 of the FEIR, this clustering of campsites and other improvements at Corral Canyon Park and the Malibu Bluffs Conservancy Property, including the permanent Park Administration/Employee Quarters, would not result in any increased visual character impacts at these two locations based in large part on siting of these improvements that screens views at these two campsites. For example, although camping and other improvements will be clustered at Corral Canyon Park, it will be clustered at Camp Area 1, but eliminated from Camp Area 2. As Camp Area 1 is largely invisible to traffic along PCH due to its location on an elevated terrace behind a local ridge above PCH, these improvements under the Modified Redesign/Environmentally Superior Alternative would result in the slight reduction in the potentially significant visual character impact at this park. Further, the proposed optional fire shelter located along the east shoulder of Corral Canyon Road where proposed Trail 13b meets Corral Canyon Road would be visible from Corral Canyon Road, a city designated scenic road, but would not result in a significant visual intrusion into the view shed for travelers along this road. This is in part, because two recently constructed single family homes are located on the same east side of Corral Canyon Road, just south of the proposed optional shelter, and they provide a much larger obstruction to views from Corral Canyon Road. Additionally, the improvements proposed for Malibu Bluffs under the Modified Redesign/Environmentally Superior Alternative, would be similar to the proposed project detailed in the DEIR, as these improvements would be set back below an existing vegetated berm that varies in height and extends along a majority of the Bluffs property fronting PCH. Thus, with the Modified Redesign/Environmentally Superior Alternative, visual resource impacts are expected to be less than the proposed project analyzed in the DEIR for Escondido Canyon Park, Latigo Trailhead, Ramirez Canyon Park, and Corral Canyon Park, and similar to the proposed project analyzed in the DEIR for the Malibu Bluffs Conservancy Property. However, the impact overall will remain potentially significant.

Implementation of the Plan's Visual Resource Policies and accompanying Visual Resource Implementation Measures, including mitigation measures MM VIS-1.1, MM VIS-1.2, and MM VIS-1.3, would reduce potential impacts on aesthetics and visual resources to less than significant levels. These policies, implementation measures, and mitigation measures would apply equally to the Modified Redesign/Environmentally Superior Alternative as they would to the proposed project analyzed in the DEIR, and would reduce any visual character impact to the Modified Redesign/Environmentally Superior Alternative's proposed improvements. Therefore, with implementation, this impact would be less than significant.

2. Substantially Damage Scenic Resources Within View of a State Scenic Highway

Implementation of the proposed project's improvements has the limited potential to damage scenic resources within the view of a state scenic highway. However, with the implementation of Plan policies and implementation measures, compliance with the City of Malibu's Local Implementation Plan, the incorporation of existing project design features, and the measures detailed below, impacts would be less than significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures that avoid or substantially lessen any potential scenic resources impact. Specifically, the following mitigation measures are imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant impact:

MM VIS-1.1 Restroom facilities, water tanks, optional emergency fire shelters, storage sheds and fire truck storage sheds shall be designed with colors that are compatible with the surrounding landscape and native, drought tolerant landscape screening shall be used to minimize visibility of the structures.

MM VIS-1.2 To reduce potential impacts on blue-water ocean views from Pacific Coast Highway, Malibu Bluffs Parking Area 3 shall be constructed a minimum 3-feet below road grade of Pacific Coast Highway which would have the effect of "lowering" the height of the water tank and restroom structures. This shall occur within the same footprint of the proposed Malibu Bluffs Parking Area 3. In addition, the proposed restroom, water tank shall be relocated within the Malibu Bluffs Parking Area 3 existing footprint to minimize impacts on blue-water ocean views and visibility from Pacific Coast Highway.

MM VIS-1.3 Stepped or terraced retaining walls with planting in between shall be used to support parking areas, where feasible. Stepped or terraced retaining walls shall not exceed twelve feet in height. If stepped or terraced retaining walls are determined infeasible, a small planter area shall be placed in front of the retaining wall, to allow for planting of shrubs, vines, etc. to visually screen the wall.

Plan Requirement and Timing: Geotechnical, structural, and engineering analyses shall be conducted consistent with this mitigation, and any recommendations resulting therefrom, shall be prepared and submitted to MRCA for review and approval prior to soil disturbance activity. Applicable recommendations shall be identified on the grading, construction, and restoration plans for each phase.

Monitoring: Prior to grading, MRCA shall review Geotechnical, structural, and engineering analyses and shall review final grading, construction, and restoration plans to ensure consistency with the technical recommendations. MRCA staff shall inspect construction sites during construction to verify compliance with this requirement.

(b) Facts in Support of Findings

The Modified Redesign/Environmentally Superior Alternative includes future development of “low-impact” camp sites, self-contained restroom facilities, water tanks, emergency fire shelters, fire truck storage shed, trails, and expanded parking facilities. The Modified Redesign/Environmentally Superior Alternative Plan requires that site selection and design be considered when locating and designing the proposed camping and new park support facilities to protect the existing visual character of parklands and to minimize alteration of natural landforms. The Modified Redesign/Environmentally Superior Alternative’s improvements would require minor grading for new trails and park facilities. Trails are to be located and designed to utilize established trail corridors and to follow natural contours wherever feasible. However, due to the secluded nature of the proposed improvement areas, variations in the natural topography and existing vegetation that would be retained onsite, the planned minor improvements and necessary grading would not be visible from the majority of public viewsheds along Pacific Coast Highway, a state designated eligible scenic highway, or from Kanan Dume Road, Latigo Canyon Road, or Corral Canyon Road, which are locally designated scenic highways within the Plan area.

Furthermore, the park-specific site 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. Necessary grading would 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 would minimize any potential visual impacts associated with grading.

The Modified Redesign/Environmentally Superior Alternative includes a Tree Protection Plan that includes site-specific mitigation measures to minimize potential visual impacts from implementation of the Plan’s proposed improvements. The Tree Protection Plan includes several mitigation measures (e.g., tree replacement and monitoring, protective fencing, use of hand held tools) that have been incorporated into the Plan as mitigation measures (see Section 5.4, Biological Resources and Section 14 and Section 15 of the Modified Redesign).

In addition, the Modified Redesign/Environmentally Superior Alternative includes many other project design features that are supported by the specific visual resource policies

and implementation measures discussed more fully in the FEIR. For instance, the environmentally sensitive habitat area implementation measures (e.g., ESHA Implementation Measures 1, 2, 4, 6, 8, and 16), and the implementation measures fully detailed in the FEIR require new development to be sited and designed consistent with the City of Malibu's Local Coastal Program Land Use Plan policies and development standards of the Local Implementation Plan.

The planned parking areas, minor self-contained restroom facilities, emergency fire shelters, fire truck storage sheds, water tanks, and limited retaining walls would be located and designed so as not to be substantially visible from Pacific Coast Highway, Kanan Dume Road, Latigo Canyon Road, or Corral Canyon Road, and are sited to minimize disturbance to existing trees to the maximum extent feasible. In addition, the Modified Redesign/Environmentally Superior Alternative improvements would be subject to Chapter 6 of the City of Malibu's Local Implementation Plan, which includes specific development standards (e.g., designing structures to blend into the natural hillside setting, minimizing grading, etc.) to enhance and protect the scenic and visual qualities of the coastal and mountain areas within the City.

Further, the Conservancy and MRCA's scaling down of the proposed project analyzed in the DEIR into Modified Redesign/Environmentally Superior Alternative would aid in further reducing the potentially significant scenic resources impact. This is so because the Modified Redesign/Environmentally Superior Alternative would result in the elimination of the optional fire shelters at Escondido Canyon Park and Latigo Trailhead. This would result in a reduction of the potentially significant scenic resources impacts at two campsite locations.

In addition, the Modified Redesign/Environmentally Superior Alternative would cluster camping and other improvements at two primary locations: Corral Canyon Park and the Malibu Bluffs Conservancy Property. This clustering of campsites would aid in further reducing the scenic resource impacts as camping and other improvements would no longer occur at Escondido Canyon Park and the Latigo Trailhead area. Thus, no improvements would be visible from Winding Way in the case of Escondido Canyon Park, and the proposed improvements at Latigo Canyon Park, now limited to only day use picnic areas, would not be visible from Latigo Canyon Road.

Finally, the clustering of campsites at only Corral Canyon Park and the Malibu Bluffs Conservancy Property still would not cause a scenic resources impact. For Corral Canyon Park, the Modified Redesign/Environmentally Superior Alternative would involve clustering of camping at Corral Canyon Park within Camp Area 1, the removal of camping at Camp Area 2, and the replacement of a camp host site with a Park Administration/Employee Quarters building at the existing Corral Canyon Trailhead parking lot. Camp Area 1 would increase from 11 campsites to 17 campsites, but would largely be invisible to traffic along PCH due to its location on an elevated terrace behind a local ridge above PCH. The proposed Park Administration/Employee Quarters building and a new two-stall restroom facility would be located primarily behind the existing seafood restaurant, which would generally shield these structures from view along PCH.

Further, as stated previously, the optional fire shelter located along the east shoulder of Corral Canyon Road where proposed Trail 13b meets Corral Canyon Road would be visible

from Corral Canyon Road, a city designated scenic road. However, the shelter would not significantly obstruct scenic public views from this roadway due to its relatively small size. Two recently constructed large single family homes are located on the same east side of Corral Canyon Road just south of the proposed shelter, and provide a much larger obstruction to views from Corral Canyon Road. As a result, the proposed shelter would not result in a significant visual intrusion into the viewshed for travelers along Corral Canyon Road.

As to the Malibu Bluffs Conservancy Property, the primary visual change from the proposed project analyzed in the DEIR would be the proposed clustering of camping at Malibu Bluffs, reduction in parking areas, introduction of two Park Administration/Employee Quarters buildings and a single self-contained restroom, and storage shed/enclosures. The number of campsites would increase from 32 to 35 campsites, while Parking Areas 2 and 4 would be eliminated. However, even with these improvements, and as further detailed in Section 14 and Section 15 of the FEIR, the views across the property to blue ocean water would be maintained from PCH in large part due to the fact that the majority of the proposed improvements are set back below an existing vegetated berm that varies in height and extends along a majority of the Bluffs property fronting Pacific Coast Highway.

Thus, with implementation of the Modified Redesign/Environmentally Superior Alternative Plan's policies and implementation measures, including the Tree Protection Plan, compliance with the City's LIP, and incorporation of the many project design features of the Modified Redesign/Environmentally Superior Alternative, including mitigation measures MM VIS-1.1, MM VIS-1.2, and MM VIS-1.3, the potential for scenic resources to be damaged within view from Pacific Coast Highway, Kanan Dume Road, Latigo Canyon Road, or Corral Canyon Road from implementation of the proposed improvements would be minimized. As a result, potential impacts on scenic resources in view from scenic highways are considered less than significant.

3. Light and Glare

Implementation of the proposed project would not create a substantial light or glare effect on existing day or nighttime views in the area. Nevertheless, the following measures will ensure this already less than significant impact remains insignificant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures that avoid or substantially lessen the already insignificant light and glare impact. Specifically, the following mitigation measure is imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant impact:

MM VIS-3 Exterior lighting associated with special events shall be minimized and restricted to low intensity fixtures, shielded, and concealed to the maximum extent feasible so that no light source is directly visible from public viewing areas.

Plan Requirement and Timing: Lighting plans shall be prepared and submitted to MRCA for review and approval prior to installation or use.

Monitoring: MRCA shall review and approve lighting plans consistent with this mitigation. MRCA staff shall inspect Plan sites to verify compliance with this requirement.

(b) Facts in Support of Findings

As previously detailed in the DEIR, the proposed project would create new sources of light from the proposed six camp host sites. However, as such lighting was to be confined to the camping area, the introduction of such lighting was not anticipated to be considered potentially significant. Under the Modified Redesign/Environmentally Superior Alternative, the camp hosts sites would be replaced with three new Park/Administration/Employee Quarters, one of which would be located at Corral Canyon Park, and two to be located at the Malibu Bluffs Conservancy Property. Additionally, in response to fire concerns, fire truck storage sheds are now included to house fire trucks at both Corral Canyon Park and the Malibu Bluffs Conservancy Property. However, similar to the proposed project analyzed in the DEIR, the Project would not introduce new light sources that would rise to a level of significance.

At Corral Canyon Park, electricity installed at the employee quarters would be for lighting, while at the shed it would be for the use of lighting and charging of equipment. The lighting associated with the employee quarters and storage sheds would not be expected to be significant enough to affect existing day or nighttime views in the area. Furthermore, the electrical hook-ups at each campsite cook station would be for the use of electrical hotplates and/or griddles for cooking and would not generate a new light source. Therefore, potential light and glare impacts to light sensitive land uses, such as the surrounding residential neighborhoods in proximity to Corral Canyon Park, from implementation of the park improvements are considered less than significant.

At Malibu Bluffs, electricity installed at the residential quarters would be for lighting, while at the sheds it would be for the use of lighting and charging of equipment. The lighting associated with the employee quarters and storage sheds would not be expected to be significant enough to affect existing day or nighttime views in the area. Furthermore, the electrical hook-ups at each campsite cook station would be for the use of electrical hotplates and/or griddles for cooking and would not generate a new light source. Therefore, potential light and glare impacts to light sensitive land uses, such as the surrounding residential neighborhoods in proximity to Malibu Bluffs, from implementation of the park improvements are considered less than significant.

Finally, all remaining improvements that are part of the Modified Redesign/Environmentally Superior Alternative would not introduce new lighting into the Plan areas. For example, the proposed new restroom facilities are designed to take advantage of natural lighting through non-reflective skylights and vents. Furthermore, the Modified Redesign/Environmentally Superior Alternative does not include the use of nighttime security lighting for construction equipment during Project construction. Finally, no reflective elements are included as part of the Modified Redesign/Environmentally Superior Alternative.

Lastly, although the Modified Redesign/Environmentally Superior Alternative would permit temporary lighting for special events and allow campers to use flashlights and lanterns, any lighting associated with the special events and campers would be temporary and not significant enough to affect existing day or nighttime views in the area. Therefore, potential light and glare impacts to light sensitive land uses, such as the surrounding residential neighborhoods in proximity to the Plan areas are considered less than significant. Nevertheless, mitigation measure MM VIS-3 is imposed to ensure this already less than significant impact remains insignificant.

4. Scenic Vistas

Implementation of the proposed project's improvements would not involve development of significant vertical structures that would impact scenic vistas. However, the Park Administration/Employee Quarters, water tanks as well as signage has the potential to cause a scenic vista impact. The measures imposed below ensure this impact is reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures that avoid or substantially lessen any potential scenic vista impact. More specifically, the following mitigation measure is imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant impact.

MM VIS-1.1 Restroom facilities, water tanks, optional emergency fire shelters, storage sheds and fire truck storage sheds shall be designed with colors that are compatible with the surrounding landscape and native, drought tolerant landscape screening shall be used to minimize visibility of the structures.

MM VIS-1.2 To reduce potential impacts on blue-water ocean views from Pacific Coast Highway, Malibu Bluffs Parking Area 3 shall be constructed a minimum 3-feet below road grade of Pacific Coast Highway which would have the effect of "lowering" the height of the water tank and restroom structures. This shall occur within the same footprint of the proposed Malibu Bluffs Parking Area 3. In addition, the proposed restroom, water tank shall be relocated within the Malibu Bluffs Parking Area 3 existing footprint to minimize impacts on blue-water ocean views and visibility from Pacific Coast Highway.

MM VIS-1.3 Stepped or terraced retaining walls with planting in between shall be used to support parking areas, where feasible. Stepped or terraced retaining walls shall not exceed twelve feet in height. If stepped or terraced retaining walls are determined infeasible, a small planter area shall be placed in front of the retaining wall, to allow for planting of shrubs, vines, etc. to visually screen the wall.

Plan Requirement and Timing: Geotechnical, structural, and engineering analyses shall be conducted consistent with this mitigation, and any recommendations resulting therefrom, shall be prepared and submitted to MRCA for review and approval prior to soil disturbance activity. Applicable recommendations shall be identified on the grading, construction, and restoration plans for each phase.

Monitoring: Prior to grading, MRCA shall review Geotechnical, structural, and engineering analyses and shall review final grading, construction, and restoration plans to ensure consistency with the technical recommendations. MRCA staff shall inspect construction sites during construction to verify compliance with this requirement.

MM VIS-5 A Comprehensive Sign Plan detailing the location, size, design, content, and maintenance of signs shall be prepared.

Plan Requirement and Timing: The Comprehensive Sign Plan shall be prepared and submitted to Coastal Commission staff for review and approval prior to installation of signs.

Monitoring: Prior to installation of signs, MRCA shall review the final Sign Plan to ensure consistency with the plans recommendations. MRCA staff shall inspect signs to verify compliance with this requirement.

(b) Facts in Support of Findings

The Modified Redesign/Environmentally Superior Alternative improvements do not involve development of significant vertical structures with the exception of the Park Administration/Employee Quarters located only at Corral Canyon Park and Malibu Bluffs Conservancy Property, the minor self-contained restroom improvements for trail users and park visitors, water tanks, optional emergency fire shelters, and fire truck storage sheds at specific parks. Minor grading for new trails and park facilities that include the self-contained restroom structures, water tanks, emergency fire shelters, and fire truck storage sheds and minor retaining walls for trail support would potentially be visible from public viewing areas/ However, with the exception of the water tanks alone, the restroom structures, emergency fire shelters, and storage sheds are designed to be clustered in specific camp locations that are not visible from primary viewing areas and are sufficiently setback so that they would not be visible from the beach or Pacific Coast Highway. The proposed water tanks are situated in elevated areas above proposed parking and camping areas in order to provide water pressure via gravity from each water tank. As a result, potential impacts affecting a scenic vista from implementation of the Modified Redesign/Environmentally Superior Alternative's water tanks would be considered potentially significant.

The Modified Redesign/Environmentally Superior Alternative also includes development of a uniform and comprehensive park and trail sign program. Although the Modified Redesign/Environmentally Superior Alternative Plan policies and implementation measures provide guidance on the type of signs necessary to assist the public in identifying

public parks, and locating and recognizing trail access points, public support facilities, potential natural hazards, and park rules, the Modified Redesign/Environmentally Superior Alternative Plan does not include a detailed “sign plan”, which includes details relative to location, size, material, and content of signs for each project component, which would also outline restrictions as to where signs may be located to minimize potential impacts on visual resources. As a result, potential impacts affecting a scenic vista from implementation of the Modified Redesign/Environmentally Superior Alternative Plan’s proposed signs would be considered potentially significant.

Further, the Conservancy and MRCA’s scaling down of the proposed project analyzed in the DEIR into the Modified Redesign/Environmentally Superior Alternative reduces any potentially significant scenic vista impacts as campsites and the majority of other improvements would be primarily limited to Corral Canyon Park and the Malibu Bluffs Conservancy Property. This would result in less scenic vista impacts at Escondido Canyon Park and the Latigo Trailhead property by eliminating improvements that could lead to such an impact.

Thus, implementation of the Modified Redesign/Environmentally Superior Alternative Plan’s visual resources and sign policies and implementation measures, compliance with Chapter 6 of the City of Malibu’s Local Implementation Plan, and incorporation of measures MM VIS-1.1, 1.2, and 1.3 and MM VIS-5, would ensure that the design and construction of the Modified Redesign/Environmentally Superior Alternative’s proposed park and trail improvements, in particularly the proposed water tanks and signs, are sited to minimize potential impacts on aesthetic and visual resources in the Plan area to a level of less than significant.

B. AIR QUALITY

1. Construction Emissions – NOx Emissions

Air pollutant emissions generated during the construction of the proposed project, including grading and earthwork activities, equipment operation and construction related vehicular travel, would exceed South Coast Air Quality Management District’s construction related emissions thresholds for NOx, but not the thresholds for any other criteria pollutants. With mitigation, this NOx construction related impact could be reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures that avoid or substantially lessen any potential impacts from construction emissions. More specifically, the following mitigation measures are imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant Nox impact, and would further reduce the already less than significant PM10 and PM2.5 emissions.

MM AQ-1.1 To ensure that Plan-generated construction emissions would not exceed the 100 lb/day NOx threshold, construction of the proposed Plan

improvements shall be scheduled such that no more than one Park site or other improvement area could be developed at a single time.

Implementation of Mitigation Measure AQ-1.2 would reduce air pollutant emissions, including NO_x, PM₁₀, and PM_{2.5} resulting from operation of construction equipment.

MM AQ-1.2 The following measure shall be adhered to during Plan grading and construction to reduce NO_x, PM₁₀, and PM_{2.5} and CO emissions from construction equipment:

a) Heavy-duty diesel-powered construction equipment meeting California Air Resources Board/U.S. Environmental Protection Agency Tier 1 standards for off-road equipment or better should be utilized wherever feasible as determined by the Division of the State Architect.

b) The engine size of construction equipment shall be the minimum practical size.

c) The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

d) Construction equipment shall be maintained in tune per the manufacturer's specifications.

e) Catalytic converters shall be installed on gasoline-powered equipment, if feasible as determined by the Division of the State Architect.

f) Diesel-powered equipment should be replaced by electric equipment whenever feasible.

In compliance with Rule 403, construction modeling assumed that the active grading sites would be watered at least 2 times daily. The following mitigation measure is recommended to further reduce PM₁₀ and PM_{2.5} emissions and ensure full compliance with SCAQMD Rule 403.

MM AQ-1.3 Consistent with SCAQMD Rule 403, it is recommended that fugitive dust generated by grading and construction activities be kept to a minimum with a goal of retaining dust on the site, by following the dust control measures listed below:

a) During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.

b) During construction, water truck or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.

At a minimum, this would include wetting down such areas later in the morning and after work is completed for the day and whenever winds exceed 15 miles per hour.

c) Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

d) Vehicles speeds on unpaved roads shall be less than 15 miles per hour.

e) All grading and excavation operations shall be ceased when wind speeds exceed 25 miles per hour.

f) Dirt and debris spilled onto paved surfaces at the Plan site and on the adjacent roadways shall be swept, vacuumed, and/ or washed at the end of each workday.

g) All trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be tarped and maintain a minimum two feet of freeboard.

h) At a minimum, at each vehicle egress from the Plan site to a paved public road, install a pad consisting of washed gravel (minimum-size: one inch) maintained in a clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by SCAQMD).

i) Review and comply with any additional requirements of SCAQMD Rule 403.

Plan Requirement and Timing: The above measures shall be integrated into the final project construction plans and/or to the Public Works Plan, as applicable, prior to construction activity. Implementation of the measures should be an on-going obligation of the project.

Monitoring: Prior to construction activity, MRCA staff shall review and approve all construction plans to ensure consistency with the above measures. During construction efforts and prior to project sign-off, MRCA staff shall verify implementation of applicable portions of the above measures. During operation of the project, MRCA management shall ensure faithful compliance with applicable portions of the above measures.

(b) Facts in Support of Findings

As shown in Table 5.3-7 of the DEIR, combined worst-case scenario construction emissions for the improvements would not exceed the SCAQMD thresholds for VOC, CO, SO₂, PM₁₀, or PM_{2.5}. NO_x emissions associated with the construction of individual Project components would also not exceed the SCAQMD threshold of 100 pounds per day (lbs/day); however, the combined maximum daily emissions for all locations would total approximately 215 lbs/day, thus exceeding the 100 lbs/day threshold for NO_x. Under this worst-case scenario, impacts would be potentially significant without mitigation.

The worst case scenario for the proposed project analyzed in the DEIR involved concurrent construction at *all* campsites. However, with implementation of the Modified Redesign/Environmentally Superior Alternative, only two campsites are proposed for the most intensive development. Thus, air quality emissions from Project construction would be reduced in comparison to the proposed project analyzed in the DEIR, but would still be potentially significant.

With the implementation of mitigation measures MM AQ-1.1 through MM AQ-1.3, impacts resulting from construction-generated air pollutant emissions would be less than significant. These measures would require that improvements be scheduled so that no more than one Park site or other improvement area could be developed at a single time. Additionally, the measures would impose construction emission reduction measures and would aim to control fugitive dust. With implementation of these measures, the impact will be reduced to a level of insignificance

2. Construction Emissions – Localized Significance Thresholds Impact

Construction activities at each of the parks would not generate emissions in excess of site specific localized significance thresholds (LSTs) for NO_x or CO, but PM₁₀ and PM_{2.5} may be exceeded in some cases. These impacts would be further reduced with the implementation of the Modified Redesign/Environmentally Superior Alternative as compared to the proposed project analyzed in the DEIR. Regardless, mitigation is provided that would reduce any PM₁₀ and PM_{2.5} impact to less than significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures that ensure a less than significant PM₁₀ and PM_{2.5} impact with regard to LSTs during the construction phase of the Modified Redesign/Environmentally Superior Alternative. Specifically, the following mitigation measures would ensure any impact is less than significant.

MM AQ-1.1 To ensure that Plan-generated construction emissions would not exceed the 100 lb/day NO_x threshold, construction of the proposed Plan improvements shall be scheduled such that no more than one Park site or other improvement area could be developed at a single time.

Implementation of Mitigation Measure AQ-1.2 would reduce air pollutant emissions, including NO_x, PM₁₀, and PM_{2.5} resulting from operation of construction equipment.

MM AQ-1.2 The following measure shall be adhered to during Plan grading and construction to reduce NO_x, PM₁₀, and PM_{2.5} and CO emissions from construction equipment:

a) Heavy-duty diesel-powered construction equipment meeting California Air Resources Board/U.S. Environmental Protection Agency Tier 1 standards for

off-road equipment or better should be utilized wherever feasible as determined by the Division of the State Architect.

b) The engine size of construction equipment shall be the minimum practical size.

c) The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

d) Construction equipment shall be maintained in tune per the manufacturer's specifications.

e) Catalytic converters shall be installed on gasoline-powered equipment, if feasible as determined by the Division of the State Architect.

f) Diesel-powered equipment should be replaced by electric equipment whenever feasible.

In compliance with Rule 403, construction modeling assumed that the active grading sites would be watered at least 2 times daily. The following mitigation measure is recommended to further reduce PM10 and PM2.5 emissions and ensure full compliance with SCAQMD Rule 403.

MM AQ-1.3 Consistent with SCAQMD Rule 403, it is recommended that fugitive dust generated by grading and construction activities be kept to a minimum with a goal of retaining dust on the site, by following the dust control measures listed below:

a) During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.

b) During construction, water truck or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas later in the morning and after work is completed for the day and whenever winds exceed 15 miles per hour.

c) Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

d) Vehicles speeds on unpaved roads shall be less than 15 miles per hour.

e) All grading and excavation operations shall be ceased when wind speeds exceed 25 miles per hour.

f) Dirt and debris spilled onto paved surfaces at the Plan site and on the adjacent roadways shall be swept, vacuumed, and/ or washed at the end of each workday.

g) All trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be tarped and maintain a minimum two feet of freeboard.

h) At a minimum, at each vehicle egress from the Plan site to a paved public road, install a pad consisting of washed gravel (minimum-size: one inch) maintained in a clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by SCAQMD).

i) Review and comply with any additional requirements of SCAQMD Rule 403.

Plan Requirement and Timing: The above measures shall be integrated into the final project construction plans and/or to the Public Works Plan, as applicable, prior to construction activity. Implementation of the measures should be an on-going obligation of the project.

Monitoring: Prior to construction activity, MRCA staff shall review and approve all construction plans to ensure consistency with the above measures. During construction efforts and prior to project sign-off, MRCA staff shall verify implementation of applicable portions of the above measures. During operation of the project, MRCA management shall ensure faithful compliance with applicable portions of the above measures.

MM AQ-2 The following measure shall be adhered to during Plan grading and construction to reduce PM10 and PM2.5 impacts to sensitive receptors from fugitive dust and construction equipment:

All construction shall either (1) be prohibited within 50 meters of a sensitive receptor, including but not limited to residential units or (2) heavy-duty diesel-powered construction equipment shall be equipped with a Level 3 diesel particulate filter verified by the California Air Resources Board or U.S. Environmental Protection Agency for the make, model, and model year of the equipment being used.

In addition to MM AQ-2(a), the following mitigation is required at Corral Canyon Park to reduce concentrated PM10 and PM2.5 emissions resulting from simultaneous construction of trails and park improvements:

Concurrent construction of building improvements (i.e., fire truck storage shed, restroom, etc.) and trail improvements within the Corral Canyon South Camp Area, including Corral Camp Parking Area, shall be prohibited.

Plan Requirement and Timing: Mitigation measure AQ-2 shall be integrated into the final project construction plans and/or to the Public Works Plan, as

applicable, prior to construction activity. Implementation of the measures should be an on-going obligation of the project.

Monitoring: Prior to construction activity, MRCA staff shall review and approve all construction plans to ensure consistency with the above measures. During construction efforts and prior to project sign-off, MRCA staff shall verify implementation of applicable portions of the above measures. During operation of the project, MRCA management shall ensure faithful compliance with applicable portions of the above measures.

(b) Facts in Support of Findings

As shown in Table 5.3-8a in the DEIR, the maximum daily emissions associated with construction activity at Ramirez Canyon Park would not exceed LSTs for NOX, CO, or PM2.5 assuming a construction activity area of 1 acre or less located within 25 meters of a sensitive receptor, but they would exceed the LST for PM10 .

As shown in Table 5.3-8b in the DEIR, the maximum daily emissions associated with park improvement construction activity at Escondido Canyon Park would not exceed LST values for NOX and CO for 1 acre or less of construction activity area located within 25 meters of a sensitive receptor, but they would exceed the LSTs for PM10 and PM2.5. However, as the Modified Redesign/Environmentally Superior Alternative eliminates all camping and parking improvements proposed for Escondido Canyon, the exceedance amounts of LSTs for PM10 and PM2.5 will be reduced.

Table 5.3-8c in the DEIR indicates that the maximum daily emissions associated with construction activity at Latigo Trailhead would not exceed NOX, CO, PM10, or PM2.5 LSTs for 1 acre or less of construction activity area located within 25 meters of a sensitive receptor. Additionally, as many of the improvements proposed for Latigo Trailhead are eliminated with the implementation of The Modified Redesign/Environmentally Superior Alternative, the NOX, CO, PM10 and PM2.5 emissions would be further reduced from their level that is already below LST levels.

As shown in Table 5.3-8d of the DEIR, construction of park improvements at Corral Canyon Park South would not result in maximum daily emissions of NOX or CO that would exceed LSTs for a construction activity area of 1 acre or less located within 25 meters of a sensitive receptor; however, the maximum daily emissions of PM10 and PM2.5 would exceed the LSTs for these pollutants. Even with the implementation of the Modified Redesign/Environmentally Superior Alternative to cluster campsites at Corral Canyon Park, none of the conclusions above would change. This is especially true, because camping area 1 would be eliminated at Corral Canyon Park and all campsites would be clustered in camping area 2. Nevertheless, mitigation already included within the DEIR for the proposed project will be imposed in order to ensure that any potentially significant impacts of the Modified Redesign/Environmentally Superior Alternative are reduced to a level of insignificance.

As shown in Table 5.3-8e of the DEIR, construction activity at Malibu Bluffs would not exceed LST values for NOX and CO LSTs for 1 acre or less of construction activity area

located within 25 meters of a sensitive receptor; however, the maximum daily emissions of PM10 and PM2.5 would exceed the LST for these pollutants. Even with the implementation of the Modified Redesign/Environmentally Superior Alternative to cluster campsites at Malibu Bluffs Conservancy Property, it is not anticipated that any of the conclusions above would change. Please note that at Malibu Bluffs, parking areas 2 and 4 would be eliminated. Nevertheless, mitigation will be imposed upon the Modified Redesign/Environmentally Superior Alternative in order to reduce the significant PM10 and PM2.5 emission impacts at this park.

Implementation of Mitigation Measure MM AQ-2 would impose a larger separation distance between construction equipment and sensitive receptors to avoid significant ambient air quality impacts. At a minimum distance of 50 meters, the SCAQMD LST threshold for a 1-acre construction area would be 12 and 4 lbs/day for PM10 and PM2.5 respectively. Accordingly, none of the Modified Redesign/Environmentally Superior Alternative impacts described previously would exceed these LSTs, except for PM2.5 at Corral Canyon Park. The majority of the PM10 and PM2.5 emissions during construction were found to be associated with exhaust from off-road diesel-powered construction equipment. Thus, if construction must be located less than 50 meters from a sensitive receptor, using Level 3 diesel particulate filters, which must achieve a minimum of 85% control efficiency, on all heavy-duty diesel construction equipment would be sufficient to reduce PM10 and PM2.5 emissions to a less-than-significant level. Mitigation Measure AQ-1.3 would already reduce PM10 and PM2.5 emissions associated with fugitive dust during soil disturbance.

As construction of the Modified Redesign/Environmentally Superior Alternative would exceed the most stringent LSTs for PM10 and PM2.5, mitigation is required. Required and recommended mitigation measures listed in AQ-1.1 would reduce construction-generated air pollutant emissions at all park sites. Therefore, with mitigation, construction activities at each of the parks construction areas would not generate emissions in excess of site specific localized significance thresholds (LSTs) for NOx, CO, PM10 and PM2.5.

C. BIOLOGICAL RESOURCES

1. Impacts to Vegetation During Construction

Proposed project construction would result in the removal of sensitive vegetation. As such, this impact is considered potentially significant.

(a) Findings

Changes or alterations have been required in or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures that ensure a less than significant vegetation impact during the construction phase of the Project. Specifically, the following mitigation is imposed upon The Modified Redesign/Environmentally Superior Alternative to ensure any impact is less than significant.

MM BIO-1.1 Mitigation for impacts to sensitive vegetation communities shall occur in accordance with the ratios and guidelines described in the County's

LUP and the City's LCP, where appropriate to compensate for direct impacts to sensitive vegetation communities, including sage scrub and chaparral communities, native grassland habitat, and riparian and bottomland habitats.

MM BIO-1.2 Mitigation efforts shall occur on lands currently owned and managed by the SMMC/MRCA. If it is determined during the planning process that additional land is required beyond what is supported by existing SMMC/MRCA-managed lands, then an appropriate off-site location(s) will be identified and approved by the CCC and CDFG prior to implementation

MM BIO-1.3 The mitigation sites shall be revegetated with indigenous plant species of local (Santa Monica Mountains) genetic stock. No plant species listed as problematic and/or invasive by the CNPS (<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 by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the federal government shall be utilized within the property. All plant palettes shall be reviewed by a qualified biologist and/or habitat restoration specialist familiar with those plants native or endemic to this region of California

MM BIO-1.4 Development involving access and recreation improvements within areas containing one or more native oak, California walnut, western sycamore, alder, or toyon tree that has at least one trunk measuring 6 inches or more in diameter (or a combination of any two trunks measuring a total of 8 inches or more in diameter), measured at 4.5 feet above natural grade, shall be subject to the provisions of Chapter 5, "Native Tree Protection Ordinance" of the Malibu LCP Local Implementation Plan, which requires the preparation of a tree protection plan and mandates mitigation at a ratio of 10:1 for significant impacts to all native trees meeting the size dimensions above. In order to implement a cohesive mitigation plan for the project, trees planted in accordance with the tree protection plan may be integrated into the habitat restoration plan for the project

MM BIO-1.5 A habitat restoration plan to address impacts to both sensitive uplands and wetlands habitats shall be prepared by qualified personnel with experience in Southern California ecosystems and native plant revegetation techniques.

MM BIO-1.6 The habitat restoration plan shall include, at minimum, the following information:

- (a) the location of the mitigation site(s);
- (b) the plant species to be used, container sizes, and seeding rates;
- (c) the plant materials' sources and lead time;
- (d) a schematic depicting the mitigation areas;

- (e) a planting schedule;
- (f) a description of installation requirements, irrigation sources and methodology, erosion control, and maintenance and monitoring requirements;
- (g) a description of the goals of the restoration program
- (h) a weed eradication plan (i.e., measures to properly control exotic vegetation on site);
- (i) site-specific success criteria;
- (j) a detailed monitoring program;
- (k) contingency measures shall the success criteria not be met;
- (l) a summary of the annual reporting requirements; and,
- (m) identification of the responsible party(ies) for meeting the success criteria and providing for conservation of the mitigation site(s) in perpetuity.

MM BIO-1.7 Planting of the revegetation sites shall occur between October 1 and April 30, when feasible, to take advantage of the winter/spring rainy season.

MM BIO-1.8 Interim annual and final performance criteria for each potential mitigation site and vegetation community are provided below. Vegetation cover is expressed as percent absolute cover for native and non-native vegetation. For native cover, the percentages listed shall be the minimum attained to be considered successful, and for non-native cover, the percentages listed shall not be exceeded.

<u>Vegetation Community</u>	<u>Year 1 (%)</u>	<u>Year 2 (%)</u>	<u>Year 3 (%)</u>	<u>Year 4 (%)</u>	<u>Year 5 (%)</u>
<u>Malibu Bluffs</u>					
<u>Coastal scrub</u>	<u>15</u>	<u>30</u>	<u>50</u>	<u>65</u>	<u>75</u>
<u>Perennial exotic cover</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>Corral Canyon</u>					
<u>Coastal scrub</u>	<u>15</u>	<u>25</u>	<u>40</u>	<u>50</u>	<u>65</u>
<u>Perennial exotic cover</u>	<u>30</u>	<u>20</u>	<u>10</u>	<u>10</u>	<u>10</u>
<u>Native Grasslands</u>	<u>10</u>	<u>20</u>	<u>35</u>	<u>45</u>	<u>55</u>
<u>Tuna/Las Flores</u>					
<u>Chapparral/Coastal scrub</u>	<u>15</u>	<u>25</u>	<u>40</u>	<u>50</u>	<u>65</u>
<u>Perennial exotic cover</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>King Gillette Ranch</u>					
<u>Southern willow scrub</u>	<u>20</u>	<u>35</u>	<u>50</u>	<u>65</u>	<u>80</u>
<u>Sycamore-Coast live oak woodland</u>	<u>15</u>	<u>25</u>	<u>35</u>	<u>55</u>	<u>75</u>
<u>Perennial exotic cover</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>Ramirez Canyon</u>					
<u>Southern willow scrub</u>	<u>20</u>	<u>35</u>	<u>50</u>	<u>65</u>	<u>80</u>

MM BIO-1.9 A report (describing as-built status of the revegetation program and including topographic maps and planting locations) shall be provided to the

CCC (and ACOE, CDFG, and RWQCB for wetlands mitigation) for review within 90 days of mitigation site preparation and planting.

MM BIO-1.10 An annual report shall be provided to the CCC and other reviewing resource agencies (ACOE, CDFG, and RWQCB for wetlands) by January 1 in years one through five (after planting the mitigation sites). The annual reports shall include (a) an overview of the mitigation efforts; (b) pre-project photos of all the mitigation areas taken from photo points to be used for all subsequent photos; (c) photos taken from each photo point established prior to project activities; (d) the number, by species, of plants replaced; (e) the survival, percentage cover, and height of both tree and shrub species; and (f) the methods used to assess these parameters.

MM BIO-1.11 Where minor alteration of natural streams for the purpose of stream crossings (vehicular or pedestrian) is 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 LCP Local Implementation Plan.

All new stream crossings shall consist of a span bridge design that minimizes placement of any new structures within the streambed 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

MM BIO-1.12 All new public restroom facilities shall consist of self-contained chemical restrooms (except for new restrooms proposed at Ramirez Canyon Park), which shall be sited and designed to ensure that impacts to ESHA and water quality are avoided. Where feasible, self-contained restroom facilities shall be located a minimum of 200 feet from the top of bank of any adjacent stream, and in no case shall they be located less than 100 feet from the top of bank of any adjacent stream or the outer edge of riparian vegetation (except at

Ramirez Canyon Park, at a limited (no more than 10 spaces) Latigo trailhead parking and picnic area for Escondido Canyon Park, where restroom facilities shall be located no less than 25 feet from top of stream bank), which ever is the most protective. Minimal grading to create minor berms around the facilities shall be allowed, provided it is not in violation of other LCP or LUP 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

MM BIO-1.13 In no case shall new support facilities (not associated with low-impact campsites) be located less than 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).

MM BIO-1.14 All site preparation and construction activities shall incorporate standard construction BMPs including, but not limited to, straw bales, gravel bags, sand bags, the periodic watering of bare areas, and the direction of construction area drainage to existing storm drain facilities

MM BIO-1.15 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. Reduced stream corridor setbacks may be permitted for low-impact campsites if a qualified biologist or environmental resource specialist determines, to the satisfaction of the reviewing body, that potential impacts to riparian corridors will be avoided or appropriately mitigated and that there is no alternative site design to meet these setback requirements given other environmental constraints such as sensitive habitat, archaeological resources or topography.

MM BIO-1.16 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.

MM BIO-1.17 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.

MM BIO-1.18 Where appropriate, native, indigenous 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.

(b) Facts in Support of Findings

Project improvements including trails, campsites, day-use and multi-use areas would result in direct impacts to sensitive natural communities. Similar to the impacts for the proposed project analyzed in the DEIR, the Modified Redesign/Environmentally Superior Alternative would have similar potentially significant impacts on sensitive natural communities. While the Modified Redesign/Environmentally Superior Alternative would develop fewer campsite and parking spaces, in response to concerns raised by LACFD, the Modified Redesign/Environmentally Superior Alternative would result in broader fuel management zones and broader access roads compared to the proposed project analyzed in the DEIR. Thus, the Modified Redesign/Environmentally Superior Alternative would result in permanent impacts to 51.30 acres of vegetation communities and land covers, including 23.17 acres of sensitive vegetation communities. Similarly, the proposed project analyzed in the DEIR would result in permanent impacts to 39.49 acres, including permanent impacts to 20.94 acres of sensitive vegetation communities. Thus, under the Modified Redesign/Environmentally Superior Alternative, the overall impacts to sensitive vegetation communities (and vegetation communities in general) would be similar to the proposed project analyzed in the DEIR. As such, impacts to sensitive vegetation communities would be potentially significant. The Modified Redesign/Environmentally Superior Alternative would also result in a small increase in the effect on non-sensitive vegetation due primarily to increased effects on California annual grassland and developed and disturbed lands. Effects on non-sensitive communities is not considered an impact under CEQA. However, for the Modified Redesign/Environmentally Superior Alternative's direct impacts as detailed in Table 3.4-1 in Section 14 of the FEIR, mitigation is required. Implementation of MM BIO 1.1 through MM BIO 1.18 providing for compensatory mitigation by providing revegetation of sensitive natural communities, and other measures to reduce impacts to sensitive vegetation communities, would ensure the impact is mitigated to the extent feasible and result in a less than significant impact.

2. Construction - Short- Term Indirect Impacts – Sensitive Vegetation and Special Status Plans

Dust “edge effects” could disrupt plant vitality, including special status plants, and construction could cause related soil erosion and water runoff. Additionally, there could also be a potential for vegetation adjacent to work areas to be trampled by construction personnel. Short term indirect impacts to sensitive vegetation would be potentially significant but mitigable under the proposed project.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative

and its associated mitigation measures to ensure a less than significant construction short term indirect impact on vegetation and special status plants. Specifically, the following mitigation is imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant impact.

MM BIO-2.1 Prior to the issuance of a grading permit(s) for areas within and adjacent to ESHA, a biologist shall be retained and approved by the SMMC/MRCA and CDFG to monitor construction activities. The biologist will monitor all grading and other significant ground disturbing activities in or adjacent to open space areas to ensure that the project complies with the applicable standard conditions and mitigation measures.

MM BIO-2.2 Prior to the commencement of grading operations or restoration activities, the work area shall be demarcated with temporary fencing or other markers clearly visible to construction personnel

MM BIO 5 Refer to MM BIO-2.1 and MM BIO-2.2

(b) Facts in Support of Findings

Indirect impacts to sensitive vegetation communities including jurisdictional waters/wetlands could result primarily from adverse "edge effects," which occur along the development preservation interface. During construction activities, edge effects may include dust which could disrupt plant vitality in the short-term, or construction-related soil erosion and water runoff. However, standard construction best management practices (BMPs) and construction-related minimization measures will be implemented to control dust, erosion, and runoff, as will a National Pollution Discharge Elimination System (NPDES) and Stormwater Pollution Prevention Plan (SWPPP) in compliance with the Federal Clean Water Act would reduce impacts to less than significant. Specifically, MM AQ-1.1, AQ-1.2, AQ-1.3, AQ-2, MM HYD-1.1, HYD-1.2 and HYD-8 which incorporate these requirements would reduce impacts to less than significant. Given that these standard measures will be implemented as part of the Modified Redesign/Environmentally Superior Alternative Plan, the short-term indirect effects will be less than significant. Further, as the Modified Redesign/Environmentally Superior Alternative would involve the development of fewer campsites and parks, impacts would be further reduced at certain locations. However, with the incorporation of MM BIO 2.1 and 2.2, Project impacts would be considered less than significant.

3. Long Term Indirect Impacts – Sensitive Vegetation and Special Status Plants

Increased presence of domesticated animals, trash and debris, and human trampling could indirectly affect adjacent sensitive habitats, including special status plants, in the long term. This would represent a substantial adverse effect on sensitive natural communities identified in local or regional plans and would be potentially significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its

associated mitigation measures to ensure a less than significant long term indirect impact on sensitive natural communities. Specifically, the following mitigation is imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant impact.

MM BIO-3 A Plan signage program shall be prepared to provide information on regulations required to promote safe use of the project area an resource protection. Appropriate signage and visual cues shall 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 shall also include requirements for appropriate fencing and signage installation around restoration areas for purposes of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts.

Plan Requirement and Timing: A Plan Signage Program (PSP) shall be prepared in advance of construction. The PSP shall be integrated into the final project construction plans and/or to the Public Works Plan, as applicable, prior to construction activity. Implementation of the measures shall be an on-going obligation of the project.

Monitoring: Prior to construction activity, MRCA staff shall review and approve the PSP and all construction plans to ensure consistency with the above measure. During construction efforts and prior to project sign-off, MRCA staff shall verify implementation of applicable portions of the above measure. During operation of the project, MRCA management shall ensure faithful compliance with applicable portions of the above measure.

MM BIO-6 Refer to MM BIO-3

(b) Facts in Support of Findings

The proposed project has the propensity to lead to indirect long term impacts to sensitive natural communities, including special status plants. These impacts would be caused by trash, human trampling and other sources. Implementation of the Modified Redesign/Environmentally Superior Alternative would result in relatively fewer indirect impacts caused by increased human activity, noise, lighting, and food and trash as such uses and source of impacts will be limited under the Modified Redesign/Environmentally Superior Alternative. This is so because campsites would be reduced in number to 54 under the Modified Redesign/Environmentally Superior Alternative as compared to 72 under the proposed project analyzed in the DEIR. Additionally, camping would be clustered and limited primarily to two campsites: Corral Canyon Park and the Malibu Bluffs Conservancy Property. The clustering of campsites would help lessen the spread of any trampling and trash sources. Further, the limiting of campsites to primarily two locations would also aid in reducing indirect long term impacts to sensitive natural communities and special status plants. Nevertheless, these indirect impacts would still occur even with these reduced campsites. With the incorporation of MM BIO-3 that proposes a signage program to direct the public to appropriate public trails, and provides for fencing around sensitive habitats, the impact to sensitive

vegetation would be reduced to a level of insignificance. Further, with the implementation of MM BIO-6 that refers to MM BIO-3, indirect impacts to special status plants would be similarly reduced to less than significant.

4. Direct Impacts to Special Status Plants

The proposed project would result in direct impacts to the Catalina mariposa lily. Impacts to these species are considered potentially significant but mitigable.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant direct impact on special status plants. Specifically, the following mitigation is imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant impact.

MM BIO-4.1 Pre-construction rare plant surveys, using the survey methodologies outlined in Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFG, 2009), shall be conducted in all areas supporting suitable habitat for those special status species that have a moderate to high potential to occur in the study area as described in the Biological Technical Report.

MM BIO-4.2 See MM BIO-1.11 through MM BIO-1.19.

MM BIO-4.3 If the final trail alignment is designed such that all impacts to Catalina mariposa lily are avoided, then no additional mitigation will be required. However, in the event that impacts to Catalina mariposa lily are anticipated, additional field surveys to determine the amount of area covered by this species and approximate densities shall be conducted during the appropriate blooming period prior to site preparation and/or grading activities in areas potentially supporting this species. Locations of individual plants or plant populations shall be appropriately flagged, and (1) seeds from a representative mix of individual plants shall be collected and sown in appropriate habitats, or on cut slopes, and (2) the bulbs shall be harvested and transplanted to areas of appropriate habitat that are not subject to further disturbance. The goal will be to produce replacement populations of in-kind plants reaching maturity, at a ratio of 1:1 with respect to the number and density of plants (estimated) to be lost.

MM BIO-4.4 A Mitigation and Monitoring Plan for the Catalina mariposa lily shall be prepared and submitted to the Conservancy/MRCA and Coastal Commission for review and approval prior to ground disturbance to occupied habitat. Upon approval, the plan shall be implemented by the Applicant or its designee. The revised plan shall demonstrate the feasibility of enhancing or restoring Catalina mariposa lily habitat in selected areas to be managed as natural open space without conflicting with other resource management objectives. Habitat replacement/enhancement shall be at a 1:1 ratio (acres

restored/enhanced to acres impacted). The revised plan shall specify: (1) the location of mitigation sites; (2) a description of "target" vegetation; (3) site preparation measures; (4) methods for the removal of non-native plants; (5) the source of all plant propagules and the quantity and species of seed or potted stock of all plants to be introduced or planted into the restoration/enhancement areas; (6) a schedule and action plan to maintain and monitor the enhancement/restoration areas, to include at minimum, qualitative annual monitoring for revegetation success and site degradation due to erosion, trespass, or animal damage for a period no less than 2 years; (7) measures such as fencing, signage, or security patrols as needed; and (8) contingency measures such as replanting, weed control, or erosion control to be implemented if habitat improvement/restoration efforts are not successful. Catalina mariposa lily propagules (seed or bulbs) shall be introduced onto the site when habitat restoration/enhancement is judged successful, determined by: 1% cover and species richness of native species reach 50% of their cover and species richness at undisturbed occupied Catalina mariposa lily habitat at reference sites; and (2) the replacement vegetation has persisted at least one summer without irrigation. The revised plan shall specify methods to collect propagules and introduce Catalina mariposa lily into these mitigation sites. Introductions shall use source material (seeds or bulbs) from no more than 1.0 mile distant, similar slope exposures, and no more than 500 feet of elevational difference from the mitigation site, unless otherwise approved by Conservancy/MRCA and the Coastal Commission. Bulbs may be salvaged and transplanted from Catalina mariposa lily occurrences to be lost; alternately, seed may be collected from protected occurrences, following CDFG-approved seed collection guidelines (i.e., Memorandum of Understanding for rare plant seed collection). The Applicant or a designee shall monitor the reintroduction sites for no fewer than 5 additional years to estimate Catalina mariposa lily survivorship (for bulbs) or seedling establishment (for seeded sites).

MM BIO-4.5 While not observed by Dudek during 2009 surveys, Coulter's saltbush has been previously documented on the Conservancy's Malibu Bluffs property along a coastal bluff near Malibu Road. If Coulter's saltbush is observed during future surveys and found to be impacted by the final trail alignment and cannot be avoided, the Applicant shall retain a qualified, experienced biologist to prepare a comprehensive translocation plan for Coulter's saltbush that will include the location of a suitable receptor site. The plan shall be prepared in cooperation with the USFWS and the CDFG. A qualified biologist shall supervise and monitor implementation of the plan. Once the population of Coulter's saltbush on site is transplanted to a suitable receptor site, a qualified biologist shall monitor the population for 5 years, documenting the methods and results, including implementation of any requisite maintenance and/or remedial measures in annual reports. Establishment of a viable population shall be deemed successful and the performance standards met if at least half (i.e., nine) of the plants are evident in any given year following the third year of the monitoring period. This mitigation standard may be adjusted at any time prior to the end of the monitoring period under mutual agreement by

the Applicant and the resource agencies (i.e., USFWS and CDFG), particularly if factors beyond human control limit the ability to establish a viable population of Coulter's saltbush within the 5-year monitoring period. If it becomes apparent that the performance standards cannot be achieved, the Applicant and resource agencies may agree to extend the monitoring period and/or implement remedial measures.

MM BIO-1.4 Development involving access and recreation improvements within areas containing one or more native oak, California walnut, western sycamore, alder, or toyon tree that has at least one trunk measuring 6 inches or more in diameter (or a combination of any two trunks measuring a total of 8 inches or more in diameter), measured at 4.5 feet above natural grade, shall be subject to the provisions of Chapter 5, "Native Tree Protection Ordinance" of the Malibu LCP Local Implementation Plan, which requires the preparation of a tree protection plan and mandates mitigation at a ratio of 10:1 for significant impacts to all native trees meeting the size dimensions above. In order to implement a cohesive mitigation plan for The Modified Redesign/Environmentally Superior Alternative, trees planted in accordance with the tree protection plan may be integrated into the habitat restoration plan for The Modified Redesign/Environmentally Superior Alternative.

(b) Facts in Support of Findings

The proposed project analyzed in the DEIR had the potential to result in a direct impact to eight occurrences of Catalina mariposa lily, adding up to an impact on 70 to 150 individuals. Similar to the proposed project analyzed in the DEIR, the Modified Redesign/Environmentally Superior Alternative would also result in the loss of between 70 and 150 Catalina mariposa lily individuals. In addition, the Modified Redesign/Environmentally Superior Alternative would result in impacts to a total of six California Walnut trees, as compared to 11 for the proposed project. Under the Modified Redesign/Environmentally Superior Alternative, one California Walnut (*Juglans californica*) would be impacted by creek restoration, three by Ramirez Canyon road improvements and two as a result of trail improvements. Thus, both the Modified Redesign/Environmentally Superior Alternative and the proposed project analyzed in the DEIR would have a potentially significant direct impact on special status plants, but the Modified Redesign/Environmentally Superior Alternative would have fewer direct impacts to California Walnut tree. However, with the incorporation of the mitigation detailed above, any impact would be reduced to a level of insignificance. For example, pre-construction rare plant surveys are required, as well as protection and avoidance measures for Catalina mariposa lily and Coulter's saltbush. With the implementation of MM BIO-1.4 and BIO-4.1 through MM BIO-4.5 any potentially significant direct impact on special status plant species will be reduced to less than significant.

5. Direct Impacts – Nesting Birds

The proposed project has the potential to cause direct impacts to nesting birds. However, measures are imposed to ensure any impact is reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant direct impact on nesting birds. Specifically, the following mitigation is imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant impact.

MM BIO-7 To avoid direct impacts to nesting raptors and songbirds, construction of the project shall be phased to avoid the migratory bird nesting season (typically February 15 through August 31). If project construction must occur during the migratory bird nesting season, a focused avian nesting survey shall be performed in the development footprint and within 300 feet of the proposed development by a qualified biologist within 72 hours prior to construction. If an active bird nest is found, the nest will be flagged and mapped on the construction plans along with an appropriate buffer, which will be determined by the biologist in consultation with the USFWS and CDFG based on the biology of the species. The nest area will be avoided until the nest is vacated and the juveniles have fledged. The nest area will be demarcated in the field with flagging and stakes or construction fencing. Please note that construction will be permitted in areas outside of the nest and buffer area. If nesting birds are present on site, a biological monitor shall be present daily while the nest(s) is active to ensure that no impacts to nesting birds occur.

Plan Requirement and Timing: All plans and surveys shall be prepared and conducted, respectively, in advance of construction. Any plan/ survey findings and/or recommendations shall be integrated into the final project construction plans and/or to the Public Works Plan, as applicable, prior to construction activity. Implementation of the measures shall be an on-going obligation of the project.

Monitoring: Prior to construction activity, MRCA staff shall review and approve the plans and surveys to ensure consistency with the above measure. During construction efforts and prior to project sign-off, MRCA staff shall verify implementation of applicable portions of the above measure. During operation of the project, MRCA management shall ensure faithful compliance with applicable portions of the above measure.

(b) Facts in Support of Findings

Foraging and nesting opportunities for a variety of raptors and songbirds exist throughout the Plan area. Nesting opportunities will most likely occur in woodland areas where sycamores, willows, eucalyptus, alders, and coast live oaks are prevalent. Direct impacts to nesting birds would occur if tree removal occurs during the breeding season (February 15 through August 31). This would not be considered a significant impact, however, if construction is avoided during the breeding season (February 15 through August 31). Impacts, therefore, would be considered potentially significant but mitigable.

Additionally, implementation of the Modified Redesign/Environmentally Superior Alternative would result in a reduction in campsites which will have a reduced direct impact on nesting birds. Nevertheless, as the potential for the impact is still significant, MM BIO-7 will ensure any impact is reduced to a level of insignificance.

6. Direct Impact – California Gnatcatchers

The DEIR disclosed that it was unlikely that California gnatcatchers would be present in the Plan area. Subsequently, gnatcatcher surveys were conducted in spring 2010 within portions of Corral Canyon Park and the Malibu Bluffs Conservancy Property that make up the main camping areas under the Modified Redesign/Environmentally Superior Alternative. These surveys indicated that the single-pass California gnatcatcher survey was negative, and California gnatcatcher is considered to have low potential to nest on site or disperse through the Plan area (See, Appendix-MRA 9). Nevertheless, mitigation is imposed to ensure any impact on the California gnatcatcher is reduced to a less than significant level.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant direct impact on the California gnatcatcher. Specifically, the following mitigation is imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure a less than significant impact.

MM BIO-8 To avoid potential direct impacts to the California gnatcatcher, construction shall be conducted outside of the breeding season for this species (February 15–August 31), where practicable. If construction must occur during the breeding season for the California gnatcatcher, the following measures shall be implemented:

1. Prior to any construction-related activity, the biologist shall survey up to 500 feet from the proposed construction areas in accordance with current USFWS protocol for this species.
2. If no California gnatcatchers are found to be present within areas up to 500 feet of the proposed construction area, then project construction may proceed without restrictions.
3. If California gnatcatchers are found in on site or adjacent areas, construction within 500 feet shall not commence until temporary noise barrier(s) are in place between the construction area and occupied gnatcatcher habitat. The location of the noise barrier(s) shall be determined by the biologist and acoustician. Construction noise levels shall be monitored at the edge of occupied habitat with the noise barrier(s) in place. Other measures shall be implemented, as necessary, to reduce noise levels to below 60 dB(A), or to the ambient noise level if it already exceeds 60 dB(A) at the edge of the occupied habitat.

4. If California gnatcatchers are found on site or in adjacent areas, construction noise shall be monitored once weekly to verify that noise at the edge of occupied habitat is maintained below 60 dB(A), or to the ambient noise level if it already exceeds 60 dB(A). If this requirement cannot be met, other measures shall be implemented as necessary, to reduce noise levels to below 60 dB(A) or to the ambient noise level if it already exceeds 60 dB(A). Such measures may include, but are not limited to, placement of construction equipment and limitations on the simultaneous use of equipment

Plan Requirement and Timing: All plans and surveys shall be prepared and conducted, respectively, in advance of construction. Any plan/ survey findings and/or recommendations shall be integrated into the final project construction plans and/or to the Public Works Plan, as applicable, prior to construction activity. Implementation of the measures shall be an on-going obligation of the project.

Monitoring: Prior to construction activity, MRCA staff shall review and approve the plans and surveys to ensure consistency with the above measure. During construction efforts and prior to project sign-off, MRCA staff shall verify implementation of applicable portions of the above measure. During operation of the project, MRCA management shall ensure faithful compliance with applicable portions of the above measure.

(b) Facts in Support of Findings

In the spring of 2010, within portions of Corral Canyon Park and the Malibu Bluffs Conservancy Property, California gnatcatcher surveys were conducted to determine whether gnatcatchers were present on the main campsites to be improved under the proposed project or the Modified Redesign/Environmentally Superior Alternative. As further detailed in Appendix-MRA 9, these two campsite areas support less than 80 acres of suitable coastal California gnatcatcher habitat. Although the campsite areas support suitable coastal scrub habitat for the coastal California gnatcatcher, it is considered to have low potential to nest on site or disperse through the area given that the area is at the northern edge of the its range. In addition, although there are patches of potential coastal California gnatcatcher habitat in the area, much of this habitat is on steep slopes, and/or is dominated by tall shrubs and sages, or is disturbed by nonnative plant species. As noted in the FEIR, the nearest occurrence record for the coastal California gnatcatcher is approximately 6 miles west of the area in the Calabasas area. There are also two U.S. Fish and Wildlife Service occurrence records approximately 15 miles from the area in the Oxnard region. However, these 6- and 15-mile distances are within the observed and predicted dispersal capability of this species, so the possibility of the coastal California gnatcatcher occurring in the area cannot be ruled out. Thus, although none were observed on the two campsites during the Spring of 2010, the potential for gnatcatchers to occur is still present, and has the potential to result in a significant impact. However, MM BIO-8 will ensure that any potentially significant impact is reduced to a level of insignificance. MM BIO-8 will require that construction occur outside of the breeding season, and where it must occur during the breeding season, specific measures to mitigate any impact are imposed. Thus, this impact would be considered less than significant with mitigation.

7. Short-Term Indirect Impact – Breeding Birds

The proposed project has the potential to cause short-term construction related noise impacts on breeding birds which can result in the disruption of foraging, nesting, and reproductive activities. Mitigation is imposed to ensure any impact is reduced to less than significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant short-term indirect construction impact on breeding birds. With the incorporation of the following mitigation, any impact will be reduced to less than significant.

MM BIO-9 Refer to MM BIO-7 (detailed below)

MM BIO-7 To avoid direct impacts to nesting raptors and songbirds, construction of the project shall be phased to avoid the migratory bird nesting season (typically February 15 through August 31). If project construction must occur during the migratory bird nesting season, a focused avian nesting survey shall be performed in the development footprint and within 300 feet of the proposed development by a qualified biologist within 72 hours prior to construction. If an active bird nest is found, the nest will be flagged and mapped on the construction plans along with an appropriate buffer, which will be determined by the biologist in consultation with the USFWS and CDFG based on the biology of the species. The nest area will be avoided until the nest is vacated and the juveniles have fledged. The nest area will be demarcated in the field with flagging and stakes or construction fencing. Please note that construction will be permitted in areas outside of the nest and buffer area. If nesting birds are present on site, a biological monitor shall be present daily while the nest(s) is active to ensure that no impacts to nesting birds occur.

Plan Requirement and Timing: All plans and surveys shall be prepared and conducted, respectively, in advance of construction. Any plan/ survey findings and/or recommendations shall be integrated into the final project construction plans and/or to the Public Works Plan, as applicable, prior to construction activity. Implementation of the measures shall be an on-going obligation of the project.

Monitoring: Prior to construction activity, MRCA staff shall review and approve the plans and surveys to ensure consistency with the above measure. During construction efforts and prior to project sign-off, MRCA staff shall verify implementation of applicable portions of the above measure. During operation of the project, MRCA management shall ensure faithful compliance with applicable portions of the above measure.

(b) Facts in Support of Findings

Raptors (birds of prey), migratory birds, and other avian species are protected by a number of state and federal laws. The federal Migratory Bird Treaty Act (MBTA) prohibits the killing, possessing, or trading of migratory birds, except in accordance with regulations prescribed by the Secretary of Interior. Section 3503.5 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Breeding birds can be significantly affected by short-term construction-related noise, which can result in the disruption of foraging, nesting, and reproductive activities. The Modified Redesign/Environmentally Superior Alternative supports breeding and foraging habitat for a number of raptor species. These species, in addition to a host of migratory and resident songbirds, may utilize appropriate habitats within the area for foraging or breeding purposes. In the event that work occurs during the migratory bird nesting season (February 15 through August 31), indirect impacts to special status wildlife due to construction-related noise may occur; this would be considered a potentially significant impact.

Implementation of the Modified Redesign/Environmentally Superior Alternative has the potential to result in reduced, but still significant indirect short-term impacts to birds. This would occur, because campsite improvements are limited primarily to two: Corral Canyon Park and Malibu Bluffs Conservancy Property. This reduction in parks that will house campsites has the potential to have a reduced indirect construction impact on breeding birds as less park areas will be improved. Nevertheless, MM BIO-9 that refers to MM BIO-7 is imposed to mitigate this impact. This mitigation measure would require that construction occur outside of the breeding season. Where construction cannot occur outside of the breeding season, focused avian nesting surveys will be required to ensure short-term indirect impacts are reduced to a level of insignificance.

8. Long Term Indirect Impacts to Special-Status Wildlife

The proposed project has the potential to cause long-term indirect impacts to special status wildlife that would be potentially significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant long term indirect impact on special-status wildlife. With the incorporation of the following mitigation, any impact will be reduced to less than significant.

MM BIO-10.1 A Contractor Education Program shall be prepared and implemented to apprise all construction personnel and subcontractors of environmental restrictions relevant to construction and the penalties for violations. A protocol for communicating problems or potential construction changes that may affect biological resources shall be established with the

Contractor and the Applicant. Workers shall be made aware of protected habitat and the occurrence of sensitive species in the area through the use of photos or on-the-ground demonstration. The sensitivity of certain special-status wildlife species to human activities, the legal protection afforded to those species, and the roles and authority of monitoring biologists shall also be discussed.

MM BIO-10.2 The monitoring biologist shall be on site during any clearing of habitat (annual ground cover, shrubs, or trees). The monitoring biologist will flush sensitive species (avian or other mobile species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities.

1) San Diego Desert Woodrat: Prior to construction activities in grassland, scrub, chaparral, oak woodland, riverbank, and agriculture habitats, or other suitable habitat a qualified biologist shall conduct a survey within the proposed construction disturbance zone and within 200 feet of the disturbance zone for San Diego desert woodrat nests. If active San Diego desert woodrat (*Neotoma lepida intemedia*) nests are identified within the disturbance zone, under the supervision monitoring biologists, woodrat stick nests shall be nudged with a front end loader to encourage woodrats to abandon the nests and to escape into adjacent areas. The nest structure shall then be carefully and slowly picked up with a front-end loader to allow any additional woodrats to escape. The nest structure shall then be moved to adjacent undisturbed habitat. If suitable habitat is not available immediately adjacent to impact areas, new habitat on adjacent areas not impacted by the project shall be created by providing a vertical structure composed of laying downed or cut trees stacked horizontally in areas that are under a shady canopy, or piling rocks under a shady canopy, to achieve this structure. No trapping and/or hand removal of nesting materials shall occur.

2) Low Mobility Species: Pre-construction surveys and avoidance measures shall be implemented for low mobility species, such as coast horned lizard and silvery legless lizards. During brush-clearing and earth-moving activities occurring in or directly adjacent to occupied or suitable habitat for low mobility species, pre-construction surveys shall be conducted by the project biologist to determine if low-mobility special-status species are present. If visual searches or raking are used for pre-construction surveys, the project biologist shall conduct surveys no earlier than 72 hours prior to disturbance, and if pitfall trapping is used, the Project Biologist shall conduct trapping no earlier than 5 days prior to disturbance. If these species are located in the disturbance zone, then individuals shall be captured and relocated, or allowed to escape, to suitable habitat for the species outside of the disturbance footprint.

MM BIO-10.3 Avoid and/or minimize the use of lighting within the study area. In proposed parking facilities, lighting fixtures shall comply with local standards for shielded low sodium, low wattage lighting designed to cut glare and light scatter and to direct light away from sensitive biological resources.

MM BIO-10.4 To ensure that intermittent noise levels do not adversely affect adjacent wildlife uses, the Conservancy/MRCA shall be required to prepare and submit to the Coastal Commission for review a set of campground noise restrictions, which would include at minimum the establishment and enforcement of “quiet hours” to minimize potential minor increases in noise levels at campground and parking facilities.

MM BIO-10.5 Protect wildlife by providing trash receptacles and food storage lockers for camping areas.

MM BIO-10.6 Trash cans with secure lids shall be provided at trailheads, parking lots, and campsites. Trash cans shall be checked and emptied if necessary four to seven days per week (depending on use, season, etc.) Trash would be taken by MRCA staff to King Gillette Ranch, where trash service currently is provided. All trash cans at trail heads or campsites would be accessed by foot or vehicle (e.g., maintenance truck). The maintenance truck would access the trash cans at specific maintenance access points. MRCA will pick up trash along trails (during patrols or maintenance/monitoring) by hand or by hand tool. Sources of funding for maintenance include campground fees and MRCA discretionary revenue derived from filming, leases, and other sources.

MM BIO-10.7 Dogs must be on a leash at all times while on parklands.

MM BIO-10.8 Provide routine trail and campsite maintenance to ensure that outdoor enthusiasts are limiting their camping and hiking experience to the campsites and trails provided.

MM BIO-10.9 To enforce campground restrictions, a camp host, staff maintenance person, or ranger who is wildland fire-trained shall be on site at each park property during those times when 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 by 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.

MM BIO-10.10 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 report. Development, use restrictions, and brush maintenance for all campsites shall be strictly enforced.

MM BIO-10.11 Signs shall be included in park development projects and/or shall be provided at existing facilities where determined appropriate for the purpose of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts.

MM BIO-10.12 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 trailheads, 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, and 6) warning and guidelines about the New Zealand mudsnail.

MM BIO-10.13 All proposed park fencing shall be designed to allow for wildlife passage.

MM BIO-10.14 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.

(b) Facts in Support of Findings

Potential long-term indirect impacts to special-status wildlife could include the following: habitat degradation due to exotic plant and animal invasion; the introduction of domestic pets to natural areas; habitat fragmentation due to trail and campsite development; increase in general human presence near natural areas; increases in intermittent noise levels at campsites (i.e., noise associated with tent construction, cooking functions, and conversation); trash and debris deposition; and increased population of nest predators in the study area, which could adversely affect breeding bird populations. These long-term, indirect impacts to special-status wildlife species would be potentially significant.

With the implementation of the Modified Redesign/Environmentally Superior Alternative, this impact would be potentially reduced, but still potentially significant. This would occur, because campsite improvements are limited primarily to two: Corral Canyon Park and Malibu Bluffs Conservancy Property. This reduction in parks that will house these campsites will introduce people in only in two campsites under the Modified Redesign/Environmentally Superior Alternative, and thus would have a lower potential to disturb special-status wildlife. Nevertheless, MM BIO-10.1 through MM BIO 10.14 is imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure any potential impact is reduced to the extent feasible. These measures would require such things as a contractor education program, require a monitoring biologist on site when clearing of habitat occurs, and require particular measures for the San Diego Desert Woodrat and low mobility species. Additionally, the measures would also require that lighting in the area be minimized, require the implementation of campground noise restrictions, and require that trash be securely stored, in order to ensure a less than significant impact.

9. Indirect Impacts on Wildlife Corridors and Habitat Linkages.

The proposed project has the potential to cause indirect impacts on wildlife corridors and habitat linkages. However, with the implementation of mitigation, any impact will be reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant indirect impact on wildlife corridors and habitat linkages. With the incorporation of the following mitigation, any impact would be reduced to less than significant.

MM BIO-10.1 A Contractor Education Program shall be prepared and implemented to apprise all construction personnel and subcontractors of environmental restrictions relevant to construction and the penalties for violations. A protocol for communicating problems or potential construction changes that may affect biological resources shall be established with the Contractor and the Applicant. Workers shall be made aware of protected habitat and the occurrence of sensitive species in the area through the use of photos or on-the-ground demonstration. The sensitivity of certain special-status wildlife species to human activities, the legal protection afforded to those species, and the roles and authority of monitoring biologists shall also be discussed.

MM BIO-10.2 The monitoring biologist shall be on site during any clearing of habitat (annual ground cover, shrubs, or trees). The monitoring biologist will flush sensitive species (avian or other mobile species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities.

1) San Diego Desert Woodrat: Prior to construction activities in grassland, scrub, chaparral, oak woodland, riverbank, and agriculture habitats, or other suitable habitat a qualified biologist shall conduct a survey within the proposed construction disturbance zone and within 200 feet of the disturbance zone for San Diego desert woodrat nests. If active San Diego desert woodrat (*Neotoma lepida intemedia*) nests are identified within the disturbance zone, under the supervision monitoring biologists, woodrat stick nests shall be nudged with a front end loader to encourage woodrats to abandon the nests and to escape into adjacent areas. The nest structure shall then be carefully and slowly picked up with a front-end loader to allow any additional woodrats to escape. The nest structure shall then be moved to adjacent undisturbed habitat. If suitable habitat is not available immediately adjacent to impact areas, new habitat on adjacent areas not impacted by the project shall be created by providing a vertical structure composed of laying downed or cut trees stacked horizontally in areas that are under a shady canopy, or piling rocks under a shady canopy, to achieve this structure. No trapping and/or hand removal of nesting materials shall occur.

2) Low Mobility Species: Pre-construction surveys and avoidance measures shall be implemented for low mobility species, such as coast horned lizard and

silvery legless lizards. During brush-clearing and earth-moving activities occurring in or directly adjacent to occupied or suitable habitat for low mobility species, pre-construction surveys shall be conducted by the project biologist to determine if low-mobility special-status species are present. If visual searches or raking are used for pre-construction surveys, the project biologist shall conduct surveys no earlier than 72 hours prior to disturbance, and if pitfall trapping is used, the Project Biologist shall conduct trapping no earlier than 5 days prior to disturbance. If these species are located in the disturbance zone, then individuals shall be captured and relocated, or allowed to escape, to suitable habitat for the species outside of the disturbance footprint.

MM BIO-10.3 Avoid and/or minimize the use of lighting within the study area. In proposed parking facilities, lighting fixtures shall comply with local standards for shielded low sodium, low wattage lighting designed to cut glare and light scatter and to direct light away from sensitive biological resources.

MM BIO-10.4 To ensure that intermittent noise levels do not adversely affect adjacent wildlife uses, the Conservancy/MRCA shall be required to prepare and submit to the Coastal Commission for review a set of campground noise restrictions, which would include at minimum the establishment and enforcement of “quiet hours” to minimize potential minor increases in noise levels at campground and parking facilities.

MM BIO-10.5 Protect wildlife by providing trash receptacles and food storage lockers for camping areas.

MM BIO-10.6 Trash cans with secure lids shall be provided at trailheads, parking lots, and campsites. Trash cans shall be checked and emptied if necessary four to seven days per week (depending on use, season, etc.) Trash would be taken by MRCA staff to King Gillette Ranch, where trash service currently is provided. All trash cans at trail heads or campsites would be accessed by foot or vehicle (e.g., maintenance truck). The maintenance truck would access the trash cans at specific maintenance access points. MRCA will pick up trash along trails (during patrols or maintenance/monitoring) by hand or by hand tool. Sources of funding for maintenance include campground fees and MRCA discretionary revenue derived from filming, leases, and other sources.

MM BIO-10.7 Dogs must be on a leash at all times while on parklands.

MM BIO-10.8 Provide routine trail and campsite maintenance to ensure that outdoor enthusiasts are limiting their camping and hiking experience to the campsites and trails provided.

MM BIO-10.9 To enforce campground restrictions, a camp host, staff maintenance person, or ranger who is wildland fire-trained shall be on site at each park property during those times when 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 by 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.

MM BIO-10.10 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 report. Development, use restrictions, and brush maintenance for all campsites shall be strictly enforced.

MM BIO-10.11 Signs shall be included in park development projects and/or shall be provided at existing facilities where determined appropriate for the purpose of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts.

MM BIO-10.12 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 trailheads, 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, and 6) warning and guidelines about the New Zealand mudsnail.

MM BIO-10.13 All proposed park fencing shall be designed to allow for wildlife passage.

MM BIO-10.14 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.

(b) Facts in Support of Findings

The wildlife corridors and habitat linkages would be subject to indirect edge effects such as habitat degradation due to exotic plant and animal invasion; the introduction of domestic pets to natural areas; habitat fragmentation due to trail and campsite development; increase in general human presence near natural areas; increases in intermittent noise levels at campsites (i.e., noise associated with tent construction, cooking functions, and conversation); trash and debris deposition; and increased population of nest predators in the study area, which could adversely affect breeding bird populations. These indirect impacts to wildlife corridors and habitat linkages would be potentially significant.

With the implementation of the Modified Redesign/Environmentally Superior Alternative, this impact would be potentially reduced, but still potentially significant. This would occur, because campsite improvements are limited primarily to two: Corral Canyon Park and Malibu Bluffs Conservancy Property. This reduction in parks that will house these campsites will introduce people in only in two campsites under the Modified Redesign/Environmentally Superior Alternative, and thus would have a lower potential to disturb wildlife corridors and habitat linkages. Nevertheless, MM BIO-10.1 through MM BIO-10.14 is imposed upon the Modified Redesign/Environmentally Superior Alternative to ensure any potential indirect impact is reduced to a level of insignificance.

10. Direct Impact – Native Trees

The proposed project will result in a direct impact on native trees that is considered potentially significant. However, adequate measures are available to ensure any impact is reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant direct tree impact. With the incorporation of the following mitigation, any impact would be reduced to less than significant.

MM BIO-13.1 Where development encroaches into the root zone of native trees, each affected tree shall be monitored annually for a period of not less than 10 years. An annual monitoring report shall be submitted for review by MRCA for each of the 10 years. Should any of these trees be lost or suffer worsened health or vigor as a result of the proposed development, the applicant shall mitigate the impacts at a 10:1 ratio with seedling-sized trees.

MM BIO-13.2 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 activities. Before the commencement of any clearing, grading, or other construction activities, protective fencing shall be placed around each applicable tree. Fencing shall be maintained in place for the duration of all construction. No construction, grading, staging, or materials storage shall be allowed within the fenced exclusion areas or within the protected zones of any of the sites native trees. The fencing shall be installed 5 feet outside of the dripline of each native tree (or edge of canopy for cluster of trees) and shall be staked every 6 feet.

MM BIO-13.3 Any approved development, including grading or excavation that encroaches into the protected zone of a native tree shall be completed using only hand-held tools or other methods that avoid damage to tree roots such as air spade excavation.

MM BIO-13.4 Any trail or pathway that encroaches under a tree's crown shall be constructed to minimize encroachment to the maximum extent feasible.

Construction and trail maintenance crews shall ensure that the natural duff layer under all trees be maintained. This will reduce soil compaction, stabilize soil temperatures in root zones, conserve soil moisture, and reduce erosion. The contractors shall ensure that the mulch be kept clear of the trunk base to avoid creating conditions favorable to the establishment and growth of decay-causing fungal pathogens. Should it become necessary to add organic mulch beneath retained oak trees, packaged or commercial oak leaf mulch shall not be used, as it may contain Oak Root Fungus. Also, the use of Redwood chips shall be avoided as certain inhibitive chemicals may be present in the wood. Other wood chips and crushed walnut shells can be used, but the best mulch that provides a source of nutrients for the tree is its own leaf litter. Any added organic mulch added by the contractor shall be applied to a maximum depth of 4 inches.

MM BIO-13.5 Grade Changes: It is assumed that minor grade changes will be necessary to level camp site pads and to even trail sections that may occur beneath tree crowns. Wherever feasible, grade changes, including adding fill, shall be minimized unless completed by or under supervision by a Certified Arborist.

MM BIO-13.6 Root Pruning: Roots primarily extend in a horizontal direction forming a support base to the tree similar to the base of a wineglass. Where pruning is necessary in areas that contain tree roots, prune the roots using a root pruner that makes clean cuts. All cuts will minimize ripping, tearing, and fracturing of the root system.

MM BIO-13.7 Crown Pruning Cuts: All pruning shall be completed under the direction of an ISA-certified Arborist and using ISA guidelines. Removal of live branches and associated leaf area can have a negative impact on tree health. When relatively large amounts of leaf area are removed, the capacity of a tree to produce energy for growth and pest resistance is diminished. Pruning shall be limited to that amount needed to accomplish the pruning objective. In some cases, it may be best to complete pruning over a 2- or 3-year period rather than do all that is needed in 1 year. Where tree crowns occur over camp site's removal of dead and dying limbs is recommended to occur on a regular basis.

MM BIO-13.8 The project arborist shall monitor all soil disturbing activities occurring directly under tree crowns, including demolition, excavation, and installation. This will require the project agent and/or contractor to notify the project arborist well in advance of scheduled work adjacent to protected trees. A preconstruction conference with the arborist and contractor shall occur prior to commencement of activities.

(b) Facts in Support of Findings

The City of Malibu's Certified LCP's Native Tree Protection Chapter guides the preservation of native trees in the City of Malibu. According to the tree preservation policy, individual native oaks, California walnut (herein referred to as Southern California black

walnut), western sycamore, alder, and toyon are to be provided protective measures. The Certified LCP governs native tree impact mitigation associated with direct tree impacts. According to the LCP, avoidance of tree impacts is given the highest priority. Encroachment into a trees protected zones is the result of avoiding tree removals, but with protective measures, these trees are expected to be only minimally impacted and able to adapt. According to the LCP, if tree impacts are unavoidable, then they are to be fully mitigated, with priority given to on-site mitigation.

Direct impacts to trees related to site improvements are typically the result of physical injuries or changes caused by machinery involved with the development process. Direct impacts include tree removal, root damage, soil excavation and compaction, grade changes, loss of canopy, and trunk wounds, amongst others. For the purposes of the FEIR, direct impacts are those associated with tree removal, tree encroachment within the protected zone (drip line plus 5 feet or 15 feet from trunk, whichever is greater), soil and root disturbance from cut and fill, crown raising over trails, or compaction associated with trails, pads, or road widening.

A total of 220 native trees are located within the Modified Redesign/Environmentally Superior Alternative development area (development extent plus a 20 foot buffer). As noted in Appendix-MRA 10, all trees that may experience encroachment have conservatively been identified as "directly impacted," even though most will be preserved in place. Of the 220 native trees located within the Modified Redesign/Environmentally Superior Alternative development area, 131 native trees are considered directly impacted due to removal (13 trees) or canopy/root zone encroachment associated with trails, pads, or road widening (118 trees). A maximum of 13 trees could be removed depending on the disturbance levels for each camp area and the Ramirez Canyon Road widening plan. The small increase in the number of trees requiring removal, as compared to the proposed project analyzed in the DEIR, is due to site plan changes and modifications to the disturbance limits along Via Acero and Ramirez Canyon Roads. Specifically, of the 10 trees to be potentially removed under the proposed project, 4 will no longer be impacted given their location in areas not subject to disturbance under The Modified Redesign/Environmentally Superior Alternative. Of the 13 trees to be potentially removed under The Modified Redesign/Environmentally Superior Alternative, 4 result from alterations to site improvement plans in Ramirez Canyon Park, 1 results from alterations to Ramirez Canyon Road improvement plans, 2 result from alterations to Via Acero road improvement plans, and the remaining 6 are consistent between the Modified Redesign/Environmentally Superior Alternative and the proposed project detailed in the DEIR. It should be noted that many of these road improvements would only occur under a Phase 2 option at Ramirez Canyon Park, and only if required by the appropriate fire agency as further detailed in the Modified Redesign/Environmentally Superior Alternative Fire Protection Plan.

Nevertheless, the impact under either the Modified Redesign/Environmentally Superior Alternative or the proposed project analyzed in the DEIR is the same – potentially significant. With mitigation, however, this impact will be reduced to a less than significant level. The mitigation imposed requires annual monitoring for 10 years where development encroaches into the root zone of native trees, protective fencing, limiting encroaching into the protected areas of native trees, and specific measures involving root pruning and crown pruning. With

the implementation of these mitigation measures any impact will be reduced to a level of insignificance.

11. Indirect Impact – Native Trees

The proposed project has the potential to cause a significant indirect impact on native trees. Adequate mitigation is identified to reduce this impact to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure the already less than significant impact is further reduced. The following mitigation will be imposed on the Modified Redesign/Environmentally Superior Alternative:

MM BIO-14 Remaining native trees that are not directly impacted by the Plan's implementation shall be preserved and protected in place. Trees within approximately 20 feet of proposed construction activity shall be temporarily fenced with chain link or other material meeting Coastal Commission standards throughout all grading and construction activities. The fencing shall be installed 5 feet outside of the dripline of each native tree (or edge of canopy for cluster of trees) and shall be staked every 6 feet.

(b) Facts in Support of Findings

Indirect impacts to trees are the result of changes to the site that may cause tree decline, even when the tree is not directly injured. Indirect impacts include alterations to stream flow rates, diversion of ground water flow, introduction of exotic plant species, and alterations to disturbance regimes. Indirect impacts associated with this Project may include changes to the local site that affects soil compaction, percolation rates, or hydrological conditions and include those trees within 20 feet of the Modified Redesign/Environmentally Superior Alternative development area which are not subject to removal or root/canopy encroachment.

As the City of Malibu's Certified LCP's Native Tree Protection Chapter only provides protection for directly impacted native trees, the remaining native trees to be indirectly affected are not considered a significant impact. It should be noted that 64 natives trees indirectly impacted from the Modified Redesign/Environmentally Superior Alternative is a significant decrease from the 180 indirectly impacted trees under the proposed project detailed in the DEIR. Nevertheless, mitigation is imposed to ensure this indirect impact is further reduced.

D. CULTURAL RESOURCES

1. Impact on Archeological Resources from Construction Within 100 foot/30.5 Meter Buffer

Construction of the proposed project trails, camping facilities, or parking facilities within 100 foot or 30.5 meters of recorded archeological sites would result in a potentially significant impact that is mitigable.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant archeological resources impact that may be caused by the construction of proposed plan trails, camping facilities, or parking facilities within 100 feet or 30.5 meters of recorded archeological sites. The following mitigation is imposed to ensure a less than significant impact.

MM CR-1.1 A pre-construction workshop shall be conducted by a City of Malibu- or County of Los Angeles-qualified archaeologist and a local Native American representative. Attendees shall include the applicant, construction supervisors, and heavy equipment operators. All construction personnel who would work during any phase of ground disturbance shall be required to attend the workshop. The names of all personnel who attend the workshop shall be recorded.

The workshop shall 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 workshop shall make attendees aware of prohibited activities, including unauthorized collecting of artifacts, which can result in impacts on cultural resources.

MM CR-1.2 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 shall be monitored by a City of Malibu- or County of Los Angeles-qualified archaeologist and a local Native American representative, funded by the applicant. The qualified archaeologist and local Native American representative shall evaluate the intactness and potential significance of all previously unknown cultural resources encountered during construction. If found to be significant, the resource shall be subject to appropriate mitigation.

MM CR-1.3 A Construction Monitoring Treatment Plan shall be developed and implemented to ensure that any new discoveries associated with CA-LAN-310 (in the area of the proposed “ADA drop-off” along PCH in the Corral Canyon Park area) and CA-LAN-479 (in the area of the proposed camping facility in the far western portion of the Malibu Bluffs) are adequately recorded, evaluated, and if significant, mitigated.

Plan Requirements and Timing: A Construction Monitoring Treatment Plan shall be developed by a qualified archaeologist retained by MRCA and implemented to ensure that any previously unknown archaeological site areas, features, or artifact concentrations are adequately recorded, evaluated, and, if significant, mitigated. The Plan shall minimally describe the following:

- a. Qualifications and organization of monitoring personnel;
- b. Procedures for notifying the City of Malibu and/or County of Los Angeles and other involved or interested parties in case of a new discovery;
- c. Procedures that would be used to record, evaluate, and mitigate new discoveries with a minimum of delay;
- d. Procedures that would be followed in case of discovery of disturbed as well as intact human remains;
- e. Specifications that all ground 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 shall be monitored by a City- or County-qualified archaeologist and a local Native American representative, funded by the applicant. The monitors shall have the authority to temporarily halt and/or redirect construction in the vicinity of any potentially significant discovery to allow for adequate recordation, evaluation, and mitigation. Evaluation and mitigation could require archaeological testing and data recovery. In the unlikely event that human remains would be encountered, consultation with the most likely Native American descendant pursuant to Public Resources Code section 5097.97 and 5097.98 would apply.

The Construction Monitoring Treatment Plan shall be prepared by a City of Malibu- or County of Los Angeles-qualified archaeologist, and funded by the applicant. The monitoring program and its results shall be documented in a short letter report within 30 days after completion of all construction activities.

Monitoring: MRCA staff shall verify in the field the presence of the project archaeologist and Native American construction monitor(s). In the event of the identification of any previously unknown archaeological site area, feature, or artifact concentration, the project archaeologist shall be consulted and review and approve any treatment plan for evaluating the significance of the find and determining appropriate mitigations.

(b) Facts in Support of Findings

As further detailed in the FEIR, even though no prehistoric or historic cultural remains were identified within Plan area, 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 Malibu Bluffs. Though it is unlikely that buried archaeological resources extend over 100 feet from the

recorded remains, it is possible that ground disturbances within this vicinity could have a remote potential to identify unknown cultural resources. In the unlikely event that unknown, intact cultural remains are encountered during project grading, clearing, grubbing, and/or construction, the potential disturbances to these resources would be a potentially significant impact on cultural resources.

The Modified Redesign/Environmentally Superior Alternative includes Archaeological Resources Policies 1 and 2 that require development of new park facilities be designed to protect structures of historic, cultural, archaeological and paleontological significance. In the unlikely event that unknown cultural resources are identified during construction, these policies would dictate that they be protected to the extent feasible. To ensure this occurs, mitigation is imposed to ensure this impact is mitigated to a level of insignificance. Thus, implementation of MM CR-1.1 requiring a pre-construction cultural resources workshop, MM CR-1.2 requiring construction monitoring within 100 feet of recorded archaeological sites, and MM CR-1.3 requiring development and implementation of a Construction Monitoring Treatment Plan would reduce the unlikely potential for encountering important subsurface resources to a less than significant level.

2. Short-Term Access Impacts to Cultural Artifacts

The proposed project has the potential to cause impacts as a result of a potential increase in short-term access to cultural artifacts and unauthorized collection during construction of Project facilities. With mitigation, this impact would be less than significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant impact as a result of a potential increase in short-term access to cultural artifacts and unauthorized collection during construction of Project facilities. The following mitigation is imposed to ensure a less than significant impact.

MM CR-1.1 A pre-construction workshop shall be conducted by a City of Malibu- or County of Los Angeles-qualified archaeologist and a local Native American representative. Attendees shall include the applicant, construction supervisors, and heavy equipment operators. All construction personnel who would work during any phase of ground disturbance shall be required to attend the workshop. The names of all personnel who attend the workshop shall be recorded.

The workshop shall 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 workshop shall make attendees aware of

prohibited activities, including unauthorized collecting of artifacts, which can result in impacts on cultural resources.

MM CR-1.2 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 shall be monitored by a City of Malibu- or County of Los Angeles-qualified archaeologist and a local Native American representative, funded by the applicant. The qualified archaeologist and local Native American representative shall evaluate the intactness and potential significance of all previously unknown cultural resources encountered during construction. If found to be significant, the resource shall be subject to appropriate mitigation.

MM CR-1.3 A Construction Monitoring Treatment Plan shall be developed and implemented to ensure that any new discoveries associated with CA-LAN-310 (in the area of the proposed “ADA drop-off” along PCH in the Corral Canyon Park area) and CA-LAN-479 (in the area of the proposed camping facility in the far western portion of the Malibu Bluffs) are adequately recorded, evaluated, and if significant, mitigated.

Plan Requirements and Timing: A Construction Monitoring Treatment Plan shall be developed by a qualified archaeologist retained by MRCA and implemented to ensure that any previously unknown archaeological site areas, features, or artifact concentrations are adequately recorded, evaluated, and, if significant, mitigated. The Plan shall minimally describe the following:

- a. Qualifications and organization of monitoring personnel;
- b. Procedures for notifying the City of Malibu and/or County of Los Angeles and other involved or interested parties in case of a new discovery;
- c. Procedures that would be used to record, evaluate, and mitigate new discoveries with a minimum of delay;
- d. Procedures that would be followed in case of discovery of disturbed as well as intact human remains;
- e. Specifications that all ground 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 shall be monitored by a City- or County-qualified archaeologist and a local Native American representative, funded by the applicant. The monitors shall have the authority to temporarily halt and/or redirect construction in the vicinity of any potentially significant discovery to allow for adequate recordation, evaluation, and mitigation. Evaluation and mitigation could require archaeological testing and data recovery. In the unlikely event that human remains would be encountered, consultation with the most likely Native American descendant pursuant to Public Resources Code section 5097.97 and 5097.98 would apply.

The Construction Monitoring Treatment Plan shall be prepared by a City of Malibu- or County of Los Angeles-qualified archaeologist, and funded by the applicant. The monitoring program and its results shall be documented in a short letter report within 30 days after completion of all construction activities.

Monitoring: MRCA staff shall verify in the field the presence of the project archaeologist and Native American construction monitor(s). In the event of the identification of any previously unknown archaeological site area, feature, or artifact concentration, the project archaeologist shall be consulted and review and approve any treatment plan for evaluating the significance of the find and determining appropriate mitigations.

(b) Facts in Support of Findings

As discussed in the FEIR, there are no recorded prehistoric or historic-period archaeological resources recorded within the Plan area. Construction of the recreational facilities, however, would increase the number of individuals in the area. In the unlikely event that unknown archaeological resources were to be exposed on the ground surface during construction, there is the remote potential for increased improper collection of archaeological artifacts by construction personnel. This removal of artifacts would result in a potentially significant impact on cultural resources. Although implementation of the Modified Redesign/Environmentally Superior Alternative results in fewer camping and parking facilities that could potentially impact unknown cultural resources, this impact will still be considered potentially significant. Implementation of MM CR-1.1, MM-CR 1.2 and MM CR-3 would ensure any potential impact is reduced to a level of insignificance.

3. Impact on Archeological Resources from Construction Outside of 100 foot/30.5 Meter Buffer

Construction of the proposed project outside of the 100 foot/30.5 meter buffer around recorded archaeological site boundaries could result in a significant but mitigable impact.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant impact that may be caused by construction of the Modified Redesign/Environmentally Superior Alternative outside of the 100 foot/30.5 meter buffer around recorded archaeological site boundaries. The following mitigation is imposed to ensure a less than significant impact.

MM CR-4 In the unlikely event that potentially significant archaeological resources are encountered during construction of any proposed Plan trails, camping facilities, or parking facilities outside of the 30.5 meter (100 foot) buffer around recorded archaeological site boundaries, ground disturbances shall be temporarily halted, and the significance of the resources shall be evaluated by a City of Malibu- or County of Los Angeles-qualified archaeologist and a local

Native American representative during a Phase 2 archaeological investigation consistent with the City of Malibu Local Coastal Program Local Implementation Plan, Chapter 11, Archaeological/Cultural Resources guidelines. If the resource is determined to be significant, a Phase 3 data recovery mitigation program shall be completed consistent with the City of Malibu Local Coastal Program Local Implementation Plan, Chapter 11, Archaeological/Cultural Resources guidelines.

Plan Requirements and Timing: The above mitigation shall be identified on all grading, construction, and restoration plans and shall be faithfully implemented during earth disturbance activities.

Monitoring: MRCA staff shall instruct construction workers on the implementation of this condition in advance of construction. In the event of the identification of any previously unknown archaeological site area, feature, or artifact concentration, the project archaeologist shall be consulted and review and approve any treatment plan for evaluating the significance of the find and determining appropriate mitigations.

(b) Facts in Support of Findings

As further detailed in the FEIR, even though no prehistoric or historic cultural remains were identified within Plan areas, 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. It is possible that ground disturbances outside of the 30.5 meter (100 foot) buffer around recorded archaeological site boundaries could have a remote potential to identify unknown cultural resources. Although unlikely, there is also the remote potential that unknown subsurface cultural material could exist within areas of low archaeological sensitivity on steep slopes or be buried in proposed improvement areas that were intensively surveyed. Implementation of MM CR-4 that requires ground disturbances to be halted if an archaeological resources is encountered during construction would ensure a less than significant impact.

4. Paleontological Resource Impacts – Construction Phase

The proposed project has the potential to cause a significant impact on paleontological resource impacts during any construction phase of in which proposed bridges would be constructed.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant paleontological resources impact during any phase of the Modified Redesign/Environmentally Superior Alternative in which proposed bridges would be constructed. The following mitigation is imposed to ensure a less than significant impact.

MM CR-6: 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. The paleontological monitor shall have the authority to halt any activities adversely impacting potentially significant resources. Should fossil-bearing formations be uncovered, the monitor shall professionally collect any specimens without impeding development. Any paleontological artifacts recovered shall be preserved, as determined necessary by the project paleontologist, and offered to an accredited and permanent scientific institution for the benefit of current and future generations.

This mitigation measure shall also apply to trenching for utilities, geological testing, and any other ground-disturbing activities associated with the proposed Plan.

Plan Requirements and Timing: The above mitigation shall be identified on all grading, construction, and restoration plans and shall be faithfully implemented during earth disturbance activities.

Monitoring: MRCA staff shall instruct construction workers on the implementation of this condition in advance of construction. In the event of the identification of any previously unknown paleontological site area, feature, or artifact concentration, the project paleontologist shall be consulted and review and approve any treatment plan for evaluating the significance of the find and determining appropriate mitigations.

(b) Facts in Support of Findings

In general, grading and excavations within the Plan site area could 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, however, likely be approximately 10- to 15-feet deep. Shallow excavations in the uppermost layers of soils and younger Holocene alluvium are unlikely to disturb significant vertebrate fossil remains. Implementation of the Modified Redesign/Environmentally Superior Alternative 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. Without mitigation, this impact would be considered potentially significant. MM CR-6 which would require a paleontological monitor to oversee ground disturbing activities would reduce any paleontological impact to a level of insignificance.

5. Impact Caused by Implementation of Biological Resource Mitigation at Corral Canyon Park Mitigation Site

Implementation of the biological resource mitigation measures, specifically at the Corral Canyon Park mitigation site, has the potential to result in significant impacts on cultural resources. However, with mitigation, any impact would be reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant impact from the implementation of the biological resource mitigation measures, specifically at the Corral Canyon Park mitigation site. The following mitigation is imposed to ensure a less than significant impact.

MM CR-7.1 Biological Resources mitigations in the mapped CA-LAN-310 boundary, and a 100-foot buffer around the boundary, in the proposed Corral Canyon Mitigation Site shall be implemented with hand tools and shall not exceed six (6) inches in depth.

MM CR-7.2 All earth disturbances associated with Biological Resources mitigations in the mapped CA-LAN-310 boundary, and a 100-foot buffer around the boundary, in the proposed Corral Canyon Mitigation Site shall be monitored by a City of Malibu- or County of Los Angeles-qualified archaeologist and a local Native American representative, funded by the applicant. The qualified archaeologist and local Native American representative shall evaluate the intactness and potential significance of all previously unknown cultural resources encountered during construction. If found to be significant, the resource shall be subject to appropriate mitigation.

MM CR-7.3 A Construction Monitoring Treatment Plan shall be developed and implemented to ensure that any new discoveries associated with CA-LAN-310 (in the proposed Corral Canyon Mitigation Site) are adequately recorded, evaluated, and if significant, mitigated.

Plan Requirements and Timing: A Construction Monitoring Treatment Plan shall be developed by a qualified archaeologist retained by MRCA and implemented to ensure that any previously unknown archaeological site areas, features, or artifact concentrations are adequately recorded, evaluated, and, if significant, mitigated. The Construction Monitoring Treatment Plan shall minimally describe the following:

- a. Qualifications and organization of monitoring personnel;
- b. Procedures for notifying the City of Malibu and/or County of Los Angeles and other involved or interested parties in case of a new discovery;

c. Procedures that would be used to record, evaluate, and mitigate new discoveries with a minimum of delay;

d. Procedures that would be followed in case of discovery of disturbed as well as intact human remains;

e. Specifications that all ground disturbances associated with Biological Resources mitigations in the mapped CA-LAN-310 boundary, and a 100-foot buffer around the boundary, in the proposed Corral Canyon Mitigation Site shall be monitored by a City- or County-qualified archaeologist and a local Native American representative, funded by the applicant. The monitors shall have the authority to temporarily halt and/or redirect construction in the vicinity of any potentially significant discovery to allow for adequate recordation, evaluation, and mitigation. Evaluation and mitigation could require archaeological testing and data recovery. In the unlikely event that human remains would be encountered, consultation with the most likely Native American descendant pursuant to Public Resources Code section 5097.97 and 5097.98 would apply.

The Construction Monitoring Treatment Plan shall be prepared by a City of Malibu- or County of Los Angeles-qualified archaeologist, and funded by the applicant. The monitoring program and its results shall be documented in a short letter report within 30 days after completion of all construction activities.

Monitoring: MRCA staff shall verify in the field the presence of the project archaeologist and Native American construction monitor(s). In the event of the identification of any previously unknown archaeological site area, feature, or artifact concentration, the project archaeologist shall be consulted and review and approve any treatment plan for evaluating the significance of the find and determining appropriate mitigations.

MM CR-1.1 A pre-construction workshop shall be conducted by a City of Malibu- or County of Los Angeles-qualified archaeologist and a local Native American representative. Attendees shall include the applicant, construction supervisors, and heavy equipment operators. All construction personnel who would work during any phase of ground disturbance shall be required to attend the workshop. The names of all personnel who attend the workshop shall be recorded.

The workshop shall 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 workshop shall make attendees aware of prohibited activities, including unauthorized collecting of artifacts, which can result in impacts on cultural resources.

(b) Facts in Support of Findings

Implementation of biological resource mitigations at the proposed mitigation sites would consist of limited grading for contour improvements, removal of non-native vegetation, extension of temporary irrigation lines (where adjacent to existing water sources) intended for plant establishment, seeding/ planting, and occasional site maintenance and monitoring.

Shellfish fragments associated with CA-LAN-310 were observed in the proposed Corral Canyon Mitigation Site. Ground disturbances within this vicinity could encounter cultural remains. In the event that intact cultural remains are encountered during implementation of biological resources mitigation, the disturbance to these remains would be a potentially significant impact on cultural resources. Archaeological Resources Policies 1 and 2 of the Modified Redesign/Environmentally Superior Alternative Plan require development be designed to protect structures of historic, cultural, archaeological and paleontological significance. In the event that cultural resources are identified during implementation of biological resources mitigation, these policies would dictate that they be protected to the extent feasible. The mitigation measures detailed above would ensure policy implementation and reduce any impact to a less than significant level.

6. Impact Caused by Implementation of Biological Resource Mitigation at proposed Tuna/Las Flores Mitigation Site

Implementation of the biological resource mitigation measures, specifically at the Tuna/Las Flores mitigation site, has the potential to result in significant impacts on cultural resources. However, with mitigation, any impact would be reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant impact from the implementation of the biological resource mitigation measures, specifically at the Tuna/Las Flores mitigation site. The following mitigation is imposed to ensure a less than significant impact.

MM CR 8.1 All earth disturbances associated with Biological Resources mitigations in the mapped CA-LAN-1915 boundary, and a 100-foot buffer around the boundary, in the proposed Tuna/Las Flores Canyon Mitigation Site shall be monitored by a City of Malibu- or County of Los Angeles-qualified archaeologist and a local Native American representative, funded by the applicant. The qualified archaeologist and local Native American representative shall evaluate the intactness and potential significance of all previously unknown cultural resources encountered during construction. If found to be significant, the resource shall be subject to appropriate mitigation.

MM CR-8.2 A Construction Monitoring Treatment Plan shall be developed and implemented to ensure that any new discoveries associated with CA-LAN-1915

(in the proposed Tuna/Las Flores Canyon Mitigation Site) are adequately recorded, evaluated, and if significant, mitigated.

Plan Requirements and Timing: A Construction Monitoring Treatment Plan shall be developed by a qualified archaeologist retained by MRCA and implemented to ensure that any previously unknown archaeological site areas, features, or artifact concentrations are adequately recorded, evaluated, and, if significant, mitigated. The Construction Monitoring Treatment Plan shall minimally describe the following:

- a. Qualifications and organization of monitoring personnel;
- b. Procedures for notifying the City of Malibu and/or County of Los Angeles and other involved or interested parties in case of a new discovery;
- c. Procedures that would be used to record, evaluate, and mitigate new discoveries with a minimum of delay;
- d. Procedures that would be followed in case of discovery of disturbed as well as intact human remains;
- e. Specifications that all ground disturbances associated with Biological Resources mitigations in the mapped CA-LAN-1915 boundary, and a 100-foot buffer around the boundary, in the proposed Tuna/Las Flores Canyon Mitigation Site shall be monitored by a City- or County-qualified archaeologist and a local Native American representative, funded by the applicant. The monitors shall have the authority to temporarily halt and/or redirect construction in the vicinity of any potentially significant discovery to allow for adequate recordation, evaluation, and mitigation. Evaluation and mitigation could require archaeological testing and data recovery. In the unlikely event that human remains would be encountered, consultation with the most likely Native American descendant pursuant to Public Resources Code section 5097.97 and 5097.98 would apply.

The Construction Monitoring Treatment Plan shall be prepared by a City of Malibu- or County of Los Angeles-qualified archaeologist, and funded by the applicant. The monitoring program and its results shall be documented in a short letter report within 30 days after completion of all construction activities.

Monitoring: MRCA staff shall verify in the field the presence of the project archaeologist and Native American construction monitor(s). In the event of the identification of any previously unknown archaeological site area, feature, or artifact concentration, the project archaeologist shall be consulted and review and approve any treatment plan for evaluating the significance of the find and determining appropriate mitigations.

MM CR-1.1 A pre-construction workshop shall be conducted by a City of Malibu- or County of Los Angeles-qualified archaeologist and a local Native

American representative. Attendees shall include the applicant, construction supervisors, and heavy equipment operators. All construction personnel who would work during any phase of ground disturbance shall be required to attend the workshop. The names of all personnel who attend the workshop shall be recorded.

(b) Facts in Support of Findings

Implementation of biological resources mitigation at the proposed mitigation sites would consist of limited grading for contour improvements, removal of non-native vegetation, extension of temporary irrigation lines (where adjacent to existing water sources) intended for plant establishment, seeding/ planting, and occasional site maintenance and monitoring.

No prehistoric cultural materials were observed on the ground surface in the mapped CA-LAN-1915 location and no subsurface cultural materials were observed in several shovel probes. CA-LAN-1915 was recorded 19 years ago in an area that was described as “badly disturbed.” There is a discrepancy between the site dimensions listed in the site record form, depicted on the sketch map, and depicted on the USGS topographic map. In addition, the sketch map depicts the site in a slightly different location and with a slightly different shape than the USGS topographic map. Ground disturbances within this vicinity could encounter cultural remains. In the event that intact cultural remains are encountered during implementation of biological resources mitigation, the disturbance to these remains would be a potentially significant impact on cultural resources. Archaeological Resources Policies 1 and 2 of the Modified Redesign/Environmentally Superior Alternative Plan require development be designed to protect structures of historic, cultural, archaeological and paleontological significance. In the event that cultural resources are identified during implementation of biological resources mitigation, these policies would dictate that they be protected to the extent feasible. Mitigation measures detailed above would ensure policy implementation and any impact is reduced to a less than significant level.

7. Impacts Caused by Ground Disturbance Associated With Implementation of Biological Resource Mitigation Outside of 30.5 meter/100 Foot Buffer Around Recorded Archeological Site Boundaries

Implementation of the biological resource mitigation measures, outside of the 30.5 meter/100 foot buffer around recorded archeological site boundaries has the potential result in a significant impact on cultural resources. However, with mitigation, any impact would be reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant impact from the implementation of the biological resource mitigation measures outside of the 30.5 meter /100 foot buffer around

recorded archeological site boundaries. The following mitigation is imposed to ensure a less than significant impact.

MM CR-9: In the unlikely event that potentially significant archaeological resources are encountered during ground disturbances associated with implementation of proposed Biological Resources mitigation outside of the 30.5 meter (100 foot) buffer around recorded archaeological site boundaries, ground disturbances shall be temporarily halted, and the significance of the resources shall be evaluated by a City of Malibu- or County of Los Angeles qualified archaeologist and a local Native American representative during a Phase 2 archaeological investigation consistent with the City of Malibu Local Coastal Program Local Implementation Plan, Chapter 11, Archaeological/Cultural Resources guidelines. If the resource is determined to be significant, a Phase 3 data recovery mitigation program shall be completed consistent with the City of Malibu Local Coastal Program Local Implementation Plan, Chapter 11, Archaeological/Cultural Resources guidelines.

Plan Requirements and Timing: The above mitigation shall be identified on all grading, construction, and restoration plans and shall be faithfully implemented during earth disturbance activities.

Monitoring: MRCA staff instruct construction workers on the implementation of this condition in advance of construction. In the event of the identification of any previously unknown archaeological site area, feature, or artifact concentration, the project paleontologist shall be consulted and review and approve any treatment plan for evaluating the significance of the find and determining appropriate mitigations.

(b) Facts in Support of Findings

It is possible that ground disturbances outside of the 30.5 meter (100 foot) buffer around recorded archaeological site boundaries could have a remote potential to identify unknown cultural resources. Although unlikely, there is also the remote potential that unknown sub surface cultural material could be buried in proposed improvement areas that were intensively surveyed. These impacts would be considered potentially significant. Implementation of MM CR-9 would ensure that the remote potential for impacts on unknown cultural resources would be less than significant.

E. FIRE HAZARDS

1. Fire Risk

Although implementation of proposed project improvements would not expose people to significant risk of loss, injury, or death involving wildland fires, nor would its implementation interfere with response and/or evacuation requirements in the case of an emergency, design features and other measures are included in to ensure a less than significant fire risk.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any fire risk is reduced to the extent feasible. More specifically, the Modified Redesign/Environmentally Superior Alternative includes a comprehensive Fire Protection Plan in order to provide a redundant layering of prevention, protection, suppression and pre-planning methods and measures that have been proven to reduce any fire risk.

(b) Facts in Support of Findings

Similar to the Fire Protection Plan included in the DEIR for the proposed project, the Modified Redesign/Environmentally Superior Alternative also includes a Fire Protection Plan. However, the Modified Redesign/Environmentally Superior Alternative was aimed at being responsive to comments, especially those detailing fire concerns. In response to those comments, the Modified Redesign/Environmentally Superior Alternative was designed to reduce the number of proposed camping sites, parking spaces, and public outreach programs, as compared to the proposed project. These additional fire safety features are detailed in the revised Fire Protection Plan for the Modified Redesign/Environmentally Superior Alternative. Although the Modified Redesign/Environmentally Superior Alternative FPP incorporates the same list of fire safety features as presented for the proposed project, it also includes additional measures aimed at further reducing fire risk.

The most notable fire safety improvements include the following:

- The Modified Redesign/Environmentally Superior Alternative includes a prohibition on all flames. No campfires, cooking stoves, fuel-based lanterns, or other flames will be allowed. This removes primary ignition sources related to the Plan.

- Camping has been removed from Escondido Canyon Park and Latigo Trailhead and clustered in primarily two Parks, Corral Canyon Park and Malibu Bluffs Conservancy Property. Both locations are in areas with lower intensity fire behavior and near primary roadways as well as other open space areas.

- To address identified concerns that adequate patrolling and supervision occur at the proposed camp areas 24 hours a day when camping is permitted, the Modified Redesign/Environmentally Superior Alternative would provide permanent structures to provide over-night accommodations for MRCA rangers and/or wildland fire-trained specialists at the two primary camping sites—Corral Canyon Park and Malibu Bluffs Conservancy Property. An additional element added to the Modified Redesign/Environmentally Superior Alternative is that all Camp Host will be designated and trained as public officers designated pursuant to the MRCA Park Ordinance as authorized by the Public Resources Code and would be able to strictly enforce all policies.

- In response to the LACFD comment letter, MRCA/Conservancy staff communicated with LACFD by email, phone, and in person to better understand the fire department's comments and to ensure that, as necessary, that the Modified Redesign/Environmentally

Superior Alternative adhere to LACFD's recommendations. The vegetation/fuel modification buffer dimensions were adjusted for the Modified Redesign/Environmentally Superior Alternative to be more consistent with LACFD recommendations. The most significant change was that the Modified Redesign/Environmentally Superior Alternative includes 200 feet of clearance around proposed fire shelters compared to 100 feet in the Proposed Plan. The result is more fuel modification area required by the MRA.

- Similarly, in response to receipt of the LACFD comment letter, consistent with LACFD recommendations, the optional emergency fire shelters in the Modified Redesign/Environmentally Superior Alternative (i.e., if required by the responsible fire agency) have been relocated from the parking areas (as identified within the Proposed Plan) to those camping areas not in close proximity to roadways. In areas where the optional emergency fire shelters were identified by LACFD as being extraneous, the shelters were removed from the plans.²

- There is also a restriction on the number of visitors year round during Phase 1 at Ramirez Canyon Park that is limited to those uses that are currently existing. However, even with this limitation, optional fire improvements (i.e., if required by the responsible fire agency) are imposed, including that the already proposed widening of the existing access road and removal of encroachments in the road easements, as necessary, to provide 20-ft clearance for emergency ingress/egress in the canyon along Delaplaine Road and Ramirez Canyon Road would be expanded under the Modified Redesign/Environmentally Superior Alternative. The Modified Redesign/Environmentally Superior Alternative, therefore, provides for additional widening to a total road width of approximately 26 feet, for a length of approximately 50 feet adjacent to all existing fire hydrant locations. This additional widening would occur in order to maintain adequate room for operations during an emergency incident along Ramirez Canyon Road and/or Delaplaine Road, if required by the responsible fire agency.

- Under a Phase 2 at Ramirez Canyon Park, expanded visitation during the non-fire season under Phase 2 is allowed but only with further improvements aimed to reduce fire risk. However, even under Phase 2, the number of large events have been reduced by 50% in comparison to the proposed project. Improvements would be included in this phase to provide Via Acero secondary emergency access improvements. In the Modified Redesign/Environmentally Superior Alternative, changes were also made to the conceptual design plans for Via Acero to address LACFD comments (e.g., making it less steep), compared to the proposed project.

² This "optional" language is included in the MRA in order to provide the appropriate fire agency with jurisdiction the flexibility it needs to determine which improvements (emergency fire shelters and other identified optional fire improvements) should be imposed in order to adequately reduce and mitigate any fire risk. The Conservancy and MRCA are committed to implementing all optional measures, but the responsible fire agency will ultimately determine the improvements required. As further detailed in the FEIR, the Fire Protection Plan that includes these measures serves as adequate mitigation under CEQA to reduce any fire risk to a level of less than significant.

- Additionally, Escondido Canyon Park and Latigo Trailhead would also have reduced visitation when compared to the proposed project. These improvements would ultimately result in a lower probability for impacts to egress roads and lower potential for fire safety risk.

- Finally, fire hydrants would be installed at various locations as further described in the FEIR

These measures, in concert with all of the measures identified in the FPP would result in the reduction of fire risk.

F. GEOLOGY, SOILS AND SEISMIC HAZARDS

1. Geology, Soils and Seismic Hazards – Ramirez Canyon Park

Implementation of the proposed project at Ramirez Canyon Park has the potential to expose people or structures to geology, soils and seismic hazards. Absent mitigation, this impact would be potential significant

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any geology, soils, and seismic impact at Ramirez Canyon Park is reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM G-1.1 Site-specific geotechnical investigations, including borings and laboratory analysis of soil characteristics, shall be conducted for the following Ramirez Canyon proposed improvements: on-site reconfigured parking areas, off-site Kanan Dume Road parking areas, day-use areas, and new restrooms. The geotechnical investigation shall identify site preparation techniques and/or engineering design specifications to address liquefaction potential of the encountered earth materials. All requirements identified in the geotechnical investigation shall be incorporated into design and construction.

MM G-1.2 A certified engineering geologist (CEG) shall calculate ground acceleration values within Ramirez Canyon Park for the maximum credible earthquake produced by the regional fault system, for use in designing improvements located within Ramirez Canyon Park. A Civil or Structural engineer shall design the proposed improvements upon the requirements of the California Building Code (CBC) and thereby address the identified ground acceleration in the code prescribed manner, for the following structures: a) new restroom facilities; b) vehicular bridges; c) existing structures proposed for new or expanded public use in Ramirez Canyon Park, under the Plan.

MM G-3.1 Site-specific soil investigations, including borings and laboratory analysis of soil characteristics, shall be conducted for the following Ramirez Canyon proposed improvements: 14 parking spaces in 3 paved parking areas

along Kanan Dume Road, Ramirez Canyon Road bridge replacement, on-site reconfigured parking area, four ADA day-use areas, and four restrooms. The soil investigation shall identify site preparation techniques and/or engineering design specifications to address compression, collapse, or lateral spreading potential of the encountered soil materials.

MM G-4.1 Site-specific geotechnical investigation, including borings and laboratory analysis of soil characteristics, shall be conducted for the segments of Ramirez Canyon Road and Delaplaz Road proposed to be widened under the Plan. The geotechnical investigation shall identify site preparation techniques and/or engineering design specifications to address encountered expansive soil materials.

(b) Facts in Support of Findings

Proposed improvements within Ramirez Canyon Park under the Modified Redesign/Environmentally Superior Alternative would be reduced as compared to the proposed project analyzed in the DEIR. In short, only two ADA-accessible camp sites within Ramirez Canyon Park would be sited near existing developed areas and proposed parking would be reduced along Kanan Dume Road. Programs using the existing structures on the property would remain as with the proposed project. Trail alignments 1a and 5a would be developed, along with picnic tables and day-use areas. Overall disturbances to earth materials would be substantially less with implementation of the Modified Redesign/Environmentally Superior Alternative and would therefore result in less geologic-related impacts than the proposed project.

On-site day-use areas and restrooms are located in areas with potential liquefaction hazard. These planned improvements could be damaged or destroyed during a seismically-induced liquefaction episode, leading to potential injury or loss of life for park users. A zone of high seismic potential also encompasses the entire Malibu Coast, including Ramirez Canyon Park. Proposed structural development including restrooms could be damaged or destroyed by ground acceleration (shaking) produced by the regional earthquake fault system, unless properly designed and constructed to withstand such shaking.

The Modified Redesign/Environmentally Superior Alternative would include administrative and public program uses at Ramirez Canyon Park that would employ existing facilities to provide educational opportunities, support unique access opportunities for disabled visitors, accommodate essential administrative park facility support, and allow for limited events and group gatherings typically permitted and accommodated in State Parks. The proposed day-use areas, hiking trails, and continued use of Ramirez Canyon Park for specialized programs may potentially expose people or structures to potentially significant geologic hazards, including seismic and liquefaction hazards.

To ensure avoidance of damage or failure of proposed improvements from soil, liquefaction and seismicity hazards, mitigations MM G-1.1, MM G-1.2, MM G-3.1 and MM G-4.1 are required and would reduce any potential significant impact to a level of insignificance.

2. Geology, Soils and Seismic Hazards – Escondido Canyon Park

Implementation of the proposed project at Escondido Canyon Park has the potential to expose people or structures to geology, soils and seismic hazards. Absent mitigation, this impact would be potential significant

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any geology, soils, and seismic impact at Escondido Canyon Park is reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM G-1.9 The final design and construction of trail segments located within areas of landslide potential (soil creep) shall adhere to the Best Practices identified in Malibu Parks Public Access Enhancement Plan, Park and Trail Accessibility Design Guidelines prepared by Moore Iacofano Goltsman, Inc., 2006 (pp 25-35), including but not limited to those for: Trails on Steep Cross Slopes; Trails on Flat Grades; Eroding and Hazardous Trail Edges; Trails on Sandy Soils; and Trails Damaged by Maintenance Vehicle Use.

MM G-2 See MM G-1.9. MM G-2 in the DEIR is the same as G-1.9

MM G-3.6 See MM G-1.9. MM G-6 in the DEIR is the same as G-1.9

MM G-4.3 See MM G-1.9. MM G-4.3 in the DEIR is the same as G-1.9

(b) Facts in Support of Findings

Compared to the proposed project analyzed in the DEIR, the Modified Redesign/Environmentally Superior Alternative would result in no impacts at Escondido Canyon Park as no new development or increased use would occur, and no mitigation measures for geologic or seismic induced hazards are required.

Portions of the proposed on-site trail system would however be partially located within an area of identified soil creep. Soil creep may result in the need for increased frequency of maintenance activities for the improved trail system, but would not expose hikers to significant hazards or risks. Trail segments may also be located on collapsible soils, highly erodible soils, or expansive soils which could lead to trail closures or increased maintenance. The Plan conceptual trail design utilized recommendations contained within the Malibu Parks Public Access Enhancement Plan, Park and Trail Accessibility Design Guidelines, prepared by Moore Iacofano Goltsman, Inc. However, in order to ensure proper final trail design and implementation, mitigation measures MM G-1.9, MM G-2, MM G-3.6 and MM G-4.3 are required and would ensure any impact is reduced to a less than significant level.

3. Geology, Soils, and Seismic Hazards – Corral Canyon Park

Implementation of the proposed project at Corral Canyon Park has the potential to expose people or structures to geology, soils and seismic hazards. Absent mitigation, this impact would be potentially significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any geology, soils, and seismic impact at Corral Canyon Park is reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM G-1.7 A CEG shall calculate ground acceleration values within Corral Canyon Park for the maximum credible earthquake produced by the regional fault system, for use in designing improvements located within Corral Canyon Park. A Civil or Structural engineer shall design the proposed improvements upon the requirements of the CBC and thereby address the identified ground acceleration in the code prescribed manner, for the following structures: a) employee residence; b) self-contained restroom facilities; c) the 10,000 gallon water storage tank; d) fire truck shed.

MM G-1.9 The final design and construction of trail segments located within areas of landslide potential (soil creep) shall adhere to the Best Practices identified in Malibu Parks Public Access Enhancement Plan, Park and Trail Accessibility Design Guidelines prepared by Moore Iacofano Goltsman, Inc., 2006 (pp 25-35), including but not limited to those for: Trails on Steep Cross Slopes; Trails on Flat Grades; Eroding and Hazardous Trail Edges; Trails on Sandy Soils; and Trails Damaged by Maintenance Vehicle Use.

MM G-2 See MM G-1.9. MM G-2 in the DEIR is the same as G-1.9

MM G-3.4 Site-specific soil investigations, including borings and laboratory analysis of soil characteristics, shall be conducted for the following Corral Canyon proposed improvements: the two-stall restroom facility at Camp Area 1 and the 10,000 gallon water storage tank. The soil investigation shall identify site preparation techniques and/or engineering design specifications to address compression, collapse, or lateral spreading potential of the encountered soil materials.

MM G-3.6 See MM G-1.9. MM G-6 in the DEIR is the same as G-1.9

MM G-4.3 See MM G-1.9. MM G-4.3 in the DEIR is the same as G-1.9 .

(b) Facts in Support of Findings

The differences between the Modified Redesign/Environmentally Superior Alternative and the proposed project analyzed in the DEIR can be described as: the proposed camp host parking spot in the existing parking lot would be replaced by employee quarters; the proposed

one adjacent restroom would be augmented with a second restroom; the five campsites in the north Corral Canyon camping area (Site 2) would be replaced by a day use area featuring two picnic tables with no associated restroom; and the south Corral Canyon camping area (Site 1) would be augmented with 6 camping sites for a total of 17 campsites and an additional restroom. A water line extension between the trail fork leading to Site 1 and Site 2 would be eliminated in the Modified Redesign/Environmentally Superior Alternative, as neither campsites or restroom would be included at Site 2. Under the Modified Redesign/Environmentally Superior Alternative, two Emergency Fire Shelters are “Optional” components. Because of the avoidance of water line extensions from the trail fork at Site 1 to the north Corral Canyon Day use area, the Modified Redesign/Environmentally Superior Alternative would have slightly lesser geologic-related impacts than the proposed project analyzed in the DEIR. Nevertheless, the environmental conclusions and mitigation detailed in the DEIR would still be applicable.

Under either the proposed project analyzed in the DEIR or the Modified Redesign/Environmentally Superior Alternative, all proposed structural improvements (including restrooms, employee quarters, fire truck shed, emergency fire shelters, water tank, and camp sites) are proposed to be located outside of the mapped boundaries of areas identified as having landslide potential. So impacts from landsliding on structural improvements would be the same for the proposed project analyzed in the DEIR and the Modified Redesign/Environmentally Superior Alternative. Hiking trails are proposed to be located at least partially within mapped landslide area. No structural improvements are proposed to be situated over the mapped fault trace for Malibu Coast Fault under the Modified Redesign/Environmentally Superior Alternative; however, a zone of high seismic potential encompasses the entire Malibu Coast, including Corral Canyon Park. Proposed structural development including employee quarters, restrooms, emergency fire shelters, fire truck shed and water tank could be damaged or destroyed by ground acceleration (shaking) produced by the regional earthquake fault system, unless properly designed and constructed to withstand such shaking. Therefore, final design of these improvements must incorporate site specific ground acceleration information, to be confirmed by an engineering geologist and structural engineer as required under mitigation measure MM G-1.7. Given that the Modified Redesign/Environmentally Superior Alternative would result in structural development very similar to the proposed project analyzed in the DEIR for the Corral Canyon Park, seismicity impacts would be essentially the same and the environmental conclusions and mitigation detailed in the DEIR would still be applicable.

Other unstable earth conditions such as compressible soils, easily eroded soils, or lateral spreading of soils must also be addressed via adequate final design. To ensure the avoidance of damage to proposed improvements from geology and soil hazards, mitigation MM G-3.4 is required. Given that for Corral Canyon Park, the Modified Redesign/Environmentally Superior Alternative would result in site improvements very similar to the proposed project analyzed in the DEIR, unstable earth conditions impacts would be essentially the same and the environmental conclusions and mitigation detailed in the DEIR would still be applicable.

Portions of the proposed on-site trail system would also partially be located within the area of identified landslide. Trail link location and length are substantially similar under the Modified Redesign/Environmentally Superior Alternative as those detailed for the proposed

project analyzed in the DEIR. The Geologic Constraints study, detailed in the FEIR, concluded that due to the limited and short-term activities on trails, and low level risk associated with the identified type of landslide phenomenon affecting trail alignments, the proposed trail system is an acceptable use within this identified hazard area. Trail segments may also be located on collapsible soils, highly erodible soils, or expansive soils which could lead to trail closures or increased maintenance. The Plan conceptual trail design utilized recommendations contained within the Malibu Parks Public Access Enhancement Plan, Park and Trail Accessibility Design Guidelines, prepared by Moore Iacofano Goltsman, Inc. However, in order to ensure proper final trail design and implementation, mitigation measures MM G-1.9, MM G-2, MM G-3.6 and MM G-4.3 are required. Because trail location and length remains highly similar for the Modified Redesign/Environmentally Superior Alternative as compared to the proposed project analyzed in the DEIR for Corral Canyon Park, geology and soils impacts associated with trails would be equivalent. Therefore, the environmental conclusions and mitigation detailed in the DEIR would still be applicable.

The implementation of all mitigation measures detailed above would ensure a less than significant geology, soils, and seismic hazards impact at Corral Canyon Park.

4. Geology, Soils, and Seismic Hazards – Malibu Bluffs

Implementation of proposed project at Malibu Bluffs has the potential to expose people or structures to geology, soils and seismic hazards. Absent mitigation, this impact would be potentially significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any geology, soils, and seismic impact at Malibu Bluffs is reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM G-1.8 A CEG shall calculate ground acceleration values within Malibu Bluffs Park for the maximum credible earthquake produced by the regional fault system, for use in designing improvements located within Malibu Bluffs Park. A Civil or Structural engineer shall design the proposed improvements upon the requirements of the CBC and thereby address the identified ground acceleration in the code prescribed manner, for the following structures: a) employee residence; b) self-contained restroom facilities; c) the 10,000 gallon water storage tank; d) fire truck shed; e) vehicular bridges.

MM G-1.9 The final design and construction of trail segments located within areas of landslide potential (soil creep) shall adhere to the Best Practices identified in Malibu Parks Public Access Enhancement Plan, Park and Trail Accessibility Design Guidelines prepared by Moore Iacofano Goltsman, Inc., 2006 (pp 25-35), including but not limited to those for: Trails on Steep Cross

Slopes; Trails on Flat Grades; Eroding and Hazardous Trail Edges; Trails on Sandy Soils; and Trails Damaged by Maintenance Vehicle Use.

MM G-2 See MM G-1.9. MM G-2 in the DEIR is the same as G-1.9

MM G-3.5 Site-specific soil investigations, including borings and laboratory analysis of soil characteristics, shall be conducted for the following Malibu Bluffs Park proposed improvements: two (2) Park Administration/ Employee Quarters buildings, eleven (11) self-contained restroom stalls in eight (8) restroom buildings, a fire truck shed, and two (2) 10,000 gallon water storage tanks. The soil investigation shall identify site preparation techniques and/or engineering design specifications to address compression, collapse, or lateral spreading potential of the encountered soil materials.

MM G-3.6 See MM G-1.9. MM G-6 in the DEIR is the same as G-1.9

MM G-4.3 See MM G-1.9. MM G-4.3 in the DEIR is the same as G-1.9 .

(b) Facts in Support of Findings

Proposed Project improvements for Malibu Bluffs are similar to the proposed project analyzed in the DEIR. In short, the changes for the Modified Redesign/Environmentally Superior Alternative from the proposed project analyzed in the DEIR can be described as: the two proposed camp host parking spots in Parking Area 1 would be replaced with pre-fabricated employee quarters; one restroom would be augmented adjacent to the employee quarters; an additional 6 camping sites would be included in Camping Area 1; Parking Lot 2 would be eliminated; 5 additional camping sites would be included in Camping Area 2; and Camping Areas 3 and 4 would be clustered together into an overall smaller footprint. Under the Modified Redesign/Environmentally Superior Alternative, two Emergency Fire Shelters are “Optional” components. On-site trail segments would still be developed. Because of the clustering of camping areas, less surface area disturbance would occur, reducing geologic-related impacts.

Under the Modified Redesign/Environmentally Superior Alternative, all proposed structural improvements (including restrooms, employees’ quarters, host parking spaces, fire truck shed, emergency fire shelters, water tank, and camp sites) are proposed to be located outside of the mapped boundaries of areas identified as having landslide potential. Hiking trails are proposed to be located at least partially within mapped landslide area. No structural improvements are proposed to be situated over the mapped fault trace for Malibu Coast Fault; however, a zone of high seismic potential encompasses the entire Malibu Coast, including Malibu Bluffs Park. Proposed structural development including restrooms, employees’ quarters, emergency fire shelters, fire truck shed and water tank could be damaged or destroyed by ground acceleration (shaking) produced by the regional earthquake fault system, unless properly designed and constructed to withstand such shaking. Therefore, final design of these improvements must incorporate site specific ground acceleration information, to be confirmed by an engineering geologist and structural engineer as required under mitigation measure MM G-1.8. Given that the Modified Redesign/Environmentally Superior Alternative would result in structural development very similar to the proposed project analyzed in the DEIR for Malibu

Bluffs, seismicity impacts would be essentially the same and the environmental conclusions and mitigation detailed in the DEIR would still be applicable.

Other unstable earth conditions such as compressible soils, easily eroded soils, or lateral spreading of soils must also be addressed via adequate final design. To ensure the avoidance of damage to proposed improvements from geology and soil hazards, mitigation MM G-3.5 is required. Given that the Modified Redesign/Environmentally Superior Alternative would result in site improvements very similar to the Proposed Plan, unstable earth conditions impacts would be essentially the same and the environmental conclusions and mitigation detailed in the DEIR would still be applicable.

Portions of the Modified Redesign/Environmentally Superior Alternative's proposed on-site trail system would partially be located within an area identified with ancient landslide, similar to the proposed project analyzed in the DEIR. Land sliding in this area has been described as consisting of shallow bedding layers, with limited mass wasting for individual episodes. These shallow bedding plane failures may result in the need for increased frequency of maintenance activities for the improved trail system, but would not expose hikers to significant hazards or risks. Trail segments may also be located on collapsible soils, highly erodible soils, or expansive soils which could lead to trail closures or increased maintenance. The Plan conceptual trail design utilized recommendations contained within the Malibu Parks Public Access Enhancement Plan, Park and Trail Accessibility Design Guidelines, prepared by Moore Iacofano Goltsman, Inc. However, in order to ensure proper final trail design and implementation, mitigation measures MM G-1.9, MM G-2, MM G-3.6 and MM G-4.3 are required. Because trail location and length remains highly similar for the Modified Redesign/Environmentally Superior Alternative compared to the proposed project analyzed in the DEIR for Malibu Bluffs, geology and soils impacts associated with trails would be equivalent and the environmental conclusions and mitigation detailed in the DEIR would still be applicable.

The implementation of all mitigation measures detailed above would ensure a less than significant geology, soils, and seismic hazards impact at Malibu Bluffs.

G. HAZARDOUS MATERIALS

1. Environmental Contamination Risk - Soil/Groundwater Contamination or Emission of Hazardous Materials Into the Air

The proposed project may expose individuals to health risks due to soil/groundwater contamination or emission of hazardous materials into the air. However, with the incorporation of mitigation, any impact will be reduced to less than significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any hazardous materials impact associated with soil/groundwater contamination or emission of hazardous materials into the air

is reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM HAZ-2.1 Prior to grading at the Latigo Trailhead, MRCA shall test on-site soils for metals, total petroleum hydrocarbons, volatile organic compounds, and pesticides. Any soils found with actionable levels of hazardous materials shall be excavated and disposed, or treated in situ (in place), in accordance with applicable regulatory requirements and approved by applicable governmental authorities.

Plan Requirement and Timing: Physical sampling and laboratory analysis, and any recommendations resulting therefrom, shall be prepared and submitted to MRCA for review and approval prior soil disturbance activity.

Monitoring: Prior to grading, MRCA shall review soil test sample results and shall implement any recommendations for required remediation.

MM HAZ-2.2 At the Latigo Trailhead, a monitor trained in identification of contaminated soil shall be present for at least part of each day during site grading excavations, to determine if previously unidentified contaminated soil has been encountered. The monitor shall make this determination based on visual signs of discolored soil, olfactory indications, dialogue with grading contractors, and/or positive readings on a photoionization detector or organic vapor analyzer. The monitor shall be current with respect to Cal OSHA 40-hour training for hazardous materials. If during grading activities new and/or additional contamination is discovered, grading within such area shall be temporarily halted and redirected around the areas until the appropriate evaluation and remediation measures are implemented in accordance with applicable regulatory requirements so as to render them suitable for grading activities to resume.

Plan Requirements and Timing: This requirement shall be identified as a note on the grading plan for each phase.

Monitoring: MRCA shall inspect during construction to verify compliance with this requirement.

(b) Facts in Support of Findings

Other than the Latigo Canyon Trailhead property, the potential for hazardous materials contamination to affect Project park properties was found to be very low. For these parks, a reduction in the number of parking spaces and camp sites would decrease the already very low potential for exposure of park visitors to environmental contamination from hazardous materials.

The Latigo Canyon Trailhead includes evidence of debris piles, which could potentially contain contamination. Under the Modified Redesign/Environmentally Superior Alternative, while camp sites would be eliminated (compared to the proposed project analyzed in the DEIR)

the Latigo Canyon property would be developed with parking spaces, and would accommodate trail users and day use/ picnicking. Since hikers and picnickers would continue to be on-site (albeit for day-time use rather than overnight), the exposure potential to soil contamination would be very similar. Therefore, the Modified Redesign/Environmentally Superior Alternative would not result in a substantial difference in the potential for park users to be exposed to environmental contamination and the impacts would continue to be potentially significant. The imposition of mitigation detailed above would reduce any impact to a level of insignificance by requiring on-site soil testing and the presence of a monitor on-site to ensure any potential impact is reduced to the extent feasible.

2. Hazardous Materials Impacts From Implementation of Mitigation Measures

Implementation of mitigation measures intended to reduce impacts associated with the proposed project's improvements could potentially result in a hazardous materials impact.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any hazardous materials impact associated with implementation of mitigation is reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM HAZ-4 Prior to grading at the King Gillette Ranch Mitigation Site, MRCA shall test on-site soils within the proposed mitigation area for elevated pesticide concentrations. Any soils found with actionable levels of hazardous materials shall be excavated and disposed, or treated in situ (in place), in accordance with applicable regulatory requirements and approved by applicable governmental authorities.

Plan Requirements and Timing: Physical sampling and laboratory analysis, and any recommendations resulting therefrom, shall be prepared and submitted to MRCA for review and approval prior soil disturbance activity.

Monitoring: Prior to grading, MRCA shall review soil test sample results and shall implement any recommendations for required remediation.

(b) Facts in Support of Findings

Implementation of biological mitigation outside of the areas of project impact would be required to accommodate the required 3:1 biological mitigation. There are four mitigation sites, identified as: Corral Canyon, Malibu Bluffs, Tuna/Las Flores Canyon, and King Gillette Ranch. None of the mitigation sites currently or historically have supported industrial activities, and none are of concern except for one. As further detailed in the FEIR, because the King Gillette Ranch site has historically been associated with agricultural activities, a potentially significant impact could result. The site has a historical use of pesticides, although not known, that may have resulted in contamination of on-site surface and shallow subsurface soils. Pesticide deposits cannot usually be visually detected within soils and may pose a short-term

health and safety concern for construction workers. Long-term health and safety impacts would not be anticipated as the mitigation sites would be utilized frequently or for any significant duration by humans. Short-term impacts associated with potential pesticide exposure from soil excavation to implement the biological mitigation at King Gillette Ranch would, therefore, be considered potentially significant. However, with the incorporation of MM HAZ-4, that requires on-site soil testing prior to grading, any impact would be reduced to a level of insignificance.

H. HYDROLOGY, DRAINAGE, AND WATER QUALITY

1. Construction Impacts

Construction of the proposed project could result in increased erosion, sedimentation, and potential release of hazardous materials. However, with the incorporation of mitigation, any impact would be reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any hydrology, drainage and water quality impact associated with construction would be reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM HYD-1.1 Before onset of any construction activities, MRCA or its agent shall obtain coverage under the NPDES General Construction Permit. MRCA shall be responsible for ensuring that construction activities comply with the conditions in this permit, including development of a SWPPP, implementation of BMPs identified in the SWPPP, and monitoring to ensure that effects on water quality are minimized. As part of this process, MRCA or its agent shall implement multiple erosion and sediment control BMPs in areas with potential to drain to surface water. Guidelines established in the County's SUSMP or equivalent guidelines shall be followed in selecting, implementing, and monitoring BMPs for construction activities. The following BMPs shall be implemented during the construction period

1. All storm drains, drainage patterns, and creeks located near the construction site prior to construction shall be identified on grading, construction, and restoration plans to ensure that all subcontractors are aware of their location and prevent such as equipment petroleum product pollutants from entering them;
2. Washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands.
3. Areas designated for washing functions shall be at least 100 feet from any storm drain, water body, or sensitive biological resources. The location(s) of the

washout area(s) shall be clearly noted at the construction site with signs; the applicant shall designate a washout area, acceptable to Building and Safety and P&D staff. The washout areas shall be shown on the construction and/or grading and building plans and shall be in place and maintained throughout construction;

4. All chemical storage leaks, spills, and drips shall be immediately cleaned up and disposed of properly;

5. Vehicles and heavy equipment that are leaking fuel, oil, hydraulic fluid or other pollutants shall be immediately contained and either repaired immediately or removed from the site;

6. One or more emergency spill containment kits shall be placed onsite in easily visible locations, and personnel will be trained in proper use and disposal methods;

7. Vehicles and heavy equipment shall be refueled and serviced in one designated site located at least 500 feet from creeks and drainage swales;

8. Temporary storage of construction equipment shall be limited to a 50- by 50-foot area, preferably located along an existing dirt access road, and shall be located at least 100 feet from any water bodies;

9. Dry cleanup methods shall be used whenever possible;

10. Clean site runoff shall not be contaminated with polluted water through the use of berms or ditches to divert surface runoff around the construction site;

11. Exposed stockpiles of soil and other erosive materials shall be covered during the rainy season;

12. Trash cans shall be placed liberally around the site and properly maintained;

13. All subcontractors and laborers shall be educated about proper site maintenance and stormwater pollution control measures through periodic "tailgate" meetings;

14. Roadwork or pavement construction, concrete, asphalt, and seal coat shall be applied during dry weather only; and

15. Storm drains and manholes within the construction area shall be covered during paving or applying seal coat, slurry, fog seal, etc.

Plan Requirement and Timing: This requirement shall be identified as a note on the grading, construction, and restoration plans for each phase.

Monitoring: MRCA shall verify that a notice of intent has been submitted to the State Water Board and a SWPPP has been completed before allowing

construction to begin. MRCA or its agent shall perform routine inspections of the construction area to verify that the BMPs specified in the SWPPP are properly implemented and maintained.

MM HYD-1.2 MRCA or its agent shall 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. The SPCCP shall be completed before any construction activities begin. Implementation of this measure shall comply with state and federal water quality regulations.

Plan Requirement and Timing: This requirement shall be identified as a note on the grading, construction, and restoration plans for each phase and shall be implemented throughout construction.

Monitoring: MRCA shall review and approve the SPCCP before onset of construction activities. MRCA or its agent shall routinely inspect the construction area to verify that the measures specified in the SPCCP are properly implemented and maintained. If a spill is reportable, MRCA shall take action to contact the appropriate safety and cleanup crews to ensure that the SPCCP is followed. A written description of reportable releases must be submitted to the Los Angeles RWQCB.

(b) Facts in Support of Findings

Under the Modified Redesign/Environmentally Superior Alternative, campsites would be reduced by 24% and the number of parking spaces would be reduced by 22% compared to the proposed project analyzed in the DEIR. The reduction in impacts would be commensurate, with some notable reductions in campsites within certain park properties and a reduction in the number of parking lots. Reduction in the overall construction would reduce short-term construction related impacts such as potential sedimentation and erosion; however, mitigation would still be required.

Construction of the various Project facilities would require grading and excavation, along with disturbance of soils and vegetation. Stormwater runoff could cause soil erosion of disturbed sites and transport other construction-related contaminants (e.g., fuels, oil, concrete, paint) to nearby receiving waters and thereby impair water quality and aquatic organisms and their habitats. The extent of the impacts would depend on soil erosion potential, type of construction practice, extent of disturbed area, timing of precipitation events, topography, and proximity to drainage channels. With a reduction in the number of parking spaces and camp sites in the Modified Redesign/Environmentally Superior Alternative as compared to the proposed project analyzed in the DEIR, overall construction-related impacts upon stormwater run-off would be marginally reduced. However, this impact would still be considered potentially significant. Consequently, mitigation MM HYD-1.1 and MM HYD-1.2 would be required and would ensure that any construction related impact is reduced to a level of insignificance.

2. Operational Impact – Flooding

Proposed project's improvements could potentially expose people or structures to a significant risk of loss, injury or death involving flooding. Mitigation is imposed to reduce this impact to a less than significant level.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any operational flooding impact is reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM HYD-3.1 When more than 6 inches of rain are predicted within a 24 hour period, campsites, trails and creek crossings shall be closed to any visitation or use of any kind. Any occupied sites shall be vacated. No member of the public shall enter the campsites or shall utilize the creek crossing or trails until all warnings associated with a forecasted storm event have been lifted. No member of the public shall be permitted to enter the campsites or use the creek crossings or trails until all necessary restoration work has been carried out to the satisfaction of the jurisdiction in which the park is located.

Plan Requirement and Timing: The above mitigation shall be integrated into a PWP Park Management Plan.

Monitoring: During operation of the project, MRCA staff shall be responsible for implementing the PWP Park Management Plan.

MM HYD-3.2 Trails shall be maintained outside of the 2-year clear water inundation limits.

Plan Requirement and Timing: The above mitigation shall be integrated into a final construction design.

Monitoring: MRCA staff shall review construction plans and monitor in field for implementation of the final design.

MM HYD-3.3 During final design, rock sizes and/or locations or rocks shall be adjusted from previous crossings to places where there are lower flow velocities; and/or smaller rocks shall be used.

Plan Requirement and Timing: The above mitigation shall be integrated into a final construction design.

Monitoring: MRCA staff shall review construction plans and monitor in field for implementation of the final design.

(b) Facts in Support of Findings

50-year storm events in the Plan 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, Latigo Trailhead, and Corral Canyon Park were identified to occur during a 50-year storm. Under the Modified Redesign/Environmentally Superior Alternative, no campsites would be located in Escondido Canyon Park or at Latigo Trailhead, decreasing this potential impact over the proposed project detailed in the DEIR. In addition, as improvements adjacent to waterways would be considered low impact through incorporation of low-impact development design features, potential impacts to drainage, flooding or runoff would be less than significant.

Creek crossings at camp areas within Ramirez Canyon, Corral Canyon, and the Conservancy-owned Malibu Bluffs, as well as along trails within Escondido Canyon and Latigo Trailhead would also 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 be provided to ensure all affected park facilities would be evacuated well in advance of the storm. Although damage to proposed improvements could occur during flooding, any minor proposed improvements within creek areas would be easily restored to a pre-storm condition after an event. However, in order to ensure the avoidance of injury or loss of life, and to ensure minimization of damage to improvements, mitigation measures MM HYD-3.1 through MM HYD-3.3 are required, which addresses park closures when heavy precipitation is forecasted.

The proposed creek restoration efforts at Ramirez Canyon Park would also be beneficial. The creek enhancement 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. With the implementation of the Modified Redesign/Environmentally Superior Alternative, impacts to flood control would be beneficial.

With the implementation of MM HYD-3.1 through MM HYD-3.3, any flooding impact will be reduced to a level of insignificance.

3. Operational Impacts – Mudflow Inundation

The proposed project has the potential to expose campsites to mudflow inundation during a heavy storm event. Mitigation is imposed to ensure any impact is reduced to a less than significant level.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any mudflow inundation impact is

reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM HYD-4.1 Trails shall be maintained outside of the 2-year clear water inundation limits.

Plan Requirement and Timing: The above mitigation shall be integrated into a PWP Park Management Plan.

Monitoring: During operation of the project, MRCA staff shall be responsible for implementing the PWP Park Management Plan.

MM HYD-4.2 See MM HYD-3.2.

MM HYD-3.2 Trails shall be maintained outside of the 2-year clear water inundation limits.

Plan Requirement and Timing: The above mitigation shall be integrated into a final construction design.

Monitoring: MRCA staff shall review construction plans and monitor in field for implementation of the final design.

(b) Facts in Support of Findings

The Plan area is located in a rugged, heavily vegetated area of the Malibu and the County of Los Angeles where hillsides are steep and vulnerable to wild land fires. Should a wild land fire occur, vegetation that normally retains soils and minimizes erosion and sedimentation potential would be compromised. Subsequent heavy rains would potentially result in debris laden runoff and mudflow. There is no debris control devices located in the watersheds of the Plan area.

Some creek crossings throughout the Modified Redesign/Environmentally Superior Alternative, in addition to a few of the camp sites in specific parks, would be subject to inundation during a heavy storm event. In addition, all of the sub-watersheds would be subject to mudflow after a fire and a heavy storm event. The extent of mudflow would depend on the amount of vegetation lost and intensity of the storm. Moreover, in the case of a storm event, forecasts would be made well in advance and there would be ample time to vacate and close the Modified Redesign/Environmentally Superior Alternative sites. Depending on the size of the runoff event, there would likely be a need for clean-up and maintenance for restoration of the pre-storm event conditions. The Modified Redesign/Environmentally Superior Alternative Plan's Hazard Policies 1 and 2 require park improvements be located and constructed to minimize potential risks to life and property. In order to avoid significant damage from mudflow events to the maximum extent feasible, and to ensure conformance with the findings of the geotechnical report's recommendations and hydrology report's recommendations, mitigation is necessary to address an otherwise potentially significant impact. Mitigation measures MM HYD-4.1 and MM HYD-4.2 are required for implementation of Project improvements and for long-term operation of the new facilities. With the implementation of

these measures, impacts associated with mudflow inundation would be reduced to a level of insignificance.

4. Operational Impacts – Water Quality Degradation From Animal Waste

The proposed project's improvements could result in run-off, which if unmitigated, could degrade water quality or create erosion or siltation on- or off-site. However, with mitigation, any impact would be reduced to less than significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any water quality degradation from the Modified Redesign/Environmentally Superior Alternative is reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM HYD-8 Plan day use, camping areas, and trails shall be required to implement a pet waste program, which would entail installing pet waste dispensers and bags as well as posting signage in both Spanish and English. MRCA shall be required to refill the dispensers on a routine basis and be required to document the number of bags found abandoned. Signage shall include verbiage addressing the importance of proper disposal of pet waste as well as stating the jurisdictional authority's ordinance section and fines associated with failure to comply with the ordinance. Offenders caught not using the bags shall be fined. If horsewaste is deposited less than 50 feet from the bottom of the low flow channel where a trail crosses a drainage, during patrols and maintenance activities at a frequency of not less than once per week during camping season (approximately April 1 through November 1), MRCA staff will move the waste to a distance greater than 50 feet to allow for natural decomposition away from the drainage course.

Plan Requirement and Timing: The above mitigation shall be integrated into a PWP Park Management Plan.

Monitoring: During operation of the project, MRCA staff shall be responsible for implementing the PWP Park Management Plan.

(b) Facts in Support of Findings

In recognition of the importance of carefully controlling trash (as exemplified by the adopted TMDL governing trash and debris in Malibu Creek and Santa Monica Bay which are adjacent to the Modified Redesign/Environmentally Superior Alternative Plan Area), prevention of trash transport off-site would be accomplished via trash collection by MRCA at each park location on a weekly basis, and further, on as-needed basis during times of heavier park use. Trash and recycling would be collected by MRCA staff, utilizing pick-up trucks and/or small Cushman-style utility vehicles. Vehicular access would be via existing/proposed roads and trails. In addition, MRCA will pick up as-needed trash at trailheads, within

campsites, and along trails (during patrols or maintenance/monitoring) by hand or by hand tool. Pet and horse excrement could impact Plan streams without appropriate mitigation. While none of the water bodies within the Plan Area are currently listed as impaired in the Los Angeles RWQCB 2008 303(d)/305(b) Integrated Report, bacteria is identified as a contaminant in Malibu Creek and on Santa Monica Beach. Therefore, sources which could contribute to elevated bacterial levels in local streams are recognized as an issue. The potential for elevated bacterial levels in the Modified Redesign/Environmentally Superior Alternative Plan stream resulting from pet and horse wastes would be potentially significant. Mitigation measure MM HYD-8 is required to address this impact.

Thus, with the implementation of MM HYD-8, and adherence to all Project Plan policies and measures impacts to water quality caused by the Modified Redesign/Environmentally Superior Alternative would be reduced to a less than significant level.

I. NOISE

1. Construction Noise Impacts

Construction activity associated with development of the proposed project's proposed improvements, would result in temporary noise levels affecting exterior areas of noise-sensitive land uses, including residences and recreational areas. With the incorporation of mitigation, this impact would be reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant construction noise impact. More specifically, the following mitigation is imposed to ensure this less than significant impact.

MM N-1.1 Diesel Equipment. Construction contractors shall operate all diesel equipment with closed engine doors, the equipment shall be equipped with factory-recommended mufflers, and engine idling shall be kept to a minimum.

MM N-1.2 Electrical Power. Whenever feasible, construction contractors shall use electrical power to run air compressors and similar power tools. Any construction or caretaker trailers shall be connected to existing electrical utility lines on or adjacent to the Plan site.

MM N-1.3 Sound Blankets. Where construction employing heavy equipment would occur within 400 feet of a neighboring residential property line, construction contractors shall use sound blankets on noise-generating equipment or erect a temporary sound barrier between the construction zone and neighboring residential property.

MM N-1.4 Stationary construction equipment that generates noise that exceeds 65 dBA at the boundaries of any of the Plan's parks shall be shielded with the most modern and effective noise control devices (i.e., mufflers, lagging, and/or motor enclosures to City's satisfaction), and these devices shall be located at a minimum of 200 feet from noise sensitive receptors.

MM N-1.5 Tools used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used. In general, quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.

MM N-1.6 All equipment shall be properly maintained to ensure that no additional noise, due to worn or improperly maintained parts, is generated.

MM N-1.7 The construction superintendent contact information, including cell phone number, and contact information for Conservancy/MRCA personnel, shall be posted on signs surrounding the improvement areas throughout construction. The signs shall also include the approved daily hours of operation, such that any public complaints can be reported efficiently.

MM N-1.8 Stockpiling, dirt hauling routes, and vehicle staging areas shall be located as far as practical from sensitive noise receptors, including residents. Every effort shall be made to create the greatest distance between noise sources and sensitive receptors during construction activities.

MM N-1.9 Staging areas shall be provided on-site to minimize off-site transportation of heavy construction equipment. The staging areas shall be located to maximize the distance to residential areas.

MM N-1.10 Noise-generating construction activity shall be limited to the hours of 7:00 AM and 7:00 PM on Monday through Friday, and 8:00 AM and 5:00 PM on Saturday.

Plan Requirements and Timing: This requirement shall be identified as a note on the grading, construction, and restoration plans for each phase.

Monitoring: MRCA or a designated monitor, shall conduct periodic site inspections during the construction period to ensure compliance and respond to complaints.

(b) Facts in Support of Findings

Ramirez Canyon Park

Proposed improvements within Ramirez Canyon Park under the Modified Redesign/Environmentally Superior Alternative would be substantially reduced as compared to

the proposed project analyzed in the DEIR. Principally, camping would be reduced from 5 to 2 campsites for Ramirez Canyon Park and three proposed parking lots along the shoulder of Kanan Dume Road would be reduced in size. The extent of new construction would be less for Ramirez Canyon Park under the Modified Redesign/Environmentally Superior Alternative. As such, the duration and frequency of construction activity to implement this Project would be less than the proposed project analyzed in the DEIR. However, the segments of Ramirez Canyon Road and Delaplane Road proposed to be widened are within 100 feet of existing residences. Rural residential developments are also located as close as 50 feet from the southern site boundary of Ramirez Canyon Park, with exterior living areas abutting the property line. As such, construction activities associated with the Ramirez Canyon Park improvements have the potential to generate exterior noise levels at sensitive receptor locations that could adversely affect adjacent noise-sensitive uses and would be considered to create a potentially significant impact. It should be noted that MRCA and the Conservancy is committed to implementing these improvements, but the potential impact may be eliminated if the appropriate fire agency determine road widening is not necessary to reduce fire risk. Nevertheless, MM N-1.1 through MM N-1.10 which address construction noise control would be required. Because of the smaller size of the Kanan Dume Road parking area, and reduction in total number of campsites, short-term construction noise under the Modified Redesign/Environmentally Superior Alternative would be slightly less than under the proposed project detailed in the DEIR.

Escondido Canyon Park

Proposed Escondido Canyon Park improvements under the Modified Redesign/Environmentally Superior Alternative would be greatly reduced as compared to the proposed project analyzed in the DEIR. Chiefly, no camping would be included for Escondido Canyon Park; there would not be a camp host site or a parking lot complex (including restroom and water tank). Improvements at this Park would be limited to trail work located far to the north from existing residential uses located along Winding Way. As such, construction activities associated with the Escondido Canyon Park trail improvements under the Modified Redesign/Environmentally Superior Alternative would not have a great potential to generate exterior noise levels at sensitive receptor locations that could adversely affect adjacent noise-sensitive uses. However, to be conservative, these impacts have been classified as potentially significant. Mitigation measures MM N-1.1 through MM N-1.10, which address construction noise control would be required and would ensure a less than significant impact.

Latigo Canyon Trailhead

Proposed improvements under the Modified Redesign/Environmentally Superior Alternative would be substantially reduced as compared to the proposed project analyzed in the DEIR. For example, no camping would be included for Latigo Canyon Trailhead; there would not be a camp host site; no emergency fire shelter would be provided; no water storage tank is proposed; and, restrooms would be reduced to one. Picnic tables would be placed in currently cleared paved areas of the site. Structural development within Latigo Canyon Trailhead under this alternative would be limited to a small parking lot and a separate restroom. The proposed parking lot and restroom would be located approximately 300 feet from an existing residence to the west. Construction activities would be less extensive under the Modified

Redesign/Environmentally Superior Alternative. However, construction activities have the potential to generate exterior noise levels at sensitive receptor locations that could adversely affect adjacent noise-sensitive uses, and would be considered to create a potentially significant impact. Mitigation measures MM N-1.1 through MM N-1.10, which address construction noise control, are required, and would ensure a less than significant impact. However, overall, the short-term construction noise impacts under the Modified Redesign/Environmentally Superior Alternative would be less than the proposed project analyzed in the DEIR.

Corral Canyon

Proposed improvements under the Modified Redesign/Environmentally Superior Alternative are very similar to the proposed project analyzed in the DEIR: the proposed camp host parking spot in the existing parking lot would be replaced by employee quarters; one adjacent restroom would be augmented with a second restroom; the north Corral Canyon camping area (5 sites) would be replaced by a day use picnic area; the south Corral Canyon camping area would be augmented with 6 camping sites and an additional restroom. The proposed accessible trail drop-off area and camp sites would be located approximately 900 feet from an established residential community along Bayshore Drive and Malibu Road (these residences are located on the opposite side of Highway 1 from the proposed park improvements). As such, construction activities associated with development of Corral Canyon Park improvements have the potential to generate exterior noise levels at sensitive receptor locations that could adversely affect adjacent noise-sensitive uses and would be considered to create a potentially significant impact. Mitigation measures MM N-1.1 through MM N-1.10 which address construction noise control would be required, and would ensure a less than significant impact.

Malibu Bluffs

Proposed improvements for Malibu Bluffs under the Modified Redesign/Environmentally Superior Alternative would be similar to the proposed project analyzed in the DEIR. In short, the changes to the Modified Redesign/Environmentally Superior Alternative can be described as: the two proposed camp host parking spots in Parking Area 1 would be replaced with permanent employee quarters and a camp host site; one restroom would be augmented adjacent to the employee quarters; an additional 3 camping sites would be included in Camping Area 1; Parking Lot 2 would be eliminated; 5 additional camping sites would be included in Camping Area 2; and Camping Area 3 and 4 would be clustered together into an overall smaller footprint, with 5 less spaces. Proposed Parking Lot 1 and immediately adjacent camp sites, would be located approximately 80-100 feet from an existing residence to the west, and 300-400 feet from of an existing residential neighborhood to the north (across PCH); within the East Bluff area, proposed camp sites would be located between 250 feet to 700 feet from residences to the south (across Malibu Road). As such, construction activities associated with development of Malibu Bluffs improvements have the potential to generate exterior noise levels at sensitive receptor locations that could adversely affect adjacent noise-sensitive uses and would be considered to create a potentially significant impact. Mitigation measures MM N-1.1 through MM N-1.10 which address construction noise control would be required, and would ensure a less than significant impact.

2. Nuisance Noise Impacts

Without mitigation, camp site activities could generate potentially significant nuisance noise impacts on residences located in close proximity to the Malibu Bluffs Park improvements.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant nuisance noise impact. More specifically, the following mitigation is imposed to ensure this less than significant impact.

MM N-3.1 Electronic sound emitting devices such as radios, TVs, etc., used at campsites and on trails shall be operated so that sound is not audible at adjacent campsites and off-site properties.

MM N-3.2 Quiet hours shall be from 10 p.m. to 6 a.m.

MM N-3.3 No generators shall be allowed in camping areas.

MM N-3.4 MRCA Park Rangers/ Hosts shall have a zero tolerance policy on public intoxication, and any other unlawful or disrupting behavior.

MM N-3.5 The Camp Host and/or Park Ranger shall enforce all applicable ordinances and regulations designed to restrict the generation of nuisance/ objectionable noise.

MM N-3.6 MRCA shall post a contact telephone number and email addresses at each park or MRCA trail facility entrance for neighbors to lodge noise complaints or other concerns. Complaints shall be addressed in a diligent and responsive manner.

Plan Requirements and Timing: Prior to construction of Plan facilities, MRCA shall ensure that the mitigations for posting of notices be included within project construction documents. MRCA shall implement the above operational noise mitigations/ restrictions throughout the duration of the Plan.

Monitoring: MRCA rangers and/or hosts shall enforce the above noise restrictions at all Plan campsite areas. MRCA shall respond to neighbor complaints in a timely manner. MRCA shall submit to its Board (and for public review and consumption) annual reports at the beginning of each calendar year documenting compliance with this condition for the prior year. The reports shall include a log of complaints received by neighbors and what measures are being taken to respond to the complaints.

(b) Facts in Support of Findings

At Malibu Bluffs, noise generating activities would generally include a variety of activities such as driving of tent stakes, conversation, cooking functions, children playing, music, cars in the parking lots, people walking along trails, periodic maintenance of toilets and trails, etc. These types of activities would typically generate low to moderate levels of noise. However, because of the close proximity of the most westerly proposed camp sites (Camp Area 1) to the western Park property boundary and adjacent existing residential property (approximately 80 feet to the residential property line) the potential exists that noise from camping activities could cause nuisance noise which exceeds the City of Malibu's maximum noise level thresholds for the adjacent residential development. Consequently, noise from activities at these proposed camp sites would result in a potentially significant nuisance noise impact. This impact would be essentially equivalent to the impact identified for the proposed project analyzed in the DEIR. Mitigation measures MM N-3.1 through MM N-3.6 which address noise control for camping activities are required for Malibu Bluffs and would mitigate impacts to less than significant levels.

Further, as camping is eliminated at both Latigo Trailhead and Escondido Canyon with the selection of the Modified Redesign/Environmentally Superior Alternative, no nuisance noise impacts will occur at these locations. This is a reduced impact as compared to the proposed project in the DEIR.

3. Noise Impact From Special Programs/Events

Impacts on sensitive receptors from periodic increases in the ambient noise levels above existing noise due to special programs/events provided as part of the proposed project would be less than significant, but mitigation is implemented to ensure any impact remains less than significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant noise impact due to special programs/events provided as part of the Modified Redesign/Environmentally Superior Alternative. More specifically, the following mitigation is imposed to ensure this less than significant impact.

MM N-3.1 Electronic sound emitting devices such as radios, TVs, etc., used at campsites and on trails shall be operated so that sound is not audible at adjacent campsites and off-site properties.

MM N-3.2 Quiet hours shall be from 10 p.m. to 6 a.m.

MM N-3.3 No generators shall be allowed in camping areas.

MM N-3.4 MRCA Park Rangers/ Hosts shall have a zero tolerance policy on public intoxication, and any other unlawful or disrupting behavior.

MM N-3.5 The Camp Host and/or Park Ranger shall enforce all applicable ordinances and regulations designed to restrict the generation of nuisance/objectionable noise.

MM N-3.6 MRCA shall post a contact telephone number and email addresses at each park or MRCA trail facility entrance for neighbors to lodge noise complaints or other concerns. Complaints shall be addressed in a diligent and responsive manner.

Plan Requirements and Timing: Prior to construction of Plan facilities, MRCA shall ensure that the mitigations for posting of notices be included within project construction documents. MRCA shall implement the above operational noise mitigations/ restrictions throughout the duration of the Plan.

Monitoring: MRCA rangers and/or hosts shall enforce the above noise restrictions at all Plan campsite areas. MRCA shall respond to neighbor complaints in a timely manner. MRCA shall submit to its Board (and for public review and consumption) annual reports at the beginning of each calendar year documenting compliance with this condition for the prior year. The reports shall include a log of complaints received by neighbors and what measures are being taken to respond to the complaints.

(b) Facts in Support of Findings

Ramirez Canyon Park currently contains a number of unique support facilities, including structures, gardens, and designed landscape and hardscape that do not exist at the other parks in the Modified Redesign/Environmentally Superior Alternative. The more developed nature of the Park creates the opportunity for it to be used as a place for the types of special, pre-arranged activities and events that are typically permitted by the State Parks system for the benefit of the community and visitors. Additionally, the Park facilities include indoor and outdoor conference and event amenities. Therefore, the Modified Redesign/Environmentally Superior Alternative Plan's Special Programs policies and implementation measures allow for pre-arranged, limited event and gathering uses at Ramirez Canyon Park. The Modified Redesign/Environmentally Superior Alternative Plan contains the following Implementation Measure that would impose event-related noise controls for Ramirez Canyon Park.

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

provided written notice of these amplified music restrictions prior to entering into a contract for rental of the facility.

Additionally, for special programs/events at Corral Canyon Park and Malibu Bluffs, compliance with the proposed Project Plan's policies and implementation measures and mitigation measures MM N-3.1 through MM N-3.6 would reduce any potential noise impacts associated with temporary and periodic noise increases to a level of less than significant.

J. PUBLIC SERVICES

1. Fire Protection Services Demand

Implementation of the proposed project would not increase the demand for fire protection services. However, mitigation is incorporated into the Modified Redesign/Environmentally Superior Alternative to ensure this less than significant impact is further reduced.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure the already less than significant fire protection demand impact remains insignificant. More specifically, the following mitigation is imposed.

MM PS-1 In order to reduce potential impacts on fire protection services, all Plan construction activity shall cease during Red Flag Days. Efforts to control dust or otherwise secure the site(s) shall be permissible in consultation with MRCA staff. A brief training tutorial on fire avoidance and suppression efforts shall be provided to all construction staff prior to any field activity. Adequate fire fighting equipment shall be available on-site through construction to assist in the suppression of any accidental construction flare-ups.

Plan Requirements and Timing: This requirement shall be identified as a note on the grading, construction, and restoration plans for each phase.

Monitoring: MRCA shall confirm that fire training has occurred and that fire fighting equipment is available on-site prior to the commencement of construction activity. MRCA staff shall inspect construction sites during construction to verify compliance with this requirement.

(b) Facts in Support of Findings

Similar to the analysis included within the DEIR, the Modified Redesign/Environmentally Superior Alternative would not result in an increase in demand for fire protection services. Implementation of the Modified Redesign/Environmentally Superior Alternative's Fire Protection Plans which include the following revisions would ultimately result in greater fire safety and reduced demand on fire protection services. The following revisions in the Modified Redesign/Environmentally Superior Alternative FPP are included:

- Prohibition on all flames.
- Provision of all-weather outlets at each cook station for the use of approved electrical cooking devices.
- Ignition resistant/ember protection structural retrofits to buildings at Ramirez Canyon Park, if required.
- Interior sprinklers in all existing Ramirez Canyon Park buildings.
- Bridge replacement over Ramirez Canyon Creek to safely support 75,000 pound fire apparatus.
- Permanent on-site Park Administration/Employee Quarters at Corral Canyon Park and Malibu Bluffs to increase presence of wildland fire-trained employees(s) and/or camp host(s) during the times when camping is permitted.
- Increased fuel modification/vegetation management buffer widths around proposed facilities.
- Relocation of the “optional” emergency fire shelters to camp areas .
- Standard and wildland fire hydrants at each park (see Appendix MRA-3).
- Additional fire apparatus provided at all camp facilities (e.g., portable and air-powered quick attack firefighting system and portable self-contained fire extinguisher units).

Additionally, although the Modified Redesign/Environmentally Superior Alternative FPP requires that parks be closed on Red Flag Days, no similar measure is included during the construction period. Thus, in an effort to further reduce this already less than significant impact, MM PS-1 is included to prohibit construction on Red Flag Days. With the implementation of this measure, the less than significant impact would be further reduced.

K. UTILITIES/SERVICE SYSTEMS

1. Increased Demand on Private Wastewater Service – Ramirez Canyon Park

Under Phase 2 of the Ramirez Canyon improvements, restrooms would be included that would connect to the existing alternative sewage disposal system that has the potential to cause a significant impact. Nevertheless, with mitigation, this impact will be mitigated to less than significant.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any increased demand on private wastewater system in Ramirez Canyon is reduced to insignificant. More specifically, the following mitigation is imposed.

MM US-3: To address LARWQCB Waste Discharge Requirements, MRCA staff shall prepare and submit the required waste discharge requirement form(s) to LARWQCB for review and approval.

Plan Requirement and Timing: MRCA shall submit the required waste discharge form(s) to LARWQCB for review and approval prior to construction activity.

Monitoring: Prior to construction activity at Ramirez Canyon Park, LARWQCB staff shall review and approve the waste discharge requirement form(s) for the Ramirez Canyon Park wastewater system(s).

(b) Facts in Support of Findings

The Modified Redesign/Environmentally Superior Alternative's impacts related to the expanded use of the on-site wastewater treatment system at Ramirez Canyon would be similar to those under the proposed project detailed in the DEIR. Specifically, section 18.4 (a) of the City of Malibu's LCP Local Implementation Plan requires that an intensity of use of existing sewage disposal systems be consistent with requirements of the LARWQCB, which require all tertiary treatment facilities to prepare and submit annual monitoring/maintenance reports. Therefore, LARWQCB review and approval would be necessary to ensure compliance with LARWQCB wastewater discharge requirements for the Ramirez Canyon Park sewage treatment and disposal systems. Although the proposed Plan would not increase the demand for public wastewater services or require the construction of new public wastewater facilities, all on-site private sewage treatment within Ramirez Canyon Park should be reviewed to ensure full compliance with respect to LARWQCB requirements. Although such requirements are standard operating procedure, in an abundance of caution, this impact has been classified as potentially significant absent mitigation. However, with the incorporation of mitigation measure MM US-3, this impact will be less than significant.

2. Solid Waste Impacts

Implementation of the proposed project would result in the creation of solid waste, but it is not expected to be significant in that it would create an incremental increased demand on the permitted capacity of an associated landfill. Nevertheless, out of an abundance of caution, mitigation is imposed to ensure a less than significant impact.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure a less than significant solid waste impact. More specifically, the following mitigation is imposed.

MM US-6.1: To address construction & demolition (C&D) solid waste impacts, a C&D Waste Reduction Recycling Plan (WRRP) should be prepared to ensure that C&D materials (e.g., asphalt, concrete, and green waste) are recycled and/or

reused to the maximum extent feasible, in order to divert a minimum of 50% of the C&D debris from disposal at the local landfill.

Plan Requirement and Timing: The project contractor(s) should submit a WRRP to MRCA for review and approval prior to construction activity.

Monitoring: Prior to construction activity, MRCA staff should review and approve the WWRP. During C&D efforts and prior to project sign-off, MRCA staff should verify implementation of the WWRP. MM US-6.2: To address operational solid waste impacts, MRCA should develop and implement a Trash & Recycling Program at each park area. The trash/recycling program should identify the location and type of each non-recyclable and recyclable container, the frequency and method of trash/recycling pick-up at each park, and include signage to encourage park visitors to dispose of their trash properly.

MM US-6.2: To address operational solid waste impacts, MRCA should develop and implement a Trash & Recycling Program at each park area. The trash/recycling program should identify the location and type of each non-recyclable and recyclable container, the frequency and method of trash/recycling pick-up at each park, and include signage to encourage park visitors to dispose of their trash properly.

Plan Requirement and Timing: A Trash & Recycling Program (TRP) should be prepared by MRCA and integrated into the final project construction plans prior to construction activity. Implementation of the TRP should be an on-going obligation of the project.

Monitoring: Prior to construction activity, MRCA staff should review and approve the TRP. During C&D efforts and prior to project sign-off, MRCA staff should verify implementation of applicable portions of the TRP. During operation of the project, MRCA management should spot-check that implementation of the TRP is being done faithfully and should adjust the plan as necessary to ensure continued solid waste diversion success.

MM US-6.3: MRCA should implement a greenwaste recycling program at each park. The Greenwaste Recycling Program should require that greenwaste be recycled onsite, whenever feasible. Park staff should cut and mince greenwaste and leave in place as part of routine park and trail maintenance.

Plan Requirement and Timing: A Greenwaste Recycling Program (GRP) should be prepared by MRCA and integrated into the final project construction plans, as applicable, prior to construction activity. Implementation of the GRP should be an on-going obligation of the project.

Monitoring: Prior to construction activity, MRCA staff should review and approve the GRP. During C&D efforts and prior to project sign-off, MRCA staff should verify implementation of applicable portions of the GRP. During operation of the project, MRCA management should spot-check that

implementation of the GRP is being done faithfully and should adjust the plan as necessary to achieve to ensure continued solid waste diversion success.

(b) Facts in Support of Findings

Although the Modified Redesign/Environmentally Superior Alternative would result in a reduced number of campsites, and likely less solid waste as less people will visit the parks, the analysis and conclusions in the DEIR are still applicable.

Construction Waste

During project construction, installation of utilities within existing roadways would result in either the recycling or disposal into the landfill of saw-cut asphalt and rubble. Campsite and trail construction activities would create limited quantities of solid waste debris, although the associated vegetative clearance of these areas would generate a fair amount of green waste for either composting or disposal into the landfill. These construction impacts would be considered potentially significant if the materials were not recycled/composted and diverted from area landfills. The implementation of MM US-6.1 would reduce this impact to a level of insignificance.

Operational Waste

Although the MRCA Ordinance No. 1-2005 includes Section 3.5 under General Rules and Regulations that no person shall litter or leave any trash, garbage or refuse of any kind in any parkland, the ordinance does not address trash and recycling collection and proper disposal or signage encouraging park users to properly dispose of their trash. Signage will be posted at all trailheads and camp areas encouraging users to properly dispose of their trash. The Plan, also, identifies that MRCA staff will be responsible for picking up trash at trailheads, within campsites, and along trails (during patrols or maintenance/monitoring), either by hand or by hand tool. Operation of the Modified Redesign/Environmentally Superior Alternative and trail areas would generate some solid waste, including green waste. MRCA would provide trash cans with secure lids at site trailheads, parking lots, and campsites, but not along trails. Trash cans would be checked and emptied (if necessary) four to seven days per week (depending on use, season, etc.)

The SMMC and MRCA does have an existing standard practice of recycling green waste onsite generated from routine landscape and trail maintenance activities at each park. SMMC and MRCA staff utilize chippers when feasible or by hand to mince vegetative trimmings, leaving the chipped/ minced material at or near the source location. According to MRCA staff, if leaving greenwaste material in place is not feasible, the material is placed in a greenwaste bin and hauled off-site to a greenwaste recycling center. The National Park Service (NPS) and United States Forest Service (USFS) utilize similar procedures for disposing of green waste from routine landscape and trail maintenance. Ramirez Canyon Park is the only park that operates official compost piles; however, these compost piles account for less than a fifth of the cuttings generated.

Non-recyclable waste materials generated from within the City of Malibu are transported directly to either the Simi Valley Landfill or Calabasas Landfill. Although the Simi

Valley Landfill and Calabasas Landfill have capacity to accommodate solid waste generated by the Modified Redesign/Environmentally Superior Alternative, the absence of an established trash and recycling program at each park facility could result in potentially significant solid waste impacts from increased solid waste sent to area landfills. The implementation of MM US-6.2 and MM US-6.3 would ensure any impact is mitigated to a level of insignificance.

VIII. Significant Unavoidable Impacts from the Project Which Are Now Determined to be Mitigated to a Less Than Significant Level Through the Adoption of the Modified Redesign/Environmentally Superior Alternative

A. GEO/SEISMIC AT LATIGO TRAIL HEAD

1. Geology, Soils, and Seismic Hazards – Latigo Trailhead Canyon

Implementation of the proposed project at Latigo Trailhead Canyon has the potential to expose people or structures to unavoidable geology, soils and seismic hazards. The proposed project identified this as a significant and unavoidable impact. Under the Modified Redesign/Environmentally Superior Alternative, however, this impact will be reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any geology, soils, and seismic impact at Latigo Trailhead Canyon can be reduced or mitigated to a level considered less than significant. More specifically, the following mitigation is imposed to ensure a less than significant impact.

MM G-1.6 A CEG shall calculate ground acceleration values within Latigo Canyon Trailhead property for the maximum credible earthquake produced by the regional fault system, for use in designing any structural improvements located within Latigo Canyon Trailhead property. A Civil or Structural engineer shall design the proposed improvements upon the requirements of the CBC and thereby address the identified ground acceleration in the code prescribed manner, for the following structures: a) self-contained restroom facility; b) water storage tank.

MM G-1.9 The final design and construction of trail segments located within areas of landslide potential (soil creep) shall adhere to the Best Practices identified in Malibu Parks Public Access Enhancement Plan, Park and Trail Accessibility Design Guidelines prepared by Moore Iacofano Goltsman, Inc., 2006 (pp 25-35), including but not limited to those for: Trails on Steep Cross Slopes; Trails on Flat Grades; Eroding and Hazardous Trail Edges; Trails on Sandy Soils; and Trails Damaged by Maintenance Vehicle Use.

MM G-2 See MM G-1.9. MM G-2 in the DEIR is the same as G-1.9

MM G-3.3 For any structural improvements (i.e., restroom) proposed to be located north of the access road at Latigo Canyon Trailhead, site-specific soil investigation, including borings and laboratory analysis of soil characteristics, shall be conducted. The soil investigation shall identify site preparation techniques and/or engineering design specifications to address compression, collapse, or lateral spreading potential of the encountered soil materials.

MM G-3.6 See MM G-1.9. MM G-6 in the DEIR is the same as G-1.9

MM G-4.3 See MM G-1.9. MM G-4.3 in the DEIR is the same as G-1.9

(b) Facts in Support of Findings

Proposed improvements at the Latigo Trailhead under the Modified Redesign/Environmentally Superior Alternative would be substantially reduced as compared to the proposed project analyzed in the DEIR. In short, no camping would be included for Latigo Canyon Trailhead; there would not be a camp host site; no emergency fire shelter would be provided; no water storage tank is proposed; and restrooms would be reduced to one. Structural development within Escondido Canyon Park under the Modified Redesign/Environmentally Superior Alternative would be limited to a small parking lot and a separate restroom. Trail alignment 9a would be developed, along with picnic tables situated around the parking lot and along the previously cleared ridge area of the site. Because of the absence of proposed elements that would be situated within or immediately adjacent to a mapped landslide, the Modified Redesign/Environmentally Superior Alternative would eliminate the significant and unavoidable geologic impact associated with this property under the proposed project analyzed in the DEIR. The Modified Redesign/Environmentally Superior Alternative would therefore have lesser geologic-related impacts than the proposed project analyzed in the DEIR.

The Malibu Coast Fault trace is mapped with an east/west trend just south of the existing trail alignment. No improvements are proposed across or in close proximity to the fault trace. Therefore structural damage from ground rupture is not anticipated. However, the proposed restroom could be damaged or destroyed by ground acceleration (shaking) produced by the regional earthquake fault system, unless properly designed and constructed to withstand such shaking. Mitigation measure MM G-1.6 is required to address this Class II impact.

Other unstable earth conditions such as compressible soils, easily eroded soils, or lateral spreading of soils must also be addressed via adequate final design. To ensure the avoidance of damage to proposed improvements from geology and soil hazards, mitigation MM G-3.3 is required.

The site plan for Latigo Canyon under the Modified Redesign/Environmentally Superior Alternative includes a parking lot on the north side of the access road, and a restroom along the northerly extension of a clearing associated with previous development on this site. These areas of the site do not have landslide risks, and the proposed parking lot and restroom facility in these areas would therefore have less than significant landslide impacts.

An active landslide feature has been mapped at the Latigo Canyon Trailhead property. The landslide failure plane is estimated to be about 30 feet below the ground surface, and the

scarp (vertical face) associated with the landslide is about 200 feet across at the widest point. Portions of the proposed on-site trail system would partially be located within the area of identified landslide. Landslide activity may result in the need to re-construct the trail periodically, unless it is relocated outside of the landslide footprint. The Geologic Constraints study detailed in the FEIR, concluded that due to the limited and short-term activities on trails, and low level risk associated with the identified type of landslide phenomenon affecting trail alignments, the proposed trail system is an acceptable use within this identified hazard area. Trail segments may also be located on collapsible soils, highly erodible soils, or expansive soils which could lead to trail closures or increased maintenance. The Plan conceptual trail design utilized recommendations contained within the Malibu Parks Public Access Enhancement Plan, Park and Trail Accessibility Design Guidelines, prepared by Moore Iacofano Goltsman, Inc. However, in order to ensure proper final trail design and implementation, mitigation measures MM G-1.9, MM G-2, MM G-3.6 and MM G-4.3 are required.

All measures detailed above would ensure that any geology, soils, and seismic hazard impact at Latigo Canyon Trailhead is reduced to a level of insignificance.

B. LAND USE & PLANNING

1. Conflict with Land Use Plans and Policies

Implementation of the proposed project would result in significant unavoidable conflicts with land use plans and policies regarding geological/seismic safety and ESHA. However, with the adoption of the Modified Redesign/Environmentally Superior Alternative and the implementation of mitigation, these impacts would be reduced to a less than significant level.

(a) Findings

Changes or alterations have been required in, or incorporated into the proposed project through the selection of the Modified Redesign/Environmentally Superior Alternative and its associated mitigation measures to ensure any land use plan and policy conflict is reduced to the extent feasible. More specifically, the following mitigation is imposed to ensure a less than significant impact.

LUP-2: The proposed Plan shall comply with mitigation measures identified in Section 3.7, Geology, Soils and Seismic Hazards in Section 14 of the FEIR to address potential conflicts 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., and shall comply with mitigation measures identified in Section 3.4, Biological Resources in Section 14 of the FEIR to address potential conflicts with Section 30240 of the Coastal Act and City of Malibu Local Coastal Program Policies 3.8, 3.9, and 5.69.

(b) Facts in Support of Findings

The Modified Redesign/Environmentally Superior Alternative includes park and recreation improvements that would be redesigned and generally reduced in scope throughout The Modified Redesign/Environmentally Superior Alternative Plan area, and feasible

mitigation measures have been identified within the FEIR to reduce potential environmental impacts to less than significant levels. In addition, a detailed policy consistency analysis for the Modified Redesign Alternative-Public Works Plan included in Appendix MRA-4 incorporates additional analysis based on comments received on the DEIR and the redesigned/reduced scope of improvements. With these Project elements, land use impacts related to potential conflicts with policies addressing geologic hazards and protection of environmentally sensitive habitat areas, adopted for the purpose of avoiding or mitigating an environmental effect, would be reduced from being significant and unavoidable to potentially significant, but mitigable impacts. This is in contrast to the significant and unavoidable finding made in the DEIR. Thus, this Project would cause less impacts than the proposed project analyzed in the DEIR.

Ramirez Canyon Park

With regard to Ramirez Canyon Park, the Modified Redesign/Environmentally Superior Alternative includes a redesigned and reduced scope of improvements for the Kanan Dume parking areas that limits all direct parking area development footprints to within the disturbed, informal parking area footprints that currently exist in these locations. The Modified Redesign/Environmentally Superior Alternative also reduces fuel modification requirements around the parking areas to 10 ft. consistent with LACFD requirements. Very minor encroachment into bigpod ceanothus chaparral areas would result from the 10 ft. fuel modification requirements associated with Parking Areas 1 and 2.

The improvements to Ramirez Canyon would occur in two phases under the Modified Redesign/Environmentally Superior Alternative. First, under phase 1, the existing uses (e.g., administrative offices, ranger/maintenance supervisor residence, maintenance, etc.), would continue. However, even though existing uses would continue with no increase in current conditions, phase 1 would include retrofitting to the ranger/maintenance supervisor residence to operate as a fire safety shelter, and all other buildings would have interior sprinklers installed, and hydrants would be installed. All of these improvements would be implemented if required by the appropriate fire agency. Additionally, under phase 1, the Modified Redesign/Environmentally Superior Alternative, similar to the proposed project, includes the widening of the existing access road and removal of encroachments in the road easements, as necessary, to provide 20-ft clearance for emergency ingress/egress in the canyon along Delaplane Road and Ramirez Canyon Road. In addition, only Modified Redesign/Environmentally Superior Alternative provides for additional widening to a total road width of approximately 26 feet, for a length of approximately 50 feet adjacent to all existing fire hydrant locations. This additional widening would occur in order to maintain adequate room for operations during an emergency incident along Ramirez Canyon Road and/or Delaplane Road, if required by the responsible fire agency,

Additionally, under phase 2, Construction of a secondary access road (if required by the appropriate fire agency) from Kanan Dume Road to Ramirez Canyon Park (through an extension and widening of Via Acero) would occur. Only then, would additional events above and beyond those permitted in Phase 1 and additional public facilities would be allowed

As identified in the policy consistency analysis for the Modified Redesign Alternative-Public Works Plan, which is included in Appendix MRA-4 of the FEIR, these minor parking

area fuel modification encroachments and road widening encroachments would be limited to within an area likely already subject to vegetation management and fuel modification requirements that would typically apply to public roads and/or existing parking areas. City of Malibu Land Use Plan 3.1, ESHA Designation, specifically exempts areas subject to fuel modification activities as follows: • *Existing, legally established agricultural uses, confined animal facilities, and fuel modification areas required by the Los Angeles County Fire Department for existing, legal structures do not meet the definition of ESHA.*” As such, these affected areas are likely subject to current fuel modification activities and are therefore not considered ESHA under the Malibu LCP or the Coastal Act. With implementation of appropriate mitigation measures, these improvements are consistent with applicable LCP policies relative to ESHA buffers. Mitigation Measure MM LUP-2 is required to address this impact.

Finally, as identified in the policy consistency analysis for the Modified Redesign Alternative-Public Works Plan, the Conservancy/MRCA are required to pursue options for additional emergency ingress/egress to and from Kanan Dume Road over Via Acero to and from Ramirez Canyon. The certified LCP specifically requires that this project component be explored and, as such, this component of the Modified Redesign/Environmentally Superior Alternative has been appropriately included and analyzed in the FEIR. As there appears to be a conflict between the coastal access, recreation, and ESHA protection policies of the Coastal Act and LCP, the Via Acero road improvements may be found consistent with these applicable policies because the proposed road improvements would, on balance, improve conditions for coastal resources subject to LCP policy mandate by improving emergency ingress/egress into Ramirez Canyon and enhancing public access and recreation opportunities at Ramirez Canyon Park. MM LUP-2 would be applied to address any impact in this regard.

Escondido Canyon Park

The Modified Redesign/Environmentally Superior Alternative includes a reduced scope of improvements for Escondido Canyon Park which includes only trail improvements. Impacts associated with potential development conflicts with plans and policies adopted for the purpose of avoiding or mitigating an environmental effect would remain less than significant.

Latigo Trailhead

The Modified Redesign/Environmentally Superior Alternative includes a reduced parking area, day-use picnic areas and a restroom at the Latigo property. All structural improvements would be located with adequate setbacks from the recent landslide identified on the property, and would also be located in a disturbed area and outside of all mapped ESHA on the property. With regard to the landslide area, picnic tables would be placed near the landslide area but with no grading. With implementation of appropriate mitigation measures identified in the FEIR, the park facility improvements at the Latigo Trailhead would be consistent with Section 30253 of the Coastal Act and City of Malibu Local Coastal Program Policies 4.2, 4.14, 4.4. With regard to the ESHA area, as improvements would be located in a disturbed area and outside of all mapped ESHA on the property, they would not conflict with Section 30240 of the Coastal Act or City of Malibu Local Coastal Program Policies 3.8, 3.9, and 5.69. In addition, because there are no other alternative locations which could accommodate the parking area,

with implementation of appropriate mitigation measures identified in the FEIR, the proposed parking improvements are consistent with applicable LCP policies relative to ESHA buffers (policies 3.23- 3.30). Mitigation Measure MM LUP-2 is required to address this impact and would result in a less than significant impact.

Corral Canyon Park

The Modified Redesign/Environmentally Superior Alternative includes redesigned park and recreation improvements and a detailed policy consistency analysis for the Modified Redesign Alternative-Public Works Plan, which is included in Appendix MRA-4 of the FEIR, and which incorporates additional analysis based on comments received on the DEIR and the redesigned scope of improvements. Similar to the proposed project, the Modified Redesign/Environmentally Superior Alternative impacts to native vegetation areas result from fuel modification requirements for employee/camp host quarters, fire truck shed improvements, and fire shelters. With regard to the employee/camp house quarters and fire truck sheds, as identified in the policy consistency analysis for the Modified Redesign Alternative-Public Works Plan, fuel modification associated with employee/camp host quarters and fire truck shed improvements at Corral Canyon Park would be limited to areas already subject to fuel modification requirements associated with the adjacent restaurant and RV facility. Although fuel modification associated with the employee/camp host quarters and fire truck shed will result in encroachment into native vegetation areas, these affected areas are already subject to current fuel modification activities and are therefore not considered ESHA under the Malibu LCP (specifically Policy 3.1). As such, the Modified Redesign/Environmentally Superior Alternative would not conflict with Section 30240 of the Coastal Act or City of Malibu Local Coastal Program Policies 3.8, 3.9, and 5.69. In addition, as the proposed employee/camp host quarters and fire truck shed improvements consist of improvements to an existing and disturbed development footprint (an existing, paved parking area) and are located and designed so as not to impact ESHA, and because there are no other alternative locations which could accommodate the improvements, with implementation of appropriate mitigation measures identified in the FEIR, the employee/camp host quarters and fire truck shed improvements are consistent with applicable LCP policies relative to ESHA buffers (policies 3.23- 3.30). Thus, with the implementation of MM LUP-2, this impact would be reduced to a level of insignificance.

With regard to the fire shelters, as further detailed in the FEIR, fire protection shelters and associated fuel modification would be resource-dependent uses and may occur in ESHA where sited and designed to avoid significant disruption of habitat values and with appropriate mitigation applied pursuant to the certified LCP. As such, the Modified Redesign/Environmentally Superior Alternative is consistent with Section 30240 of the Coastal Act or City of Malibu Local Coastal Program Policies 3.8, 3.9, and 5.69. MM LUP-2 would be applicable to reduce this impact to a level of insignificance.

Malibu Bluffs

The Modified Redesign/Environmentally Superior Alternative includes a redesigned scope of improvements for Malibu Bluffs which eliminates all impacts to ESHA from non-

resource dependent uses. The park entrance road for Parking Area 3 would result in very minor encroachment into an isolated patch of laurel sumac / California sagebrush vegetation located adjacent to Pacific Coast Highway. The policy consistency analysis for the Modified Redesign Alternative-Public Works Plan analyzes site-specific biological data in this location for consistency with ESHA designation policies of the LCP and, based on site-specific evidence, determines that the area does not meet the definition of an ESHA. This is a 0.56 acre which supports laurel sumac scrub and California sage brush vegetation, which is situated as a linear, isolated area located directly adjacent to Pacific Coast Highway. The northerly portion of the area is located in the Pacific Coast Highway right-of-way and, unlike the majority of the Malibu Bluffs property; there is no natural berm that provides a topographic separation of this area from activities occurring along the highway corridor. Due to its isolated nature and linear location directly adjacent to the highway in an area that is subject to ongoing disturbance, the area is not considered part of the larger laurel sumac scrub and California sage brush community the occurs on Malibu Bluffs. No special-status plant or wildlife species were recorded in this area during biological resource surveys conducted in 2009 and 2010. Further, given its isolated nature and the fact that its consistently subject to a high level of disturbance, the area likely does not provide habitat for special-status plant and wildlife species nor provide essential wildlife movement corridors or critical ecological linkages in the area. Therefore, this 0.56-acre patch of laurel sumac scrub and California sage does not meet the City's definition of ESHA as it does not support plants or wildlife that are particularly rare or valuable and which could be easily disturbed or degraded by human activities and development. As such, the Modified Redesign/Environmentally Superior Alternative would not conflict with Section 30240 of the Coastal Act or City of Malibu Local Coastal Program Policies 3.8, 3.9, and 5.69. In addition, as there are no other alternative locations which could accommodate the entrance road, and the improvements are located and designed so as not to impact ESHA, with implementation of appropriate mitigation measures identified in the FEIR, the entry road improvements for Parking Area 3 are consistent with applicable LCP policies relative to ESHA buffers (policies 3.23- 3.30). MM LUP-2 would ensure this impact is reduced to a level of insignificance.

IX. Conclusion.

The Modified Redesign Alternative would reduce all significant and unavoidable impacts, is the Environmental Superior Alternative, would come closest of the alternatives to fully achieving the plan objectives, and includes a number of features designed to address community concerns, which are not included in the other alternatives or in the proposed project. Therefore, the Conservancy and MRCA have selected the Modified Redesign/Environmentally Superior Alternative as the project for adoption.

EXHIBIT B

Mitigation Monitoring and Reporting Program