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**REVISED DRAFT**

February 28, 2011

Joseph Smith, Associate Planner  
City of Malibu  
23815 Stuart Ranch Road  
Malibu, California 90265

**City of Malibu Draft Updated Parkland and Trails System Map**

Dear Mr. Smith:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the City of Malibu Draft Updated Parkland and Trails System Map. This map (prepared January 19, 2011) was considered at the February 1, 2011 Malibu Planning Commission meeting. The Planning Commission considered Local Coastal Program (LCP) Amendment No. 10-003 and General Plan Amendment No. 10-003 – an amendment to incorporate the City's updated Parkland and Trails System Map into the LCP Land Use Plan (LUP) and General Plan Open Space and Recreation Element. The Planning Commission recommended changes to the map at that time. We understand that this map, with comments incorporated by the Planning Commission, will be considered soon by the City Council. Please forward these comments to the Mayor and Councilmembers for their consideration. We thank the City staff for their careful coordination with the park agencies with jurisdiction in Malibu, as we work collaboratively to refine and improve the maps.

The Conservancy's comments primarily focus on two types of comments: those pertaining to how the trail map would be used, and those pertaining to the actual locations of the proposed trails.

**Notes on Maps Regarding Implementation of Trails**

We understand that as a result of the February 1, 2011 Planning Commission meeting, the City is considering adding a disclaimer to the trails maps. That disclaimer would state that trails could be volunteered, purchased, or acquired by prescriptive rights. We are concerned that this disclaimer conflicts with Malibu Parks Public Access Enhancement Plan Overlay in the City of Malibu LCP. This Overlay is a special land use and implementation

plan overlay that includes a comprehensive set of policies and development standards for public access and recreation-oriented development 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. On June 10, 2009, the California Coastal approved, with revisions, the LCP amendment proposing the Overlay District submitted by the Conservancy and Mountains Recreation and Conservation Authority (MRCA). The Coastal Commission adopted the revised findings at the October 2009 meeting in support of their action on June 10, 2009. As a result of that LCP amendment, Section 3.4.2.B. of the Local Implementation Plan (LIP) states in part (*italics added for emphasis*):

Private property subject to this Overlay consists only of those properties containing existing trail and open space Offers To Dedicate (OTDs) on trail segments depicted on the Local Coastal Program - City of Malibu Park Lands Map 6, or such trail easements that may be acquired, purchased from willing sellers, *dedicated to public use as part of the entitlement process*, or donated by a private landowner in the future.

The Conservancy recommends that the italicized text above be added to the disclaimer proposed by the City.

We are also concerned that this proposed disclaimer would contradict other sections of the LCP (e.g., LUP policies 2.5 and 2.49, and LIP sections 12.5 and 12.7.4). For example, Section 12.7.4, Trail Access, of the LIP states in part:

Minimum requirements. A condition to require public access as a condition of approval of a coastal development permit...required pursuant to Section 12.5 of the Malibu LIP shall provide the public with the permanent right of access and active recreational use, (1) along a designated alignment of a coastal recreational path or trail in specific locations identified in the LCP for implementation of trail access, or (2) in locations where it has been determined that a trail access is required to link recreational areas to the shoreline or provide alternative recreation and access opportunities pursuant to the access and recreation policies of the LCP and Coastal Act...

We recommend that the policy consistency analysis prepared as an attachment to the February 1, 2011 Planning Commission staff report address consistency with these sections of the LUP and LIP, and be included in future staff reports for the Council.

The LCP provides a mechanism for dedications of trail easements through the entitlement process. However, if for some reason, the City does not require trail easements/trail OTDs through the entitlement process, and only proceeds with the City's draft proposed trails incentives program, which is a voluntary program, then we have also previously provided comments on ideas for improvements to that program.

We also note that many times these trail alignments on trails maps are approximate and depict general locations, or corridors, of where trails are desired, for example, to get generally from a Point A to Point B. In reality, once site-specific analysis is done and more on-the-ground data is gathered, new information may justify shifts in the alignments. We recommend that the City provide some mechanism to allow for flexibility in the final location of the trail. Perhaps a disclaimer can be added to the map to that effect.

### **Trails At and Near Lechuza Beach**

As background, in 2002, pursuant to a grant from the State Coastal Conservancy, the MRCA acquired just under a quarter mile of beach west of Lechuza Point in Malibu (shown on Map 1 of 4) for \$9 million. In addition, several parcels were donated. MRCA-owned property includes Lot I, which provides public access via stairs and a pathway from Broad Beach Road, across from Bunnie Lane, down to the beach. MRCA holds an easement along Sea Level Drive (West and East) for pedestrian access, administrative access, and to locate four parking spaces for people with disabilities. MRCA has several other recreational easements and vertical access easements on and around Lechuza Beach. MRCA is actively pursuing the completion of a coastal development permit (CDP) application with the City of Malibu for the Lechuza Beach Public Access Improvements Project (CDP Application No. 07-087). This proposed project includes new parking spaces for people with disabilities along Sea Level Drive, new view areas, new accessible ramp to reach the sand, new restroom, and the reconstruction of existing stairs and view overlook to meet the requirements of the building code and Americans With Disabilities Act and associated regulations and guidelines. The project also includes a beach management plan.

As stated in a February 1, 2011 email from Judi Tamasi of our staff to you, we wholeheartedly continue to support the inclusion of Encinal Creek Trail, located west of West Sea Level Drive (see Map 1 of 4). On December 1, 2010, the Governing Board of the MRCA took an action to accept the OTD an open space/public access easement along the lower three parcels along this alignment. This OTD allows one controlled trail along the eastern edge of the canyon. In a January 31, 2011 email to you and Ms. Jessica Blair, Lisa

Pallack, President of Malibu Encinal Homeowners Association (MEHOA), presents arguments for not authorizing this trail.

Regarding some of the concerns raised in that email, this OTD was associated with the approval by the California Coastal Commission of a lot line adjustment, demolition of one house, and construction of a new house (CDP No. 5-89-325). We are aware of the presence of environmentally sensitive habitat area in this area and of the revegetation plan recorded with the easement. The California Coastal Commission included the easement, which included the trail and revegetation, in its conditions of approval. As always, when we enter into the trail design/construction stage, additional feasibility analysis is warranted, but it would be premature at this stage to eliminate the possibility of a trail in this location. Also, a trail along Encinal Creek would afford a distinct, more natural, visitor experience than the existing access along the paved West Sea Level Drive. Furthermore, this trail would connect to lateral access easements on the beach. Time and time again, we see cases where applicants obtain development approvals in association with access dedications, then many years later, once the development is built, they attempt to renege on their public benefit obligations. This trail has long been contemplated by the Coastal Commission, and it would be ill-advised to eliminate this potential trail from the proposed plan without significantly more site-specific information. Much of the January 31, 2011 email from Ms. Pallack actually militates for a trail and collaborative creek restoration.

The Conservancy also supports the addition of a trail segment along West Sea Level Drive, MRCA-owned Lechuza Beach, and East Sea Level Drive, as was proposed at the February 1, 2011 Planning Commission meeting.

### **Escondido Connector**

We support the inclusion of the Escondido Connector, that would connect Murphy Way to the Conservancy and MRCA-owned Escondido Canyon Park (Map 2 of 4). A connector trail in this area has long been contemplated, as shown on the 2002 Malibu LCP Park Lands Map 2, which appears to be based on the County's 1983 Malibu/Santa Monica Mountains Area Plan Trail System Map. The 2002 LCP map also shows a trail along Winding Way. The proposed trail on or near the 6200 Porterdale Drive property (Assessor's Parcel Number [APN] 4467-004-029) would provide a different, safer, more natural trail experience than the existing trail along Winding Way, which follows a paved road. In addition, the proposed trail on or near the 6200 Porterdale Drive property would have less elevation change and be more accessible to a wider range of members of the public than the trail proposed to the north (from Murphy Way to Escondido Canyon Park at the City of

Malibu/County of Los Angeles border).

In addition, an existing trail easement exists on a parcel (APN 4467-006-027) to the west of the 6200 Porterdale Drive parcel, west of Murphy Way. (This trail segment is shown on the 2002 Malibu LCP Park Lands Map, as well as the City's 2004 trails map.) Although this trail easement does not currently connect to other trail easements, it could possibly in the future provide a connection to the east across Murphy Way, on or around the 6200 Porterdale Drive parcel, then to Escondido Canyon Park, and to the west eventually to Ramirez Canyon Road.

### **Kanan Ramirez Trail**

We note that as a result of the Planning Commission hearing, a trail will be added to Map 2 (of 4) just north of the "Via Acero" trail and just south of the "Coastal Slope Trail," connecting Kanan Dume Road to Ramirez Canyon Park. This would be called "Kanan Ramirez Trail" (not shown on the draft maps prepared January 19, 2011). This is located on what is known as the "Lauber" property. This is primarily located within unincorporated Los Angeles county, with a small portion located on National Park Service-owned land within the City boundary (adjacent to and east of Kanan Dume Road). The Conservancy has been planning for this trail. Although it is not currently part of the Conservancy's and MRCA's proposed Malibu Parks Public Access Enhancement Plan - Public Works Plan (PWP), we support the inclusion of this trail.

### **Trails Between Ramirez Canyon Road and Murphy Way**

We are concerned that some key trails between Ramirez Canyon Road and Murphy Way shown on the Malibu Parks Public Access Enhancement Plan Overlay in the LCP are not shown on Map 2 of the City's draft. We recommend that the City ensure that these proposed trails in the Overlay are not deleted and superseded by the more general alignments shown on Map 2 of the City's draft (identified as Malibu Pacific Trail and Harris/Cate Connector). Ideally, we recommend that those alignments on the Overlay be incorporated into the City's map.

### **Pacific Coast Highway**

We recommend that the draft Parkland and Trails System Maps include a trail alignment along Pacific Coast Highway (PCH). We anticipate (and would encourage) that the campgrounds proposed (e.g., at the Conservancy-owned Malibu Bluffs and Corral Canyon

Park) by the Conservancy and MRCA in its PWP (approved by the Coastal Commission in October 2010) would be used by cyclists (e.g., touring) along PCH. We encourage coordination among the City, California Department of Transportation, and other stakeholders so that road improvements are implemented so that cyclists throughout all of Malibu (and beyond) can safely and efficiently reach the campgrounds. It is critical to improve and maximize safety and accessibility along PCH throughout all of the City for cyclists. This includes the development of safer bicycle use of PCH, including properly designed and signed bike lanes and/or routes, and other improvements.

There is no clear-cut process and timeline for incorporating bicycle routes and improvements along PCH. We understand that the draft Parkland and Trails System Maps does implicitly incorporate some level of bike use, as many of these trails would be multi-use (e.g., pedestrian, equestrian, and cyclists). However, we recommend explicit recognition of PCH, due to its importance as a recreational route (e.g., for cyclists).

### **Sweetwater Mesa Trails**

Map 3 of 4 shows an alignment of Sweetwater Mesa Trail along Sweetwater Mesa Road. However, there are several other trail easement offers to dedicate and/or trail easements in this vicinity, located off of the road. We recommend that this additional alignment be added to Map 3 to connect these trails easements and OTDs.

### **Beach Access Easements**

Beach access easements, both vertical and lateral, play a key role in connecting the inland trail system to the beach. On the draft Parkland and Trail System Map, the trails are shown connecting to the beach in only a few places. Even though the majority of the beach access easements are not shown on the draft Parkland and Trail System Maps, we note that the LCP does include maps of beach access easements.

Per the February 1, 2011 Malibu Planning Commission staff report, the City is proposing to maintain a working map (different from the four trails maps otherwise discussed in this letter) as existing and new trail OTDs and dedicated easements are obtained. We recommend that the City also actively maintain a map of existing and new beach access easements (both vertical and lateral). We also recommend that the City consider including a beach access easement map to the General Plan.

Joseph Smith, City of Malibu  
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**Other Comment**

Please clarify why you selected the name “Las Flores Trail’ instead of “Carbon Canyon Trail” (Map 4 of 4).

~~Please note that this letter serves as our initial comments. We anticipate that a second letter will be forthcoming soon with additional comments on specific alignments.~~

Thank you for your consideration. Should you have any questions, please contact Judi Tamasi of our staff by phone at (310) 589-3200, ext. 121 or by email at [judi.tamasi@mrca.ca.gov](mailto:judi.tamasi@mrca.ca.gov).

Sincerely,

ANTONIO GONZALEZ  
Chairperson