



City of Malibu

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July 9, 2018

MRCA

Mario Sandoval, Project Analyst
570 West Avenue 26, Suite 100
Los Angeles, CA 90065
Via email: mario.sandoval@mrca.ca.gov

Reference: Puerco Canyon Camp and Trailhead Project

Dear Mr. Sandoval:

Please accept the City of Malibu's comments on the Notice of Preparation for the Puerco Canyon project.

1. The project description was insufficiently detailed for the City and the public to provide a meaningful response. Puerco Canyon Road connects the site from Pacific Coast Highway with over a mile existing in the City limits. The road is only partially paved. It appears that road improvements within the City limits would be required. The NOP did not describe what road improvements will be proposed, however, MRCA staff acknowledged in the scoping meeting that road improvements would be made. Road improvements must be described in detail in order for the City and the public to comment on potential impacts. If any other improvements will occur within the City, such as trails or facilities on the MRCA property that is within the City limits, these must be disclosed as well so that the City can review and comment. Leaving out components of the project, such as the road improvements, results in piecemealing and violates CEQA.
2. Road improvements (and any other work) in the City limits require the City's approval and make the City a responsible agency for purposes of CEQA. So far, the City has not been able to document that the MRCA properly consulted with the City as a responsible agency or that the required notice of the scoping meeting via certified mail was provided.
3. The decision to hold the meeting outside the City was not effective for generating the local participation and input intended by CEQA, particularly by people in the City that are adjacent to the project. A scoping meeting should have been held locally, either at MRCA's Malibu headquarters or at City Hall instead of a location more than 13 miles away from the proposed project. It benefits everyone to include all parties who are interested in, or may be affected by, the proposed project.
4. For the reasons listed above, a revised notice of preparation should be issued including the road improvements and a new scoping meeting should be noticed and held locally. The City requests that the meeting be held at City Hall and is ready to coordinate as necessary.

1. Project Description

- a. Access – A detailed description of the access to the site should be included in the EIR. It is currently unclear what access improvements are proposed or required to



accommodate the project. The City has a 60 foot road easement for Puerco Canyon Road, but only a portion of the road is paved. Over one mile of the road is within the City limits. It is currently a narrow, hilly and winding dead-end. The project description needs to details about how MRCA plans to improve the road and make it safe for the public and the project. It should be noted that Malibu Local Coastal Program (LCP) Land Use Policy (LUP) 5.55 states that removal of vegetation from or other minor road improvements to a lawfully established road on private property, which has not been maintained for a period of 5 years, shall require a coastal development permit.

- b. Operations – A detailed operations plan should be included in the EIR to disclose to the public how the MRCA intends to operate and maintain the park facility. This information is essential for evaluating potential adverse impacts and identifying appropriate mitigation measures to avoid environmental damage and ensure safety. The operations plan should explain:
 - i. Staffing of the park – Sufficient personnel need to be available to manage the 700+ acres. Staffing needs to be addressed and clarified.
 - ii. Wastewater disposal – How will this be addressed?
 - iii. Maintenance – Conditions should be included to ensure trash pickup before problems occur, regular fuel modification, road maintenance without dangerous herbicides. The City has documented herbicide use by MRCA along Puerco Canyon Road and objects to the use of poisons on public right-of-way.
 - iv. Education of park users about park rules, fire safety, environmental stewardship, etc. must be addressed.
 - v. Fire safety/response – The EIR must address how fire response will be conducted to ensure wildfires are not able to spread.
 - vi. Emergency coordination – How will MRCA coordinate with emergency responders?
 - vii. Visitor safety/security – There have been recent instances of violence in state parks. How will visitor safety and security be addressed?
 - viii. Projections of visitor use, especially plans to manage day visitor volume that exceeds expectations (e.g., as a result of social media) must be addressed.
 - ix. Parking management – Will the road be gated after hours? Where will the gate be located? How will parking be managed? Will there be a fee? How will onstreet parking be managed to ensure no blocking of the road, if people decide not to drive all the way to the remote location of the proposed parking lot?
 - x. Day use management – How will MRCA assure no unauthorized camping occurs within the park since hikers can enter from multiple areas and that day use visitors leave?
 - xi. Water and electrical service – how will these be provided?
 - xii. Special events - What special events would be hosted onsite and how will these be permitted so that parking, noise, fire hazards, etc. are safely managed and don't adversely affect nearby neighborhoods?
- c. Construction – A detailed description of the proposed improvements, onsite and offsite, that are necessary for the project should be included in the EIR. A construction schedule and management plan should be included so that potential impacts can be evaluated and mitigated. Puerco Canyon Road is the only vehicular access to the site and for the adjacent residential neighbors who will bear the brunt of construction impacts. Noise, air quality and traffic access impacts must be analyzed, avoided to the extent feasible and mitigated where unavoidable. Construction damage to the road must be repaired.

2. Impact Areas / Mitigation Measures

- a. Biological resources – The park property contains extensive undisturbed habitat. Several creeks and drainage course and their tributaries run through the property and extend into



the City and are mapped in the LCP as ESHA. The City appreciates that the project design is focused on using disturbed site areas and existing structures. Trails should be designed to avoid riparian habitat and above grade crossings should be built where needed. The expected volume of visitors and their impacts should be carefully evaluated in the EIR and the project conditioned to ensure the biological carrying capacity of the area is not exceeded in a way that adversely affects habitat and ecosystems, based on impacts at other heavily visited parks such as Escondido Canyon Park. Adequate staffing and ranger patrols and litter control within the park and on trails must be required. Impact monitoring with mid-course corrections to adjust numbers of visitors and increase staffing should be required to avoid natural resource impacts.

- b. Cultural Resources – The potential for cultural resources to occur in the park must be studied and any potential damages avoided.
- c. Geology and Soils – Full geotechnical analysis should be included, especially in fill areas where structures, wastewater or parking facilities may be located. Are there hazardous wastes associated with the former pig farm use?
- d. Hazards – Fire hazards are the most critical issue for the community given the dry conditions and frequent Santa Ana Winds. Campfires must be prohibited at all times. If camping is to be allowed, it should be limited to reservation only, and only to Site B, which is more easily accessed by emergency responders than other portions of the park. The EIR should consider and account for wildfire risks not only from campers but also from careless day use visitors and cigarette smoking. While Fire Protection and Response has been identified as a project component, the EIR must provide much greater detail on how wildfire risk will be addressed. How will the park be staffed and equipped to respond to these fire dangers and to evacuate the park if necessary? Onsite water tanks for firefighting response, restrictions prohibiting campfires at all times, required park closure during red flag days, and adequate ranger staffing to ensure the extensive trail network can be adequately monitored should all be required. The EIR must also analyze and appropriately condition construction management to ensure emergency access and evacuation are not blocked during construction of the project.
- e. Water quality – Construction activities should be conditioned to ensure no erosion, siltation or other damages to streams and drainage courses occur. Wastewater management has the potential to adversely affect surface and groundwater quality and should be analyzed in the EIR (see Utilities below).
- f. Land use/planning – Park facilities have not been identified on the portion of the site located in the City limits, however, a City street will be used for access to the site. Puerco Canyon Road runs through a residential neighborhood and is narrow, winding, partially paved with a dead-end. The City's General Plan GP calls for proposed development to mitigate its traffic impacts (which include parking) (Circulation Implementation Measure 4) and for development of alternate parking opportunities for recreational uses to minimize disruption of residential neighborhoods (Circulation Policy 1.3.2). The EIR should analyze any improvements to and use of Puerco Canyon Road for consistency with the LCP and General Plan which require compatibility between neighborhoods and park uses. Camping of any kind, including motorhome camping, must be prohibited along Puerco Canyon Road. Restrictions on onstreet and oversize vehicle parking are needed in this area to avoid this issue. What is the County-designated zoning and land use for the park property? Is a conditional use permit required? If special events are proposed to occur onsite, mitigation measures to limit the number of and condition these events or to require individual event permits should be included to address parking/access, wastewater, noise, and fire safety.



- g. Recreation – The project includes enhancements to an existing park. Conditions on the project should be included to ensure that the carrying capacity of the facilities and the environment are not exceeded and that deterioration does not accelerate as a result of the project. Adequate staffing and maintenance resources are critical. This project will provide trail connections with other existing parks to the east and west. The EIR should analyze the effects this project will have in terms of increasing use at other existing parkland facilities, many of which already show signs of being undermanaged and poorly maintained.
 - h. Transportation/traffic – The EIR should include a traffic and parking analysis that considers the impact of additional trips generated by the project at the intersection Puerco Canyon/PCH intersection, what changes to the road or project conditions are needed to ensure adequate emergency access at all times, including street parking controls. This analysis should evaluate construction and operational impacts. It should also evaluate the effect of fee parking at the new 90 space lot in encouraging overuse of free onstreet parking which can clog the road and result in rampant littering when trash receptacles are not provided. Limitations on onstreet parking should be analyzed and allowed.
 - i. Utilities – How will wastewater be managed? If the project proposes wastewater holding tanks instead of construction of a new onsite wastewater disposal system, the EIR should analyze the significance of any environmental impacts. Holding tanks are considered less reliable than onsite wastewater disposal systems for sanitation and environmental protection because they can be overfilled and spill onto the ground or into waterways. How will potable water service be provided? How will the fire response water tanks be filled? Trash pickup should be conditioned to be frequent and monitored for adequacy. If grid service is used instead of solar panels, facilities should be undergrounded to avoid fire hazards associated with downed power lines.
3. Mandatory findings – The EIR should analyze the potential for cumulative impacts of increased recreation in remote areas (Malibu and unincorporated LA County) and include adequate mitigation measures to ensure overuse is avoided, adverse impacts to neighborhood character are avoided, litter is controlled, fire hazards are reduced, parks are adequately patrolled by rangers, visitors are informed of hazards and stewardship, adequate facilities are provided (i.e., parking and bathrooms).
4. Alternatives – The project should consider eliminating Site C. This site is remote and if amenities are offered, it could lead to unauthorized camping.

The City requests that the Notice of Preparation be revised as discussed herein, that the City be consulted and noticed as a responsible agency, and that a new broadly noticed scoping meeting be held in the City. Please contact me with any questions or for assistance with utilizing City Hall.

Sincerely,



Bonnie Blue
Planning Director

