City of Malibu

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November 14, 2022

SENT VIA EMAIL

Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration
500 W. Temple Street
Los Angeles, CA 90012

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Amy J. Bodek
Director, Department of Regional Planning
County of Los Angeles
1390 Hall of Records
320 West Temple St.
Los Angeles, CA 90012

abodek@planning.lacounty.gov

Re: Agenda Item Nos. 43 and 70 - Low Impact Campgrounds in the Santa Monica Mountains Coastal Zone (Project No. 2019-000224-(3))

Dear Board of Supervisors and Ms. Bodek:

The City of Malibu respectfully requests that the County Board of Supervisors continue Agenda Item Nos. 43 and 70 regarding the proposed amendments to the Santa Monica Mountains Local Coastal Program (LCP) allowing camping in Environmentally Sensitive Habitat Areas (ESHAs).[1]

In its April 15, 2022, letter to the County (attached), the City set forth four areas of concern related to the California Coastal Commission's July 7, 2021, proposed modifications to the LCP, which would increase the likelihood of wildfires within the surrounding areas. Generally, the City seeks more reliable oversight for campsites, particularly on red flag days, and more clarity on "fireproof cooking stations." The Commission's modifications still leave too much uncertainty as to how compliance with restrictions on camping will be adequately monitored and enforced.

[1] Notably, on May 17, 2022, the City requested direct notice by email of any actions related to this matter under the California Environmental Quality Act and the Ralph M. Brown Act, which the County did *not* provide to the City for these agenda items.

The City understands the County must adopt an LCP that is both consistent with the court's decision in *Ramirez Canyon Preservation Fund v. California Coastal Commission* and the Commission's interpretation of the Coastal Act's policies on public access and recreation. But the proposed amendments to the LCP, as they currently stand, violate Public Resources Code section 30240's prohibition against significant disruption of habitat values within ESHAs. Development in areas adjacent to EHSAs must also be sited and designed to prevent impacts that would significantly degrade those areas and must be compatible with the continuance of those habitat and recreation areas.

Here, the proposed amendments to the LCP would further exacerbate a known risk of wildfires, which are frequently caused by human activities such as camping. Wildfires are unquestionably devastating for ESHAs, as well as surrounding residents and property. The administrative record for this matter is filled with examples of such damage.

The City asks that the County continue these matters and engage with the City to formulate amendments to the LCP that would *both* satisfy the Commission's requirements for public access and recreation while also reflecting the realities of camping and wildfire risk to ESHAs. The City is confident the parties can reach a mutually acceptable solution to camping in the Santa Monica Mountains within a reasonable amount of time and avoid further escalation of this matter.

This would also allow time for the City to engage with the newly elected Board of Supervisor for the Third District, which will be significantly impacted by the proposed LCP amendments. Both candidates for this seat have expressed interest in the proposed amendments. It has been seven months since the Board of Supervisors authorized staff and County Counsel to bring back the proposed resolution and ordinance implementing the amendments. There is no reason for the County to push forward these highly controversial amendments just days away from having a new representative for the City and other areas significantly affected by wildfires.

Thank you for your attention to this request. Please include this letter in the administrative record for the proposed actions.

Very truly yours,

Steve McClary
City Manager

Attachment

cc: Paul Grisanti, Mayor, City of Malibu, PGrisanti@malibucity.org
Bruce Silverstein, Mayor Pro Tem, City of Malibu, BSilverstein@malibucity.org
Karen Farrer, City Councilmember, City of Malibu, KFarrer@malibucity.org
Mikke Pierson, City Councilmember, City of Malibu, MPierson@malibucity.org
Steve Uhring, City Councilmember, City of Malibu, SUhring@malibucity.org

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City of Malibu

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April 15, 2022

Sent via email to ExecutiveOffice@bos.lacounty.gov

Chair Holly J. Mitchell and Honorable Members
Los Angeles County Board of Supervisors
Kenneth Han Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Re: Agenda Item 8 regarding Project No. 2019-000224-(3), Advanced Planning Project No. RPPL20190003 - LCP Amendment No. LCP-4-MMT-19-0166-1 (Resource Dependent Uses)

Dear Chair Mitchell and Honorable Los Angeles County Supervisors:

Thank you for taking the time to consider our comments concerning Agenda Item 8 (Resource Dependent Uses - Low-Impact Campgrounds)

The City of Malibu is supportive of public access and recreation in the Santa Monica Mountains including camping in appropriate locations that are suitable safe zones and with supervision, like Malibu Creek State Park and Leo Carrillo State Campground. Malibu is downwind of and on the receiving end of any brush fires in the Santa Monica Mountains, like the Woolsey Fire which destroyed 1600 homes, 480 of which were in the City of Malibu. Our residents are concerned about any type of trail camping or camping in smaller, unsupervised remote locations than the ones mentioned above. We have expressed our opposition to that type of camping in the past.

If there are going to be these types of activities in Environmentally Sensitive Habitat Areas (ESHA), we support the County's 2019 ordinance and feel that the County's well-conceived protective control measures are appropriate. The Staff Report for the Board's hearing states that the Commission suggested only "two modifications" to the County's protective provisions. There are far more than two, and we respectfully request that you consider each and reject them all.

These are the primary ways in which the Commission's suggested modifications would change the County's 2019 low impact camping provisions:

We do not support the following modifications made by the Coastal Commission and we ask you to oppose them:

1. Camping on Red Flag Days: The County banned camping on red flag days. The Commission would allow the camp operator to propose its own camping regulations "relative to" red flag days.

2. Camp Site Inspections: The County required that campsites be inspected at least once a day, including on red flag days. The Commission would allow the camp operator to propose its own inspection plan.

3. "Fire Proof Cooking Stations." The County did not allow for any type of cooking facility. The Commission modifications would allow "fireproof cooking stations." The modifications describe those stations in terms of what they are not but have not explained what they might be. That confusion will undoubtedly increase the risk of fire.

4. Environmental Protection: The Commission modifications propose that the County cut back the protections the County put in place for ESHA. For example, the County would not have allowed porta-potties in the most protected ESHA. The Commission's modifications would allow that. The County also banned low-impact camping within 100 feet of a creek or stream. The Commission modifications would reduce that to only 50 feet.

To summarize, we believe the County should leave its ordinance intact and **oppose** the suggested modifications by the Coastal Commission. We value our long-standing history of cooperatively working together and thank you for considering the input of our Council on this matter.

Sincerely,

Paul Grisanti
Mayor
City of Malibu

cc: Honorable Members of the Malibu City Council
Honorable Henry Stern, California State Senate, 27th District
Honorable Richard Bloom, California State Assembly, 50th District
Steve McClary, Interim City Manager