

# Appendix E

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## City of Malibu Local Coastal Program Land Use Plan and California Coastal Act Policy Consistency

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**Table 1. Project Consistency with LCP LUP Policies**

Chapter 2 Public Access and Recreation	
<p><b>Policy 2.1</b> The shoreline, parklands, beaches and trails located within the City provide a wide variety of recreational opportunities in natural settings which include hiking, equestrian activities, bicycling, camping, educational study, picnicking, and coastal access. These recreational opportunities shall be protected, and where feasible, expanded or enhanced as a resource of regional, state and national importance.</p>	<p><b>Consistent</b> – The Project would involve the construction of a new multi-use trail connection to Escondido Canyon Park and the Escondido Falls Trail, enhancing public access to local recreational opportunities within the coastal foothills of the Santa Monica Mountains. The trail would serve as a secondary access route to the high-use Escondido Falls Trail to alleviate congestion along this locally and regionally important trail.</p>
<p><b>Policy 2.2</b> New development shall minimize impacts to public access to and along the shoreline and inland trails. The City shall assure that the recreational needs resulting from proposed development will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and/or development plans with the provision of onsite recreational facilities to serve new development.</p>	
<p><b>Policy 2.4</b> Public accessways and trails shall be an allowed use in Environmentally Sensitive Habitat Areas. Where determined to be desirable (by consideration of supporting evidence), limited or controlled methods of access and/or mitigation designed to eliminate or minimize impacts to ESHA may be utilized. Accessways to and along the shoreline shall be sited, designed, and managed to avoid and/or protect marine mammal hauling grounds, seabird nesting and roosting sites, sensitive rocky points and intertidal areas, and coastal dunes.</p>	<p><b>Consistent with Mitigation</b> – The proposed trail would result in the disturbance of 0.54 acre of designated ESHA consisting of the sensitive natural communities of <i>Quercus agrifolia</i> Woodland Alliance and <i>Salvia leucophylla</i> Shrubland Alliance. <b>MM BIO-1</b> through <b>MM BIO-7</b> would reduce impacts to environmentally sensitive habitats by requiring that trail construction be monitored by a qualified biologist and that sensitive vegetation is avoided to the maximum extent feasible. <b>MM BIO-2</b> requires that rare or protected plant species be rehabilitated under a habitat restoration plan. Accordingly, the City Biologist found that Project impacts to ESHA habitat would be less than significant. The Project is consistent with this policy.</p>

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<p><b>Policy 2.7</b> Public accessways and trails to the shoreline and public parklands shall be a permitted use in all land use and zoning designations. Where there is an existing, but unaccepted and/or unopened public access Offer-to-Dedicate (OTD), easement, or deed restriction for lateral, vertical or trail access or related support facilities e.g. parking, construction of necessary access improvements shall be permitted to be constructed, opened and operated for its intended public use.</p>	<p><b>Consistent</b> – The proposed multi-use trail would traverse two contiguous MRCA-owned and managed parcels. One parcel is designated as Rural Residential (RR10) under the City General Plan and LCP, and Rural Residential (RR) under the MMC. The other parcel is designated as Public Open Space (POS) under the City General Plan and LCP, and is zoned Open Space (OS) under the MMC. Project parking would be accommodated by the existing paid Winding Way public parking lot at the intersection of PCH and East Winding Way. The Project is consistent with this policy.</p>
<p><b>Policy 2.9</b> Public access and recreational planning efforts shall be coordinated, as feasible, with the National Park Service, the State Department of Parks and Recreation, the State Coastal Conservancy, Los Angeles County, Los Angeles County Department of Beaches and Harbors, the Santa Monica Mountains Conservancy, and the Santa Monica Mountains Trails Council.</p>	<p><b>Consistent</b> – The Project is being proposed by the Mountains Recreation and Conservation Authority (MRCA) and is being coordinated with the City of Malibu. The Project is consistent with this policy.</p>
<p><b>Policy 2.45</b> An extensive public trail system has been developed across the Santa Monica Mountains that provides public coastal access and recreation opportunities. This system includes trails located within state and national parklands as well as those which cross private property in the City and County. The City's existing and proposed trails are shown on the LUP Park Lands Map. A safe trail system shall be provided throughout the mountains and along the shoreline that achieves the following:</p> <ul style="list-style-type: none"><li>a. Connects parks and major recreational facilities;</li><li>b. Links with trail systems of adjacent jurisdictions;</li></ul>	<p><b>Consistent with Mitigation</b> – The proposed multi-purpose trail would provide secondary access into Escondido Canyon Park and the Escondido Falls Trail.</p> <p>The proposed trail has been sited and designed to minimize impacts to the ESHA, given topographic constraints and vegetation along the planned trail alignment. Trails are an approved use within an ESHA because they do not significantly impact ESHA function. <b>MM BIO-1</b>, and <b>MM BIO-3</b> through <b>MM BIO-6</b> would ensure impacts to protected plant and wildlife species are avoided to the maximum extent feasible. Motorized vehicles would be prohibited.</p>

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<ul style="list-style-type: none"> <li>c. Provides recreational corridors between the mountains and the coast;</li> <li>d. Allows for flexible, site-specific design and routing to minimize impacts on adjacent development, and fragile habitats. In particular, ensure that trails located within or adjacent to Environmentally Sensitive Habitat Areas are designed to protect fish and wildlife resources;</li> <li>e. Provides connections with populated areas;</li> <li>f. Includes trails designed to accommodate multiple use (hiking, biking and equestrian) where multiple use can be provided safely for all users and where impacts to coastal resources are minimized;</li> <li>g. Reserves certain trails for hiking only;</li> <li>h. Facilitates linkages to community trail systems;</li> <li>i. Provides diverse recreational and aesthetic experiences;</li> <li>j. Prohibits public use of motorized vehicles on any trail;</li> <li>k. Provides public parking at trail head areas;</li> <li>l. Ensures that trails are used for their intended purpose and that trail use does not violate private property rights. (Resolution No. 07-04)</li> </ul>	<p>Public parking would continue to be provided in the paid Winding Way public parking lot and along PCH.</p> <p>The MND concludes that the implementation of the Project would not increase incidents of crime or the amount of litter, result in prolonged audible noise at adjacent residents, or increase fire hazard along the trail alignment. Thus, the Project would not violate private property rights or result in a change to the historic character of the surrounding neighborhoods.</p>
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**Chapter 3 Marine and Land Resources**

**Policy 3.1** Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments are Environmentally Sensitive Habitat Areas (ESHAs) and are generally shown on the LUP ESHA Map. The ESHAs in the City of Malibu are riparian areas, streams, native woodlands, native

**Consistent with Mitigation** – The Project would result in the disturbance of 0.54-acre of designated ESHA consisting of the sensitive natural communities of *Quercus agrifolia* Woodland Alliance and *Salvia leucophylla* Shrubland Alliance. These two communities support habitat for a number of rare, threatened, and endangered plant species. **MM BIO-1** through **MM BIO-7** would reduce impacts to environmentally sensitive habitats

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grasslands/savannas, chaparral, coastal sage scrub, dunes, bluffs, and wetlands, unless there is site-specific evidence that establishes that a habitat area is not especially valuable because of its special nature or role in the ecosystem. Regardless of whether streams and wetlands are designated as ESHA, the policies and standards in the LCP applicable to streams and wetlands shall apply. 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.

by requiring that all trail construction is monitored by a qualified biologist and that sensitive vegetation is avoided to the maximum extent feasible. **MM BIO-2** would require that all rare or protected plant species be rehabilitated under a habitat restoration plan. Implementation of these mitigation measures would ensure compatibility with and continuance of identified sensitive habitat areas. Therefore, with implementation of these mitigation, the Project would be consistent with this policy. Please also refer to Section 4.4, *Biological Resources* of the IS/MND.

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**Policy 3.8** Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

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**Policy 3.9** Public accessways and trails are considered resource dependent uses. Accessways and trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible. Measures, including but not limited to, signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

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**Policy 3.14** New development shall be sited and designed to avoid impacts to ESHA. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved

**Consistent with Mitigation** – The Project is proposed within an area designated as ESHA, and the avoidance of ESHA is not feasible. However, trails are an approved use within an ESHA because they do not significantly impact ESHA function. **MM BIO-1** through **MM BIO-7** would ensure impacts to protected plant and wildlife species are avoided to the maximum extent feasible. Therefore, with implementation of this mitigation, the Project would be consistent with this policy. Please

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<p>when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective in the context of a Natural Community Conservation Plan that is certified by the Commission as an amendment to the LCP. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA.</p>	<p>also refer to Section 4.4, <i>Biological Resources</i> of the IS/MND.</p>
<p><b>Policy 3.15</b> Mitigation measures for impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Mid-course corrections shall be implemented if necessary. Monitoring reports shall be provided to the City annually and at the conclusion of the five-year monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met. However, if after ten years, performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.</p>	<p><b>Consistent</b> –The Project is proposed within an area designated as ESHA, and the avoidance of ESHA is not feasible. However, trails are an approved use within an ESHA because they do not significantly impact ESHA function. The City Biologist approved the trail alignment on April 25, 2017, finding that impacts to ESHA habitat would be less than significant. <b>MM BIO-1</b> through <b>MM BIO-6</b> would ensure impacts to protected plant and wildlife species are avoided to the maximum extent feasible. <b>MM BIO-2</b> would require that all rare or protected plant species be rehabilitated under a habitat restoration plan. Please also refer to Section 4.4, <i>Biological Resources</i> of the IS/MND.</p>
<p><b>Policy 3.36</b> New development shall include an inventory conducted by a qualified biologist of the plant and animal species present on the project site. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed biological study shall be required.</p>	<p><b>Consistent</b> – A Biological Assessment, along with a Rare Plant Survey and Raptor Survey, were prepared by Forde Biological Consultants (Appendix A) for the proposed trail. The Biological Assessment and Rare Plant Survey include an inventory of all special-status plants and wildlife and their</p>

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**Table 1. Project Consistency with LCP LUP Policies**

<p><b>Policy 3.37</b> New development within or adjacent to ESHA shall include a detailed biological study of the site.</p>	<p>presence or potential for sensitive species or habitat at the Project area.</p>
<p><b>Policy 3.42</b> New development shall be sited and designed to minimize impacts to ESHA by:</p> <ul style="list-style-type: none"> <li>a. Minimizing grading and landform alteration, consistent with Policy 6.8.</li> <li>b. Minimizing the removal of natural vegetation, both that required for the building pad and road, as well as the required fuel modification around structures.</li> <li>c. Limiting the maximum number of structures to one main residence, one second residential structure, and accessory structures such as, stable, corral, pasture, workshop, gym, studio, pool cabana, office, or tennis court, provided that such accessory structures are located within the approved development area and structures are clustered to minimize required fuel modification.</li> <li>d. Minimizing the length of the access road or driveway, except where a longer roadway can be demonstrated to avoid or be more protective of resources.</li> <li>e. Grading for access roads and driveways should be minimized; the standard for new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the City Planning Commission, upon recommendation of the Environmental Review Board and the determination that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use to be processed consistent with the LIP provisions.</li> </ul>	<p><b>Consistent with Mitigation</b> – The proposed trail would disturb an anticipated 0.54-acre of ESHA. The proposed trail has been sited and designed to minimize impacts to ESHA, given topographic constraints and vegetation along the planned trail alignment. Trails are an approved use within an ESHA because they do not significantly impact ESHA function. <b>MM BIO-1</b>, and <b>MM BIO-3</b> through <b>MM BIO-6</b> would ensure impacts to protected plant and wildlife species are avoided to the maximum extent feasible. <b>MM BIO-2</b> would require that all rare or protected plant species be rehabilitated under a habitat restoration plan. Implementation of the Project would include those BMPs listed in Section 3.2, <i>Project Best Management Practices</i>, of the IS/MND which include measures to prevent erosion and sedimentation of creeks, along with <b>MM HYDRO-1</b>, which would minimize impacts to water quality and aquatic habitat.</p>

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<p>f. Prohibiting earthmoving operations during the rainy season, consistent with Policy 3.47.</p> <p>g. Minimizing impacts to water quality, consistent with Policies 3.94—3.155. (Resolution No. 07- 04)</p>	
<p><b>Policy 3.45</b> All new development shall be sited and designed so as to minimize grading, alteration of physical features, and vegetation clearance in order to prevent soil erosion, stream siltation, reduced water percolation, increased runoff, and adverse impacts on plant and animal life and prevent net increases in baseline flows for any receiving waterbody.</p>	<p><b>Consistent</b> – The proposed trail has been sited and designed to minimize grading by following existing topographic slopes and to prevent erosion that may increase siltation or affect plant and animal species by installing slope stabilization and erosion-control features along the length of the trail.</p>
<p><b>Policy 3.47</b> Earthmoving during the rainy season (extending from November 1 to March 1) shall be prohibited for development that is 1) located within or adjacent to ESHA, or 2) that includes grading on slopes greater than 4:1. In such cases, approved grading shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 1, unless the City determines that completion of grading would be more protective of resources.</p>	<p><b>Consistent</b> – Pursuant to this policy, construction of the Project and grading activities would be prohibited during the rainy season. The Project would therefore be consistent with this policy of the City’s LCP.</p>
<p><b>Policy 3.50</b> Cut and fill slopes and other areas disturbed by construction activities (including areas disturbed by fuel modification or brush clearance) shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:</p> <p>a. Plantings shall be native, drought-tolerant plant species, and blend with the existing</p>	<p><b>Consistent with Mitigation</b> – The Project would reseed the disturbed area, adjacent to the completed footpath, with native vegetation following construction. No protected native trees or mature trees would be removed by the Project. <b>MM BIO-7</b> requires a certified arborist to monitor the health of any affected trees for a period of five years following construction. Several best management practices (BMPs)</p>

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<p>natural vegetation and natural habitats on the site, except as noted below.</p> <p>b. Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.</p> <p>c. Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant species within the irrigated zone(s) required for fuel modification nearest approved residential structures.</p> <p>d. Landscaping or revegetation shall provide 90 percent coverage within five years, or that percentage of ground cover demonstrated locally appropriate for a healthy stand of the particular native vegetation type chosen for restoration. Landscaping or revegetation that is located within any required fuel modification thinning zone (Zone C, if required by the Los Angeles County Fire Department) shall provide 60 percent coverage within five years.</p> <p>e. Any landscaping, or revegetation shall be monitored for a period of at least five years following the completion of planting. Performance criteria shall be designed to measure the success of the plantings. Mid-course corrections shall be implemented if necessary. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met. (Resolution No. 07-04)</p>	<p>would be employed during trail construction to reduce or avoid removal or loss of vegetation and tree specimens or avoid the spread of invasive plant species, including the cleaning of all tools, equipment, and clothing of personnel working in these areas to avoid carrying propagules (seeds, stem pieces) of invasive weeds into undisturbed scrub and woodland habitats. Trail maintenance would be routinely performed by experienced trail crews and volunteers to reduce fuel loading. Dead and dying materials would be removed from the trail alignment and plants that establish or are introduced to the trail alignment that are not on the approved plant list would be periodically removed. In addition, brush would be cleared along the trail corridor and vegetation would be trimmed.</p>
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<p><b>Policy 3.51</b> Disturbed areas ESHAs shall not be further degraded, and if feasible, restored. If new development removes or adversely impacts native vegetation, measures to restore any disturbed or degraded habitat on the property shall be included as mitigation.</p>	<p><b>Consistent</b> – Please refer to discussion of consistency with City LCP LUP Policy 3.1.</p>
<p><b>Policy 3.53</b> Fencing or walls shall be prohibited within riparian, bluff, Point Dume canyon or dune ESHA, except where necessary for public safety or habitat protection or restoration. Fencing or walls that do not permit the free passage of wildlife shall be prohibited in any wildlife corridor.</p>	<p><b>Consistent</b> – The Project would include the installation of silt fencing along riparian habitat located within a designated ESHA. Silt fencing would not adversely affect the movement of wildlife and would be necessary for the protection of riparian and wetland habitat from erosion and sedimentation. Therefore, Therefore, the Project would be consistent with this policy. Please also refer to Section 4.4, <i>Biological Resources</i>, of the IS/MND.</p>
<p><b>Policy 3.59</b> All new development shall be sited and designed to minimize required fuel modification and brushing to the maximum extent feasible in order to minimize habitat disturbance or destruction, removal or modification of natural vegetation, and irrigation of natural areas, while providing for fire safety, as required by Policies 4.45 through 4.54. Development shall utilize fire resistant materials and incorporate alternative fuel modification measures, such as firewalls (except where this would have impacts on visual resources), and landscaping techniques, where feasible, to minimize the total area modified. All development shall be subject to applicable federal, state and county fire protection requirements.</p>	<p><b>Consistent</b> – Continued routine patrol and maintenance by MRCA Park Rangers and fire cadets, and the periodic reduction of fuel loading would reduce the potential for construction and operation of the proposed trail to result in a wildfire. Closure of Escondido Canyon Park and the associated trail network, including the proposed trail alignment, on Red Flag days, would further reduce the potential for wildfires and any associated harm to visitors.</p>

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**Table 1. Project Consistency with LCP LUP Policies**

<p><b>Policy 3.60</b> As required by Policy 4.49, applications for new development shall include a fuel modification plan for the project site, approved by the County Fire Department. Additionally, applications shall include a site plan depicting the brush clearance, if any, that would be required on adjacent properties to provide fire safety for the proposed structures.</p>	<p><b>Consistent</b> – Please refer to discussion of consistency with City LCP LUP Policy 3.59 above. Fuel load reduction would continue as under existing conditions.</p>
<p><b>Policy 3.62</b> All new development shall include mitigation for unavoidable impacts to ESHA from the removal, conversion, or modification of natural habitat for new development, including required fuel modification and brush clearance.</p>	<p><b>Consistent with Mitigation</b> – Please refer to discussion of consistency with City LCP LUP Policy 3.1.</p>
<p><b>Policy 3.63</b> New development shall be sited and designed to preserve oak, walnut, sycamore, alder, toyon, or other native trees that are not otherwise protected as ESHA. Removal of native trees shall be prohibited except where no other feasible alternative exists. Structures, including roads or driveways, shall be sited to prevent any encroachment into the root zone and to provide an adequate buffer outside of the root zone of individual native trees in order to allow for future growth.</p>	<p><b>Consistent with Mitigation</b> – The proposed trail route would allow flexibility to allow for the avoidance of protected trees, and the removal or significant liming of trees is not currently anticipated. However, implementation of the Project has the potential to adversely affect protected trees, possibility of tree loss would remain if the trail footprint is not flexible with respect to the tree root zones. <b>MM BIO-7</b> is required to ensure that all trees with encroachment shall be protected and appropriately mitigated with respect to tree trunk, canopy, and root zone, consistent with the City’s Native Tree Protection Ordinance. With implementation of this mitigation measure, the Project would be consistent with this policy. Please also refer to Section 4.4, <i>Biological Resources</i> of the IS/MND.</p>
<p><b>Policy 3.64</b> New development on sites containing oak, walnut, sycamore, alder, toyon, or other native trees shall include a tree protection plan.</p>	
<p><b>Policy 3.65</b> Where the removal of native trees cannot be avoided through the implementation of project alternatives or where development encroachments into the protected zone of native trees result in the loss or worsened health of the trees, mitigation measures shall include, at a minimum, the planting of</p>	

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<p>replacement trees on-site, if suitable area exists on the project site, at a ratio of 10 replacement trees for every 1 tree removed. Where on-site mitigation is not feasible, off-site mitigation shall be provided through planting replacement trees or by providing an in-lieu fee, based on the type, size and age of the tree(s) removed.</p>	
<p><b>Policy 3.95</b> New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:</p> <ul style="list-style-type: none"> <li>a. Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss.</li> <li>b. Limiting increases of impervious surfaces.</li> <li>c. Limiting land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss.</li> <li>d. Limiting disturbance of natural drainage features and vegetation. (Resolution No. 07-04)</li> </ul>	<p><b>Consistent</b> – The Project would include erosion control Best Management Practices (BMPs) as part of construction to ensure potential for erosion, sedimentation, and runoff from construction and use of the trail is minimized to the maximum extent feasible, and impacts associated with erosion and sediment loss are less than significant. Therefore, the Project would be consistent with this policy. Please also refer to Section 4.9, <i>Hydrology and Water Quality</i> of the IS/MND.</p>
<p><b>Chapter 4 Hazards &amp; Shoreline/Bluff Development</b></p>	
<p><b>Policy 4.4</b> On ancient landslides, unstable slopes and other geologic hazard areas, new development shall only be permitted where an adequate factor of safety can be provided, consistent with the applicable provisions of Chapter 9 of the certified Local Implementation Plan.</p>	<p><b>Consistent</b> – A Geotechnical Report was prepared by Southwestern Engineering Geology for the Project in September 2009 and was updated in June 2016 (Appendix C). The Geotechnical Report concluded that with the implementation of the geotechnical recommendations, the proposed site would be suitable for construction of the Project. The Project, including the trail construction plans, has been designed to incorporate the recommendations provided in this report.</p>
<p><b>Policy 4.5</b> Applications for new development, where applicable, shall include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the</p>	

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<p>Project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Such reports shall be signed by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE) and subject to review and approval by the City Geologist.</p>	<p>Please also refer to Section 4.6, <i>Geology and Soils</i> of the IS/MND.</p>
<p><b>Policy 4.10</b> New development shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.</p>	<p><b>Consistent</b> – Construction of the proposed trail would involve the construction of erosion and runoff control measures which would ensure drainage of the trail in a manner which reduces or prevents erosion and conforms to the natural drainage patterns of the area. Therefore, the Project would be consistent with this policy. Please also refer to Section 4.9, <i>Hydrology and Water Quality</i> of the IS/MND.</p>
<p><b>Chapter 5 New Development</b></p>	
<p><b>Policy 5.60</b> New development shall protect and preserve archaeological, historical and paleontological resources from destruction, and shall avoid and minimize impacts to such resources.</p>	<p><b>Consistent</b> – A Phase I Archaeological Survey was prepared for the Project which concluded the Project is unlikely to have an impact on cultural or archaeological resources. Mandatory compliance with Chapter 11 of the City LCP’s Local Implementation Plan, requiring that all work cease in the event of an unanticipated discovery of an archaeological resource, would ensure impacts are reduced, and archaeological resources managed consistent with the requirements of these City LCP policies. Therefore, the Project would be consistent with this policy. Please also refer to Section 4.5, <i>Cultural Resources</i> of the IS/MND.</p>
<p><b>Policy 5.61</b> Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</p>	
<p><b>Policy 5.64</b> New development on sites identified as archaeologically sensitive shall include on-site monitoring of all grading, excavation and site preparation that involve earth moving operations by a qualified</p>	



**Table 1. Project Consistency with LCP LUP Policies**

archaeologist(s) and appropriate Native American consultant(s).

**Chapter 6 Scenic and Visual Resources**

**Policy 6.1** The Santa Monica Mountains, including the City, contain scenic areas of regional and national importance. The scenic and visual qualities of these areas shall be protected and, where feasible, enhanced.

**Consistent** – The proposed trail is located within the highly scenic area of the City of Malibu in the coastal foothills of the Santa Monica Mountains. The Project would result in the construction of a new trail and improved access to existing recreational opportunities, providing additional scenic and recreational opportunities along coastal areas to the public. Development of the Project would not impede scenic views, and one of the overall goals of the Project is to improve public access to the scenic coastal areas of the Santa Monica Mountains. Brushing and vegetation removal to support construction of the trail would be minimized to the maximum extent feasible, and where removed along the trail should, vegetation would be replanted and reestablished. Further, the Project would implement a number of BMPs established to ensure the reestablishment of native vegetation and the prevention of spread of invasive species. Therefore, the Project is consistent with this policy. For further discussion, refer to Section 4.1, *Aesthetics/Visual Resources* of the IS/MND.

**Policy 6.27** New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site, consistent with Policy 3.60.

**Policy 6.28** All new development shall be sited and designed to minimize required fuel modification and brushing to the maximum extent feasible. Development shall incorporate alternative fuel modification measures, where feasible, in order to minimize the visual resource impacts of site disturbance, removal, and thinning of natural vegetation.

**Policy 6.29** Cut and fill slopes and other areas disturbed by construction activities shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:

- a. Plantings shall be of native, drought-tolerant plant species, and blend with the existing natural vegetation and natural habitats on the site, except as noted below.
- b. Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.
- c. Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant species within the irrigated zone(s) required for fuel

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<p>modification nearest approved residential structures.</p> <p>d. Lawn shall not be located on any geologically sensitive area such as coastal blufftop.</p> <p>e. Landscaping or revegetation shall provide 90 percent coverage within five years. Landscaping or revegetation that is located within any required fuel modification thinning zone (Zone C, if required by the Los Angeles County Fire Department) shall provide 60 percent coverage within five years. (Resolution No. 07-04)</p>
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**Table 2. Project Consistency with Coastal Act Policies**

<b>Applicable Policies of the California Coastal Act</b>	
<p><b>Section 30210.</b> In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resources areas from overuse.</p>	<p><b>Consistent</b> – The Project would help to improve public access to Escondido Canyon Park, enhance public safety, and protect the rights of private property owners through the alleviation of pedestrian congestion along Winding Way through the development and designation of a secondary access route. Therefore, the Project is consistent with this policy.</p>
<p><b>Coastal Act Policy 30213:</b> Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.</p>	<p><b>Consistent</b> – The Project consists of improvements to public accessibility of the Escondido Falls Trail with the development of a new trail route, providing increased low cost recreational opportunities. Therefore, the Project is consistent with this policy.</p>
<p><b>Coastal Act Policy 30231:</b> The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations</p>	<p><b>Consistent with Mitigation</b> – The Project would include erosion control BMPs as part of construction to ensure potential for erosion, sedimentation, and runoff from construction</p>

**Table 2. Project Consistency with Coastal Act Policies**

<b>Applicable Policies of the California Coastal Act</b>	
<p>of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p>	<p>and use of the trail is minimized to the maximum extent feasible. Implementation of <b>MM HYDRO-1</b> would ensure construction of the Project would not significantly adversely affect water quality and adverse effects to the quality of aquatic habitat are minimized or prevented, while <b>MM BIO-2</b> would ensure rare and special plant species maintained and replaced/restored following completion of the trail. As discussed in Section 4.9, <i>Hydrology and Water Quality</i> of the IS/MND, the Project would not affect hydrology and water quality with regard to groundwater resources and wastewater. Therefore, with implementation of required mitigation measures, the Project would be consistent with this policy.</p>
<p><b>Coastal Act Policy 30240:</b> (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.</p> <p>(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.</p>	<p><b>Consistent with Mitigation</b> – Please refer to discussion of consistency with City LCP LUP Policy 3.1.</p>
<p><b>Coastal Act Policy 30244:</b> Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</p>	<p><b>Consistent</b> – Please refer to discussion of consistency with City LCP LUP Policy 5.60.</p>

**Table 2. Project Consistency with Coastal Act Policies**

<b>Applicable Policies of the California Coastal Act</b>	
<p><b>Coastal Act Policy 30251:</b> The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.</p>	<p><b>Consistent</b> – The proposed trail is located within the highly scenic area of the City of Malibu in the coastal foothills of the Santa Monica Mountains. The Project would result in the construction of a new trail and improved access to existing recreational opportunities, providing additional scenic and recreational opportunities along coastal areas to the public. Development of the Project would not impede scenic views, and one of the overall goals of the Project is to improve public access to the scenic coastal areas of the Santa Monica Mountains. Therefore, the Project is consistent with this policy. For further discussion, refer to Section 4.1, <i>Aesthetics/Visual Resources</i> of the IS/MND.</p>
<p><b>Coastal Act Policy 30253:</b> New development shall:</p> <ol style="list-style-type: none"> <li>1. Minimize risks to life and property in areas of high geologic, flood, and fire hazard.</li> <li>2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.</li> </ol>	<p><b>Consistent</b> – The Project would not generate new risk to life and/or property in areas of high geologic or flood hazard. Implementation of the Project would expose trail users to an area designated as a Very High Fire Hazards Severity Zone which is at increased risk of wildfire hazard. However, the Project would continue the fire-prevention and fuel-load reduction practices currently in place, which would ensure adequate protection from and prevention of fire hazard. Therefore, the Project would be consistent with this policy. For further discussion, refer to Section 4.6, <i>Geology and Soils</i>, Section 4.8, <i>Hazards and Hazardous Materials</i>, and Section 4.9, <i>Hydrology and Water Quality</i> of the IS/MND.</p>