

Frequently Asked Questions about Malibu Parks Access Plan

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Q. If the City's position prevails, what is at stake for non-residents of Malibu? Why should anyone outside Malibu care about how these issues are ultimately decided?

A. The general public has paid for but will not be able to fully access publicly owned parkland that it should be able to enjoy. Under the Malibu city plan, only local residents will have easy access to the trail systems and open spaces that are part of the unique beauty of the area they enjoy privately every day.

Q. Residents say this dispute is about minimizing the fire threat to their homes. Given the decades-long history of home destruction due to Malibu fires, why doesn't the SMMC/MRCA believe residents' concerns are valid objections to your development plans?

A. There is no correlation between camping in a designated campground and the start of wildfires in California. Since records have been kept, starting in 1910, not a single wildfire can be traced to a developed campground. In contrast, numerous fires can be traced to campfires in wilderness areas and in non-developed or illegal campgrounds.

The fire prevention measures that will be put in place by the Malibu Parks Public Access Enhancement Plan will actually decrease fire danger in the canyons. The plan includes a detailed fire protection and emergency evacuation plan that will increase supervision of the parks. Campfires will be prohibited at all times. No camping will be allowed without onsite supervision of the campsites. No camping will be allowed on red flag days. Additionally, the Plan increases access for fire and emergency vehicles, provides for improved fire hydrants and water supplies, and creates buffers and staging areas for emergency situations.

Q. Under what legal authority is the SMMC/MRCA trying to increase public access to Ramirez Canyon Park and create overnight camping in public parks in Malibu?

A. The Santa Monica Mountains Conservancy was established by the California State Legislature in 1980. Its mission is to preserve and protect open space and create public parkland that is easily accessible to general public. The Mountains Recreation and Conservation Authority, a public agency created pursuant to the Joint Powers Act, has as its mission to create and preserve open space and public parkland within the Santa Monica Mountains and mountains surrounding the San Fernando, La Crescenta, Simi, and Conejo Valleys.

The California Coastal Act, which made permanent the California Coastal Commission established by voter initiative in 1972, includes specific policies (see Division 20 of the Public Resources Code) that address issues such as shoreline public access and recreation, lower cost visitor accommodations, and other coastal management matters. The policies of the Coastal Act provide the statutory authority for planning and regulatory decisions made by the Commission and local governments.

- Q. Now that the Council has acted to reduce public access, to whom and how will SMMC/MRCA appeal this decision? How long will the appeal process take?
- A. The approving body is the California Coastal Commission. The process will take anywhere from six months to a year—or longer. Coastal Commission decisions are subject to judicial appeal.
- Q. Why do you doubt that access to Ramirez Canyon Park will be available if the SMMC purchases the \$8 million dollar property proposed by the City's plan?
- A. California Coastal Commission staff has preliminarily designated the property an environmentally sensitive habitat area (ESHA). State law prohibits development within 100 feet of an ESHA.
- Q. If the Council's plan succeeds, who will have access to Ramirez Canyon Park and who will be excluded?
- A. The Council Plan allows only 15 staff members to use the property for administrative office space, one caretaker and his family to have residency there, and one group of disabled children or seniors to have outreach programs there twice weekly. All others are excluded from the property.
- Q. Malibu currently permits overnight camping, with campfires, in a private campground. Under what argument does it make sense to ban overnight camping, with campfires, on public land?
- A. It makes no sense, unless the goal is to limit access to public parkland (purchased at taxpayer expense) to nearby residents.
- Q. Since the California Coastal Commission has ultimate decisional authority over these issues, why did the SMMC/MRCA choose to bring these questions to the City of Malibu?
- A. The Conservancy did not have to bring the permit issues to the City of Malibu first. The decision to involve Malibu was part of a good faith effort by the Conservancy to understand and address issues of concern to Malibu residents. We always endeavor to balance the interests of private residents adjacent to public recreational lands with the need to promote and enhance safe public access and recreational opportunities to public parkland in the Coastal Zone for local and non-local visitors, and for visitors with diverse backgrounds, interests, ages, and abilities.

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