

The Malibu Times

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Conservancy hearing ends with no decision

By Jonathan Friedman/Assistant Editor

The City Council has continued the meeting to Dec. 5. A frustrated Joe Edmiston says a proposal made by the council is equivalent to holding the conservancy's "feet to the fire."

After more than three hours of public testimony and another hour and a half of discussion during a Tuesday night hearing that crept into early Wednesday morning, the City Council ended up not taking a vote on the Santa Monica Mountains Conservancy's parks enhancement plan. The city leaders will reconvene at 10 a.m. on Dec. 5, at which time they expect to hear from their staff on two major issues: requiring the conservancy to build a second access road into Ramirez Canyon Park if it wants to have an increased number of events there and the elimination of all cooking, even with propane stoves, at the parks proposed for overnight camping.

The latter issue was raised by Councilmember Sharon Barovsky just before midnight, half an hour after the council had unofficially endorsed, by a 4-1 vote, overnight camping with propane stoves at Charmlee Wilderness Park, Ramirez Canyon Park and Corral Canyon Park.

"If anybody stands up and is negative toward camping, and there's no fire, then that's proof that it's NIMBY (not in my back yard) [attitude]," Barovsky said. She added later that she believed the fire-risk issue, which many have stated as their reason to oppose overnight camping, was a red herring, and that this would be proof of that.

Mayor Pro Tem Pamela Conley Ulich, who earlier in the meeting said she could not support overnight camping, disagreed with Barovsky.

"It's not NIMBY," she said. "It's also a public safety issue."

Joe Edmiston, executive director of the conservancy, was asked how he felt about the issue. He said he was not familiar with parks that had overnight camping without any cooking at all.

"You go out to McDonald's or something and bring it back," Edmiston said. "That's not a [camping] experience."

Edmiston had already been irritated earlier in the hearing when the council unanimously voted to require the conservancy to purchase land and build an access road from Kanan Dume Road to Ramirez Canyon before it would be allowed to have an increased number of uses of the park. Edmiston had said at a workshop on Saturday on the parks plan that the cost to buy the land, an unincorporated county property owned by a private individual, would be a little more than \$7 million and building the road would cost another \$1.4 million. Following the council's vote Tuesday night, he yelled from his seat that the council had just allowed that property owner to demand any amount of money he wanted for the property.

He was later asked to come up to the microphone stand and explain his reasoning. Edmiston said that requiring the conservancy to purchase the property and build the road was problematic because the cost would skyrocket. And the property is in an environmentally sensitive habitat area according to the California Coastal Commission staff anyhow, which means if their opinion could not be altered, or at least the Coastal Commission voting members could not be convinced, the road couldn't be built there by state law.

A frustrated Edmiston said he was upset because the city would not have even known that he was in negotiation with the owner of the property where the road could be built had he not mentioned it to the Malibu officials.

"We've been totally candid with you, told you about the issues," he said. "And what happens now is that candor means [the city says] 'OK, we're going to hold your feet to the fire.'"

The council members said they could not support increasing uses at Ramirez Canyon any other way.

"You can have increased use and we hope you'll build the road, I'm never going to support that because that does not give the city any protection," Barovsky said.

The Ramirez Canyon homeowners and their representatives, who have been in legal battles with the conservancy over its use of the park since it was donated by Barbra Streisand in 1993, said they supported four major events (allowing up to 200 people) per year. The proposal in the parks plan presented to the city called for 16 events per year, and the conservancy wanted more than that. But this is now up in the air after Tuesday's hearing.

Earlier in the night, the council went through the various elements of the plan and took straw votes in what was to be a lead-up to the eventual final vote, which never happened. Four of the five council members endorsed the overnight camping sites at Ramirez Canyon (two for disabled), Charmlee Park (seven regular and one for disabled) and Corral Canyon (11 for disabled and five regular). The lone vote in opposition came from Conley Ulich.

"I have not been convinced that it's good for Malibu," she said. "And I can't go to sleep at night knowing I voted for something that affects my kids, your kids and everybody's kids."

The council members unanimously endorsed the trail connections and various access points that would create the Coastal Slope trail and for expansion of the shuttle programs. Also, the council said another spot should be sought for the parking lot that has been proposed for the top of Winding Way. They also supported the 10-space parking lot off Latigo Canyon Road, and some council members said that could possibly be expanded to include the two handicapped spots and two horse trailer spaces proposed for the top of Winding Way.

Nearly 200 people squeezed into the City Council Chambers as the meeting started at 6:30 p.m. More than 40 people spoke, many in opposition to the plan because of the perceived fire risk. But there were also several people who spoke in favor of it, or at least called the plan a step in the right direction toward a good resolution. This included several Ramirez Canyon homeowners. Following the hearing, Ramirez Canyon Preservation Fund President Rick Mullen said he was pleased with how the night went.

"I think this has been very productive," he said. "I'm encouraged by the whole thing. It seems like there are some real good compromises going on."

Edmiston declined an interview after the hearing.

The Dec. 5 meeting will only include council deliberation. The public hearing will not be reopened. If the council were to approve the plan, it must still go before the California Coastal Commission for the final word.

The plan is actually an amendment to the city's Local Coastal Program, and would not allow for the conservancy to begin constructing camping sites and adjusting trails if approved. It would only allow for those enhancements to become legal. The conservancy would have to apply for individual coastal development permits to do those projects.