

Attachment  
SMMC Item 10  
August 24, 2009

Materials prepared by: C. Meyer, 8/19/09



**MOUNTAINS RECREATION & CONSERVATION AUTHORITY**

Los Angeles River Center and Gardens  
570 West Avenue Twenty-six, Suite 100  
Los Angeles, California 90065  
Phone (323) 221-9944 Fax (323) 221-9934

August 19, 2009

Mr. Ronald P. Schafer  
Chairperson  
Santa Monica Mountains Conservancy  
5750 Ramirez Canyon  
Malibu, California 90265

**Grant Augmentation - Proposition 84 Funds  
Malibu Parks Public Access Enhancement Plan**

Dear Mr. Schafer:

I am pleased to present the enclosed application for an augmentation of grant funding for the Malibu Parks Public Access Enhancement Plan. The MRCA requests a grant augmentation in the sum of \$700,000 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

The proposed grant would fund revisions to the Plan and studies resulting from the California Coastal Commission hearing, as well as preparation of an Environmental Impact Report. Please refer to the enclosed application for more information. If you have any questions regarding this, please contact Lisa Soghor, at 323-221-9934, extension 105.

Sincerely,

A handwritten signature in black ink, appearing to read "George Lange".

George Lange  
Chairperson

Attachments:      Application

**SANTA MONICA MOUNTAINS CONSERVANCY  
GRANT APPLICATION - AUGMENTATION**

<b>Project Name:</b> Malibu Parks Public Access Enhancement Plan		<b>Amount of Request:</b> \$ 700,000	
		<b>Total Project Cost:</b> \$ 2,200,000	
<b>Applicant Name:</b> Mountains Recreation & Conservation Authority			
<b>Applicant Address:</b> 570 West Avenue 26, Suite 100 Los Angeles, CA 90065		<b>Project Address:</b>	
		<b>County</b>	<b>Senate</b>
		Los Angeles	
<b>Phone:</b> 323-221-9944 <b>Fax:</b> 323-221-9934		<b>Email:</b> Lisa.Soghor@mrca.ca.gov	
<b>Grantee's Authorized Representative:</b>			
Cara Meyer, Contracts Officer		323-221-9944, x117	
<i>Name and Title</i>		<i>Phone</i>	
<b>Person with day-to-day responsibility for project:</b>			
Lisa Soghor, Deputy Executive Officer		323-221-9944, x105	
<i>Name and Title</i>		<i>Phone</i>	
<b>Brief Scope of Work</b> (60 words maximum): No changes requested.			
<b>Funding Source Applied for:</b> Propositions 84			
<b>Narrative/Project Description:</b>			
<p>On December 28, 2007, the Santa Monica Mountains Conservancy approved the amendment of the scope of work of grant SMM-0776 to include additional project planning and design for the Malibu Parks Public Access Enhancement Plan.</p> <p>On June 10, 2009, the California Coastal Commission voted unanimously 12 to 0 to approve the Santa Monica Mountains Conservancy and MRCA proposed amendment to the Malibu Local Coastal Program. This action created an overlay for increased public access to public lands in Malibu through an expanded trail network and the development of campsites in multiple locations.</p> <p>The Malibu Parks Public Access Enhancement Plan, the implementation tool of this overlay, must now be revised to incorporate comments from the LCP amendment proceedings. Additionally, the agencies committed to evaluating the safety of Ramirez Canyon Road. Full environmental review of the Plan will be necessary in the form of an Environmental Impact Report for CEQA compliance. Once finalized, the Plan will then be brought back to the Commission for approval. MRCA is requesting a grant augmentation in the amount of \$700,000 to cover the additional costs for this work.</p> <p>Revisions to the Plan and the preparation of the Environmental Impact Report for the project will be performed by a consultant, who will use its own staff to prepare many of the technical studies necessary for the EIR. These include fire hazards, archaeology, noise analysis and biology. They will also subcontract the traffic study. Additionally, they will coordinate other specialized consultants that will be hired directly by MRCA. The initial access design guidelines for the Plan also will need to be revised. This work will be performed by a separate consultant, who will also assist in the EIR process by responding to comments.</p> <p>To satisfy the Coastal Commission and the Los Angeles County Fire Department that Ramirez Canyon Road can provide adequate access to Ramirez Canyon Park, the road must be surveyed and any encroachments to the 40-foot easement must be analyzed. This work will be performed by a surveying/engineering consultant. In addition to the consultant costs, legal review of the Plan and EIR will be required as well as staff time necessary to manage the project, prepare documents and</p>			

materials, and provide general assistance over the next several months.

An initial reconnaissance was prepared of geologic constraints to development for the original park improvements proposed under the Malibu Parks Public Access Enhancement Plan. The geology for these parks, Ramirez Canyon, Escondido Canyon and Corral Canyon, needs to be updated. Additionally, new reconnaissance of engineering geologic constraints for development of proposed improvements in Latigo Canyon must be prepared.

#### Analysis:

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), allocated funds to the Santa Monica Mountains Conservancy in Chapter 7, 75060(d)(1) of the Public Resources Code for the protection of beaches, bays and coastal waters and watersheds of the Santa Monica Bay, including projects to prevent the contamination and degradation of coastal waters and watersheds, projects to protect and restore the natural habitat values of coastal waters and lands, and projects and expenditures to promote the access to and enjoyment of the coastal resources of the state.

Chapter 1, Section 75005 of Proposition 84 defines the following terms:

- (f) "Development" includes, but is not limited to, the physical improvement of real property including the construction of facilities or structures.
- (i) "Interpretation" includes, but is not limited to, a visitor serving amenity that educates and communicates the significance and communicates the significance and value of natural, historical, and cultural resources in a way that increases the understanding and enjoyment of these resources.
- (l) "Preservation" means rehabilitation, stabilization, restoration, development and reconstruction, or any combination of those activities.
- (m) "Protection" means those actions necessary to prevent harm or damage to persons, property or natural resources or those actions necessary to allow the continued use and enjoyment of property or natural resources and includes acquisition, development, restoration, preservation and interpretation.
- (n) "Restoration" means the improvement of physical structures or facilities...Restoration projects shall include the planning, monitoring and reporting necessary to ensure successful implementation of the project objectives.

The Malibu Parks Public Access Enhancement Plan project is within the Santa Monica Bay watershed, and is consistent with Proposition 84's policy to promote access and enjoyment of land and water resources. The activities planned under this grant are to plan and support eventual actions of development, preservation, protection, or restoration as defined in the bond. These actions will physically improve the lands being used for the park, and will include the creation of visitor-serving amenities that educate and communicate the significance and value of natural and cultural resources.

The definition of restoration specifically includes planning as an eligible activity. The terms "restoration" and "protection" are cross-referenced. Section 75060(d)(1) allocates funds for protection. Therefore, the surveys, environmental studies and design development contemplated for this project are consistent with Proposition 84. Creation of a management plan for natural resource areas is consistent with the definitions of "protection" and "restoration".

The General Obligation Bond Law provides that bond funds may be used for the construction of "capital assets." Capital assets include major maintenance, reconstruction, demolition for purposes of reconstruction of facilities, and retrofitting work that is ordinarily done no more often than once every 5 to 15 years or expenditures that continue or enhance the useful life of the capital asset. "Capital assets" also includes equipment with an expected useful life of two years or more.

This project is for the development of a capital asset, that is, a land and water resource in the Santa Monica Bay watershed. As such, it is a proper expenditure of bond funds. In addition, the activities that this grant will fund will enhance the useful life of the property and on that basis, as well, qualify as "capital assets" for purposes of the General Obligation Bond Law.

<b>Tasks / Milestones:</b>	<b>Budget:</b>
1 Planning	\$ 700,000.00

I certify that the information contained in this Grant Application form, including required attachments, is accurate.

*Cara Meigs*

*8-19-09*

*Signature of Authorized Representative*

*Date*

Form SMM-001

STATE OF CALIFORNIA ♦ THE RESOURCES AGENCY