

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Commission Action:



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STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-99-192

APPLICANT: Mariposa Land Company Ltd.

AGENTS: Grant Adamson and Steve Hunter

PROJECT LOCATION: 3728 Cross Creek Road, Malibu; Los Angeles County.

PROJECT DESCRIPTION: The proposed project is for construction of a 56,440 sq. ft. self-storage facility (including 6 storage structures, one residential/office structure, and one 750 sq. ft. visitor center/visitor retail area); 51,050 cu. yds. of grading (13,600 cu. yds. of cut, 13,600 cu. yds. of fill, and 23,850 cu. yds. of removal and recompaction); a sewage disposal system; landscaping/revegetation; and placement of approximately 700 linear ft. of erosion control blanket along a graded drainage/stream channel bank.

Lot area:	7.1	acres
Building coverage:	41,200	sq. ft.
Pavement coverage:	46,800	sq. ft.
Landscaped Area:	195,000	sq. ft.
Ht. abv. ext. grade:	28 ft.	

SUBSTANTIVE FILE DOCUMENTS: Wetland Delineation Study by Rachel Tierney Consulting dated 8/6/00; Wetland Delineation Study Addendum by Rachel Tierney Consulting dated 8/27/00; Wetland Areas Response Letter by Rachel Tierney Consulting dated 3/27/00; Biological Resource Analysis by Rachel Tierney Consulting dated 6/6/96; Wetlands Report by Huffman & Associates dated June 1999; Final Environmental Impact Report for Malibu Self Storage Development Project by Rincon Consultants dated May 1999; Tree Survey Report by Land Design Consultants dated 5/30/96; Drainage and Hydrology Study by Land Design Consultants dated 6/11/96; 100-Year Storm Flood Plain Analysis by Land Design Consultants dated 12/15/99; Limited Geologic and Soils Investigation by GeoConcepts dated 5/9/96; and Update Report to Limited Geologic and Soils Investigation by GeoConcepts dated 7/30/99.

STAFF NOTE

This item was originally scheduled to be heard at the Commission meeting of November 17, 2000, and was postponed at the applicant's request. The applicant has since modified the originally proposed project description to include two changes: (1) designate 750 sq. ft. of proposed "Storage Building F" for use as either a visitor center or some type of unspecified visitor serving retail use and (2) install approximately 700 linear feet of erosion control blanket material rather than the originally proposed concrete lining and rip rap along the excavated drainage/stream channel bank in order to allow for revegetation.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **denial** of the proposed project. The project is for construction of a 56,440 sq. ft. self-storage facility (including 6 storage structures, one residential/office structure, and one 750 sq. ft. visitor center/visitor retail area); 51,050 cu. yds. of grading (13,600 cu. yds. of cut, 13,600 cu. yds. of fill, and 23,850 cu. yds. of removal and recompaction); a sewage disposal system; landscaping/revegetation; and placement of approximately 700 linear ft. of erosion control blanket along a graded drainage/stream channel bank.

The project would include the removal of approximately 0.16 acres of the 0.29 acres of identified wetlands on the eastern portion of the site in contradiction to Section 30233 of the Coastal Act, which limits the types of development for which grading within a wetland area may be allowed. In addition, a portion of a channel of Malibu Creek, which is subject to flow during high-flow or overflow events, is located on the eastern portion of the subject site (the main perennial channel of the creek is located offsite and further east). The proposed project includes grading within a portion of the stream channel/bank and is inconsistent with Section 30236 of the Coastal Act, which limits the types of development for which channelization or alteration of a stream may be allowed. Further, six existing mature sycamore trees (approximately 40-60 ft. in height) on the northern portion of the site will also be removed (four of the sycamores to be removed are proposed to be replanted on site).

Section 30240 of the Coastal Act requires that new development be sited and designed in a manner that minimizes adverse effects to adjacent sensitive habitat areas. In past permit actions, the Commission has required a buffer of 100 feet between new development and riparian areas or wetlands. In this case, the proposed grading will occur immediately adjacent to and within riparian habitat and wetland areas and three of the new structures would be located less than 100 ft. in distance from the delineated limit of the riparian habitat and wetland areas on site (the closest structure will be located less than 60 ft. in distance from riparian habitat and wetland areas). As such, the proposed project does not provide for an adequate buffer area between the existing riparian habitat and wetlands located on site and new development and is, therefore, not inconsistent with Section 30240 of the Coastal Act.

In addition, more than half of the site is designated by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan (LUP) as *Recreation-serving commercial*. The proposed project would result in the use of land previously determined by the Commission to be suitable for visitor or recreation-serving commercial use by a non-visitor/recreation-serving commercial use in contradiction to Sections 30213, 30222, and 30223 of the Coastal Act, which require that areas suitable for provision of coastal recreational opportunities (including recreation oriented commercial development) be protected and reserved for such use.

Further, during the course of processing this application, staff has discovered development on the subject site which has occurred without the required coastal development permit including the placement of 95 storage containers (each container approximately 120 sq. ft. in size and 8 ft. in height) and at least one mobile home/trailer. Approval of the existing unpermitted development is not included as part of this application. Construction of the proposed project, if approved, would necessitate removal of the existing unpermitted structures. However, in the event that a permit authorizing the development proposed as part of this application is not issued by the Commission, the applicant will be required to apply for a follow-up coastal permit to either retain or remove the unpermitted structures.

Thirteen letters of concern (8 letters in support and 5 letters in objection to the proposed project) have been received and are included as Exhibits 13 and 14.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit 4-99-192 for the development proposed by the applicant.*

STAFF RECOMMENDATION OF DENIAL:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY THE PERMIT:

The Commission hereby denies a coastal development permit for the proposed development on the ground that the development will not conform with the policies of Chapter 3 of the Coastal Act and will prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

II. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The proposed project is for construction of a 56,440 sq. ft. self-storage facility (including 6 storage structures, one residential/office structure, and one 750 sq. ft. visitor center/visitor retail area); 51,050 cu. yds. of grading (13,600 cu. yds. of cut, 13,600 cu. yds. of fill, and 23,850 cu. yds. of removal and recompaction); a sewage disposal system; landscaping/revegetation; and placement of approximately 700 linear ft. of erosion control blanket along a reconstructed drainage/stream channel bank. Individual structures would range in size between 4,045 sq. ft. to 21,112 sq. ft. in area and 17 ft. to 26 ft. in height above existing grade.

The project site is two separate parcels (APNs: 4452-011-037 & 4452-012-024) approximately 7.1 acres in combined size. It is located 1,250 ft. north of Pacific Coast Highway between Cross Creek Road to the west and Malibu Creek to the east (Exhibits 1 & 2). All proposed structures would be located on the largest of the two parcels (APN 4452-012-024). New development on the second smaller parcel would be limited to grading of the drainage/stream course and installation of approximately 150 linear ft. of

erosion control blanket along the bank. Twenty-seven thousand two hundred (27,200) cubic yards of grading is proposed to create a raised pad area, approximately 3.5 feet higher than the existing grade, to prevent flooding of the proposed storage facility.

The project site is generally located in the Malibu Civic Center, a primary commercial district in the Malibu area. Commercial businesses including shopping centers, retail stores, and restaurants are generally located south of the site near the highway. The temporary Malibu skateboard park is located immediately west of the site on the opposite side of Cross Creek Road and the Malibu City Hall is located approximately 750 ft. west of the site on the north side of Civic Center Drive. Topography on site is generally flat and gently slopes to the east toward Malibu Creek. The southern portion of the project site where the proposed self-storage facility structures would be located is designated by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan (LUP) as *Recreation-serving commercial* (approximately 3.92 acres), the remaining portion of the site is designated as *residential* (approximately 3.22 acres). The proposed project would result in the use of land previously determined by the Commission to be suitable for visitor or recreation-serving commercial use by a non-visitor/recreation-serving commercial use.

A portion of a channel of Malibu Creek, which is subject to flow during high-flow or overflow events, is located on the eastern portion of the subject site (the main perennial channel of the creek is located offsite and further east). Malibu Creek, including the channel and riparian vegetation on site, is designated as an environmentally sensitive habitat area (ESHA) by the certified LUP and as a blueline stream by the United States Geologic Service. The riparian habitat on site has also been identified as a wetland by the applicant's consultant. The Commission's biologist, Dr. John Dixon, has visited the site and agrees that these areas are wetlands. The proposed project includes the removal of approximately 0.16 acres of the 0.29 acres of identified wetlands on the eastern portion of the site. In addition, six existing mature sycamore trees (approximately 40-60 ft. in height) on the northern portion of the site will also be removed to allow for grading (four of the sycamores to be removed are proposed to be replanted on site). The proposed project includes revegetation of the wetland and riparian areas on site where grading will occur with native wetland and riparian vegetation after the proposed grading has been completed. In addition, in order to obtain fill material for the building pad, the project also includes approximately 13,600 cu. yds. of excavation over a previously disturbed area of the site (approximately four acres in area) immediately adjacent to the existing riparian canopy and wetland areas which would then be replanted with native riparian vegetation. The applicant has asserted that the above grading and revegetation activity is intended as habitat restoration.

Currently, the majority of the project site is used as a storage yard for construction equipment and materials. Existing development on site consists of one large metal building, one travel trailer, two mobile home/trailers used as office space, and 95 metal storage containers (approximately 120 sq. ft. in size and 8 ft. in height). Historic aerial

photographs indicate that the large metal building and at least three or more smaller structures were present on the southern portion of the site prior to the implementation of the Coastal Act in 1977. However, historic aerial photographs also indicate, and the applicant has confirmed in conversation with staff, that the 95 storage containers and at least one of the two mobile home/trailers were placed on the subject site within the past four years without the required coastal development permits. The applicant has further indicated that the 95 storage containers are currently rented as self-storage units. Approval of the existing unpermitted development is not included as part of this application. Construction of the proposed project, if approved, would necessitate removal of the existing unpermitted structures. However, in the event that a permit authorizing the development proposed as part of this application is not issued by the Commission, the applicant will be required to apply for a follow-up coastal permit to either retain or remove the existing unpermitted structures.

B. Environmentally Sensitive Resources

Section 30230 of the Coastal Act states that:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations 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 water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233(a) states in part:

The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal dependent industrial facilities...*
- (2) Maintaining existing...navigational channels...*
- (3) In wetland areas only, entrance channels for new or expanded boating facilities...*

- (4) *In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities...that provide for public access and recreational opportunities.*
- (5) *Incidental public service purposes...*
- (6) *Mineral extraction...except in environmentally sensitive areas.*
- (7) *Restoration purposes.*
- (8) *Nature study, aquaculture, or similar resource dependent activities.*

Section 30236 states:

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

In addition, Section 30240 of the Coastal Act states:

(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.

(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.

Sections 30230 and 30231 of the Coastal Act require that the biological productivity and the quality of coastal waters and streams be maintained and, where feasible, restored through among other means, minimizing adverse effects of waste water discharge and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flows, maintaining natural buffer areas that protect riparian habitats, and minimizing alteration of natural streams. Section 30233 of the Coastal Act states, in part, that the diking, filling, or dredging of wetland areas shall not be allowed with the exception of development for boating facilities, incidental public services, restoration purposes, and nature study or aquaculture. In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values.

To assist in the determination of whether a project is consistent with the Chapter 3 policies of the Coastal Act, the Commission has, in past coastal development permit actions for new development in the Malibu area, looked to the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan (LUP) for guidance. The Malibu LUP has been found to be consistent with the Coastal Act and provides specific standards for development along the Malibu coast and within the Santa Monica Mountains. In its findings regarding the certification of the Malibu/Santa Monica Mountains LUP, the Commission emphasized the importance placed by the Coastal Act on protection of sensitive environmental resources. Specifically, Table 1 of the certified LUP provides that new structures shall be located at least 100 ft. from the outer limit of

the riparian tree canopy. In addition, Policy 82 of the LUP, in concert with the Coastal Act, provides that grading shall be minimized to ensure that the potential negative effects of runoff and erosion on watershed and streams is minimized.

A portion of a channel of Malibu Creek, which is subject to flow during high-flow or overflow events, is located on the eastern portion of the subject site (the main perennial channel of the creek is located offsite and further east). Malibu Creek, including the high-flow or overflow stream channel and riparian vegetation on site, is designated as an environmentally sensitive habitat area (ESHA) by the certified LUP and as a blueline stream by the United States Geologic Service. In addition, wetlands are also located on the eastern portion of the project site. The definition of wetlands in the Commission's regulations includes any area where any one or more of the following indicators are present: wetland plant species, wetland hydrology, or hydric soils. Section 13577 of the California Code of Regulations states in part that:

Wetlands are lands where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent or drastic fluctuations of surface water levels...

The applicant has submitted a Wetland Delineation Report by Rachel Tierney Consulting dated 8/6/00 which indicates that 0.29 acres of riparian habitat located on the subject site (delineated on Exhibit 3) contain wetland vegetation (primarily willow trees) and are, therefore, classified as wetlands pursuant to the above definition. Although the subject site is relatively flat, the proposed project involves 27,200 cu. yds. of grading in order to create a raised pad area (approximately 3.5 ft. higher than the existing grade on site) to prevent flooding of the proposed storage facility. The proposed grading would involve the excavation and removal of approximately 0.16 acres of the existing 0.29 acres of wetland and riparian habitat which have been identified on the eastern portion of the site in order to obtain fill material for the proposed pad and redirect drainage on site. In addition to the 0.16 acres of wetlands to be removed, the project also includes the removal of six existing mature sycamore trees (approximately 40-60 ft. in height) on the northern portion of the site to allow for grading (four of the sycamores to be removed are proposed to be replanted on site).

As stated above, the proposed project includes grading directly within an identified wetland (excavation will occur on approximately 0.16 acres of identified riparian habitat and wetland area). Section 30240 of the Coastal Act allows for new development within identified ESHA only when such development is dependent upon the resources within such areas. In this case, the Commission notes a self-storage facility does not constitute a resource dependent use and that the proposed grading within the identified environmentally sensitive habitat areas on site for the construction of the proposed self-storage facility would be in contradiction with Section 30240 of the Coastal Act.

Further, Section 30233 of the Coastal Act specifically prohibits grading within wetland areas with the exception of development for certain coastal dependent industries, boating facilities, incidental public services, restoration purposes, mineral extraction (including beach nourishment), and nature study or aquaculture. In this case, the proposed project includes the excavation of approximately 0.16 acres (6,970 sq. ft.) of wetlands on site in order to obtain fill material to construct a raised pad area for a private self-storage facility. The applicant asserts that the excavation within and adjacent to the wetland and riparian habitat on site should be considered habitat restoration because approximately 4 acres of the site where excavation will occur will be revegetated with native vegetation upon completion of grading. However, the Commission notes that the proposed excavation is not necessary in order to revegetate or restore habitat on site but is only necessary in order to acquire fill material to construct the building pad for the proposed self-storage facility above the expected level of flood waters. The Commission notes that the proposed project does not meet any of the above criteria regarding when grading of a wetland area is allowable and that the proposed project is, therefore, not consistent with Section 30233 of the Coastal act. Furthermore, the applicant has not demonstrated that it is necessary to use fill material from the wetlands on site to create the raised pad, rather than using fill from an offsite location that is not a wetland or environmentally sensitive habitat.

All coastal wetlands are extremely valuable, even if degraded, because of the dramatic loss in wetlands throughout the state and the unique habitats wetlands provide. The proposed development will be located immediately adjacent to, and partly within, the sensitive riparian habitat and wetland areas on site. New development adjacent to riparian habitat or wetland areas must be set back from the outer limit of the riparian vegetation canopy or wetland areas in order to provide for an adequate buffer area to prevent significant degradation of the sensitive habitat. Buffer areas are undeveloped lands surrounding resource areas to be protected. These areas act to protect the wetland or ESHA resource from the direct effects of nearby disturbance and provide the necessary habitat for organisms that spend only a portion of their life in an aquatic or wetland environment such as amphibians, reptiles, birds, and mammals. In past permit actions, the Commission has required a buffer of 100 feet between new development and riparian areas or wetlands.

However, in this case, the proposed project does not provide for any buffer area between the existing riparian habitat and wetlands located on site and new development. A portion of the proposed grading will occur directly within identified riparian habitat and wetland areas. Grading will also occur immediately adjacent to the identified riparian habitat and wetlands without any buffer. Three of the proposed new structures will be located less than 100 ft. in distance from the delineated limit of riparian habitat and wetland areas on site (the closest structure will be located less than 60 ft. in distance from identified riparian habitat and wetland areas). Section 30240 of the Coastal Act allows for new development adjacent to environmentally sensitive habitat areas only when such development is sited and designed to minimize impacts. The Commission notes that unless adequate buffer areas are provided for, new

development will result in adverse effects from contaminated and increased runoff, increased erosion, displacement of habitat, and disturbance to wildlife dependent upon such resources. In this case, the proposed development would be located immediately adjacent to (and partially within) identified sensitive habitat areas without any buffer area. The Commission also notes that, on the portion of the site where structures are proposed, the riparian and wetland habitat on site is between approximately 215 - 350 ft. in distance from Cross Creek Road and that, therefore, even with the required 100 ft. setback from such sensitive habitat areas, there is still adequate area on site to place new development. As such, the Commission finds that the proposed project has not been sited or designed in a manner that would ensure that adverse impacts to environmentally sensitive habitat areas would be minimized as required by Section 30240 of the Coastal Act.

In addition, the proposed project also includes grading and the placement of approximately 700 linear ft. of erosion control blanket within a portion of the site that is subject to high water flows from Malibu Creek. The excavation would result in a significantly deeper drainage or stream channel on site that connects to Malibu Creek than naturally exists. In addition, the proposed grading includes excavation of the existing stream bank located on the eastern boundary of the site in order to connect the deepened or constructed drainage course to Malibu Creek. The approximately 700 linear ft. of erosion control blanket would be constructed along the west bank of the deepened drainage/stream channel (high-flow channel of Malibu Creek) in order to protect the new self-storage complex. Channelization of streams and drainages result in potential adverse effects to riparian areas resulting from downstream erosion, changes to stream flow velocities, and direct loss of natural riparian habitat.

Section 30236 of the Coastal Act allows for the channelization or other substantial alterations of streams only when necessary for (1) water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat. In this case, the proposed grading and placement of erosion control blanket lining within a drainage/stream channel (high-flow channel of Malibu Creek) is not necessary for water supply or habitat restoration. Although the project includes revegetation of all areas of the site where grading will occur, the Commission notes that the proposed grading is not necessary for such revegetation to occur and will not serve to improve fish and wildlife habitat on site. Further, the Commission also notes that the proposed grading and placement of erosion control blanket lining is intended to protect the new proposed self-storage facilities and is not necessary to protect any existing development on site. In addition, the applicant has also asserted the proposed excavation of a deepened channel adjacent to the riparian habitat on site is necessary in order to offset the presence of new development within the floodplain (potential additional displacement of flood waters by the proposed structures and fill pad). However, an alternative to the proposed project that would not require any excavation in or immediately adjacent to the sensitive

habitat areas on site and that would still allow for new development to occur would be the use of a caisson foundation to elevate new development above flood water levels (approximately 2 ft. above existing grade). As such, the Commission notes that the proposed project does not meet any of the above criteria regarding when channelization of a drainage or stream course may be allowed for flood control and that, therefore, the proposed project is not consistent with Section 30236 of the Coastal act.

In addition, the applicant has indicated that the proposed project will utilize stormdrain filters in order to reduce adverse effects to the quality of stormwater runoff and utilize a "fixed activated sludge treatment septic system" rather than a standard septic system to reduce impacts from sewage disposal. However, the Commission notes that the proposed project will still result in the above mentioned adverse effects to the riparian and wetland habitat on site, including direct impacts due to the loss of such habitat from grading and indirect impacts resulting from the lack of an adequate buffer between new development and ESHA. Therefore, for the reasons discussed above, the Commission finds that the proposed project is not consistent with Sections 30230, 302321, 30233, 30236, and 30240 of the Coastal Act.

C. Public Recreational Opportunities and Cumulative Impacts

One of the basic mandates of the Coastal Act is to maximize public access and recreational opportunities within coastal areas and to reserve lands suitable for coastal recreation for that purpose. The Coastal Act has several policies that address the issues of public recreational opportunities within coastal areas.

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223 of the Coastal Act states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Coastal Act Sections 30213 and 30223 mandate that lower cost visitor and recreational facilities and land suitable for such uses, shall be protected, encouraged, and where feasible provided. Coastal Act Section 30222 mandates that visitor-serving commercial recreational facilities shall have priority over residential, general industrial, and general commercial development. In addition, to assist in the determination of whether a project is consistent with Sections 30213, 30222, and 30223 of the Coastal Act, the Commission has, in past Malibu coastal development permit actions, looked to the certified Malibu/Santa Monica Mountains Land Use Plan (LUP) for guidance. The Malibu LUP has been found to be consistent with the Coastal Act and provides specific standards for development along the Malibu coast and the Santa Monica Mountains. In its findings regarding the certification of the Malibu LUP, the Commission emphasized the importance placed by the Coastal Act on protection of recreational and visitor-serving opportunities in coastal communities. For instance, in concert with Sections 30213, 30222, and 30223 of the Coastal Act, Policy 18b of the LUP provides that new lower cost recreation and visitor-serving facilities shall be protected, expanded and where feasible provided. In addition, Policy 18c of the LUP provides that visitor-serving facilities shall have priority over private residential, general industrial, or general commercial development on land suitable for visitor-serving commercial recreational facilities.

The project site is located on two separate parcels approximately 7.1 acres in combined size and 1,250 ft. north of Pacific Coast Highway between Cross Creek Road to the west and Malibu Creek to the east (Exhibits 1 & 2). All proposed structures would be located on the largest of the two parcels (APN 4452-012-024). New development on the second smaller parcel would be limited to the construction of approximately 150 linear ft. of concrete lining along the stream bank and related grading. The site is generally located in the Malibu Civic Center, a primary commercial district in the Malibu area. Commercial land-uses, including shopping centers, retail stores, and restaurants are located near the highway south of the site. The temporary Malibu skateboard park is located immediately west of the site on the opposite side of Cross Creek Road, and Malibu City Hall is located approximately 750 ft. west of the site on the north side of Civic Center Drive.

More than half of the subject site is designated for "recreation-serving commercial use" development by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan and is located in close proximity to several other visitor-serving commercial uses (including several shops and restaurants within the Malibu Civic Center). In its previous certification of the LUP, the Commission found that the majority of the subject site is suitable for the provision of visitor serving and recreational commercial services. The southern portion of the project site where the proposed self-storage facility structures would be located is designated by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan as *Recreation-serving commercial* (approximately 3.92 acres), the remaining portion of the site is designated as *residential* (approximately 3.22 acres).

The proposed project is for the construction of a self-storage facility. The Commission finds that a self-storage facility does not constitute a recreation-serving commercial use because it does not provide for any recreational activity. In order to provide a visitor-serving component to the project, the applicant has recently revised the proposed project description to include the designation of 750 sq. ft. of the Storage Building "F" for use as either a public visitor center or some type of unspecified visitor serving retail use (Exhibit 7). However, the Commission notes that designating only 750 sq. ft. of the 56,440 sq. ft. self-storage facility as a visitor center or unspecified retail use does not constitute construction of a visitor-serving or recreation-serving commercial use on the site. In past permit actions, the Commission has found that the construction of new non-visitor serving, non-recreational commercial facilities in locations that are suitable for visitor-serving or recreational development would result in cumulative adverse effects to public recreational opportunities by using land that could otherwise be more properly developed with recreation-oriented uses. Such development results in the cumulative displacement of recreational uses when viewed on a regional basis. The Commission notes that there is a need for recreational commercial uses in the Malibu area to serve both visitors and residents. The Commission also notes that approval of the proposed project would result in the loss of land suitable for the provision of visitor-serving and recreation-serving commercial development in contradiction with Sections 30213, 30222, and 30223 of the Coastal Act.

The Commission notes that the proposed project would be consistent with General Plan Land Use Map prepared by the City of Malibu, which designates the subject site as *Community Commercial*. However, the Commission also notes that the City's General Plan Land Use Map has not been certified by the Commission as consistent with the Chapter Three policies of the Coastal Act (nor has the City submitted a request for such certification). In contrast to the previously certified Los Angeles County Malibu/Santa Monica Mountains Land-use Plan, which designated approximately 32 acres (1,400,000 sq. ft.) of the Civic Center area for *Recreation-serving commercial* use, the City's General Plan Land Use Map (which has not been certified by the Commission) has eliminated all areas of the Civic Center which were designated for such use and redesignated the entire Civic Center for *community commercial use (local community oriented commerce)* and *commercial general use (miscellaneous commerce)*. As noted above, the Commission has not had the opportunity to evaluate whether eliminating the recreation-serving commercial designation for 32 acres in the Civic Center is consistent with the policies of the Coastal Act. Such an evaluation would include analysis of whether other areas that the City proposes to reserve for recreational use are adequate to meet the recreational needs of Malibu's visitors and residents. The proposed project would eliminate a significant portion of the area in the Civic Center that was previously designated as Recreation-serving commercial from that use. As such, the Commission notes that approval of the proposed non-visitor serving or recreation-serving development on a site previously determined by the Commission to be suitable for such use, prior to the certification of a new Land Use Plan for the City of Malibu, would prejudice the ability of the City to prepare a Local Coastal Program which is consistent with the recreation policies of the Coastal Act.

Therefore, the Commission finds that the proposed project is not consistent with Sections 30213, 30222, and 30223 of the Coastal Act.

D. Hazards

Section **30253** of the Coastal Act states in part that new development shall:

- (1) *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (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.*

The proposed development is located in the Malibu/Santa Monica Mountains area, a region which is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

The applicant has submitted an Environmental Impact Report prepared by Rincon Consultants dated May 1999, a Drainage and Hydrology Study by Land Design Consultants dated 6/11/96, and a 100-Year Storm Flood Plain Analysis by Land Design Consultants dated 12/15/99 which indicate that the entire project site is located within the Malibu Creek floodplain and, therefore, subject to hazards from flooding. The reports indicate that a 50-year or 100-year flood event would flood the entire project site under existing conditions. A 100 year-flood event would result in a water surface depth on site of about 2 feet. To prevent flooding of the proposed self-storage facility, the proposed project includes approximately 27,200 cu. yds. of grading (13,600 cu. yds. of cut and 13,600 cu. yds. of fill) in order to raise the southern portion of the site approximately 3.5 ft. in elevation. This would be accomplished by moving earth from the northern and eastern portions of the site to the southern portion of the site where the proposed structures will be located.

Section 30253 of the Coastal Act requires that new development minimize risks to life and property in areas of high flood hazard and assure stability and structural integrity. As discussed above, the entire project site is located within the identified 50-year flood plain for Malibu Creek and is, therefore, subject to periodic flooding. In the case of this project, the applicant is proposing to construct a raised fill pad to elevate the proposed structures above the expected water level during a flood event. The applicant has also submitted a Drainage and Hydrology Study by Land Design Consultants dated 6/11/96 which indicates that the proposed project is not expected to result in adverse

hydrological impacts to downstream areas from increased flooding. As such, the proposed project would serve to minimize potential hazards as required by Section 30253 of the Coastal Act. However, the Commission notes that the proposed development will still be subject to some inherent potential hazards from flood events. The Commission further notes, as discussed in the previous section in detail, that the proposed grading within wetland areas, which the applicant asserts is necessary to protect the proposed development and ensure structural stability, is not consistent with Sections 30233 and 30236 of the Coastal Act.

Therefore, for the reasons discussed above, the Commission finds that the proposed project is consistent with Sections 30253 of the Coastal Act.

E. Violations

During the course of processing this application, staff has discovered development on the subject site which has occurred without the required coastal development permit including the placement of 95 storage containers (approximately 120 sq. ft. in size and 8 ft. in height) and at least one mobile home/trailer. Approval of the existing unpermitted development is not included as part of this application. Construction of the proposed project, if approved, would necessitate removal of the existing unpermitted structures. However, in the event that a permit for the development proposed as part of this application is not issued by the Commission, the applicant will be required to apply for a follow-up coastal permit to either retain or remove the unpermitted structures.

Consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

F. Local Coastal Program.

Section 30604 of the Coastal Act states that:

a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of

the Coastal Act. The preceding sections provide findings that the proposed project would not be in conformity with the provisions of Chapter 3 of the Coastal Act. The proposed development would result in adverse impacts and is found to be not consistent with the applicable policies contained in Chapter 3.

In addition, the Commission notes that in its previous certification of the Los Angeles County Malibu/Santa Monica Mountains Land Use Plan, the Commission found that the majority of the subject site is suitable for the provision of recreational commercial services. The southern portion of the project site where the proposed self-storage facility structures would be located is designated by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan as *Recreation-serving commercial* (approximately 3.92 acres), the remaining portion of the site is designated as *residential* (approximately 3.22 acres). The Commission also notes that although the proposed project would be consistent with the General Plan Land Use Map prepared by the City of Malibu, which designates the subject site as *Commercial General*, the City's General Plan Land Use Map has not been certified by the Commission as consistent with the Chapter 3 policies of the Coastal Act (nor has the City submitted a request for such certification).

In contrast to the previously certified Los Angeles County Malibu/Santa Monica Mountains Land-use Plan, which designated approximately 32 acres (1,400,000 sq. ft.) of the Civic Center area for *Recreation-serving commercial* use, the City's General Plan Land Use Map (which has not been certified by the Commission) has eliminated all areas of the Civic Center which were specifically designated for such use and redesignated the entire Civic Center for *community commercial* use (*local community oriented commerce*) and *commercial general* use (*miscellaneous commerce*). As noted above, the Commission has not had the opportunity to evaluate whether eliminating the recreation-serving commercial designation for 32 acres in the Civic Center is consistent with the policies of the Coastal Act. Such an evaluation would include analysis of whether other areas that the City proposes to reserve for recreational use are adequate to meet the recreational needs of Malibu's visitors and residents. The proposed project would eliminate a significant portion of the area in the Civic Center that was previously designated as Recreation-serving commercial from that use. As such, the Commission notes that approval of the proposed non-visitor serving or recreation-serving development on a site previously determined by the Commission to be suitable for such use, prior to the certification of a new Land Use Plan for the City of Malibu, would prejudice the ability of the City to prepare a Local Coastal Program which is consistent with the recreation policies of the Coastal Act.

Therefore, the Commission finds that approval of the proposed development would prejudice the City of Malibu's ability to prepare a Local Coastal Program which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

G. CEQA

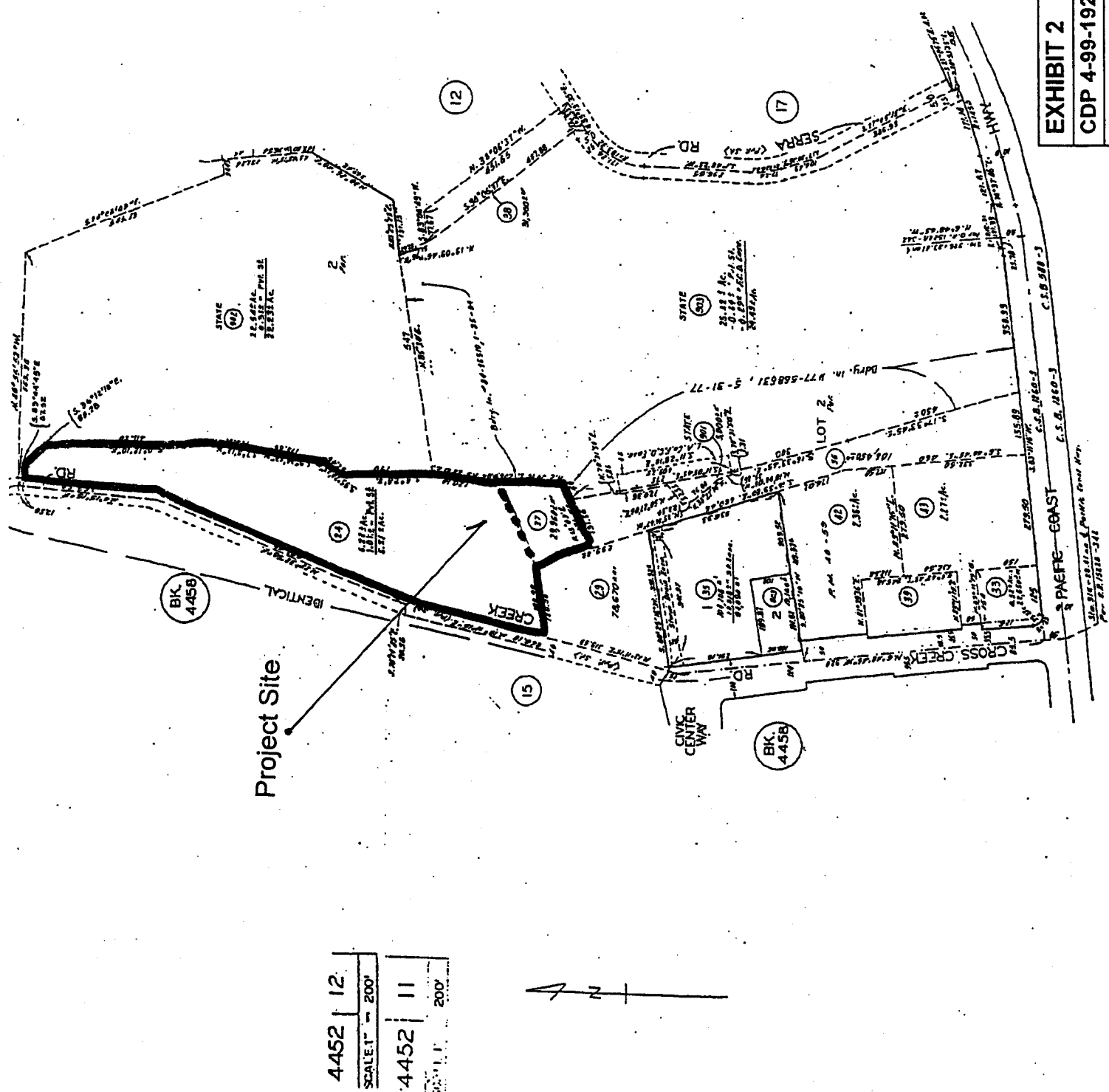
Section 13096(a) of the Commission's administrative regulations requires Commission action on Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any

applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects which the activity may have on the environment.

The proposed project would result in significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. There are feasible alternatives and/or mitigation measures that would substantially lessen any significant adverse effects which the proposed project would have on the environment. Therefore, the proposed project is determined to be inconsistent with CEQA and the policies of the Coastal Act.

SMH-VNT

File:smh/v/permits/regular/4-99-192 mariposa final



Project Site

4452	12
SCALE 1" = 200'	
4452	11
200'	

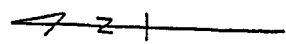
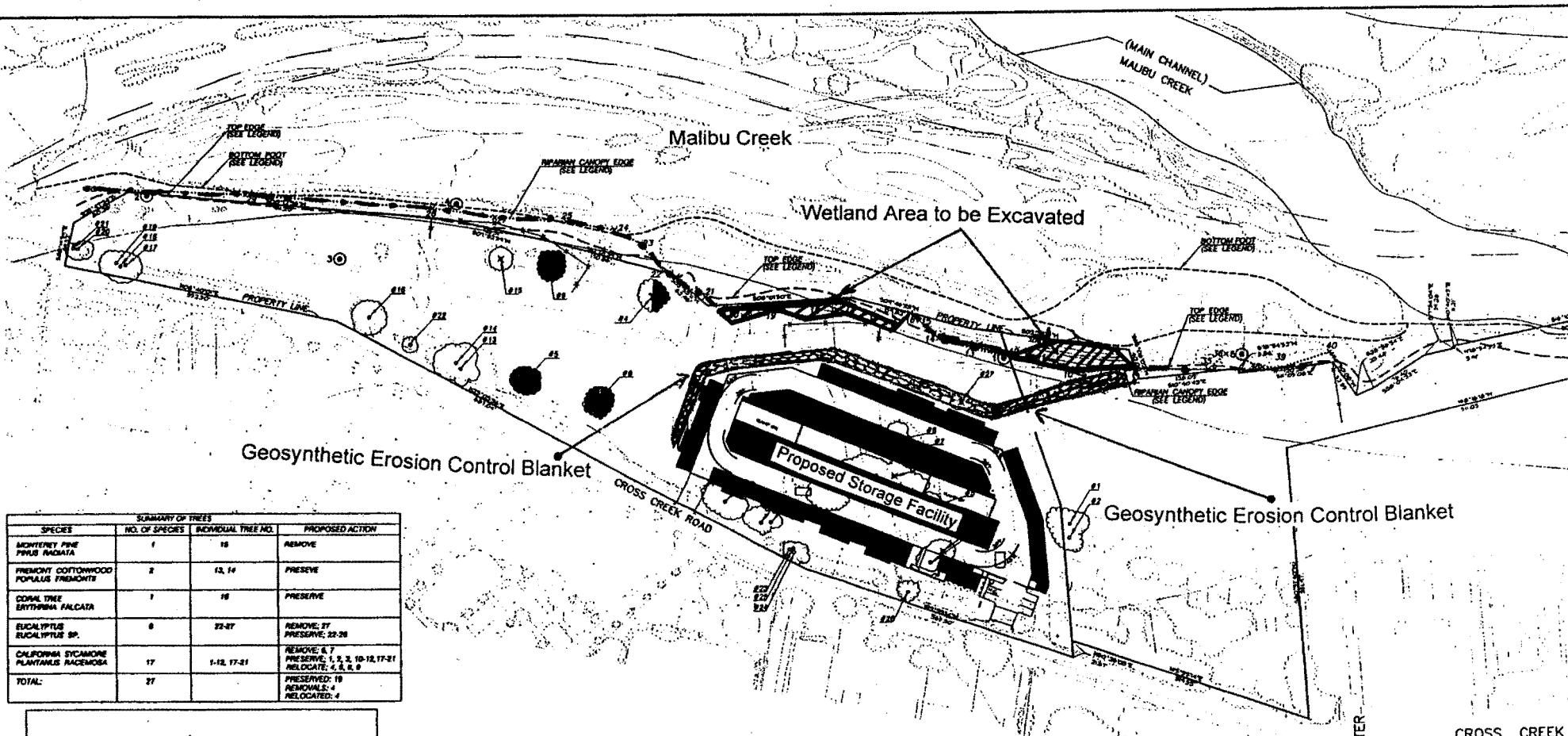
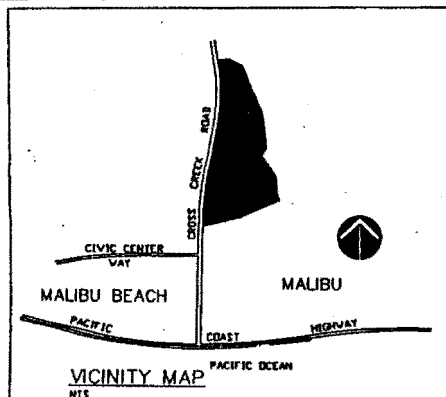


EXHIBIT 2
CDP 4-99-192 (Mariposa Land Co.)
Parcel Map

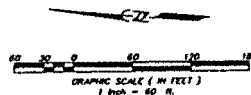


SUMMARY OF TREES			
SPECIES	NO. OF SPECIES	INDIVIDUAL TREE NO.	PROPOSED ACTION
MONTREY PINE PINUS RADIATA	1	18	REMOVE
FREMONT COTTONWOOD POPULUS FREMONTI	2	13, 14	PRESERVE
CORNAL TREE BRYTHINA FALCATA	1	16	PRESERVE
EUCALYPTUS EUCALYPTUS SP.	8	22-27	REMOVE: 27 PRESERVE: 22-26
CALIFORNIA SYCAMORE PLATANUS RACEMOSA	17	1-12, 17-21	REMOVE: 6, 7 PRESERVE: 1, 2, 3, 10-12, 17-21 RELOCATE: 4, 5, 8, 9
TOTAL:	27		PRESERVED: 19 REMOVED: 4 RELOCATED: 4



LEGEND:

- TREES TO REMAIN
- TREES TO BE REMOVED (TREES 4, 5, 8, 9, TO BE RELOCATED)
- NEW LOCATION FOR TREES TO BE RELOCATED
- RIPARIAN CANOPY TO BE IMPACTED (CCC WETLAND-NO FEDERAL WETLANDS ON-SITE)
- RIPARIAN CANOPY EDGE (CCC WETLAND & ESA BOUNDARY - TOTAL CCC WETLAND ACRES ON SITE: 0.29 ACRES)
- TOP EDGE & BOTTOM FOOT OF EXISTING WESTERLY BANK OF THE HIGH FLOW CHANNEL OF MALIBU CREEK
- EXISTING FENCE
- SURVEY POINT NUMBER
- WETLAND DELINEATION OBSERVATION POINT

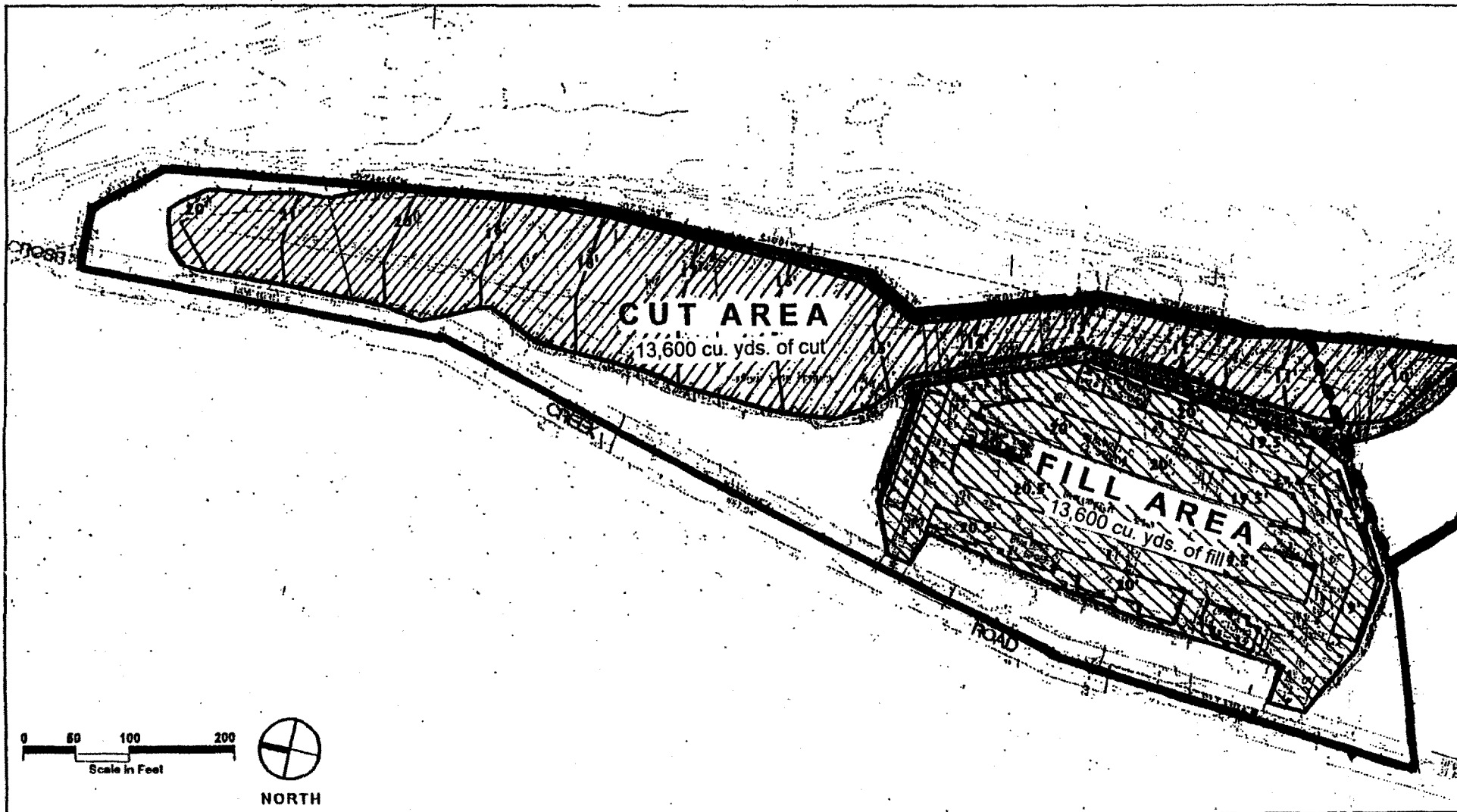


jordan
ARCHITECTS, INC.

1400 Calle Regencia
Suite 200
San Clemente, CA 92673
Telephone (949) 421-7000
Facsimile (949) 421-7001

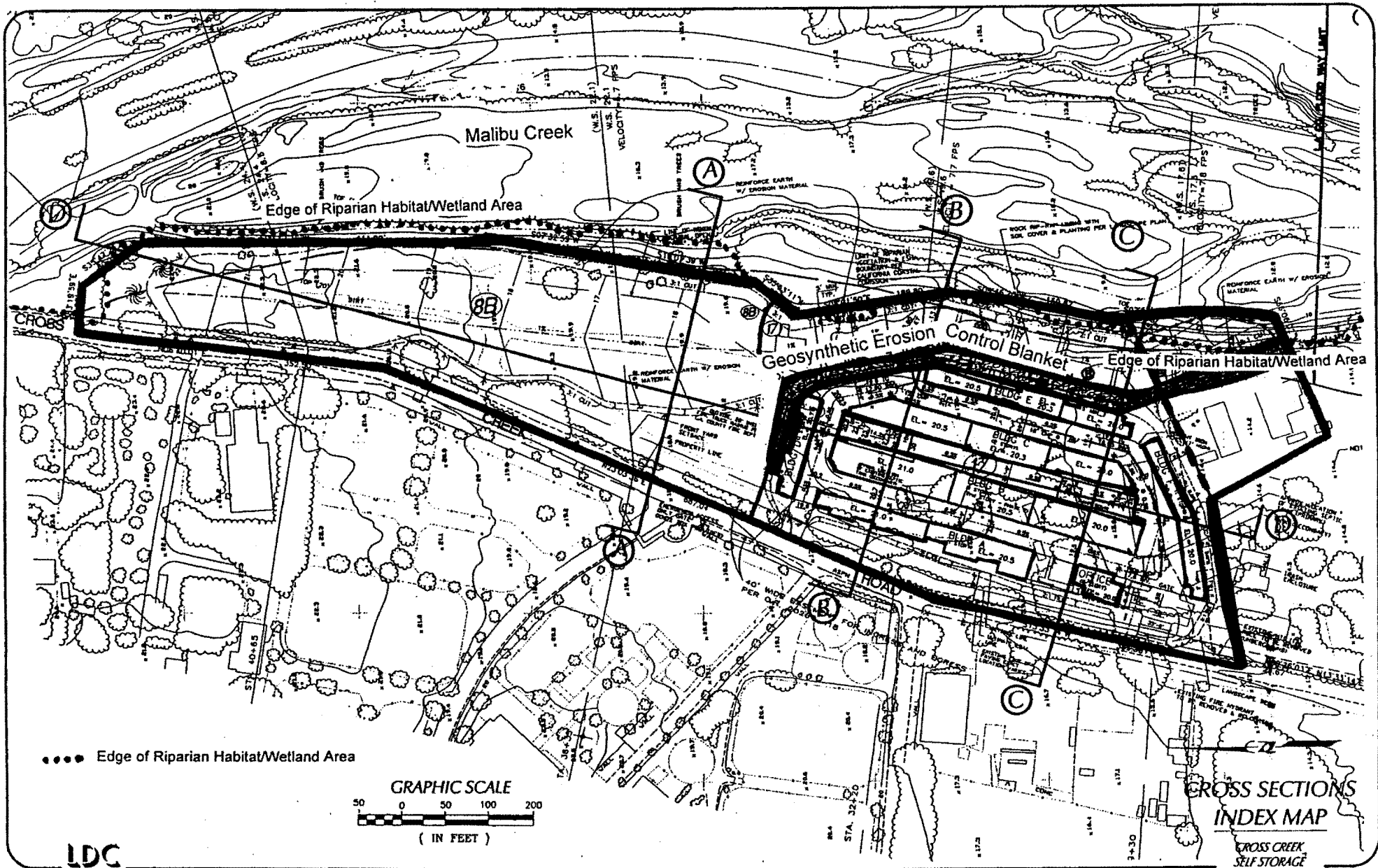
LDC		LAND DESIGN CONSULTANTS INC. 225 South Lake Avenue, Suite 400, Pasadena, CA 91107 Ph: (818) 798-7000 Fax: (818) 798-7373	
R.C.E.		DATE	
COASTAL COMMISSION SITE PLAN			
OWNER: MARIPOSA LAND COMPANY, LTD. P.O. BOX 2485 MALIBU, CALIFORNIA 90265			
DESIGNED BY:	DATE:	SCALE:	REVIEWED BY:
K.G.	8/01/2000	1"=60'	C.C.
Proj. No. 8-2013-003			SHT 1 OF 1

EXHIBIT 3
CDP 4-99-192 (Mariposa Land Co.)
Site Plan



Proposed Grading Plan

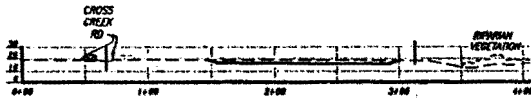
EXHIBIT 4
CDP 4-99-192 (Mariposa Land Co.)
Grading Plan



LDC

EXHIBIT 5
CDP 4-99-192 (Mariposa Land Co.)
Grading Plan/Section Index

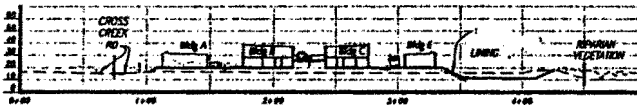
SECTION A - A



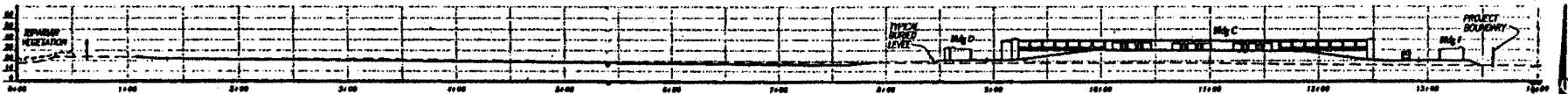
SECTION B - B



SECTION C - C

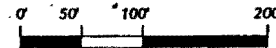


SECTION D - D



SCALE:

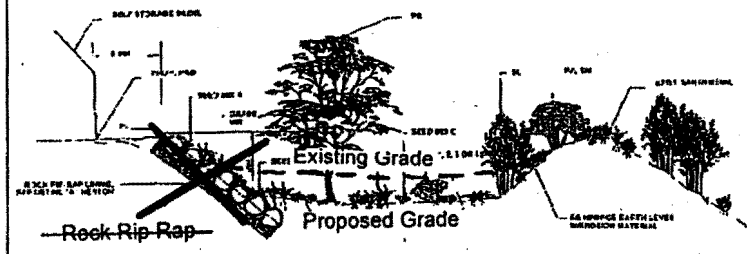
HORIZONTAL=VERTICAL



LEGEND:

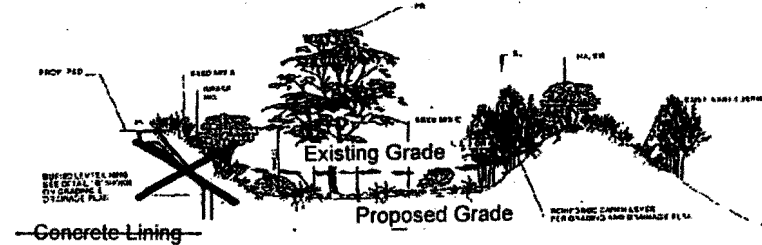
- EXISTING GRADE
- PROPOSED GRADE
- PROPERTY LINE

TYPICAL PLANT REVEGETATION PER CONCEPTUAL LANDSCAPE PLAN



LDC

Rock Rip Rap to be Deleted
Geosynthetic Erosion Control Blanket to be Used



Concrete Lining to be Deleted
Geosynthetic Erosion Control Blanket to be Used

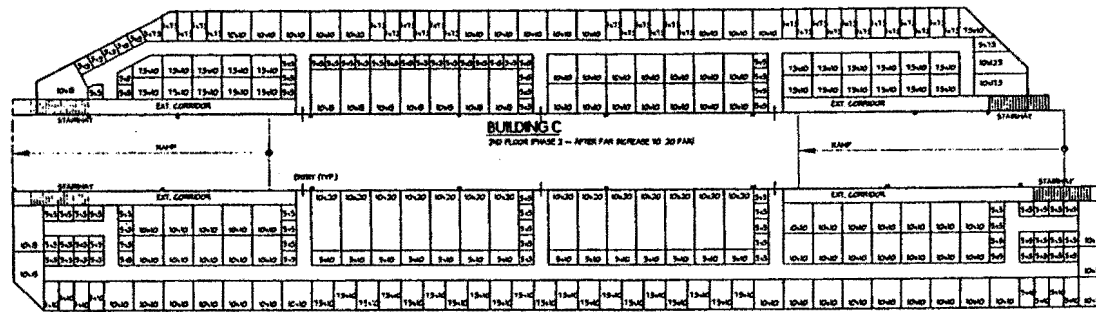
COASTAL
COMMISSION
EXHIBIT

CROSS CREEK
SELF STORAGE

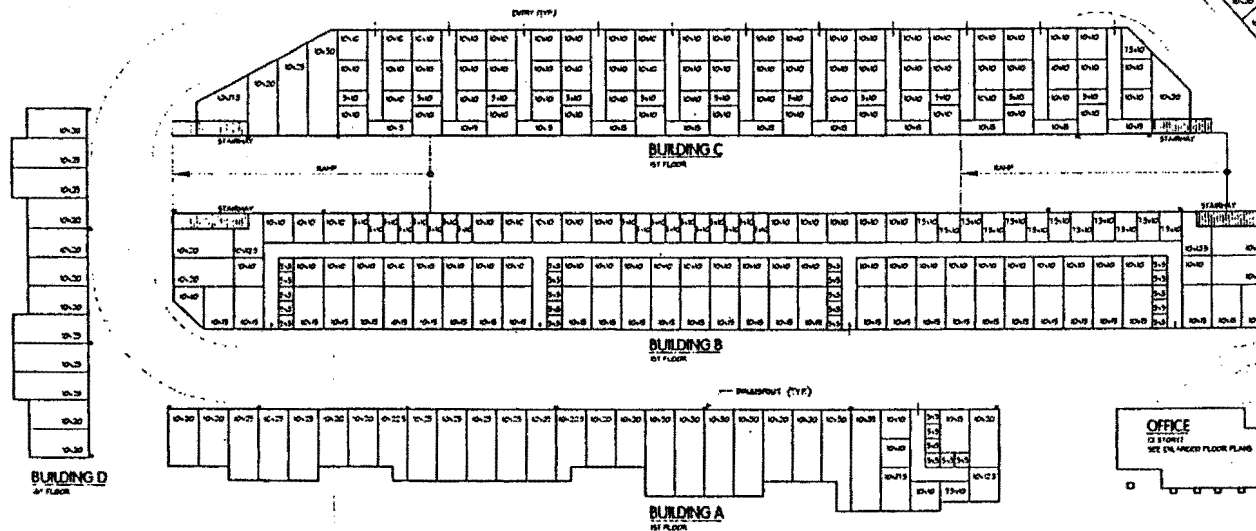
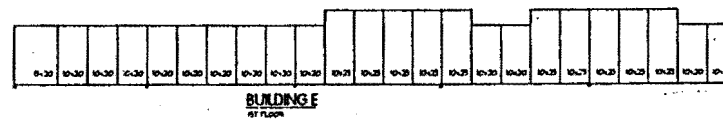
EXHIBIT 6

CDP 4-99-192 (Mariposa Land Co.)

Grading Cross Section



BUILDING B
2ND FLOOR PHASE 3 -- AFTER FAN INCREASE TO 30



750 sq. ft. Area To be Designated as Visitor Center or Retail Area

MALIBU SELF STORAGE
MALIBU, CALIFORNIA

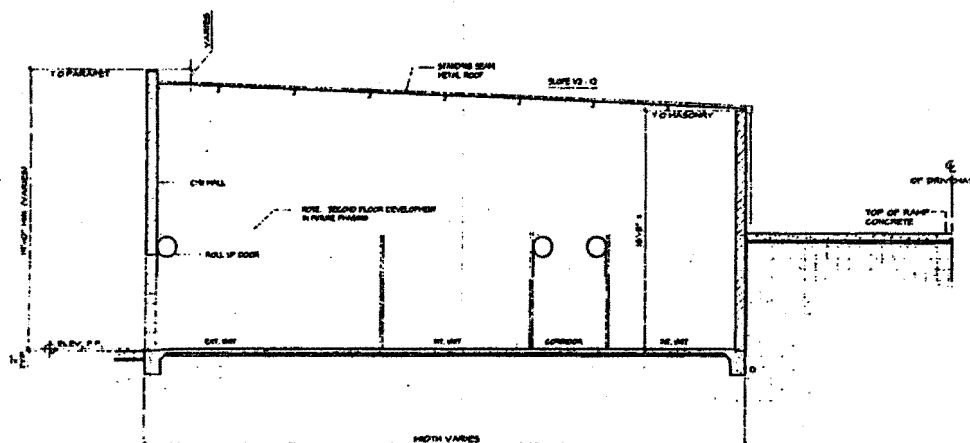
UNITMIX

SCALE: 1" = 30'-0"
JOB NUMBER: 95-090
DATE: 11/2/94

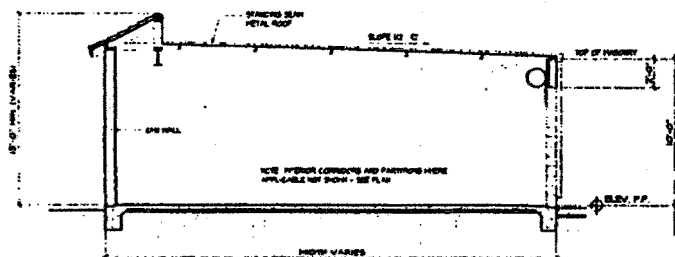
jordan
ARCHITECTS, INC.
3000 Pacific Coast Hwy.
Suite 100
Carlsbad, CA 92008
Telephone: 760/439-0000
Facsimile: 760/439-0001

EXHIBIT 7
CDP 4-99-192 (Mariposa Land Co.)
Floor Plans (Storage Units)

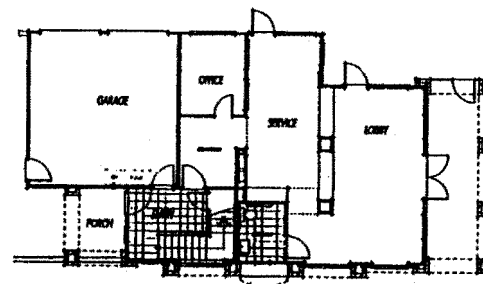
NOV 02 1999



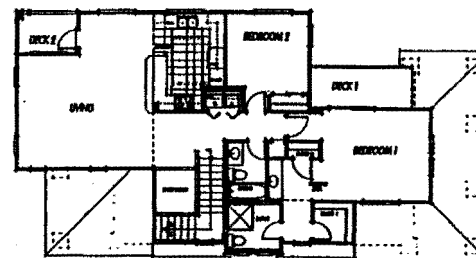
(A) TYPICAL TWO STORY BUILDING B & C SECTION
SCALE: 1/4" = 1'-0"



(B) TYPICAL ONE STORY BUILDING A, D, E, & F
SCALE: 1/4" = 1'-0"



(C) MANAGER'S UNIT FIRST FLOOR -- OFFICE
SCALE: 1/4" = 1'-0"



(D) MANAGER'S UNIT SECOND FLOOR -- RESIDENCE
SCALE: 1/4" = 1'-0"

MALIBU SELF STORAGE
MALIBU, CALIFORNIA

SECTION & MNGR'S UNIT FLOOR PLANS

SCALE:
JOB NUMBER
DATE

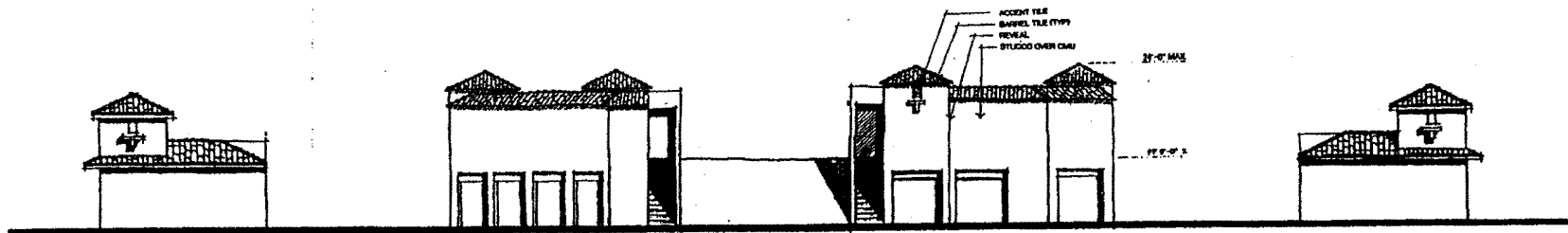
86-090
10/2/99

EXHIBIT 8

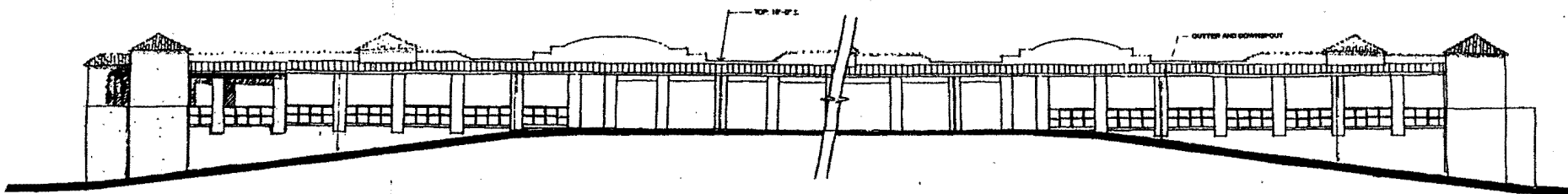
CDP 4-99-192 (Mariposa Land Co.)
Floor Plans (Residence/Office)

jordan
ARCHITECTS, INC.
3000 Pacific Coast Hwy.
Suite 200
Culver City, CA 90230
Telephone: (310) 551-1000
Facsimile: (310) 551-1001

NOT A 2 1999



NORTH ELEVATION - BLDGS E, C, B, A



WEST ELEVATION - BUILDING C



SITE SECTION

MALIBU SELF STORAGE
MALIBU, CALIFORNIA

PRELIMINARY ELEVATIONS

SCALE: 1/8" = 1'-0"
JOB NUMBER: 98-090
DATE: 11/22/98

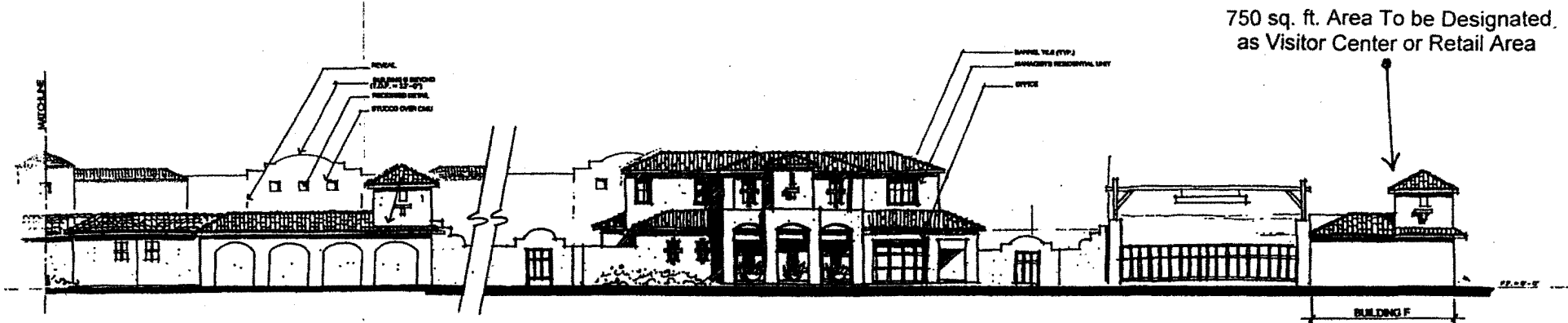
EXHIBIT 9

CDP 4-99-192 (Mariposa Land Co.)

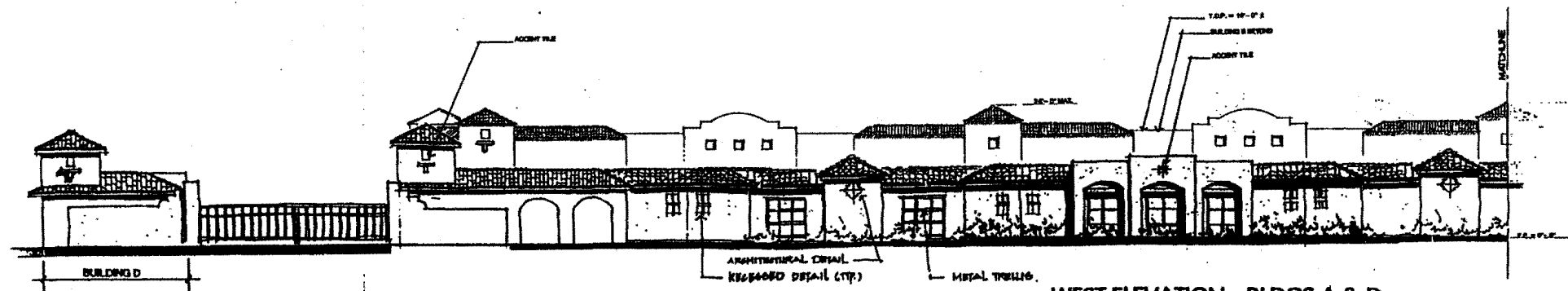
North/West Elevations

jordan
ARCHITECTS, INC.
4000 Pacific Coast Hwy.
Suite 400
Redondo Beach, CA 90260
Telephone: (310) 891-1000
Facsimile: (310) 891-1001

3A
NOV 02 1998



WEST ELEVATION - OFFICE, BLDGS A & F



WEST ELEVATION - BLDGS A & D

MALIBU SELF STORAGE
MALIBU, CALIFORNIA

PRELIMINARY ELEVATIONS

APPROVED BY THE
PLANNING COMMISSION
5/25/99

SCALE: 1/8" = 1'-0"
JOB NUMBER: 98-000
DATE: 12/22/98
1/24/99
6/10/99
6/10/99
6/10/99

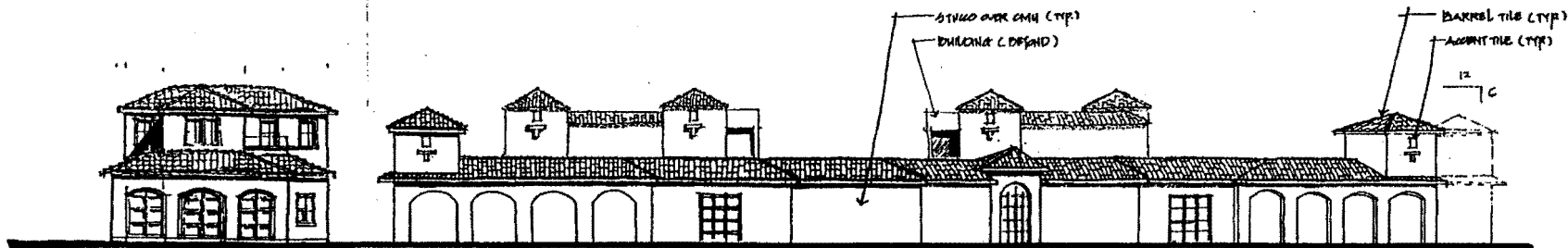
jordan
ARCHITECTS, INC.
1000 Pacific Coast Hwy.
Suite 200
Redondo Beach, CA 90260
Telephone: (310) 261-0000
Facsimile: (310) 261-0001

2
NOV 03 1999

EXHIBIT 10

CDP 4-99-192 (Mariposa Land Co.)

West Elevations



SOUTH ELEVATION - OFFICE, BUILDING F



METAL THIRDS (TYP)

EAST ELEVATION - BUILDING E



NORTH ELEVATION - BUILDING D

MALIBU SELF STORAGE
MALIBU, CALIFORNIA

PRELIMINARY ELEVATIONS

SCALE: 1/8" = 1'-0"
JOB NUMBER: 88-090
DATE: 10/23/98
2/5/1998
6/10/98
3/12/98

jordan
ARCHITECTS, INC.
1000 South Coast Hwy.
Suite 100
Oceanside, CA 92058
Telephone: 760-438-4372
Facsimile: 760-438-4373

EXHIBIT 11

CDP 4-99-192 (Mariposa Land Co.)

South/East Elevations

REV 8/2/1998

EXHIBIT 12:

LETTERS IN OPPOSITION TO PROJECT

Jack

SANTA MONICA
BAYKEEPER

Protecting Our Bay
in cooperation with

The Frank G. Wells
Environmental Law Clinic &
the Water Keeper Alliance

RECEIVED

FEB - 8 2000

RECEIVED
CALIFORNIA
COASTAL COMMISSION
FEB 9 2000

January 31, 2000

Peter Douglas
California Coastal Commission
45 Fremont Street #2000
San Francisco, CA 94105-2219

Dear Mr. Douglas:

This letter is to express the Santa Monica BayKeeper's concerns regarding recent developments in the Malibu Creek and Lagoon area. In particular, we have serious concerns about the proposed Civic Center Storm Detention and Wetlands Project, as well as the pending Adamson Self Storage Project.

BayKeeper believes that the problems in Malibu Creek and Lagoon must be remedied by the most natural solutions available. This should not include the artificial pumping and channeling of any portion of Malibu Creek. Indeed, it is our past variance from natural processes which has resulted in the present problems within the watershed. What is needed is the restoration of the historic range of the Malibu Lagoon wetland habitat. Hard piping and creating unnatural ecological systems seems to be a waste of the enormous ecological potential of this area.

In addition, the Adamson Self-Storage proposal seems in direct conflict with ongoing efforts to restore the Creek and Lagoon. The severe effects of urbanization have already taken their toll on this important area. The addition of another commercial development project adjacent to the creek can only serve to further degrade this environment.

The solution is not to protect existing (and future) development by destroying the already sensitive riparian habitat of Malibu Creek. It is time that we start moving toward long-term, sustainable solutions for this important ecosystem. We hope you agree.

Sincerely,


Steve Fleischli
Executive Director

Re. Application No: 4-99-192

Steve Hudson
California Coastal Commission
South Central Coast Area
89 South California Street suite 200
Ventura, Ca. 93001



Malibu Coastal Land Conservancy

Board Members 11/08/00

GILBERT N. SEGEL,
President

Dear Commissioners:

OSZIE SHINA,
Treasurer

The Malibu Coastal Land Conservancy agrees with every aspect of the staff report on this project (the building of a self storage facility on sensitive land adjacent to Malibu Creek) and recommends a no vote by the Coastal Commission.

MARCIA HANSCUM,
Secretary

This excessive project is proposed for an environmentally-sensitive stream-bank, riparian and wetland property of regional importance and violates multiple sections of the Coastal Act, not the least being the creation of specific and cumulative hazards that could threaten life and property in this floodplain area. There are, in fact, so many inherent violations of the Coastal Act here as to wonder whether the property owner has been advised of common sense, best management practices that are usually applied to project planning and construction in such a environmentally sensitive, and hazardous location.

NORMA LEVY
FRANK ANGEI
LEO ZIEFFIN
BETTY HAYMAN
REMY O'NEILL
GRAEME CLIFFORD
STEVE HOWE
BOB PURVEY

Items left out of the staff report include:

Committee Heads 1.
HERB BROOKING
LEON COOPER
DIENRA DICKRAY
SARAH DIXON
DAVID GOTTLIEB
PAT HEALY
PETER IRELAND 2.
SAM HART KAPLAN
SHIRI KRAMER
STUART MARON
JOHN WALL

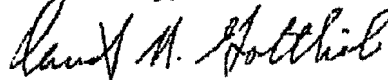
The endangered fish species, the Tidewater Goby has been noted as inhabiting Malibu Creek north to the area known as "the Arizona Crossing". If the project is allowed to proceed on the subject property with it's streambank, riparian, and wetland habitats, it will negatively impact the Tidewater Goby population and it's habitat through resulting siltation, erosion, changes in hydrology, increases in stream velocities, etc. This is a violation of Coastal Act sections 30231, and 30240.

The general negative impacts of hydrologic changes in the stream as a result of alterations proposed on the subject property has not been addressed in depth. This property-owner/ developer is proposing nothing short of real channelization through the installation of excessive rip rap armoring, and concretizing of large portions of the existing streambank. Not only does this violate section 20236 of the Coastal Act (as stated in the staff report), it set's up negative and destructive downstream impacts that will cause damage to wildlife, habitat, and to other properties. Likewise, the deepening of a portion of the same stream will cause scouring, erosion and siltation and be in violation of section 30233.

The supposition that one could deepen a channel, armour, and otherwise channelize an un constricted stream (as a mitigation for filling under a proposed building pad)- on a floodplain, and somehow avoid serious impacts and damage, especially during storm events, is ludicrous and quite dangerous.

We trust the Coastal Commission will follow it's legal mandate and vote no on this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "David N. Gottlieb".

David N. Gottlieb
Consultant



Surfrider Foundation
Malibu Chapter
P.O. Box 953
Malibu, CA 90265

November 9, 2000

To: California Coastal Commission

Re: Item 8a, Mariposa Land Company Storage Facility Permit Application

The Malibu Chapter of Surfrider Foundation is opposed to the construction of a self-storage facility on the bank of Malibu Creek for the following reasons:

- 1) Rock riprap and concrete armoring of the banks of the creek to protect structures built on a flood plain is contrary to current environmental understanding and practices that allow high water volumes to spread laterally and slowed down rather than be channelized and accelerated.
- 2) High water levels will inundate septic leach fields and compromise their effectiveness. This will cause migration of pathogens into the surface water of the creek and eventually into the surf zone.
- 3) Development of this environmentally crucial property for commercial purposes is contrary to the public's best interest in that it will serve to prevent public acquisition of creek side properties for parkland. Parkland along the creek is a more appropriate use than the present commercial structures that are there now. Only one business makes use of the creek for the view.
- 4) Development of this property will necessitate the elevation of the buildings above probable flood levels. Although the EIR claims that this development will have less of a runoff impact than the present usage, grading and elevation will alter the natural flow of flood waters.

Grant Neie, RN

Wetlands Action Network

protecting & restoring wetlands along the Pacific Migratory Pathways

The Honorable Sara Wan, Commission Chair & Honorable Commissioners
California Coastal Commission
89 South California Street, 2nd Floor
Ventura, CA 93001 c/o Mr. Steve Hudson via fax: 805-641-1732

re: Application No. 4-99-192

Dear Chair Wan and Commissioners:

Wetlands Action Network agrees with the staff recommendation for the proposed self-storage facility development on Malibu Creek and supports denial of permit application #4-99-192. Further, we respectfully request immediate enforcement action for removal of the non-permitted structures that the applicant has evidently placed on the land, prematurely beginning their self-storage business without a Coastal Act permit.

The proposed project site is in both the federal and county flood zones. We have met with officials in Washington, D.C., including U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers and the Federal Emergency Management Agency (FEMA), all of whom have expressed strong interest in working with the Malibu community to recover and restore historical wetlands in the Malibu Creek area. The motivation behind this collaboration is to minimize potential flood damage and to restore additional habitat for the endangered Steelhead Trout, which still hangs on in the Malibu Creek watershed. FEMA has provided a grant of \$150,000 to the City of Malibu to study pre-disaster planning processes, as a result.

Approval of this project would be going in the opposite direction from the more enlightened, educated and now widely-accepted view that we need to be moving people and their buildings out of harm's way - especially related to floodplains.

There also now exists a proposal for a treatment wetland to be restored in the center of the Malibu Civic Center area. Polluted water from Malibu Creek would be diverted to this wetland with the result being the eventual cleansing of Malibu Lagoon - one of our most highly impaired water bodies on the Southern California coastline. If this development proposal before the Commission is approved, it could prejudice the potential for one of our best hopes for cleaning up Malibu Lagoon, as a diversion for this restored wetland might best go through this property. Further study is needed, and our Malibu Lagoon Task Force of the Malibu Creek Watershed Council has yet to make a recommendation for this project.

Besides these practical reasons for denial of the self-storage development, several provisions of the California Coastal Act will be violated if this project proceeds:

Section 30233 - limiting destruction of wetlands in the coastal zone to uses inconsistent with this application

Section 30240 - minimizing adverse effects to adjacent sensitive habitat areas

Section 30236 - limiting development for which channelization or alteration of a stream may be allowed

Section 30213, 30222 and 30223 - requiring areas suitable for the provision of coastal recreation opportunities be protected and reserved for such

For these reasons, we support the staff recommendation to deny approval of this permit application and request immediate enforcement action so as to protect both property and the natural resources in the area.

Sincerely,


Marcia Hanscom
Executive Director

11/13/00

P.O. Box 1145, Malibu, CA 90265 • (310) 456-5604; fax: 310-456-5612



PUBLIC STORAGE, INC.

701 Western Avenue, Suite 200
Glendale, California 91201-2397
Tel: (818) 244-8080

RECEIVED

NOV 13 2000

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Item No. Fr 8a
Permit No. 4-99-192
B. Wayne Hughes
Opposed

November 10, 2000

California Coastal Commission
89 South California Street
Suite 2000
Ventura, CA 93001

I am a resident at 3657 Cross Creek. I'm not sure of the exact proposed location of the storage facility but I believe it is directly across the street from my residence. Please consider this letter as a vote against the development.

We are located on a private street and in a neighborhood not suitable for this type development. A project of this size will have 500 to 600 separate storage rooms and will create traffic and out-of-town storage customers such as boats and off-road vehicle storage. In Malibu a development of this size is not required to service our residences.

Also, as a result of excessive rains several years ago, Cross Creek Road was underwater and the addition of fill between the road and the river, which will be required by this development, will make Cross Creek Road inaccessible in our heavy rain years. In general, this is a horrible use of land and will create a Malibu eyesore. Many communities today are outlawing the construction of mini-storage facilities. Why should we approve their use in this location?

The developer is not experienced in mini-storage and we will have a constant requirement for police activity. Most mini-warehouses have two to six separate storage rooms robbed each month and a remote location such as this will have many more incidents. They will cut the fence and enter from the river. Our company, Public Storage, is the largest mini-warehouse owner in the United States. We would not develop this particular site and as a Malibu residence, I urge you to move this project into an industrial park.

Sincerely,

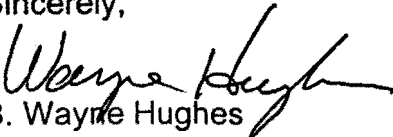

B. Wayne Hughes

EXHIBIT 13:

LETTERS IN SUPPORT OF PROJECT

December 15, 2000



RECEIVED
DEC 20 2000

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Steve Hudson
Coastal Program Analyst
California Coastal Commission
89 South California St., Suite #200
Ventura, CA 93001

Re: Application No. : 4-99-192
Mariposa Land Company, Ltd.
Proposed Malibu Self Storage Facility

Dear Mr. Hudson,

Part of the Chamber's Mission Statement says-- "*It is committed to providing support for a healthy business community.*" Using this as a guidepost, the Malibu Chamber of Commerce Board of Directors voted unanimously to support the proposed Malibu Self Storage project. With the shortage of commercial space at a critical mass, a self-storage facility becomes an integral part of the Malibu Business Community. Due to escalating commercial rental fees, various businesses including visitor serving find it more economical to lease self-storage space to store records, supplies and merchandise.

As you know, traffic is always a major concern for our community. Malibu Self Storage is easily accessed and will also have minimum impact on the local infrastructure. The proposed project will also be less invasive, have less noise and less waste.

The Board highly approved the 4 acres of riparian habitat and the planting of native shrubs and trees. The Mission style buildings, California's oldest architectural design are extremely appropriate for Malibu.

The Board of Directors respectfully requests the Coastal Commission to approve this project.

Cordially,

Mary Lou Blackwood
Executive Vice President

Gregg Ruth
3868 Cross Creek Road
Malibu, Ca 90265
310-456-1888

October 16, 2000

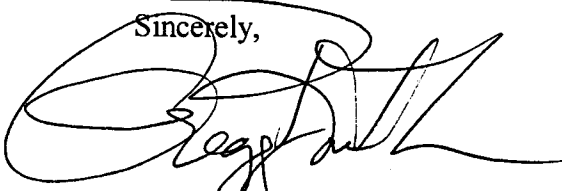
Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Fl.
Ventura, Ca 93001

Re: Malibu Self Storage
Application No. 4-99-192

Dear Mr. Hudson:

I support the efforts of the Mariposa Land Company to build a beautiful Mission style self-storage facility on Cross Creek Road. As the owner of a retail business in the Cross Creek Plaza Shopping Center, I currently use the storage containers at the referenced site and find that a storage facility here in Malibu is a great benefit to our retail business. Please approve the new facility.

Sincerely,



Gregg Ruth

RECEIVED

OCT 19 2000

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Guido's Malibu
3874 S. Cross Creek Road
Malibu, Ca 90265
310 456-1979

RECEIVED
OCT 23 2000
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

October 20, 2000

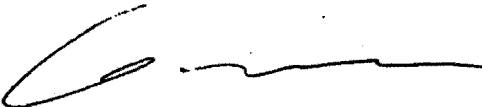
Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Floor
Ventura, Ca 93001

Re: Malibu Self Storage
Application CDP 4-99-192

Dear Mr. Hudson:

The Mariposa Land Company has always been very cooperative in maintaining their land that is adjacent to our restaurant. This has been important to us since our restaurant has a nice view of Malibu Lagoon. We have seen renderings of the beautiful self storage buildings proposed by the Mariposa Land Company on their land, which is North of us along Cross Creek Road. We would like the opportunity to have such a special storage business nearby for our future use. Please allow them to build these beautiful buildings.

Sincerely yours,
Guido's Malibu



Vassil Pertchinkov
Owner



RECEIVED
OCT 25 2000
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

October 20, 2000

Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Floor
Ventura, Calif. 93001

Re: Malibu Self Storage
Application CDP 4-99-192

Dear Mr. Hudson,

The Malibu Beach Inn provides accommodations to visitors in the Malibu area. We very much appreciate having storage containers at the Mariposa Land Company's Cross Creek Yard. We do not have the room at our inn to store all of the supplies we need to run our business. Therefore, we support the proposed application to build a new self-storage facility. This type of building built in the Mission style of architecture is very much needed. We urge your approval of this very appropriate project in Malibu. Thank you.

Sincerely,
Malibu Beach Inn

Marlin Miser



Malibu Beach RV Park • 25801 PACIFIC COAST HIGHWAY • MALIBU, CA 90265 • (310) 456-6002
FAX (310) 456-2532

RECEIVED
OCT 23 2000
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

October 19, 2000

Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Floor
Ventura, Ca 93001

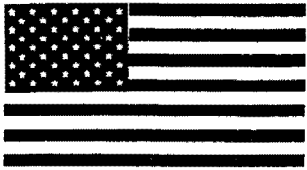
Re: Application No. 4-99-192
Mariposa Land Company

Dear Mr. Hudson:

The Malibu Beach RV Park and its customers have used the applicant's Cross Creek Yard for storage for many years. We currently store records, equipment and supplies for our convenience store at this location. Our customers, who are visitors from all over the United States, have from time to time stored their recreational vehicles at this location. We welcome the proposed facility as it will improve the aesthetics of the site, provide a greater variety of size of storage units, provide better security for our goods and allow access to our storage on weekends and holidays which are our busiest days. The proposed facility will allow us to better serve our customers.

Sincerely,
Malibu Beach RV Park


Joe Dawkins
Manager



National Government Properties, LLC.

New York • Washington, D.C. • Los Angeles

Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Fl.
Ventura, Ca 93001

Re: Application No. 4-99-192
Mariposa Land Company

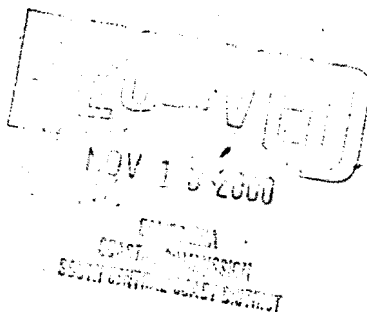
Dear Mr. Hudson:

Since we have been in the business of providing office space to governmental agencies, we have seen a significant increase in demand for self-storage space. It is often more economical for a tenant to utilize an available self-storage facility than to lease more office space. Currently, there are no modern self-storage facilities in the Malibu area. We support the proposed project since it will provide more opportunity to governmental agencies such as the City of Malibu, the Santa Monica Mountains Conservancy and the State Park Service for document and other storage.

Sincerely

Richard Mark
Executive Vice President

RECEIVED
OCT 25 2003
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT



November 3, 2000

Mr. Steve Hudson
California Coastal Commission
88 S. California Street, 2nd Floor
Ventura, California 93001

Dear Mr. Hudson:

The Mariposa Land Company offers a very valuable service to Casa Malibu by providing storage facilities on their property. We use their facilities during our regular and ongoing redecoration projects, as well as for storage of important equipment and materials, which we need to have nearby.

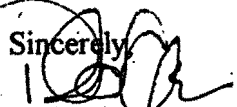
Prior to Mariposa's storage facilities, we were limited on what we could do and how quickly we could do it, because we needed storage space and similar facilities were too far away. Though it may not seem obvious, Mariposa's facilities enable us to more efficiently serve the many visitors who stay at Casa Malibu on their vacations to the beach.

I understand the proposed facility will be aesthetically pleasing with a Mission architecture style, and that is very important to me as a Malibu resident. I have seen architect's drawings, and I believe the facility would be an improvement and an asset to that area.

If the proposed facility is built, Casa Malibu will continue to use it. A local storage facility would not only be an asset to the local community, it would allow us to better serve our customers, the visitors to Malibu.

I encourage you to approve this project.

Sincerely,


Richard E. Page
Casa Malibu Inn on the beach

22752 Pacific Coast Hwy., Malibu, California 90265
(310) 456-2219 (310) 456-5418 FAX

Howdy's Taqueria Malibu

3835 S. Cross Creek Road
Malibu, Ca 90265
310 456-6299

October 17, 2000

Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Floor
Ventura, Ca 93001

Re: Malibu Self Storage
Application CDP 4-99-192

Dear Mr. Hudson:

As restaurateurs in Malibu we have found that in order to adequately service our customers, we need storage space. We currently use storage space provided by the Mariposa Land Company, which is the only storage available in town. We strongly encourage you to approve their application for a new facility. This new facility will better serve our needs and help us to better serve our customers. Thank you.

Sincerely


Howdy and Linda Kabrins

RECEIVED

OCT 27 2000

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

EXHIBIT 14:
LETTER FROM APPLICANT

Mariposa Land Company Ltd.

PO Box 2485
Malibu, Ca 90265
310-456-3230
Fax 310-456-3182

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JAN 17 2001

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

January 16, 2001

Mr. Steve Hudson
California Coastal Commission
89 S. California Street, 2nd Floor
Ventura, Ca 93001

Via Fax: 805-641-1732
and Federal Express

Re: CDP No. 4-99-192
Malibu Self Storage

Dear Mr. Hudson:

We have reviewed the Staff Report dated 10/26/00 and have found errors in the Report. Pertinent facts have not been included. We request that the errors be corrected and that the pertinent facts be included prior to a hearing by the Commission.

Project Description

The Project Description does not accurately describe the project. The majority of the site is to be planted in native trees and shrubs (Habitat Restoration). Exhibit "A" attached hereto is a letter from our biologist, Rachel Tierney, which confirms that our plans for most of the site are, with her current recommendations, consistent with Habitat Restoration. This is the largest component of our project. It is also the most important part of the project. It is imperative that the Staff Report accurately describes the project and includes Habitat Restoration in the project description.

In our meeting with you, Melanie Hale and Chuck Damm on December 15, 2000, you mentioned that because the Habitat Restoration area of the site has to be graded first, that you might not consider it habitat restoration. The site was filled and graded prior to the Coastal Act and the proposed grading in the Habitat Restoration area would restore the contours to a level more consistent with the pre-graded condition.

Page four of the Staff Report states "A seasonal channel of Malibu Creek is located on the eastern portion of the subject site". We believe that we have submitted sufficient evidence to demonstrate that this is not the case. We request that you change this language to "A portion of the West Bank of an overflow channel of Malibu Creek is located on part of the eastern property line of the subject site". This would accurately describe the existing condition. The overflow channel is not seasonal. The word "seasonal" implies that each year this area has creek water flow. This is not the case. The channel adjacent to the parcel's easterly boundary only has creek flows generated from storms approaching 100-year magnitudes. "Overflow channel" therefore is a much more accurate description.

In our December 15, 2000 meeting, as well as in the Staff Report, you mentioned that you had reviewed historic aerial photographs. As we mentioned in the meeting, between approximately 1975 and 1995 a significant portion of the subject property was leased to James Cowan and Associates, a major landscape architect and contractor. During their tenure on the property, they stored approximately 1,000 non-native trees, which they had purchased elsewhere, stored on the subject site and ultimately moved off to job sites. The canopy of these trees in storage and their removal from the site explains why there may have appeared to be vegetation removal.

Environmentally Sensitive Resources

We have previously stated that the proposed project has the least environmental impact of any other commercial activity including visitor or recreation serving commercial activities. It generates less traffic, wastewater, noise, light and human activity than any other commercial activity. Table 7-1 (Exhibit "B") from the City of Malibu EIR on the proposed project supports this statement. Please note that the "Reconfigured Project (20 Feet West)" is the proposed project in this Coastal Application. It is extremely important that the Coastal Commission be advised of these facts because the Commissioners are being asked to determine the suitability of this proposed project next to the sensitive habitat of Malibu Creek. We request that you address this issue in the Staff Report and attach Exhibit "B" thereto.

The Staff Report is incorrect where it says 0.16 acres of wetland and riparian habitat are to be removed "in order to obtain fill material for the proposed pad..." The brief and temporary intrusion into this 0.16 acres is necessary to allow potential flood waters to leave the parcel and for the project to comply with the City of Malibu Flood Control Ordinance as well as FEMA guidelines. The Staff Report should also state that this 0.16 acres will be immediately restored and that it allows us to go forward with approximately 4 acres of Habitat Restoration, the largest part of our project. Section 30233 allows for this temporary intrusion into the 0.16 acres in cases of restoration purposes.

As mentioned in our December 15th meeting, we will be proposing an alternative to the buried rock and lining. Steve Hunter will be forwarding a letter with detail on the alternative to you today. Section 30236 allows for alterations of streams for flood control projects. The City Engineer for the City of Malibu has stated that this project will help protect existing (offsite) development and reduce the amount floodwater in the Civic Center area. It will allow storm water from upstream developed areas to drain from Cross Creek Road into the Habitat Restoration area and greatly improve water quality by the time it reaches Malibu Creek and Lagoon. This will also be a big improvement over the existing development, which discharges storm water directly onto State land adjacent to Malibu Creek. In our case the alteration of the Coastal defined stream is necessary for Habitat Restoration, the largest part of our project.

Public Recreational Opportunities and Cumulative Impacts

The Staff report incorrectly states that the City's new Land Use Plan has eliminated all areas of the Civic Center which were designated for such use (recreation-serving commercial) and redesignated the entire Civic Center for Community Commercial use (local community oriented commerce). The relevant page (Section 5) of the City of Malibu's Zoning Map is attached hereto as Exhibit "C". Section 5 shows that approximately 45 percent of the Civic Center is zoned "CG" or Commercial General. The CG zone allows for a variety of visitor/recreation serving uses, including retail, such as recreational equipment and clothes vendors and restaurants (please see the attached pages of the City of Malibu's zoning ordinance). This error must be corrected in a revised Staff Report because it is very prejudicial to this applicant.

The project now includes a 750 square foot visitor center/visitor retail space. The proposed Habitat Restoration will enhance public use of neighboring State land. Visitors will benefit from the project's water easement to the City of Malibu, which will allow Malibu Creek water to be used in the proposed Civic Center Way Creek. This will also improve water quality in Malibu Lagoon since the water is filtered before returning to the Lagoon.

Local Coastal Program

We believe the project is in conformity with Chapter 3 of the Coastal Act and that it will not prejudice the ability of the City of Malibu to prepare a Local Coastal Program for the reasons stated above.

It is our opinion that the Storage portion of our project is recreation serving. Any member of the public can store any piece of recreation equipment including boats, surfboards and bicycles at this proposed facility. The local retail store, Zuma Jay, has stored kayaks at our site. Both the Malibu Beach Inn and the Casa Malibu (Beach Inn) have stored or are currently storing visitor serving business-related things at our facilities. The Habitat Restoration portion of the project is recreation serving. The easement to the City of Malibu allowing water to flow from Malibu Creek into the proposed Civic Center Way Creek is also recreation/visitor serving.

The City of Malibu's Local Coastal Plan Administrative Draft was submitted to Coastal Staff for review in March 2000. To date no written comments on the draft have been received from Coastal Staff.

Mr. Steve Hudson
January 16, 2001, Page 4

Conclusion

We request that the errors noted above in the Staff Report be corrected and that a revised Staff Report be provided to the Commissioners. We request that Staff reconsider their recommendations.

Sincerely,
Mariposa Land Co. Ltd.

A handwritten signature in cursive script, appearing to read "Grant Adamson".

Grant H. Adamson

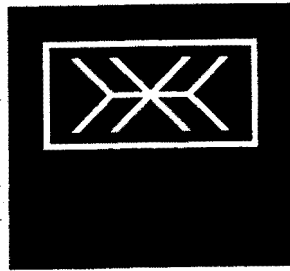
Attachments

RECEIVED

JAN 23 2001

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

RACHEL
TIERNEY



CONSULTING

EXHIBIT "A"

January 16, 2001

Grant Adamson
Mariposa Land Co.
P.O. Box 2485
Malibu, California 90265

Re: Cross Creek Self Storage

Dear Grant,

At your request, I have carefully reviewed the Conceptual Landscape Plan developed by Randall Landscape Design for the Cross Creek Self Storage project (revision 8/10/99). Overall, my opinion is that the planting plan contains a diverse assortment of native species appropriate for the region. All of the listed container plants and cuttings would be expected to thrive at this location. However, I have a few recommendations that will make the Plan a stronger guide and more enforceable mitigation for native habitat restoration.

1. Monitoring and Performance Standards

The Landscape Plan presently lacks a monitoring program tied to performance standards. This component is typically required for restoration projects, to provide clear and enforceable expectations for mitigation. Monitoring is conducted to evaluate and document the initial installation and ongoing success of the revegetation plan, and to weigh the need for weeding and reseeding. Performance standards are the criteria which success is measured against. If these standards are not met or closely approached during the monitoring period, remediation through further revegetation efforts and extended monitoring is typically required. Since these standards are based on an expected outcome, adjustments based upon actual responses of the particular site may be necessary. I have attached a scope and schedule for monitoring, and preliminary performance standards for container material, cuttings and seeded areas, that can be added as a separate "note" on the landscape plan.

Post Office Box 1113
Santa Barbara
California
93102

Tel 805.957.1100
Fax 805.957.2050

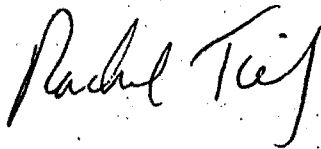
2. Soil Testing and Soil Amendments

The soil should be tested before any planting occurs. Compaction during construction and removal of the "living" top layer of soil in the northern section of the site will result in less than perfect growing conditions. Testing by a reputable facility, and incorporating their recommendations for amendments (taking into consideration the low nitrogen needs of native species), are suggested. Products that reintroduce soil micro-organisms (such as mycorrhiza) are now commercially available and should be incorporated into the soil along with the seed, nutrients, amendments and organic matter. This requirement, which is attached, can be expressed as a section in the planting notes.

The current Landscape Plan, with the addition of soil testing, amendments, and monitored standards for performance, will ensure that the landscape evolves into useable wildlife habitat, and is, in my opinion "native habitat restoration." Both initial implementation and long-term monitoring should be secured with a bond to cover costs in the event that the program is abandoned or not successfully completed.

Please call if you need additional information.

Sincerely,



Rachel Tierney

Additional Notes for Conceptual Landscape Plan developed by Randall Landscape Design for the Cross Creek Self Storage project (revision 8/10/99):

SOIL TESTING AND AMENDMENTS

Four soil samples from various portion of the proposed restoration area shall be analyzed for nutrient, % organic matter and trace mineral content. Recommended amendments shall be fully incorporated into the top 6 inches of soil. Nitrogen shall not be included, unless added to individual planting pits for container plants.

MYCORRHIZAL INOCULATION SPECIFICATIONS.

GENERAL INFORMATION

Inoculum (such as VAM80 supplied by Tree of Life) shall be applied to all areas of the restoration area along with the following seed mix. (These species will encourage fast establishment and spreading of a mycorrhiza association in the soil):

SEED MIX TO ACCOMPANY MYCORRHIZAL INOCULUM		
95/80	10	California Brome (<i>Bromus carinatus</i>)
40/60	3	Coast goldenbush (<i>Isocoma menziesii</i>)
30/60	2	Yarrow (<i>Eriophyllum confertiflorum</i>)
40/60	3	Encelia (<i>Encelia californica</i>)

This seed mix shall be added to other seed mixes, as noted on the Landscape Plan.

MYCORRHIZAL INOCULUM SPECS:

Arbuscular mycorrhizal inoculum shall consist of spores, mycelium, and mycorrhizal root fragments in a granular calcined clay carrier. 80% of root fragments shall not exceed 1 inch in length. Inoculum shall not contain significant quantities of leaves, stems, seeds, coarse roots, pebbles, perlite, vermiculite or other materials of such size or in such quantity as to interfere with the proper operation of inoculum dispensing equipment.

Commercial inocula shall contain at least 50 propagules of a suitable arbuscular mycorrhizal fungus per cc of bulk inoculum. A propagule is a spore, fragment of fungal mycelium, or piece of mycorrhizal root capable of colonizing host plant roots on the restoration site. Suitable fungal genera include The inoculum shall contain one or more species of fungi from the genus *Glomus*, and may contain one or more species of the genera *Sclerocystis*, *Gigaspora*, *Scutellospora*, *Entrophospora*, or *Acaulospora*. The fungi shall be suitable for the soil conditions at the restoration site, as described elsewhere in these specifications.

Arbuscular mycorrhizal inoculum shall be viable and healthy, and have sufficient time remaining in its recommended shelf life that

Bidders shall provide the cost per liter of bulk inoculum and per propagule.

DEPTH OF INCORPORATION AND TEMPERATURE CONSTRAINTS

Mycorrhizal inoculum shall be incorporated into the upper 1 to 3 inches of soil. Deeper incorporation (3 to 6 inches) is likely to be advantageous during warm weather.

At no time during storage or application shall inoculum be exposed to temperatures above 90 degrees or below 32 degrees F. Inoculum shall be stored out of direct sunlight and in conditions that assure that the temperature of the inoculum remains below 90 degrees and above 32 degrees F. The inoculum dispensing mechanism shall not be allowed to heat in the sun to temperatures above 90 degrees F.

RATE:

Inoculation rate shall correspond to 3,600,000 propagules per acre (8,900,000 propagules per ha), or 8300 propagules per 100 square feet (900 propagules per square meter). The application rate of bulk inoculum shall be calculated from the supplier's guarantee of propagule count per unit volume of bulk inoculum.

APPLICATION:

Inoculum (with seed) shall be broadcast on the soil surface and incorporated within soil

Broadcasting shall be carried out by hand or mechanical device that distributes the inoculum evenly and at the specified rate. Any broadcasting machinery shall not crush, grind, or subject the inoculum even momentarily to excessive pressure or temperature.

To get a fast start in early spring, concentrate inoculum between one and three inches depth below the seed. (May be distributed and disked into soil. Best results have been observed with a specially modified land imprinter.)

The inoculum shall be incorporated into the soil within three hours of broadcasting. Incorporation shall be accomplished by disking, tilling, harrowing, track walking, or ripping the soil, and shall result in incorporation of 80% of the inoculum granules to a depth of 1-3 inches).

MONITORING AND PERFORMANCE

A monitoring schedule, performance criteria and contingency actions are presented in the table below. Monitoring will continue for at least three years, or until all performance criteria have been met. Success rates falling under the stated minimum may signal the need for a second or third revegetation effort

Monitoring shall be conducted by a professional with experience in native plant revegetation. Data, gathered to determine vegetation establishment, will be collected annually in the spring, when flowering is evident and the maximum number of weed species are likely to be present.

Annual reports and recommendations will be submitted to the City of Malibu, the Department of Fish and Game and the California Coastal Commission by September 15 of each year.

CROSS CREEK SELF STORAGE PERFORMANCE CRITERIA AND MONITORING SCHEDULE	
FEATURE	PLANTED SHRUBS AND TREES (other than willows)
Goals	• A survival rate of no less than 75% after three years.
Frequency	<ul style="list-style-type: none"> - 1st year following planting: Monthly. (11 reconnaissance surveys; one comprehensive survey in late spring/early summer, data collection and annual report.) - 2nd year following planting: Every three months. (Reconnaissance survey 3 times per year; comprehensive survey, data collection and annual report in the spring.) - 3rd year following planting: Every four months. (Reconnaissance survey 2 times per year; comprehensive survey, data collection and spring annual report.)
Criteria	<ul style="list-style-type: none"> - End of 1st growing season, survival is at least 85% of original planting. - End of 2nd - 3rd growing season, survival is no less than 75% of the original planting with evidence of flowering.
Action	• Replant if values fall below expectations. Replant and monitor until material is established and weaned from irrigation for at least one full year.
FEATURE	WILLOW CUTTINGS
Goals	• At least 70% aerial cover in areas where willows are planted.
Frequency	SAME AS ABOVE
Criteria	<ul style="list-style-type: none"> - End of 1st and 2nd growing season, replant if losses will effect eventual cover. - End of 3rd growing seasons, cover is at least 70% with evidence of reproduction (flowering) after 3rd year.
Action	• Replant if values fall below expectations during the first 2 years. Replant and monitor until material is established and weaned from irrigation.

PERFORMANCE CRITERIA AND MONITORING SCHEDULE (continued)	
FEATURE	SEEDED OPEN AREAS (COVER AND WEED ABATEMENT)
Goals	<ul style="list-style-type: none">• Total cover (seeded species and naturalized grass) is at least 25%. Naturalized grasses will be tolerated.
Frequency	SAME AS ABOVE
Criteria	<ul style="list-style-type: none">- End of 1st growing season, reseed if low performance.- End of 2nd-3rd growing seasons, total cover (seeded species and naturalized grasses) is at least 25%.
Action	<ul style="list-style-type: none">• <i>Replant</i> if values fall below expectations during the first 2 years. May opt to alter mix.
FEATURE	WEED CONTROL
Goals	<ul style="list-style-type: none">• <i>Short-Term</i>: Boost establishment of native species by reducing competition for water, space and light.• <i>Long-Term</i>: Reduce the abundance of undesirable plant species within the site.
Frequency	<ul style="list-style-type: none">• Weed at least once a month for three years. Naturalized grasses will be tolerated.
Criteria	<ul style="list-style-type: none">• Zero tolerance of broad-leaved weeds after each eradication treatment. Naturalized grasses will be tolerated. Weed growth will ultimately not interfere with native plant establishment or reproduction.
Action	<ul style="list-style-type: none">• Continue to monitor and weed (with little or no ground disturbance) as necessary.

**Table 7-1. Comparison of Alternatives
to the Proposed Project**

Issue Area	Reduced Intensity	On-Site Retail	Reconfigured Project (Cross Creek Frontage)	No Project	Reconfigured Project (20 Feet West)
Drainage and Flooding	-	+	+	+	-
Water Quality	-	+	-	-	-
Biological Resources	-	+	-	-	-
Land Use	-	+	=	=	=
Aesthetics	-	+	+	=	=
Geology	-	+	=	=	-
<p>- Overall impact lower than the proposed project</p> <p>= Overall impact similar to the proposed project</p> <p>+ Overall impact greater than the proposed project</p> <p>* Indicates a significant and unavoidable impact. Note that the proposed project would have a significant and unavoidable impact to biological resources.</p>					

associated with the intrusion into the 100-foot buffer could be reduced or eliminated by this alternative, depending on actual design.

The Reconfigured Project - 20 Feet West alternative would also have lower overall impacts than the proposed project. In particular, the impacts relating to drainage, water quality, and biological resources would be reduced under this alternative because of the increased distance between site development and Malibu Creek and the elimination of the orchard component. The proposed project's significant and unavoidable impact relating to intrusion into the Malibu Creek buffer zone would also be eliminated under this alternative.

