

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800

**W 13a****ADDENDUM**

**DATE:** October 4, 2011  
**TO:** Commissioners and Interested Parties  
**FROM:** South Central Coast District Staff  
**SUBJECT:** Agenda Item 13a, Wednesday, October 5, 2011  
City of Malibu LCP Amendment 1-11-A

[Click here to go  
to the original staff report.](#)

1. Since publication of the staff report, Commission staff has received 455 letters from interested parties expressing support for the staff recommendation to allow limited nighttime field lighting at Malibu High School. Due to the volume of letters received, only a representative sample of 20 letters is attached for reference as **Exhibit 1** of this addendum. All letters received are included as part of the administrative record and are available for review in the California Coastal Commission's Ventura Office.
2. Since publication of the staff report, Commission staff has received 52 letters from interested parties expressing opposition to nighttime field lighting at Malibu High School. The common concerns expressed in the opposition letters are that night field lighting would impact area wildlife and diminish the scenic, rural quality of the area and dark skies. Due to the volume of letters received, only a representative sample of 20 letters is attached for reference as **Exhibit 2** of this addendum. All letters received are included as part of the administrative record and are available for review in the California Coastal Commission's Ventura Office.
3. Written disclosures of Commissioner ex-parte communications were received from Commissioner Zimmer. These are attached as **Exhibit 3** of this addendum.
4. Commission staff would also like to respond more fully to a letter from Douglas Carstens, an attorney representing the Malibu Dark Skies Committee (attached as Exhibit 8 of the September 22, 2011 staff report) and to add the following language in a new Section D ("Response to Comments") of the proposed Commission findings in the staff report:

Exhibit 8 of the staff report is a letter dated August 31, 2011 from Douglas Carstens, an attorney representing the Malibu Dark Skies Committee. The letter expresses opposition to nighttime lighting of sports fields at Malibu High School, asserting that lighting would result in significant negative impacts to scenic and biological

resources, inconsistent with the policies of the Malibu LCP, and that there are feasible alternatives and mitigation measures available to reduce the significant adverse impacts. In response, Commission staff notes that the consistency of the proposed amendment in relation to the scenic/visual resource and biological resource policies of the LCP and a discussion of alternatives are included in the relevant sections of the findings above.

In addition, Mr. Carstens' letter states that the Draft Environment Impact Report (DEIR) recently released by the School District for a planned campus expansion project inappropriately excludes the subject field lights, so that the environmental impact of the project "as a whole" has not been assessed. In response, Commission staff would note that the Commission is not the arbiter of the scope and adequacy of the School District's CEQA process, nor can the Commission determine the scope of an LCP amendment that is submitted by a local government for our review and certification. The Commission would also note that the City is exempt from CEQA for its activities related to LCP amendments, pursuant to Public Resources Code section 21080.9.

Other statements in this section of Mr. Carstens' letter seem to suggest that it is the Commission's analysis that is inadequate, for failing to take into account the information in the DEIR. The letter asserts that the Commission should take no action on the LCP Amendment until it is analyzed as part of a re-circulated MHS Expansion Project DEIR that assesses cumulative impacts. Similarly, this section of Mr. Carstens' letter suggests that, as a result of the failure to wait for and consider the full EIR, "an accurate assessment of the impact of the athletic field lights does not exist today." However, as demonstrated by the analysis throughout the staff report, the Commission had ample information about the impact from the lighting that would be approvable under the LCP Amendment to assess its consistency with the LUP.

The letter also argues that the Commission's analysis fails to consider cumulative impacts. It states that even if the Commission finds that "night lighting in a rural area, adjacent to an ESHA, and visible from public hiking trails, would not have a significant adverse aesthetic or biological impact . . . that finding would be cited again and again for any coastal community wishing to install similarly incompatible night time lighting," thus resulting in a "cumulatively considerable increase in nighttime lighting." This is wrong for several reasons.

First, this assertion mischaracterizes the subject of the Commission's analysis. The Commission is not assessing the general concept of "night lighting in a rural area, adjacent to an ESHA, and visible from public hiking trails." The lighting the Commission is approving is that specific type and amount that is described in the amendment, as modified by the Commission's suggested modifications. That lighting is strictly limited in how long and how often it can be operated, and it is highly regulated in how it is constructed and operated. Moreover, the Commission is approving it, in part, because the area is not entirely rural and would not illuminate ESHA.

Second, the letter's assertion mischaracterizes the finding the Commission is adopting. In certifying this LCP Amendment, the Commission is not simply finding that the lighting at issue would "not have a significant adverse aesthetic or biological impact." The standard of review is consistency with the LUP, which has more specific criteria than this general statement suggests, such as that the lighting be restricted in certain ways and directed away from ESHA (LUP Policy 3.56) and that it be minimized and concealed to not be directly visible from public viewing areas (LUP Policy 6.23).

Third, the opponents' claim states that this finding "would be cited again and again," resulting in significant cumulative impacts. Cumulative impacts analyses require an assessment of prior, similar projects and foreseeable future projects. It does not require speculation about what is possible. The only similar, reasonably foreseeable project of which the Commission is aware is the School District's proposal, as stated in the DEIR, to add a new security-lighted 150-space parking lot to the south of the school's main sports field with a paved access road and walkway to it. The new parking area would have 17 light poles that are 18 feet in height. That proposal also includes reconfiguring an existing 119-space parking area with new safety lighting consisting of 13 light poles that are 18 feet in height. All new parking lot and security lighting is proposed to be directed downward using low-intensity, shielded light fixtures. These improvements to the existing campus are consistent with the existing land use and zoning designation of the site, and a type of development that is normally associated with a public high school use campus. Consistent with LCP Policies 3.56 and 6.23, the lights would not be directed into areas that are considered ESHA or that support special status species, and would be minimized so as to not be directly visible from any public viewing areas. Based on the lighting analysis of the DEIR, there would be no change in existing lighting levels at off-site locations that are not immediately adjacent to the site. Therefore, the lighting elements of the DEIR proposal would not introduce a significant amount of new light that would be visible from the public viewing areas to the north and south. The lighting proposal of the DEIR, together with the subject field lights, would not result in a significant cumulative impact on scenic or biological resources because Malibu High School is the only high school in the City located in an existing developed area where field lighting would be limited to a single field for limited hours and all campus lighting would be directed downward and minimized per the policies of the LCP. As a result, assessing the cumulative impact of those projects with the current LCP Amendment does not alter any of the analysis. As the opponents have pointed to no *other* reasonably foreseeable proposals, and the Commission is aware of none, the cumulative impacts concern is misplaced.

Finally, the letter ends by stating that such hypothetical claims would be raised by other coastal communities "wishing to install similarly incompatible night time lighting." This assumes that the nighttime lighting being approved is incompatible. The point of the lengthy analysis of the staff report was to assess compatibility with the LUP, and the Commission concluded that there would be no adverse impact on community character or ESHA. Thus, similar proposals (i.e., other proposals that similarly have no adverse impact) could be approved without any significant adverse impacts. Conversely, proposals that do have adverse impacts, perhaps because they are in truly rural areas and/or would be directly adjacent to ESHA, could be

denied. That is precisely what happened in the Watsonville LCP Amendment discussed on page 26 of this staff report, demonstrating the case-by-case nature of the Commission's analysis and further demonstrating why this claim is misplaced.

The letter states that the LCP Amendment should be rejected on the basis of fairness because the School District illegally operated night lights for years and should not be rewarded now for such illegal behavior. However, the Commission must base its decisions on the applicable standard of review, which in this case is the City's Land Use Plan portion of its LCP, and not whether the School District's past actions demonstrate that they do or do not deserve some benefit. The Commission cannot use its review of an LCP amendment to punish a local government for past behavior. Similarly, the letter's citation to a 1994 statement by the principal is irrelevant to the question at hand.

The letter states that 80 foot high permanent light standards are proposed and that they will be visible from Pacific Coast Highway and Zuma Beach. However, neither the subject Malibu LCP Amendment nor the related CDP Amendment application by the School District includes a specific proposal for field light poles. Any future proposal for field lights would require a Coastal Development Permit from the City of Malibu and be subject to the policies and provisions of the LCP, including the one proposed in the suggested modifications that requires that pole height be limited to minimize the light, the light spill, sky glow and glare impacts. Similarly, the letter refers to a Joint Use Agreement with the City that will allegedly increase the use of the lighting beyond what the school contemplated. However, the LCP amendment will prevent that by imposing specific limitations on the use of the lighting, regardless of any such agreement.

The letter states that the LCP prohibits night lighting everywhere else in the City, so the high school should not be exempt from that prohibition. This is not true, as lighted sports courts are a conditionally permitted use in the commercial zone districts. While lighted sports courts and fields are prohibited in the other zone districts of the City, the subject LCP amendment deals with allowing a lighted sports field use at one institutionally zoned site within the City.

The letter states that the noise associated with more intensive field use and associated traffic would negatively impact residents and wildlife in the area. The letter also asserts that the project's energy usage would increase greenhouse gas emissions. In response, there are no noise, traffic, or energy usage policies in the City's Land Use Plan that the subject amendment request would be inconsistent with.

None of the other opposition letters received to date raise any additional points not addressed in the staff report and by the above analysis.

5. In order to correct an inadvertent error in the third paragraph on Page 18 of the staff report, the following change shall be made (deletions shown in ~~strike through~~, additions shown in underline):

To minimize the cumulative effect of night lighting on the scenic quality and character of Malibu, LUP Policy 6.23 and LIP Section 6.5.G of the City's certified LCP currently prohibits night lighting "for sports courts or other private recreational facilities in scenic areas designated for residential use". While Table B of the LIP portion of the City's LCP prohibits lighted sports courts in the Institutional zone, neither LUP Policy 6.23 nor any of the LUP other policies and LIP provisions of the LCP do not specifically address night lighting of sports courts or sports fields for *public* facilities, and it they does not specifically prohibit night lighting of sports courts or fields in *non-residential* areas, such as the institutional zone district where Malibu High School is located. As such, the City's amendment to the LIP proposes to clarify that night lighting of the main sports field at public high schools in the institutional zone may be a conditionally permitted use that is subject to certain time restrictions. But while the proposed use is not a "sports court or other private recreational facility in a scenic area designated for residential use" where night lighting is specifically prohibited by the LUP, the LUP does also have more general provisions that require that the scenic qualities of coastal areas be protected and that all exterior lighting be minimized, restricted to low intensity fixtures, shielded, and concealed to the maximum feasible extent so that no light source is directly visible from public viewing areas (LUP § 6.23 & Section 30251 of the Coastal Act that is incorporated into the LUP as a Policy).

6. The second full paragraph on page 20 shall be supplemented as follows (additions shown in underline):

Sky glow is the light that spills into the sky above the horizon and illuminates the moisture and other tiny particles in the atmosphere. Sky glow is intensified when there is a low cloud ceiling or foggy conditions because light refracts off water particles in the air. Field lights will unavoidably create illumination/sky glow when operated at night, particularly along the coast where foggy conditions are common, that will be visible from nearby public scenic viewing areas that include Zuma Beach County Park to the south and National Park Service land/Zuma Ridge Trail to the north. Given the topography, sky glow from field lights is not expected to be visible from Pacific Coast Highway. Although sky glow would be visible from public viewing areas that are a distance to the north and south, the field lights would be directed onto the field and not represent a light source that would be *directly* visible from the public viewing areas.

**Deanna Christensen**

**From:** Joyce Parker-Bozylinski [JParkerBozylinski@malibucity.org]  
**Sent:** Monday, September 26, 2011 3:49 PM  
**To:** John Ainsworth  
**Cc:** Deanna Christensen; Joseph Smith  
**Subject:** Lighting for Malibu High School Sport Field - MAL-MAJ-1-11-A

Jack,

We wanted to thank you and your staff for working with us so diligently on our high school lights amendment (MAL-MAJ-1-11-A) and your assistance on helping us move this item to a date where it can be heard locally. We also appreciate the rounds of last minute emails and calls to identify modified language that achieves consistency with the Coastal Act, provides habitat and community protections, and maintains the intent of the LPCA approved by the City Council. Specifically, we wanted to extend kudos to Deanna Christensen for her professionalism, good nature, and a keen understanding of the dynamics between the Coastal Act and local governments.

We support Coastal staff's recommendations on this item and will recommend approval of the LPCA to the City Council when the item returns to the City Council for acceptance of the recommended changes.

We will be in attendance at the Commission hearing and will urge the Commission to certify an amendment that gives us the ability to consider allowing lights at the high school and locally regulating the use via a conditional use permit. This amendment would give us the necessary framework to proceed with this use at the local level.


If certified, the school district would have to submit an application for a coastal development permit to install the lights and a conditional use permit to operate the lights. Both would be issued by the City and involve public noticing and a meeting to review the project.


Please feel free to distribute this correspondence to the Commission.

Thanks.

Joyce

~~~~~  
 Joyce Parker-Bozylinski, AICP | Planning Director | City of Malibu

 23825 Stuart Ranch Road, Malibu, CA 90265

 (310) 456-2489 ext. 265

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|--------------------|
| Addendum Exhibit 1 |
| Malibu LCP         |
| Amendment 1-11-A   |

9/26/2011

**Received**

OCT 04 2011

**California Coastal Commission  
South Central Coast District Office**California Coastal Commission  
South Central Coast District  
**October 3, 2011****Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801****Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Coastal  
Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified  
School District)****Dear Coastal Commission,**

I am a former Malibu High School student and football player. I graduated in 2008 and had the privilege of playing under the Friday Night Lights every year I was there. As a former player, I can honestly say that it was an amazing opportunity to be able to play under the lights for the community and it was always an event to look forward to. The community looked forward to the Friday night games just as much as we, the players, did. For me the lights were something that brought everyone together and gave everyone something to do in a city where there is not much going on and not very teen friendly. The lights were and still are something that encourages kids to play sports and to stay active, keeping them out of trouble and in a positive environment as well.

Please give Malibu teens the opportunity to continue this tradition and opportunity to stay involved in the community and active with their classmates. Even though I am no longer a member of the Malibu Varsity Football team I would still love to see future students enjoy the excitement of Friday Night Lights and the large crowds of support the lights bring. Please don't take away Friday Night Lights from a school that already lacks school spirit. Without the lights, there are smaller crowds and much less motivation for our sports teams. The football player's high school experience would be incomplete without the lights.

Sincerely,  
Charles Vines

Mark O. Kelly  
Principal  
Phil Wenker  
Assistant Principal  
Wendy Wax Gellis  
Assistant Principal



30215 Morning View Drive  
Malibu, CA 90265  
Telephone (310) 457-6801  
Facsimile (310) 457-4984  
<http://malibuhigh.org>

Grades Six Through Twelve

**Received**

**OCT 03 2011**

California  
Coastal Commission

September 30, 2011

Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Santa Monica-Malibu Unified School District Coastal Development Permit Amendment No. 4-99-276-A4

Dear California Coastal Commission,

I strongly support limited field lighting on the main sports field at Malibu High School. I urge you to certify the City of Malibu's Local Implementation Plan (LCP) Amendment (MAL-MAJ-1-11-A) as modified by the California Coastal Commission (CCC) staff, in accordance with staff's recommendation. In addition, I urge you to approve the request by the Santa Monica-Malibu Unified School District to eliminate Special Condition No. 6 (Athletic Field Lighting Restriction) to allow future lighting of the main sports field at Malibu High School subject to the requirements of the proposed Malibu LCP Amendment (MAL-MAJ-1-11-A).

As principal, I know there is strong community support for limited field lighting on the main sports field at Malibu High School. Many letters of support accompany my own. Our school is the center of the community for school-aged children and their families. We excel academically, in the arts, in community service and in athletics. We see limited field lighting as important to the continued evolution of our school and community. Field lighting is a means to a greater end of improving programs for our students and is important for strengthening our spirit as a school community. When students, parents and families gather as a larger community, we enjoy a common experience that is the very essence of what it means to be a community. Field lighting is a necessary enhancement to our programs as they allow us to host activities that bring together young children, teens, alumni and members of the community for shared experiences that have long been a part of American public education. Young people need night activities. As adults charged to guide them, we must provide our young people experiences that are meaningful to them and that afford them the same experiences we had in our own young years. School-sponsored night events are safe and supervised activities that serve students and the community as a whole.

I urge you to support the City of Malibu's LCP amendment and the Santa Monica-Malibu Unified School District's Coastal Development Permit Amendment. I am confident that we, in collaboration with the City of Malibu, can implement a field lighting use plan that both serves to preserves Malibu's way of life while providing positive and safe community experiences for our young people and the community.

Respectfully,

Mark O. Kelly, Ed.D.  
Principal



California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

September 27, 2011

Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit  
Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified School District)

Dear Coastal Commission:

I strongly support limited field lighting on the main athletic field at Malibu High School. I urge you to certify Malibu's Local Implementation Plan Amendment (MAL-MAJ-1-11-A) as modified by CCC staff, in accordance with staff's recommendation.

This LCP amendment, as modified by your staff, will strike the right balance between the needs of Malibu High School and the needs of our coastal community as a whole. The LIP amendment, with the suggested modifications, would greatly enhance the athletic program at Malibu High School by making it possible to have a reasonable number of night games and practices. Evening sporting events are also great social occasions, bringing together kids, parents and neighbors. At the same time, the restrictions on the times of the year and hours of the week that the lights can be used, the conditions placed on the types of lights allowed, and the requirement that a biologist monitor the effects of the lights on bird life, will respect the desire of Malibu residents to enjoy the dark night skies most nights of the year and protect our wildlife.

Again, please vote yes on the LIP amendment to allow limited field lights at Malibu High, subject to staff's recommended modifications.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark P. Wetton', with a long horizontal line extending to the right.

Mark P. Wetton

Chairman, Malibu Parks and Recreation Commission

**Received**

OCT 03 2011

California Coastal Commission  
South Central Coast District**Malibu Youth Organization Leaders in Support of Lights for MHS Athletic Field**

September 30, 2011 (via FAX 805-641-1732)

**Re: Malibu LCP Amendment MAI 1-11 Part A (High School Lights) and Coastal Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu USD)**

Dear Commissioner Lester, Chair and Members of the California Coastal Commission:

This October 5th, the California Coastal Commission will again take up the topic of nighttime lights on the Malibu High School (MHS) football field. The Commission will consider a proposed Local Coastal Permit (LCP) Amendment that would allow *limited* nighttime lighting for athletic events and practices. **We, the undersigned leaders of youth programs in Malibu, urge the Coastal Commission to follow Staff Recommendations and approve this LCP Amendment subject to Staff's recommended modifications.**

We support the proposed change to our LCP for the following reasons. We love living in a rural community, but Malibu has almost no options for our teens to get together on weekend nights in a safe environment. The city has purposely limited large commercial development that attracts nighttime activities and there are few, if any, community gathering places open past 9:00 p.m. Friday night high school football games help to fill that need. MHS football games were the place to be on autumn evenings during the seven years that Malibu had Friday night games under temporary lights. All of Malibu came out - students, teachers, alumni, former MHS parents, small children with their families and many other community members who reveled in the chance to watch locals play the game they had loved and played as kids. Friday night lights is an American tradition intertwined in the fabric of every rural community across the country.

MHS soccer teams, comprised of both boys and girls, would also benefit from limited field lighting. Soccer is a winter sport, which means that games and practices must currently end by 5:00 p.m. due to darkness. Students miss class time because their games must all start before the school day ends in order to have enough daylight hours to play a full game before darkness falls. In addition, few parents ever get to see their kids play games due to work commitments during the day.

Malibu High School is a good neighbor. In the afternoons, many neighborhood residents walk their dogs on school property and ride their horses on school land that overlooks the main athletic field. Malibu High and the city of Malibu work together every year to provide playing fields, basketball courts, a running track, tennis courts and a shared pool for the greater Malibu community. Many of Malibu's residents, from young children to adults, regularly use the MHS pool, which is lit 5 nights a week until 9:00 p.m. without objection by the neighbors. This track record of neighborliness demonstrates that MHS will continue to be sensitive to residents' concerns as it implements the field lighting, so as to preserve the night skies the vast majority of evening hours each year.

(continued)

9-29-11 Malibu Youth Organizations Letter Page 2

The proposed LCP amendment accommodates the needs of our children and the concerns of MHS's neighbors by providing for a *limited* number of nights and hours when the lights can be used. We do not want, nor do we advocate, unlimited nighttime lighting. We simply want a reasonable number of hours of lights to allow our kids to safely practice and participate in sports, particularly during the fall and winter months. We believe that the City of Malibu, and not the Coastal Commission, should be the agency to determine the hours and rules. Local control is important to us and is vital to keeping Malibu a safe community that is responsive to its residents' needs.

In short, MHS's athletes, and the community which comes out to support them, deserve to enjoy the benefits of *limited* field lighting on the high school football field. We feel strongly that the Coastal Commission should pass this carefully crafted proposed LCP amendment in accordance with the recommendations of Coastal Staff.

Sincerely,

Tony Perez, President - Malibu Athletic Boosters Club  
Craig Foster, Laureen Sills, Patricia Manney - AMPS Executive Leaders,  
Advocates for Malibu Public Schools  
Paula Erickson, President - The Shark Fund (MHS Primary Fundraising Organization)  
Kasey Earnest, Chief Professional Officer - Boys & Girls Club of Malibu Teen Center  
Ignacio Garcia, President - Malibu English Learner Advisory Committee (ELAC)  
Pete Anthony, Former Malibu Planning Commissioner, Vice President - Malibu ASA Softball  
John Paola, President - Malibu Kiwanis Club  
Kim Stefanko, President - Malibu High School Arts Angels  
Laureen Sills, President - Malibu Special Education Foundation  
Maria-Flora Smoller, Co Founder - A Safer PCH  
Ray Humphrey, Head Coach of Football - Malibu High School  
Ari Jacobs, Classroom Teacher/Head Coach of Baseball - Malibu High School  
Lloyd Kinnear, Head Coach of Boys Soccer - Malibu High School  
John Johnstone, Head Coach of Girls Soccer - Malibu High School  
Steven O'Neill, Head Coach of Boys Lacrosse - Malibu High School  
Frank Thomas, President - Malibu Pony Baseball & Malibu ASA Softball  
Rick Erickson, Regional Commissioner - Malibu AYSO  
John Cary, Head Coach of Track and Field - Malibu High School  
Steve Ciniglio, Former President - Malibu Little League & Malibu Pony Baseball

**Received**

OCT 03 2011

California Coastal Commission  
South Central Coast District

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Received**

OCT 03 2011

California Coastal Commission  
South Central Coast District

September 24, 2011

Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified School District)

Dear Coastal Commission:

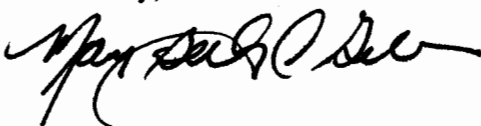
I strongly support limited field lighting on the main athletic field at Malibu High School. I urge you to certify Malibu's Local Implementation Plan Amendment (MAL-MAJ-1-11-A) as modified by CCC staff, in accordance with staff's recommendation.

This LCP amendment, as modified by your staff, will strike the right balance between the needs of Malibu High School and the needs of our coastal community as a whole. The LIP amendment, with the suggested modifications, would greatly enhance the athletic program at Malibu High School by making it possible to have a reasonable number of night games and practices. Evening sporting events are also great social occasions, bringing together kids, parents and neighbors. At the same time, the restrictions on the times of the year and hours of the week that the lights can be used, the conditions placed on the types of lights allowed, and the requirement that a biologist monitor the effects of the lights on bird life, will respect the desire of Malibu residents to enjoy the dark night skies most nights of the year and protect our wildlife.

The lighting will allow our children to have practices which are needed rather than end them when it is getting dark. By not having a field we our high school level team sports can practice and play puts them at a serious deficit compared to other High School teams who all have PERMENANT night lights. There are no other fields which could have night time practices. The lights will allow more home games which will be better for our student athletes as well as build a sense of community as more families and citizens come to the games. Finally, as the night lights are on at night when most birds are sleeping at the effect on the birds will be minimal.

Again, please vote yes on the LIP amendment to allow limited field lights at Malibu High, subject to staff's recommended modifications.

Sincerely,



California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Received**

OCT 03 2011

California Coastal Commission  
South Central Coast District

September 24, 2011

**Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified School District)**

Dear Coastal Commission:

I strongly support limited field lighting on the main athletic field at Malibu High School. **I urge you to certify Malibu's Local Implementation Plan Amendment (MAL-MAJ-1-11-A) as modified by CCC staff, in accordance with staff's recommendation.**

This LCP amendment, as modified by your staff, will strike the right balance between the needs of Malibu High School and the needs of our coastal community as a whole. The LIP amendment, with the suggested modifications, would greatly enhance the athletic program at Malibu High School by making it possible to have a reasonable number of night games and practices. Evening sporting events are also great social occasions, bringing together kids, parents and neighbors. At the same time, the restrictions on the times of the year and hours of the week that the lights can be used, the conditions placed on the types of lights allowed, and the requirement that a biologist monitor the effects of the lights on bird life, will respect the desire of Malibu residents to enjoy the dark night skies most nights of the year and protect our wildlife.

Again, please vote yes on the LIP amendment to allow limited field lights at Malibu High, subject to staff's recommended modifications.

Sincerely,



Carol Levy (Malibu resident)

**Received**

SEP 29 2011

California Coastal Commission  
South Central Coast District**September 29, 2011****California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801****Dear Commission,**

I am a soccer player at Malibu High School. The high school soccer season is played during the months of December, January, and February. Because our fields have no lights, we start our games at 3:00 in order to try to finish before dark. This means we have to leave school before our classes are finished. It also means that many of the parents of players on our team are not able to watch us play. Even though we start playing at 3:00, the ends of our games are played in the dark. This makes it hard to see in a very fast-moving game. It would be so much better for us as students, for our parents, and for us as athletes to have lights for our soccer games.

Please support the amendment to the Malibu Local Implementation Plan that will allow the City of Malibu to consider having limited lighting at the athletic fields at Malibu High School.

**Sincerely,****Dylan Hannigan**

**Parents:  
Matt & Karen Hannigan  
310.457.7508 (home)  
matt\_han@msn.com  
Malibu residents for over 40 years**

James Goldstone

Period 4

9/28/2011

**Received**

OCT 03 2011

California  
Coastal Commission

Ms. Deanna Christensen  
Coastal Program Analyst  
**California Coastal Commission**  
South Central Coast District Office  
89 South California Street  
Suite 200  
Ventura, CA. 93001-2801

September 28, 2011

Dear Ms. Christensen and The Coastal Commission,

My name is James Goldstone and I am a seventh grader at Malibu High School in Malibu. I understand that a vote will be held as to whether or not Malibu High will be allowed to install lights on its football field. I strongly think that there are many benefits to having lights on the football field. Here are some reasons why.

First, it will allow the boys' and girls' athletic teams to practice longer outside during the dark days of winter daylight savings time. More practice time gives them a chance to become better athletes and better teams. Lights on the field will also mean that Malibu High can host night games and won't have to travel so much by bus to away games. This will save gasoline, travel time and money. Fewer school buses on the road means less pollution. So the lights will be good for the environment. Finally, Malibu kids can go to night games instead of driving around or hanging out at unsupervised parties on Friday and Saturday nights.

Thanks for considering this letter.

Sincerely,

*James Goldstone*

James Goldstone

*Malibu High 7grader*

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Received**  
OCT 03 2011  
California  
Coastal Commission

September 29, 2011

**Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit Amendment No. 4-99-276-A4 (SMMUSD)**

Dear Coastal Commission:

Our sports program needs lights on the main athletic field at Malibu High School. **I urge you to certify Malibu's Local Implementation Plan Amendment (MAL-MAJ-1-11-A) as modified by CCC staff, in accordance with staff's recommendation.**

I play football, and lights for a few night time games would be a huge benefit for our program. But it's not just about my sport - lights would help other sports that need occasional nighttime lighting - like boys and girls soccer, lacrosse, and track & field. Other student groups would benefit as well, such as our cheer leading squad and drum line.

Recently, our girls soccer team could not even host a home game in CIF playoff competition because of the early darkness in winter months. Also, many of our student athletes have to get out of class early for home games in the early afternoon to finish before dark. And finally, many of our parents can't watch us play, because games are always during work hours. Having limited lighting on our field would solve all of these problems.

This LCP amendment (as modified) will meet the needs of our high school while preserving dark night skies most of the year and protecting wildlife.

*There are no evening activities for the teenage community of Malibu. Malibu High night-time sporting events would provide something for teenagers to do at night, keeping teens out of trouble while providing something positive not just for them but the entire city of Malibu.*

Sincerely,

*Alden Quartz*  
Alden Quartz

MHS Class of 2013



California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Received**

OCT 03 2011

California  
Coastal Commission

September 26, 2011

Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified School District)

Dear Coastal Commission:

I am a student at Malibu High School. I strongly support limited field lighting on the main athletic field at Malibu High School. I urge you to certify Malibu's Local Implementation Plan Amendment (MAL-MAJ-1-11-A) as modified by CCC staff, in accordance with staff's recommendation.

The lighting will allow us to have practices which are needed rather than end them when it is getting dark. There are no other places where we can practice light at night. Also, not having a field lights at our high school puts us at a serious disadvantage when playing other high school level team as they can practice longer and can play more home games. Almost all other schools we play have Permanent LIGHTS. The lights will allow more home games which will be better for our student athletes as well as build a sense of community as more families and citizens come to the games. Finally, as the night lights are on at night when most birds are sleeping at the effect on the birds will be minimal.

Again, please vote yes on the LIP amendment to allow limited field lights at Malibu High, subject to staff's recommended modifications.

Sincerely,

*Skylar Gilson*

Received

OCT 03 2011

California  
Coastal Commission

Dear Coastal Commission,  
I would like to begin by thanking you for protecting the natural beauty of the Malibu Coastline as well as Coasts throughout the State of California. This being said, I would like to ask for your approval to allow Malibu High School to have lights for football games. As an athlete at Malibu High School, I know how important it is to practice sports for their upcoming games. Without the use of lights for night practice, Many athletes would be unable to train for future games and events that are so important to the Malibu Community. I again wish to thank you for your extensive efforts along the California Coastline and I hope you continue for many years to come.

Sincerely,

Jason Frankle

Malibu High School Student

Harry Baronsky Youth Commission Member.

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Received**

OCT 03 2011

California Coastal Commission  
South Central Coast District

September 28, 2011

**Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified School District)**


Dear Coastal Commission:

**As a resident of Malibu Park, the area of Malibu where the high school is located, I am in favor of your staff's recommendation for limited field lighting at Malibu High School. These lights will affect our family more than most yet we welcome the chance to have night football games and early evening soccer games. They are sorely needed in our town where there is little to do in the evenings for kids, teens and adults.**

This LCP amendment, as modified by your staff, will strike the right balance between the needs of Malibu High School and the needs of our coastal community as a whole. The LIP amendment, with the suggested modifications, would greatly enhance the athletic program at Malibu High School by making it possible to have a reasonable number of night games and practices. Evening sporting events are also great social occasions, bringing together kids, parents and neighbors. At the same time, the restrictions on the times of the year and hours of the week that the lights can be used, the conditions placed on the types of lights allowed, and the requirement that a biologist monitor the effects of the lights on bird life, will respect the desire of Malibu residents to enjoy the dark night skies most nights of the year and protect our wildlife.

Again, please vote yes on the LIP amendment to allow limited field lights at Malibu High, subject to staff's recommended modifications.

Sincerely,



Allen Alsobrook  
5725 Calpine Drive  
Malibu, CA 90265

OCT 03 2011

California Coastal Commission  
South Central Coast District

Re: Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development  
Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified School District)

Dear Coastal Commissioners:

This October 5th, you will again take up the topic of nighttime lights on the Malibu High School (MHS) football field. The Commission will consider a proposed Local Coastal Permit (LCP) Amendment that would allow *limited* nighttime lighting for athletic events and practices. **We, the undersigned, urge the Coastal Commission to follow Staff Recommendations and approve this LCP Amendment subject to Staff's recommended modifications.**

We support the proposed change to our LCP for the following reasons. We love living in a rural community, but Malibu has almost no options for our teens to get together on weekend nights in a safe environment. The city has purposely limited large commercial development that attracts nighttime activities and there are few, if any, community gathering places open past 9:00 p.m. Friday night high school football games help to fill that need. MHS football games were the place to be on autumn evenings during the seven years that Malibu had Friday night games under temporary lights. All of Malibu came out – students, teachers, alumni, former MHS parents, small children with their families and many other community members who reveled in the chance to watch locals play the game they had loved and played as kids. Friday night lights is an American tradition intertwined in the fabric of every rural community across the country.

MHS soccer teams, comprised of both boys and girls, would also benefit from limited field lighting. Soccer is a winter sport, which means that games and practices must currently end by 5:00 p.m. due to darkness. Students miss class time because their games must all start before the school day ends in order to have enough daylight hours to play a full game before darkness falls. In addition, few parents ever get to see their kids play games due to work commitments during the day.

Malibu High School is a good neighbor. In the afternoons, many neighborhood residents walk their dogs on school property and ride their horses on school land that overlooks the main athletic field. Malibu High and the city of Malibu work together every year to provide playing fields, basketball courts, a running track, tennis courts and a shared pool for the greater Malibu community. Many of Malibu's residents, from young children to adults, regularly use the MHS pool, which is lit 5 nights a week until 9:00 p.m. without objection by the neighbors. This track record of neighborliness demonstrates that MHS will continue to be sensitive to residents' concerns as it implements the field lighting, so as to preserve the night skies the vast majority of evening hours each year.

The proposed LCP amendment accommodates the needs of our children and the concerns of MHS's neighbors by providing for a *limited* number of nights and hours when the

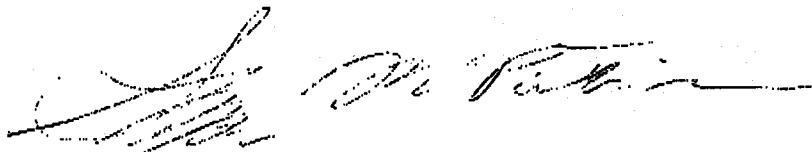
OCT 03 2011

California Coastal Commission  
South Central Coast District

lights can be used. We do not want, nor do we advocate, unlimited nighttime lighting. We simply want a reasonable number of hours of lights to allow our kids to safely practice and participate in sports, particularly during the fall and winter months. We believe that the City of Malibu, and not the Coastal Commission, should be the agency to determine the hours and rules. Local control is important to us and is vital to keeping Malibu a safe community that is responsive to its residents' needs.

In short, MHS's athletes, and the community which comes out to support them, deserve to enjoy the benefits of *limited* field lighting on the high school football field. We feel strongly that the Coastal Commission should pass this carefully crafted proposed LCP amendment in accordance with the recommendations of Coastal Staff.

T. Z. McPartlin



**Received**

OCT 03 2011

California Coastal Commission  
South Central Coast District

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

September 28, 2011

**Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified School District)**


Dear Coastal Commissioners:

*My home looks directly down on Malibu High School and the football/soccer field. I will be directly impacted by the lights and I am IN FAVOR of your staff's recommendations to modify our LCP to allow for limited lighting at MHS.*

This LCP amendment, as modified by your staff, will strike the right balance between the needs of Malibu High School and the needs of our coastal community as a whole. The LIP amendment, with the suggested modifications, would greatly enhance the athletic program at Malibu High School by making it possible to have a reasonable number of night games and practices. Evening sporting events are also great social occasions, bringing together kids, parents and neighbors. At the same time, the restrictions on the times of the year and hours of the week that the lights can be used, the conditions placed on the types of lights allowed, and the requirement that a biologist monitor the effects of the lights on bird life, will respect the desire of Malibu residents to enjoy the dark night skies most nights of the year and protect our wildlife.

Again, please **vote yes** on the LIP amendment to allow limited field lights at Malibu High, subject to staff's recommended modifications.

Sincerely,



Bob Kaplan  
29800 Cuthbert Rd  
Malibu, CA 90265

To Whom It May Concern,

**Received**

OCT 03 2011

Re:

California Coastal Commission  
South Central Coast District

Malibu LCP Amendment 1-11 (High School Lights) and

Coastal Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu

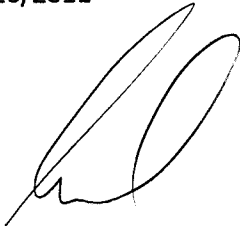
Unified School District)

I live at 30010 Andromeda Ln, directly above Malibu high school and I am in no way disturbed by lights on the football field. I do not have kids attending the school but I do believe Friday night football is a great thing for the teenagers and entire community. Please let the school have these night football games! It keeps the teenagers off the streets, in a safe environment and it does not disturb me at all, as a neighbor. Actually I love hearing the games announcers and the sense of community it brings! In addition I believe the field should have lights in the early evening for winter soccer games as well. Sports are such an important part of a child's life.

Thank you for listening to someone who favors the lights for the football and soccer games,

Pamela Van Ierland

9/26/2011

A handwritten signature in black ink, appearing to be 'Pamela Van Ierland', written in a cursive style.

**Received**

September 21, 2011

SEP 26 2011

California  
Coastal Commission

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

RE: Lighting the Sports fields at Malibu High School

Attn: California Coastal Commission

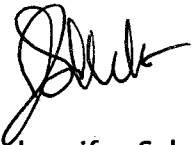
I live in Malibu Park, and I am in favor of lighting for the sports fields at Malibu High School.

My husband and I purchased our house on Filaree Heights over 12 years ago. Malibu High School and Juan Cabrillo can be seen from our backyard. We fully expect to hear and see the activities at both schools during the day and during evening events. This is part of living near a school.

I believe that evening sporting events are important for our community to provide for the kids at MHS. The community of Malibu does not have many alternatives for teens to do on weekend evenings. Please help provide evening football and soccer games for our community to enjoy.

Please allow Malibu High School to install temporary lighting for their sports fields.

Sincerely,



Jennifer Schoenberger  
5855 Filaree Hts.  
Malibu, CA 90265



CHAPMAN GLUCKSMAN DEAN **Received**

TELEPHONE:  
(310) 207-7722

FACSIMILE:  
(310) 207-6550

WEBSITE:  
www.cgdrblaw.com

ROEB & BARGER  
A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW  
11900 WEST OLYMPIC BOULEVARD  
SUITE 800  
LOS ANGELES, CALIFORNIA 90064-0704

SEP 28 2011

California  
Coastal Commission

WRITER:  
DOMINIC J. FOTE

DIRECT DIAL:

(310) 689-7905

E-MAIL:  
dfote@cgdrblaw.com

September 26, 2011

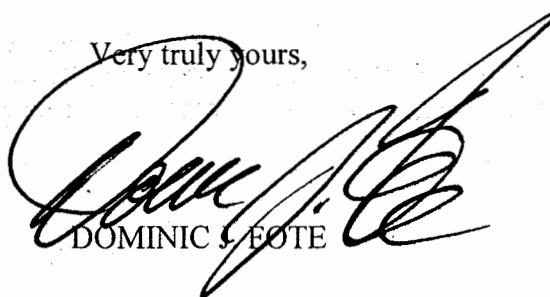
California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

***Re: Support of Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified School District)***

Dear Coastal Commission:

My son Adam is a Junior at Malibu High School, plays on MHS's Varsity Soccer team, and I strongly support limited field lighting on the main athletic field at Malibu High School. I urge you to certify Malibu's Local Implementation Plan Amendment (MAL-MAJ-1-11-A) as modified by CCC staff, in accordance with staff's recommendation. This LCP amendment, as modified by your staff, will strike the right balance between the needs of Malibu High School and the needs of our coastal community as a whole. The LIP amendment, with the suggested modifications, would greatly enhance the athletic program at Malibu High School by making it possible to have a reasonable number of night games and practices. Evening sporting events are also great social occasions, bringing together kids, parents and neighbors. At the same time, the restrictions on the times of the year and hours of the week that the lights can be used, the conditions placed on the types of lights allowed, and the requirement that a biologist monitor the effects of the lights on bird life, will respect the desire of Malibu residents to enjoy the dark night skies most nights of the year and protect our wildlife. Again, please vote yes on the LIP amendment to allow limited field lights at Malibu High, subject to staff's recommended modifications.

Very truly yours,



DOMINIC J. FOTE

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Received**  
SEP 28 2011  
California  
Coastal Commission

Ref. Malibu LCP Amendment 1-11 (High School Lights) and Coastal  
Development Permit Amendment No. 4-99-276-A4 (Santa Monica-Malibu Unified  
School District)

Dear Ms. Christensen,

I am the mother of two boys, a former Board Member of the California Wildlife Center, a former PTA Vice-President at Juan Cabrillo Elementary School, a current Board Member of the Malibu Special Education Foundation and an avid supporter of public education and the City of Malibu.

In addition, I consider myself to be a nature lover and environmentalist, as well as a devoted star gazer – I own my own telescope – and I treasure our beautiful oceans, parks and open spaces and the creatures that inhabit them, as well as our wonderful dark skies.

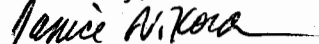
All of that said, I am writing to you today to express my **STRONG** support for limited night lights at Malibu High School.

I do not believe that the limited lights proposal that your Commission is currently considering will adversely affect the native animal population, nor will it make stargazing a thing of the past.

I do believe that the use of limited night lights will greatly enhance the community of Malibu, by providing evening extracurricular activities for generations of teens, with the bonus of providing a community gathering spot. This can only improve the overall atmosphere of our local public school, Malibu High School, which will, in turn, allow us to retain students who would otherwise leave Malibu for more "sports oriented" private schools.

Thank you for listening to public comment regarding this pivotal issue for our community.

Sincerely,



Janice Nikora

29211 Sea Lion Place

Malibu, CA 90265

# Received

SEP 29 2011

California Coastal Commission  
South Central Coast District

September 28, 2011

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801  
FAX 805-641-1732

Dear Commission,

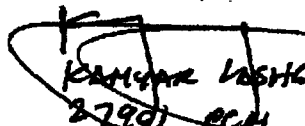
Please vote in favor of certifying Malibu's Local Implementation Plan Amendment (MAL-MAJ-1-11-A) as modified by The California Coastal Commission staff, in accordance with The California Coastal Commission staff's recommendation.

As a parent I appreciate the opportunities young people have to enjoy the beaches and mountains in Malibu. However, once the sun sets, the opportunities for young people to engage in group activities in our community decrease dramatically. I support limited lighting at the main athletic field at Malibu High School. This will

- Allow youth to participate in sports such as football, soccer, and track beyond daylight hours.
- It will expand the number hours fields are available for games and practice, which is desperately needed in Malibu for both school and community recreational teams.
- Allow student athletes to finish classes before leaving to represent their school athletically.
- Allow student athletes who need academic help will be able to get it after school if practices can start later.
- Allow working parents to support their children when they compete.
- Provide young people in Malibu a social opportunity that centers around supporting their peers engaged a healthy activity.

I hope that you will support the amendment to the Malibu Local Implementation Plan that will allow the City of Malibu to consider having limited lighting at the main athletic field at Malibu High School.

Sincerely,

  
KANYAR LOSHKARI  
27901 PCN  
MALIBU, CA 90265

**Received**

SEP 22 2011

Cynthia Kesselman  
6022 Merritt Drive  
Malibu, California 90265

California Coastal Commission  
South Central Coast District

California Coastal Commission/South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

Re: Lights in Malibu

Ms. Christensen:

I am a resident of Malibu Park and the parent of an 11<sup>th</sup> grader (also a softball player) at Malibu High. I am writing to express my concerns about the lighting issues in the environs of Malibu High with a sympathetic eye toward the needs of the student community.

On the one hand, a reasonable amount of night lights for football would not burden the incredible natural environment that makes Malibu such a special location in Southern California. On the other hand, there is a general "creeping" of light pollution that is gradually ruining the astonishingly beautiful night skies in Malibu. And, notwithstanding the accommodating efforts of the community, there is a legitimate concern that these accommodations have been returned by overreaching by the City of Malibu and SMMUSD.

This overreaching has manifested both in connection with past requests for hundreds of nights of lighting on the campus as well as the lack of interest in diminishing the impact of lighting around the new parking lot in progress at Malibu High which, in combination with lighting the sports fields, will multiply the light pollution. I am advised that several suggestions have been made by locals in connection with these new lights, which, at no additional cost, could decrease the lighting impact. I am also advised that these suggestions have been ignored.

Isn't there some type of accommodation that can be made that addresses the concerns of the community with respect to both sets of lights? What assurances do community members have that there will not be light pollution creep if additional lighting is permitted for the sports fields?

The Coastal Commission is duty bound to protect the environment along California's pristine coastal areas. I am confident that it will act as a moderating force in connection with the very serious issues presented in connection with the light pollution issue.

Very truly yours,

Cynthia Kesselman

|                    |
|--------------------|
| Addendum Exhibit 2 |
| Malibu LCP         |
| Amendment 1-11-A   |

**Received**

SEP 22 2011

California Coastal Commission  
South Central Coast District

September 18, 2011

South Central  
Coast District Office  
John Ainsworth, Deputy Director  
Steve Hudson District Manager  
89 South California Street Suite 200  
Ventura, CA 93001-2801  
805-585-1800  
805-641-1732 Fax

Dear Mr. Ainsworth & Mr. Hudson:

I am a resident of the Malibu Park area and I am writing to tell you that I object to lights for additional parking at the high school and am concerned about lighting for the football field. I do not want any sky glow to be created.

We have purposefully chosen to live outside the city to avoid such urban effects. We want to preserve our dark nights and natural environment.

We have made a substantial investment in our home and do not want that compromised.

Please honor the wishes of the area homeowners and do not compromise the integrity of our community or existing laws and regulations.

Thank you.

Sincerely,



Brent Almond

5738 Calpine Drive  
Malibu, CA 90265

## Deanna Christensen

---

**From:** John Ainsworth  
**Sent:** Monday, September 26, 2011 8:41 AM  
**To:** Deanna Christensen  
**Subject:** FW: Night lights at Malibu High School

-----Original Message-----

**From:** Anna Belle Heiss [mailto:ahmalibu@gmail.com]  
**Sent:** Saturday, September 24, 2011 5:43 PM  
**To:** John Ainsworth  
**Cc:** malibudarkskies@gmail.com  
**Subject:** Night lights at Malibu High School

John Ainsworth  
California Coastal Commission

I am joining with my fellow Malibu residents to object to the city's request for lights on the field at Malibu High School. We live in a very unique part of California which provides the habitat for many kinds of wildlife, including many mammals and birds. Lights will upset the balance required for these animals to live, when they die out they will upset the habitat balance for numerous other animals which are indigent to this area. The resident wildlife are a very important part of what Malibu is; if this is lost we have destroyed what we moved here to enjoy and protect. Please help us save this valuable environment.

Sincerely,  
Anna Belle Heiss  
(32 year resident)

**Deanna Christensen**

---

**From:** Healypatt@aol.com  
**Sent:** Friday, September 30, 2011 5:24 PM  
**To:** Deanna Christensen; Jeff Staben  
**Subject:** Wed 10-5-11 agenda item 13A  
**Attachments:** ccc malibu high 10-5-11.docx

**MALIBU COALITION FOR SLOW GROWTH - 403 SAN VICENTE BLVD - SANTA MONICA**

**To: Members of the California Coastal Commission**  
**From: Malibu Coalition for Slow Growth (MCSG) by Patt Healy**  
**Hearing Date: Wednesday 10-5-11 Agenda Item : 13A**

**MCSG respectfully asks you to deny the CDP amendment to allow night lighting at Malibu High for the following reasons:**

**1. STAFF ADMITS CIRCUMSTANCES HAVE NOT CHANGED**

To now make an exception and allow night lighting when nothing has changed from 2000 when night lighting was prohibited at the school , 2003 when the Malibu LCP was certified and in 2009 when the Commission unanimously denied the high school's request for night lighting for sixteen nights per year. In all instances the Commission prohibited stadium lighting because of the impact on wildlife and scenic areas. It is well documented that skyglow from stadium lighting creates harm and death for migratory birds. To permit this Amendment is making a sham of the Coastal Act and the Malibu LCP.

On page 20 of the staff report discussing sky glow, staff states: "The potential for field lights to be on at the high school's main sports field for roughly 150 nights per year poses significant individual and cumulative impacts on public views of natural landforms, the beach and ocean, and the nighttime sky in the area." 75 nights per year does not negate the significant harm that will occur.

**2. PRECEDENT SETTING STATEWIDE AND LOCALLY**

Each of you are privileged to have been entrusted with the protection of the California Coast. If you allow this amendment in Malibu it will set a statewide precedent for lighted sports courts. If night lighting is allowed, when other applications for night lighting go forward in dark sky areas in the Coastal Zone statewide, it will be difficult to deny them.

The allowance of this night lighting sets a bad precedent not only for future permanent lighting at the High School but for future night lighting projects elsewhere in Malibu. To date no precedent has been set. If you allow night lighting the camel's nose will be in the tent and before long the camel will be permanently in the tent. It is well known that the school districts plan is for permanent lighting at this location and for a continued expansion of same and the city is supportive of school night lighted sports activity. Rest assured this is just the beginning.

### 3. BIRD MIGRATION AND WILDLIFE DISRUPTION.

Malibu High School is in the Pacific Flyway. It is well documented that Sky Glow disrupts migrating birds. (Staff report page 6 ) Hence night lighting for the sports field should be denied outright. The mitigation measures suggested by staff are not effective. (Please read Attachment below).

The coastal biologist says that the "Malibu High School property is not likely to be used by migratory birds as a stopover site. The habitats suitable for supporting resting migrating birds are the stream, eucalyptus grove, and black walnut tree area. they do not represent quality stopover habitat." It may not be quality habitat but migratory birds use swimming pools throughout Malibu. Therefore, they will choose the high school stream and possibly the trees at the high school property too.

Also, other animals nocturnal patterns and foraging ability will be a disrupted. Staff analysis is misguided since Malibu Park and the environs around the school contain an abundance of nocturnal wildlife. Wild life does not limit itself to living and foraging only within in ESHA. Also all of the biologists did not visit this site at night.

### 4.LESSENS LEARNED

The main reason given for night games is because it serves as a social occasion where parents and kids can get together. These get togethers can happen on weekend mornings and afternoons and at nights at other venues. Social occasions are not a reason to violate the Coastal Act which mandates protection of the natural environment.

By prohibiting night lighting you will be teaching kids the need to respect nature. By approving this LCP amendment the school district is being rewarded for it previous violation of their existing CDP. If you allow night lighting, the lessen the kids will learn is that the protection of the natural environment is not important and the law can be ignored without consequences. What is wrong with this picture ?

Please deny this LCP amendment and agenda item 17a which would approve the Malibu High School remove the non allowance of night lighting.

Thank you for consideration of our thought on this matter.

### ATTACHMENT

#### STAFF MITIGATION MEASURES NOT EFFECTIVE AND NOT SUFFICIENT

Night lighting is scheduled to take place during the migratory bird season. Malibu and the high school is part of the Pacific Flyway. It is well documented that migrating bird navigation get confused by night lighting ." If stars are obscured by clouds or fog, they will orient to almost any elevated light source to attempt to navigate " killing and harming the birds "

The Staff Biologist optimistically states: *' I believe the athletic field night lighting will not create significant negative impacts for migrating birds and foraging, roosting, or nesting raptors and/or owls because the lights will primarily be limited to Pacific Standard Time, a monitoring program will be implemented to ensure that night lighting during Fall or Spring migration will not negatively impact night migrating birds, and the athletic field lighting plan will be required to incorporate a design and technologies that will minimize light spill, glare, and skyglow to the maximum extent feasible. (engel's rept conclusion on page 8)*



Let's look at the reality of the situation The staff's condition doesn't implement the biologist's recommendations. These mitigation measures most likely will mitigate nothing.

Underlined is the wording of the staff recommendation. Italics are our comments.

7. Lighting of the main sports field at Malibu High School may only be permitted if it complies with the following standards:

a. Lighting shall be minimized, directed downward, and shielded using the best available visor technology and pole height and design that minimizes light spill, sky glow, and glare impacts to public views and wildlife to the maximum extent feasible. (*Comment: Eighty foot high poles with 1500 watt bulbs are proposed to light the field. This is the equivalent height of an seven story building. I am sure this is not what the coastal biologist had in mind when she said that the design will minimize light spill, glare and sky glow since 17 foot high light poles with 250 watt shielded bulbs would result in new sources of nighttime lighting that would create sky glow according to the current 2011 Malibu High draft EIR.*)

b. Lighting may only occur for a maximum of three (3) days in any calendar week and must be limited to the following time restrictions:

i. During Pacific Standard Time (defined as of 2011 to be the first Sunday in November to the second Sunday in March), the lights may be illuminated no later than 7:30 p.m. except as indicated below.

ii. From each September 1 through May 31 period, inclusive, the lights may only be illuminated after 7:30 p.m. up to 18 times, and then (a) only until 10:30 p.m., (b) never on consecutive nights, and (c) on no more than two nights in any given calendar week. (*Comment This means that night lighting can occur for 18 nights during the migratory season. The 4 month prime migratory season allows for more than one night game a week. In some weeks as many as 3 night games in one week. Clearly this is not what the coastal biologist recommended. This is what she said "In order to minimize impacts to night migrating birds, as well as breeding and nesting raptors and owls, night lighting at the main sports field at Malibu High School should be limited to primarily Pacific Standard Time. This timing avoids the peak and majority of the fall migration and all of spring migration."* (Coastal Biologist Engel Report P5).

*This recommendation is not followed.)*

c. For lighting that is to be allowed during bird migration periods (Fall Migration: September through first week in November, and Spring Migration: Last week of March through May), an Avian Monitoring Plan, that is prepared by a qualified ornithologist/ecologist and reviewed and approved by the City Biologist, shall be required prior to issuance of the Coastal Development Permit, and the permit shall be consistent with and require compliance with that plan. The plan shall, at a minimum, include the following elements: (*Comment: A CUP will be issued not a CDP negating this monitoring requirement*)

i. Monitoring shall be conducted by a qualified ornithologist/ecologist to assess potential adverse impacts to

migratory and resident bird species. *( Comment: As you know the monitoring results of the is as good as the person hired. The city is committed to allowing night lighting so we question the diligence of the monitor to be engaged.)*

ii. The monitoring design and schedule shall include a paired monitoring design (i.e. a night with lights immediately preceded or followed by a night without lights), and a monitoring frequency of once per week during any week when lights are operated during Fall and Spring migration periods for at least one year. If the monitoring results indicate that the one year monitoring period was a typical bird migration year with a typical range of atmospheric conditions and the main sports field lights have resulted in no adverse impacts upon birds, no additional monitoring may be required. If the monitoring results indicate otherwise, monitoring shall continue for an additional year(s) until a year of monitoring under typical conditions occurs and the consulting ornithologist obtains enough data to assess potential adverse impacts to migratory and resident bird species. *(Comment: in the year monitored there may be no adverse effects but that doesn't guarantee that harm will not be caused in future years)*

iii. The description of observational monitoring activities shall include tallying species and numbers of birds observed within a 200 ft. sphere of the light standards and noting atmospheric conditions, bird behavior, and changes in bird behavior.

iv. The monitoring plan shall specify a threshold for determining significant adverse impacts to migratory and resident bird species from field lights. *(Comment: this is totally arbitrary and depends on the consultant hired and protects nothing )*

v. Seasonal migration reports (Fall and Spring) of monitoring results shall be submitted to the City Biologist. However, the consulting ornithologist shall immediately notify the City should an adverse bird event related to the approved field lights occur at any time during the course of monitoring. The monitoring plan shall also include a provision for submission of a final monitoring report to the City Biologist at the end of the monitoring period. *( Comment: City Biologist is not obligated to do anything with this report or if notified of an event. )*

The approved Avian Monitoring Plan shall be implemented concurrent with the approved field lighting operations. If the Monitoring results indicate that the approved field lighting results in significant adverse impacts upon birds, the City shall require modification of the approved lighting schedule in order to ensure avoidance of the identified impacts. *( Comment: This is too vague and is totally meaningless. What is considered a significant impact-one bird harmed or many? Do birds have to be killed or just confused? Negative Impacts will surely occur after monitoring program is concluded. )*

d. The applicant shall be required to submit a written statement agreeing to the above restrictions. *(Comment: Who is going to enforce this agreement when Coastal is*

*so understaffed)*

**Deanna Christensen**

---

**From:** jeffibu@aol.com  
**Sent:** Friday, September 30, 2011 5:01 PM  
**To:** Deanna Christensen  
**Subject:** Malibu High School Lights  
 September 30, 2011

Dear Coastal Commission,

If only the star gazers were as organized as the football fans.... As parent of a student at Malibu High, I have received numerous requests from the school to write in support of the latest High School Lights plan, but am writing, instead, **very much opposed to it.**

First off, the area where the high school sits is a lovely, hill-surrounded, ocean-facing far corner of the county – unique and distinctive precisely because of its lack of lights and its unbelievable skies – not just for residents, but for the many people who use the adjoining county beach or walk the ridges of the surrounding National Recreation Area. There are very few places in the LA area with this kind of night sky – and people have come to live and visit here, in part, because of their appreciation for it. The field lights will blaze like nothing ever has in the entire surrounding basin, greatly undermining this quality. Once that night sky is gone, it's gone – even if, as is now proposed, it's to be a few hours at a time.

You only need to come sit up above the high school at sunset of thereafter, on the Zuma Ridge trail for instance, to appreciate what a bummer lights will be.

And you'd only need to come to a Malibu High football game to realize what a small fraction of the community, these lights would be conveniencing.

I spent plenty of time going to night games 4 or 5 years ago, when the school had temporary lights blazing, and it was clear that they were not any major magnet for the community. Though there's a small group of devoted (and yes, big-hearted and wonderful) players and parents, turn-out has always been sparse at best. This is not, in any way, a big game-supporting "Friday Night Lights" sort of community. And the program itself is very small – we're a small town. Kids and parents take their team sports very seriously here – but there simply aren't that many of us.

It is probably a disadvantage for our hard-core athletes that Malibu's fields and facilities aren't cranking along at the rate of the much bigger and heavily lit towns in the San Fernando Valley and Lost Angeles Basin, and many of the serious athletes are involved in additional (well-lit!) programs elsewhere. If, however, it's that important to practice and play at night close to home, there are dozens of other nearby communities that can provide that opportunity. Malibu, particularly the area around the high school (the last stretch of any significant residential development along the ocean for many miles heading toward up the coast!) should not be developed with all the same "suburban perks" one might expect in more heavily populated areas, towns that aren't adjacent to such spectacular protected natural areas.

I've been amazed and dismayed, during the years of the temporary lights, how brightly they light up everything. From a viewpoint at the tip of Point Dume and the little park there – three or four miles away – they seem fill the sky with that Costco Parking Lot glow. If there's any haze or fog, as is frequently the case, the effect is magnified -- and the experience of looking out over the hills, sky and bay heavily marred.

I can't imagine how much the lights would, well, flat-out suck for anyone living on the slopes around the high school (this is not the case with me, I live a few miles away). I'd guess there are more of these folks than sports parents, and hope you've been hearing from them – I don't think the high school has been using its e-mail network to get *them* to write.

So, again, please come take a walk in the area above the high school one of these evenings and check out the stars – **and please vote NO on the LIP amendment to allow limited field lights at Malibu**

10/3/2011

**High.**

Sincerely, John Stockwell (Jeff)  
29214 Greenwater Road  
Malibu, CA 90265

10/3/2011

6444 Surfside Way  
Malibu, CA 90265  
September 29, 2011

Received

OCT 03 2011

California Coastal Commission  
South Coast District Office  
John (Jack) Ainsworth, Deputy Director  
Steve Hudson, District Manager  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

California Coastal Commission  
South Central Coast District

Dear Mr. Ainsworth and Mr. Hudson;

We moved to Malibu because it was rural; because it was a great place for our children to grow up, utilizing the ocean, the beach and the mountains, a place close to nature. A large part of that desirable natural environment was the darkness at night; no street lights, no flood lights, no athletic field lights, and, of course, the resulting dark sky, with a myriad of stars visible – as close as one can to an unpolluted night sky this close to LA. Fortunately, to a large degree, the night sky is still dark.

When it was first proposed to open a new Malibu High School, utilizing the Malibu Park Middle School site, we were assured that the new Malibu High School was to be an academic school, with no formal athletic program, and NO LIGHTS! We supported the development of the new school assuming the Malibu High School proponents and the Santa Monica Malibu Unified School District would keep their word. Apparently, we were naïve; they not only did not hold to their stated intentions, they also deliberately exceeded their authority and installed "temporary" athletic field lights without permission.

Please deny the application for athletic field lighting at Malibu High School. We residents of Malibu Park continue to enjoy the night sky, dark and unpolluted by bright lights.

Sincerely,

   
Erwin E. Schulze, Jr.      Bonnie L. Schulze

**Received**

OCT 03 2011

California Coastal Commission  
South Central Coast District

**Edward & Sonya Halpern**

**5939 Floris Hts.**

**Malibu, CA. 90265**

**ehalp@aol.com**

**September 27, 2011**

Steve Blank  
Dayna Bochco  
Dr. William A. Burke  
Wendy Mitchell  
Mary K. Shallenberger  
Jana Zimmer  
Supervisor Martha McClure  
Supervisor Steve Kinsey  
Supervisor Mark W. Stone  
Brian Brennan  
Councilmember Richard Bloom  
Councilmember Esther Sanchez

James Wickett  
Belinda Faustinos  
Dr. Clark Parker  
Steve Kram  
Meg Caldwell  
Scott Peters  
  
Sarah Glade Gurney  
Connie Stewart  
  
Pam O'Connor  
Bruce Reznik

A COPY OF THIS LETTER HAS SIMULTANEOUSLY BEEN SUBMITTED TO THE CALIFORNIA COASTAL COMMISSION STAFF, ATTN: JOHN AINSWORTH, 89 SOUTH CALIFORNIA ST., SUITE 200, VENTURA, CA 93001

RE: Local Coastal Program Amendment # 09-004 (Malibu Sports Field Lighting)

Dear Commissioners,

We oppose the installation of lights at the Malibu High School football field.

We are dismayed to see that Coastal Commission staff has made a recommendation that does nothing to alleviate concerns about student safety, the environment or the quality of life issues raised by local residents.

Our family resides in Malibu Park. Our house is just one property removed from Malibu High School. As such the proposed installation of lights at the football field will have a serious and

continuing effect on the quiet enjoyment of our property. Our past experiences with lights at Malibu High School shows that the lights create an environment that turns a rural neighborhood into the likes of a brightly lit industrial neighborhood. Not only do these lights create an unpleasant environment, they also result in early evening and late night blaring noise that is intensified by the school audio system. The resultant noise is amplified both by the audio system and by the prevailing ocean winds that drive the loud noise right into neighborhood homes.

We cannot herein express the intrusion on the lives of local residents that the lights and noise create. It disrupts conversation, overrides the enjoyment of television and disturbs sleep. It even goes so far as to wake a sleeping baby. Asking residents to accept lights and noise from nighttime field events is not reasonable. We suggest that those of you who do not live in the neighborhood cannot understand the intrusion without having endured it.

The proponents of this plan to install lights attempt to stress the benefits of lights for evening sports programs. They say it would allow more parents to attend night games and it would give participants an experience that cannot be duplicated without lights. Nothing could be further from the truth. Experience over a number of years in which temporary lights were used, shows that very few parents or students attended these nighttime events. Furthermore, chances are those same parents would attend on Saturday during the day if games were held on Saturdays. As to benefit to the students who participate in sports, those benefits, if any, are and will continue to be had when games are played at other stadiums that already have lights.

The SMMUSD would have you believe that lights are needed to provide extra space and time so that all sports participants will have time to practice. Nothing could be further from the truth. Malibu High School has acres of grass fields that are rarely used. We invite you to visit the school and see for yourselves just how much space is currently available. Most of these fields are not used on a daily basis. Should you make such a visit you will no doubt be surprised to see that this campus has more unused grass fields and serves a smaller student population than nearly all of the high schools in Southern California.

In addition to the effect on the quality of life for local residents, apparently lights such as these can have a greater effect on local bird populations. We are sure you have been referred to the situation in Kauai wherein night lights are not being used at the high school because of the threat they pose to local seabirds. The following is a quote from the "Inside Science News Service" dated July 26, 2008 referring to a case in Minnesota. It independently supports the proposition that these lights are injurious to the local bird population.



"Birds, like moths, are attracted to light at night and if they become disoriented, will fly in circles around the lights in a tall building, often hitting the building, or dropping exhausted to the ground. The phenomenon is not understood by scientists, but a researcher at the Bell Museum in Minneapolis, along with the Minnesota Department of Natural Resources, is spearheading a program to turn off the lights to protect migrating birds. Participants in the programs, including the owners, tenants, and management companies from 32 buildings Minneapolis, St. Paul, Bloomington, and Rochester, will dim their building lights during the spring and fall bird migration seasons. Similar programs are in place in Toronto, New York, and Chicago." Inside Science News Service"

In closing, this movement to add lights to the field is completely insensitive to both the environmental effects and to the burden it places on the local residents. These lights are not an educational necessity nor are they neutral to the environment. Furthermore, allowing field lighting until even 7:30 only creates new dangers for student athletes who will now be forced to practice after sundown and thus have to drive the dangerous Pacific Coast Highway in the dark. As such we ask that you deny any request to install and use night lights at Malibu High School.

Thank you for your consideration of the circumstances that surround this project and the undue burdens that will be placed on local residents if night lights are permitted at this high school.

Sincerely,

  
Sonya Halpern and Edward Halpern

California Costa Commission  
South Central Coast District  
Office Deanna Christensen,  
Coastal Program Analyst  
Ventura, CA 93001-2801

Step 9/27/11

**Received**

OCT 03 2011

California  
Coastal Commission

Dear Costa Commission,

My name is Kris Mc Alpin and I am a 7<sup>th</sup> grader at MHS. I understand that a vote will be taking place on whether or not lights will be permitted for MHS football field. I think you should not put the lights on the football field because I think its a waste of money and we should be using the money for our education.

Sincerely,  
Kris Mc Alpin

*Kris Mc Alpin*

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

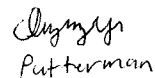
**Received**  
OCT 03 2011  
California  
Coastal Commission

September 27, 2011

Dear Coastal Commission,

My name is Izzy Putterman and I am a seventh grader a MHS. I understand that a vote will be taking place on whether or not lights will be permitted for use on the MHS Football Field. I strongly urge you to vote "no" on this vote. The one thing I like most about Malibu is that even though it's close to Los Angeles it's also close to nature. I think it is amazing that I often have hawks, hummingbirds, coyotes, and even egrets and mountain lions in my backyard. I also like being able to see the stars in the sky and the bioluminescence in the waves at night. My Point Dume neighborhood has no street lights, which makes the stars more visible. I don't think lights on a football field is something Malibu should have. The city can have the football lights, and we can have the stars. We should not try to be like other schools. Instead we should celebrate being Malibu.

Sincerely,

  
Putterman

Izzy Putterman

Dear Coastal Commission,

**Received**

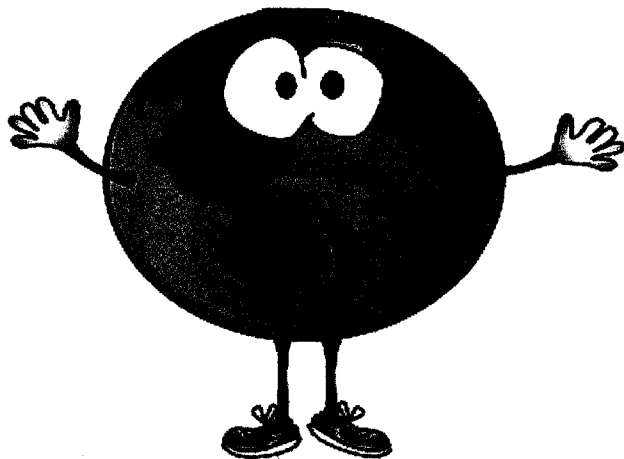
OCT 03 2011

California  
Coastal Commission

My name is Timmy Thames, I'm in 7<sup>th</sup> grade at MHS. Singing isn't the only thing I love. I love the earth and it's environment too. It's getting damaged by humans and if MHS gets lights at the football field, our earth's life(trees, plants, and animals) will be hurt. That would hurt me in several different ways. I am one of many students at MHS who loves our environment and the living creatures in it, and I hope you do too. Please vote "no" on the lights on the football field.

Sincerely,

Timmy Thames



California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Received**  
OCT 03 2011  
California  
Coastal Commission

September 27, 2011

Dear Coastal Commission,

My name is Nico Neven. I am a 7<sup>th</sup> grader at MHS. We understand that a vote will be taking place on whether or not lights will be used for the MHS football field. I think that we DO NOT need lights for the field and would rather spend the money on other school needs like: smaller classes, better bathrooms, cafeteria, lockers, etc. I strongly think that lights are not a necessity and that I vote NO.

Sincerely,

Nico Neven

*Nico Neven*

September 30, 2011

Received  
OCT 03 2011  
California  
Coastal Commission

Dear Distinguished Coastal Commissioners,

Thank you for your dedication, attention and stewardship.

As owners of the house that sits directly above the Malibu High School fields- (yes the high school is literally our front yard and our direct neighbor!!), we have had many people in the community including the Mayor ask for our support of the High School Lights plan, especially since our oldest is an athlete at Malibu High School. We are however, **very much opposed to the Malibu LCP Amendment.**

One might assume we oppose the plan because of the obvious bummer the lights would be for our evenings. Living here with the school directly in front, we have always been very much impacted by noise, lights and pollution but it was our choice to make "the green house above the football field" our home, and we love being here. These inconveniences would however be greatly increased from the additional lights, and not only for us, but for the many who visit the area. Please understand the beautiful views from our windows that the lights would ruin are not the reason for our opposition. Our opposition is not personal. We chose to live next to the noisy, dirty school. We are however **AGAINST** the amendment because:

As you know, Malibu High is located in an ecologically sensitive area surrounded by National Park Lands, beaches and numerous hiking trails along the sage covered ocean view ridges. These precious coastal eco-systems are filled with wildlife, we regularly see owls, red tailed hawks, bobcats, herons, coyotes, raccoons, deer and foxes and they and their habitats especially need protecting since the abutting school is imposing and negatively impacts this surrounding environment.

People move to and visit Malibu for its small town rural feel, especially the Malibu Park/Zuma Beach area. Our family feels an obligation to the numerous visitors who come here to help support this experience for them. We do not lit up our garden or the outside of our house, because doing so would ruin the dark sky experience for the many who come to the trails in front to have these experiences.

The additional Malibu High field lights would greatly alter and diminish the night skies. I would rather hear someone complain they cannot go to a night football game at the school than to hear someone say they cannot see the stars. We constantly hear from the many visitors on the trails in our front yard, "Wow, look at the stars!! " or "look at that owl, did you see that bird?: With lights blazing you don't see much of the natural environment- just a cold, cold man made glare. And during one of the many foggy nights here- that glare is magnified so much so it lights up the ocean past the wave line all the way to Point Dume and on up the coast. If one were to measure the radius of the glare, it would be shocking. The night sky should be for everyone to see and giving that up for the select few who want to go to a night game is totally unfair and incomprehensible.

There was not much school spirit at MHS when they had the temporary lights- so how do permanent lights change that? Is school spirit or the lack of it the Coastal Commissions problem? With all due respect, aren't there larger issues at risk? Our son plays water polo for MHS and they have night games with lights. The water polo team is more popular and better ranked than the MHS football team but the only people who attend those games are the parents of the players. From our house we saw every football game when the temporary lights were up and they were not heavily populated, in fact the stands were often very empty, but ...they were well lit. Wouldn't call that school spirit. By approving the amendment we would be putting up expensive invasive lights to light up predominately empty stands for a select few at the expense of our shared environment. This seems out of balance.

Therefore considering the location of MHS and the coastal environment we all share, night lights at MHS for 100 plus nights per year, is not environmentally sustainable and/or prudent! Please **vote NO on the LCP amendment to allow limited field lights at Malibu High.**

Sincerely,

Judith and Dominick Guillemot  
5940 Clover Heights Ave.  
Malibu 90265

**Received**

OCT 03 2011

California  
Coastal Commission

DANELLE RONDBERG  
2035 4<sup>th</sup> Street, #301c  
Santa Monica, CA 90405

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

[JAinsworth@coastal.ca.gov](mailto:JAinsworth@coastal.ca.gov)

Dear Coastal Commissioners,

I am requesting that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field. I am formally AGAINST Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development, Permit Amendment # 4-99-276-A4.

I am a born and raised Los Angeleno and now live in Santa Monica. My favorite thing about living on the coast is driving up to Malibu as the land is still pure as nature created it. And, you can actually see the stars at night!! The Zuma coast and Malibu Park area has always been a magical place for me, ever since I was a kid. My friends and I have all spent countless evenings picnicking in the area, hiking the trails, enjoying the stunning sunsets, and star gazing into the late hours. Nothing gets better than that!!

I would be horrified if one of the few precious areas of land in Southern California was ruined by the interference of bright lights at the Malibu High Field. Truly, this would be a crime. We would no longer be able to enjoy one of the last few pleasures of a gorgeous strip of land so close to the city but ruined by unnecessary development.

I implore you to seriously do whatever it takes to protect this land. I cannot imagine how it would be forever changed for the worse with the permission of this night lighting. Please please please do what you can to protect this precious pocket of land filled with beauty and magic.

Sincerely,

Danelle Rondberg

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Received**

OCT 03 2011

California Coastal Commission  
South Central Coast District

September 29, 2011

**Re: AGAINST Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit Amendment # 4-99-276-A4 (Santa Monica-Malibu Unified School District)**

**Dear Coastal Commissioners:**

I am disappointed and confused as to why the Coastal Staff would recommend going against the protective policies of the Coastal Act which states the need to consider the direct impact of activities on resources within the coastal zone. I am against the staff's recommendation to modify Malibu's LCP in order to have lights on the football field..

The Santa Monica-Malibu Schools' own Draft EIR stated that "the introduction of night lighting into the project area could have a potentially significant impact resulting in the potential degradation of the existing visual character or quality of the site and its surrounding area. Recently the SMMUSD submitted a plan to put seventeen 18 foot parking light s on the ridgeline above the athletic field which will have a cumulative impact with together with the athletic lights

In 2000, when we moved into the Malibu Park neighborhood, we were told that there was an agreement with the school that there would NEVER be lights on the field. Malibu Park is a dark, rural neighborhood characterized by equestrian trails, no street lights, no curbs and an abundant wildlife population. When the high school blatantly violated their agreement in 2002 and brought in temporary lights. I can personally attest to the degradation of the environment through loud noise from the p.a. system and bright lights sticking up into the night. Our foggiest evenings are in the fall when football is played and that is when the "skyglow" would be at its greatest.

I am against this recommendation not only because our home looks directly down on Malibu High School and the football/soccer field but because there are other members of the public to be considered. Visitors come to this area to enjoy the glorious sunsets from October through February. On a Moonlight Hike at Charmlee Park I met people from as far away as Prague, Czech Republic Looking back from the top of Charmlee, I showed them where I live in Malibu Park, which would be lit up by skyglow if lights were permitted. Making a decision that would benefit only families, whose kids are involved in sports takes away the rights of others to enjoy a dark, peaceful neighborhood and amazing vistas. Providing a place for the community to gather together for social events is not what the Commission is charged with

I would like to know who is going to monitor this light usage plan, when the school has already proved to be an untrustworthy neighbor who goes back on their word. What is going to stop them in the future from violating any of the measures set forth in this recommendation. I fear an expansion of the usage of lights on the field once the poles are up.

**Please Vote NO on this amendment and uphold the policies set forth in the Coastal Act to protect public views, wild life and the environment.**

**Respectfully,**

*Carol Gable*

**Carol Gable**

*Malibu Park Resident*



**Deanna Christensen**

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**From:** John Ainsworth  
**Sent:** Monday, September 26, 2011 8:41 AM  
**To:** Deanna Christensen  
**Subject:** FW: Night Lights at Malibu Park High

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**From:** EagleFem@aol.com [mailto:EagleFem@aol.com]  
**Sent:** Friday, September 23, 2011 5:43 PM  
**To:** John Ainsworth  
**Cc:** malibudarkskies@gmail.com  
**Subject:** Re: Night Lights at Malibu Park High

To: The California Coastal Commission

Att: Jack Ainsworth

Re: Night Lighting Request for Malibu Park High School

Dear Sirs,

I am imploring you to turn down this currently proposed request for lights. Many of us moved to Malibu to enjoy the benefits of rural living within reasonable commuting distance from work. We have cherished the dark skies that enable us to see the stars at night and which enable wildlife to exist close to us.

Early in September, while driving home in the evening from Simi Valley, I was temporarily blinded by the glare that emanated from night lighting at school athletic field close to the freeway. The incoming fog and haze created a glare that made driving extremely dangerous. The same problem occurs regularly when driving through Thousand Oaks on the 101 Freeway at night when the lights of Calgary Christian School are on. It is especially dangerous when it is foggy. With the amount of fog and haze that we in Malibu live with on a constant basis, I am worried that Pacific Coast Highway would become even more dangerous to drive than it already is. Night lights will also negatively affect drivers on Morningview Drive and surrounding streets.

My husband and I have lived in Malibu for almost 40 years. We raised a son who played basketball, football, baseball, all without lights. Also, with the school budget demanding cut backs on all levels of education, it makes no sense to me that any monies would be spent on night lighting, at the expense of sacrificing other educational needs.

At the very least, a compromise, allowing a very limited number of lighted nights would possibly be acceptable. But the number of nights that is being requested is just too much.

Respectfully,

Anne Karam  
6175 Paseo Canyon Drive  
Malibu, CA 90265

9/26/2011

## Deanna Christensen

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**From:** John Ainsworth  
**Sent:** Friday, September 23, 2011 4:43 PM  
**To:** Deanna Christensen  
**Subject:** FW: Malibudarkskies.com

-----Original Message-----

**From:** Lawrence, Richard [mailto:rlawrence@reptalent.com]  
**Sent:** Friday, September 23, 2011 3:19 PM  
**To:** John Ainsworth  
**Subject:** Malibudarkskies.com

I agree with all of the opponents of lighting up the skies in Malibu. What's next ,neon signs along PCH? We are a rural community where dark skies are more important than evening football or whatever else they plan on renting out the field for. They broke the law before with temporary lighting and should not be rewarded at this time to have permanent lights. This truly goes against the wishes of the majority of residents. Please do not let this resolution pass to satisfy the minority. Sincerely, Richard Lawrence, 19264 PCH, Malibu 90265

Richard Lawrence  
President  
Rebel Entertainment Partners, Inc.  
5700 Wilshire Blvd. Suite #456  
Los Angeles, California, 90036

Tel: 323-932-1366  
www.reptalent.com

Sent from my iPad

## Deanna Christensen

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**From:** John Ainsworth  
**Sent:** Monday, September 26, 2011 8:42 AM  
**To:** Deanna Christensen  
**Subject:** FW: Malibu's dark skies

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**From:** Rebecca Dmytryk [mailto:rebecca@wildrescue.org]  
**Sent:** Sunday, September 25, 2011 10:03 AM  
**To:** John Ainsworth  
**Cc:** Steve Uhring; malibudarkskies  
**Subject:** Malibu's dark skies

Dear Coastal Commission:

I am opposed to the Malibu City's request for amendment of the LCP to allow sports lighting at Malibu High School.

Have you ever walked in the dark towards a car with its headlights on? You can't see the ground in front of you. That's what Malibu Park residents will be forced to live with if this amendment is approved.

Approval of the Malibu City and Santa Monica Malibu Unified School District request would throw the rights of Malibu Park residents out the window, and surely reduce their property values.

If you were looking to purchase a home above the Pacific Ocean in the Malibu Park area, imagining how you would enjoy sitting outdoors at sunset, overlooking the sea as it faded into a quiet evening - don't you think you would be deterred from buying the home if you knew you'd have bright sports lights invading your privacy? Wouldn't you think twice about living in a home where you'd hear the clammer of sports events well into the night? Well past your bedtime?

I sure wouldn't want to live there. No way. Not a chance!

The reason people move to Malibu - its draw, has always been the tranquility of its rural environment. People move to Malibu to 'get away from it all' - to have solitude, and quiet, and to enjoy the natural beauty that you can't find in the city.

So, tell me - where is the line? Where do the rights and wishes of the people who live in and around Malibu Park end and the wants of High School administrators begin?

What is the value of the Local Coastal Program? It was created to preserve a way of life.

What is the value of a ban on night lighting? It is to preserve a way of life for a community that treasures what it has - darkness and quiet.

9/26/2011

What will happen if you decline the City's request? What will happen?

Nothing. Nothing will happen. The City will tell the Santa Monica Malibu Unified School District representatives that they gave it their best shot, but they will have to go on, business as usual.

Your vote to decline the amendment will uphold the wishes and rights of the community and protect their way of life under dark skies.

Thank you ~ Rebecca Dmytryk, Malibu native.

Wildlife Paramedic Search and Rescue Teams, Humane Wildlife Management Services,  
Consulting

Rebecca Dmytryk  
Director, WildRescue  
[rebecca@wildrescue.org](mailto:rebecca@wildrescue.org)  
<http://www.wildrescue.org>

September 27, 2011

South Central Coast District Office  
Deanna Christensen Coastal Program  
South California Street, Suit 200  
Ventura, CA 9300-2801

**Received**

OCT 03 2011

California  
Coastal Commission

Dear Coastal Commission,

I am a 7<sup>th</sup> grader at Malibu High School. I say you should **"NOT"** have the lights up at the football field. I think students are safer when people can see us better in the daytime during the games.

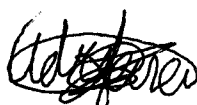
In addition, the football players would get to go home early on Fridays. What if they have something to do from 7 through 10 pm? Finishing early gives them time to do something that they want or have to do.

The football players and the spectators also have a better chance of not causing accidents on their way home because they can see better in daylight and they won't be distracted by their sleepiness.

Also, MHS neighbors might want to sleep but the field lights won't let them. They paid for a view of the sunset and stars, not a bunch of lights not letting them sleep.

In conclusion, I recommend that you do not permit lights up at the football field.

Sincerely,

  
Adriana Lopez

California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Received**

OCT 03 2011

California  
Coastal Commission

September 28, 2011

Re: Malibu LCP Amendment 1-11 (High School Lights) and Coastal Development Permit  
No.4-99-276-A4 (Santa Monica-Malibu Unified School District)

Dear Coastal Commission:

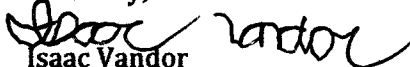
I am writing to voice my disapproval of the requested LCP Amendment 1-11 for limited field lighting on the main athletic field at Malibu High School. The use of field lighting is simply not feasible because of the lack of a means of enforcement. It would benefit a small number of beneficiaries, while greatly impacting the surrounding environment and community.

In its current state, the City of Malibu has submitted a Local Coastal Plan Amendment that calls for "Limited lighting of the main sports field at public high schools during Pacific Standard Time until 7:30 p.m., except that for 18 days in any 12 month period up to 10:30 p.m." Furthermore, the School District shall obtain a conditional use permit from the City. Who will enforce the policy when, on the 19<sup>th</sup> day, someone turns the lights on? For years, Malibu High School's football team played under temporary lights illegally. The rules were never enforced.

Malibu High school's football team is currently ranked 730<sup>th</sup> in the state of California according to maxpreps.com. Comparatively, Malibu High School's Football was ranked 847<sup>th</sup> in the state of California during the 2009-2010 season when temporary lights were in place. Clearly, the removal of field lighting has not had significant adverse effects on our team. Furthermore, during the 2009-2010 season, the Malibu High School Varsity Football team had 28 players. Currently, the varsity team boasts 20 players. At most, with the inclusion of boys and girls soccer, the total number of varsity players using the lights, would be 72 players. Out of a total high school population of 667, many of whom are women, permanent lights would affect 11 % of the student body, many of whom cannot even play Football or Boys soccer. Surely there is something we can spend our money on that is much more badly needed and affects a larger percentage of us students.

Finally, I would like to point out that pages 7-12 of the Staff Recommendation and report submitted to the Coastal Commission are taken up entirely by "Suggested modifications on the local implementation plan." The main body of the staff report itself is then filled with page after page explaining these modifications. Attached to the staff report itself are at least a hundred, if not more, letters urging you, the coastal commission to vote no. Within the staff report itself, there is overwhelming public disapproval. Please, let their voice be heard; just vote no! In conclusion, please vote no on the LCP amendment to allow limited field lights at Malibu High School.

Sincerely,

  
Isaac Vandor

6185 Paseo Canyon Drive  
Malibu, CA 90265

Deanna Christensen

Coastal Program Analyst

89 south CA street suite 200

Ventura CA 9300-2801

9-27-11 Dear Coastal Commission

Hi, my name is Niki Mandel, I'm a 7th grader at Malibu High School, and I strongly disagree with your idea to put lights up. I can't even fathom why you would want to, you would be wasting a lot of money that could be put to better uses. For instance there are many schools across the country that need school supplies. What investments could you make from having lights anyway, all it would do would be to cause more light pollution. *If there would be anyway to get eco-friendly lights, then I might agree with the lights.*

Sincerely, Niki Mandel.



**Received**

OCT 03 2011

California  
Coastal Commission

**Deanna Christensen**

**From:** John Ainsworth  
**Sent:** Monday, October 03, 2011 2:05 PM  
**To:** Deanna Christensen  
**Subject:** FW: ex parte malibu high school LCPA lighting judi hutchinson

**From:** Vanessa Miller  
**Sent:** Monday, October 03, 2011 11:31 AM  
**To:** John Ainsworth  
**Subject:** FW: ex parte malibu high school LCPA lighting judi hutchinson

**Received**

OCT 03 2011

**From:** Jana Zimmer [mailto:janazimmer@cox.net]  
**Sent:** Monday, October 03, 2011 11:28 AM  
**To:** Vanessa Miller; Jeff Staben  
**Subject:** ex parte malibu high school LCPA lighting judi hutchinson

California Coastal Commission  
South Central Coast District

## FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project, LPC, etc.: W 17a Santa Monica Malibu Unified  
Malibu HS Lighting

Date and time of receipt of communication: October 3, 2011, 11:a.m-11:15  
a.m. \_\_\_\_\_

Location of communication:  
\_\_\_\_\_

Type of communication (letter, facsimile, etc.):  
telecon \_\_\_\_\_

Person(s) initiating communication: Judi Hutchinson, Malibu Dark Skies

This was before the Commission 2009, resulting in a unanimous vote against the staff recommendation. That proposal was less, it was 16 nights. Now staff is suggesting 75 nights. Nothing has changed since 2009. Last time it was brought by the School District. The City of Malibu council adopted the amendment to lift . Some of them are on the school BB funds and were pushing for the lights before.

The last time Glen Lukos was hired by the school board. They said they saw no raptors nests. She found one, with barn owl pellets under it. Lukos erroneously stated there were street lights. They asked this time for CCC biologist to come out, and she did. Now she reports a large nest, but no droppings. She did see the blue line stream and

10/3/2011

|                    |
|--------------------|
| Addendum Exhibit 3 |
| Malibu LCP         |
| Amendment 1-11-A   |



claimed that it was a dirt channel. Hutchinson has never seen that stream dry in 43. She disagrees with that opinion, believes the stream is good habitat for wildlife.

There is currently a prohibition on night lighting on single family homes, specifically tennis courts. So would this be precedent for homeowners to light up their private courts. This is a very dark area and she really hopes that the CCC will keep it dark. The dark sky is a benefit to people as well as the wildlife.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

**Deanna Christensen**

**From:** John Ainsworth  
**Sent:** Monday, October 03, 2011 2:06 PM  
**To:** Deanna Christensen  
**Subject:** FW: ex parte malibu high school LPCA lighting laura rozenthal

**From:** Vanessa Miller  
**Sent:** Monday, October 03, 2011 11:33 AM  
**To:** John Ainsworth  
**Subject:** FW: ex parte malibu high school LPCA lighting laura rozenthal

**Received**

OCT 03 2011

**From:** Jana Zimmer [mailto:janazimmer@cox.net]  
**Sent:** Monday, October 03, 2011 11:27 AM  
**To:** Vanessa Miller; Jeff Staben  
**Subject:** ex parte malibu high school LPCA lighting laura rozenthal

California Coastal Commission  
South Central Coast District**FORM FOR DISCLOSURE OF  
EX PARTE COMMUNICATIONS**

Name or description of project, LPC, etc.: W 17a Santa Monica Malibu Unified  
Malibu HS Lighting

Date and time of receipt of communication: October 3, 2011, 8:40  
a.m. \_\_\_\_\_

Location of communication:  
\_\_\_\_\_

Type of communication (letter, facsimile, etc.):  
telecon \_\_\_\_\_

Person(s) initiating communication: Laura Rozenthal Mayor Pro tem Malibu  
Detailed substantive description of content of communication:  
(Attach a copy of the complete text of any written material received.)

\_\_\_ Feels the District and the City have compromised in that they would like to use the lighted area more, events, etc. but have given up a lot of those nights. It will be a very minimal level. Asking for 132 hours of lights a year, comparable to other schools. The Malibu Park is her neighborhood is not so rural, pool lights are on 5 nights a week; lights at Zuma beach, PCH is driven 24 hours a day, 1/4 mile away, bordered by two commercial areas where lights are on 24/7. During the time the seven years the lights were being used, never perceived any effect on dark. I asked what are the mechanisms to avoid expansion. Said that they have been totally in compliance for the

last three years, that the future should be left to the locals, who will address through city council. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800

# W 13a



**DATE:** September 22, 2011

**TO:** Commissioners and Interested Persons

**FROM:** Jack Ainsworth, Deputy Director  
Steve Hudson, District Manager  
Barbara Carey, Supervisor, Planning and Regulation  
Deanna Christensen, Coastal Program Analyst

**SUBJECT:** City of Malibu Local Coastal Program Amendment No. MAL-MAJ-1-11-A for Public Hearing and Commission Action at the October 2011 Commission Meeting in Huntington Beach.

---

## DESCRIPTION OF THE SUBMITTAL

The City of Malibu submitted Local Coastal Program Amendment 1-10 on April 20, 2010. The amendment submittal was deemed complete and filed on July 22, 2010. At its September 2010 Commission meeting, the Commission extended the 60-day time limit to act on Local Coastal Program Amendment 1-10 for a period not to exceed one year, which pushed the deadline for Commission action to September 20, 2011. Commission staff was not able to schedule the amendment request for hearing until August 2011. However, there were no hearings close to Malibu in the south coast region prior to the September deadline for Commission action (August Commission hearing was in Watsonville - Santa Cruz County, and the September hearing was in Crescent City – Del Norte County). Therefore, in order to extend the Commission deadline and allow the subject amendment request to be scheduled for a more local Commission hearing, the City of Malibu withdrew and resubmitted the amendment request on July 15, 2011. The amendment re-submittal was assigned a new tracking number (MAL-MAJ-1-11) and deemed complete and filed on July 15, 2011. At its September 2011 Commission meeting, the Commission extended the 60-day time limit to act on Local Coastal Program Amendment 1-11 for a period not to exceed one year.

The proposed amendment consists of two separate changes to the City's certified Local Implementation Plan (LIP) portion of its Local Coastal Program (LCP) to: (1) add new definitions for various categories of slopes and to amend development standards for structures proposed on permitted manufactured slopes; and (2) allow lighting of main sports fields at public high schools in the Institutional zone as a conditional use.

City of Malibu staff and Commission staff have agreed to separate the amendment into two parts in order to facilitate processing of the public high school field lighting portion of the amendment request (assigned as Part A) in an expedited manner. As such, Part A (Public High School Lights) will be processed on its own first, and Part B (Manufactured Slopes) will be processed next, at a later date. This staff report and recommendation only deals with Part A of the amendment request.

## **SUMMARY OF STAFF RECOMMENDATION**

Commission staff recommends that the Commission deny the proposed City of Malibu LCP Amendment MAL-MAJ-1-11-A as submitted and approve the amendment subject to suggested modifications. The motions to accomplish this are found on Pages 5-7 of this staff report.

---

## **SUBSTANTIVE FILE DOCUMENTS**

City of Malibu Local Coastal Program, adopted September 2002; Ordinance No. 345 approving LCPA No. 09-004 (High School Sport Field Lighting), adopted by the City Council of the City of Malibu April 12, 2010; CDP No. 4-99-276 (Santa Monica-Malibu Unified School District); "Malibu High School Football Lighting Mitigated Negative Declaration" by CAA Planning, July 2009; "Biological Inventory" by Glenn Lukos Associates, dated May 4, 2009; "Addendum to Biological Inventory" by Glenn Lukos Associates, dated August 7, 2009; "Biological Field Study Findings" by PBS&J, dated May 18, 2010; Field Lighting Correspondence by PBS&J, dated August 29, 2009; Memorandum Regarding Malibu High School Athletic Field Lighting (CDP 4-99-276-A3) by Dr. Jonna Engel, California Coastal Commission Staff Biologist, dated September 16, 2009; Memorandum Regarding Malibu LCP Amendment 1-11-A by Dr. Jonna Engel, California Coastal Commission Staff Biologist, dated September 22, 2011.

|                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Additional Information:</b> For further information, please contact Deanna Christensen at the South Central Coast District Office of the Coastal Commission at (805) 585-1800. The proposed amendment to the City of Malibu Local Coastal Program (LCP) is available for review at the Ventura Office of the Coastal Commission or at the City of Malibu Planning Department.</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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## **EXHIBITS**

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| <b>Exhibit 1.</b> | <b>Vicinity Map</b>                                                                                                  |
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| <b>Exhibit 6.</b> | <b>City of Malibu Proposed LCP Amendment Language and Ordinance No. 345<br/>Approving the Proposed LCP Amendment</b> |
| <b>Exhibit 7.</b> | <b>Correspondence Received in Opposition to MHS Field Lights</b>                                                     |
| <b>Exhibit 8.</b> | <b>Correspondence Letter by Malibu Dark Skies Committee, dated 8/31/11</b>                                           |
| <b>Exhibit 9.</b> | <b>Correspondence Received in Support of MHS Field Lights</b>                                                        |

## **PROCEDURAL ISSUES**

### **A. STANDARD OF REVIEW**

The Coastal Act provides:

***The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...***

***The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken. (Section 30513)***

These zoning ordinances, zoning district maps, and other implementing actions are known, collectively, as the Local Implementation Plan (LIP) portion of an LCP. The proposed amendment affects only this LIP component of the certified City of Malibu LCP. The standard of review for the proposed amendment to the LIP of the certified Local Coastal Program, pursuant to Section 30513 of the Coastal Act, is whether the proposed amendment is in conformance with, and adequate to carry out, the provisions of the Land Use Plan (LUP) portion of the certified City of Malibu Local Coastal Program. In addition, all Chapter 3 policies of the Coastal Act are incorporated in their entirety in the certified LUP.

### **B. PUBLIC PARTICIPATION**

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The City held public hearings on the subject amendment requests. The hearings were noticed to the public consistent with Sections 13551 and 13552 of Title 14 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

### **C. PROCEDURAL REQUIREMENTS**

Pursuant to Section 13551 (b) of Title 14 of the California Code of Regulations, the City resolution for submittal may specify that a Local Coastal Program Amendment will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. The City Council Resolution for this amendment states that the amendment will take effect after

Commission certification. However, in this case, because this approval is subject to suggested modifications by the Commission, if the Commission approves this Amendment, the City must act to accept the certified suggested modifications within six months from the date of Commission action in order for the Amendment to become effective (California Code of Regulations, Title 14, Sections 13542 and 13544). Pursuant to Section 13544, the Executive Director shall determine whether the City's action is adequate to satisfy all requirements of the Commission's certification order and report on such adequacy to the Commission. Should the Commission deny the LCP Amendment, as submitted, without suggested modifications, no further action is required by either the Commission or the City.

## **STAFF MOTIONS, RESOLUTIONS, & RECOMMENDATIONS**

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

### **A. DENIAL OF THE LOCAL IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED**

**MOTION I:**        *I move that the Commission reject the City of Malibu Local Implementation Plan Amendment MAL-MAJ-1-11-A as submitted.*

### **STAFF RECOMMENDATION OF REJECTION:**

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program Amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

### **RESOLUTION TO DENY CERTIFICATION OF THE LOCAL IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED:**

The Commission hereby denies certification of the City of Malibu Local Implementation Plan Amendment MAL-MAJ-1-11-A and adopts the findings set forth below on grounds that the Implementation Plan Amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan Amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program Amendment as submitted.



**B. CERTIFICATION OF THE LOCAL IMPLEMENTATION PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS**

**MOTION II:**     *I move that the Commission certify City of Malibu Local Implementation Plan Amendment MAL-MAJ-1-11-A if it is modified as suggested in this staff report.*

**STAFF RECOMMENDATION:**

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Plan Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO CERTIFY THE LOCAL IMPLEMENTATION PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies the City of Malibu Local Implementation Plan Amendment MAL-MAJ-1-11-A if modified as suggested and adopts the findings set forth below on grounds that the Implementation Plan, as modified by this Implementation Plan Amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

## SUGGESTED MODIFICATIONS ON THE LOCAL IMPLEMENTATION PLAN

The staff recommends the Commission certify the following, with the modifications as shown below. The existing language of the certified LCP is shown in straight type. Language proposed by the City of Malibu in the subject amendment request is shown in underline. Language recommended by Commission staff to be deleted is shown in ~~double line out~~. Language proposed by Commission staff to be inserted is shown double underline. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

### **SUGGESTED MODIFICATION NO. 1**

#### **LIP Table B (Permitted Uses), at the end of the “Recreation and Leisure” section**

| USE                            | R<br>R   | SF       | MF       | MF<br>BF | MHR      | CR       | BPO      | CN       | CC       | CV-<br>1         | CV-<br>2         | CG       | OS       | I                       | PRF      | RVP      |
|--------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|------------------|------------------|----------|----------|-------------------------|----------|----------|
| Sports courts (lighted)        | •        | •        | •        | •        | •        | •        | •        | CUP      | CUP      | CUP <sub>9</sub> | CUP <sub>9</sub> | CUP      | •        | <u>CUP<sub>11</sub></u> | •        | •        |
| <u>Sports Fields (lighted)</u> | <u>•</u> | <u>•</u> | <u>•</u> | <u>•</u> | <u>•</u> | <u>•</u> | <u>•</u> | <u>•</u> | <u>•</u> | <u>•</u>         | <u>•</u>         | <u>•</u> | <u>•</u> | <u>CUP<sub>11</sub></u> | <u>•</u> | <u>•</u> |

#### Notes

1. Subject to Residential Development Standards (Section 3.6)
2. Subject to Home Occupations Standards [(Section 3.6(O)]
3. Use Prohibited in Environmentally Sensitive Habitat Areas
4. This commercial use may be permitted only if at least 50% of the total floor area of the project is devoted to visitor serving commercial use
5. CUP for veterinary hospitals
6. Maximum interior occupancy of 125 persons
7. If exceeding interior occupancy of 125 persons
8. By hand only
9. Use permitted only if available to general public
10. Charitable, philanthropic, or educational non-profit activities shall be limited to permanent uses that occur within an enclosed building.
- ~~11. Limited lighting of the main sports field at public high schools during Pacific Standard Time until 7:30 p.m., except that for 18 days in any 12 month period up to 10:30 p.m. The School District shall obtain a conditional use permit from the City pursuant to Malibu Municipal Code Chapter 17.66.~~

11. Sports field lighting shall be limited to the main sports field at Malibu High School and subject to the standards of LIP Sections 3.3.N.3, 4.6.2 and 6.5.G.

|                                     |
|-------------------------------------|
| <b>SUGGESTED MODIFICATION NO. 2</b> |
|-------------------------------------|

## **CHAPTER 3 – ZONING DESIGNATIONS AND PERMITTED USES**

### **3.3. ZONING DISTRICTS**

...

#### **N. Institutional (I) Zone**

...

#### **3. Lot Development Criteria**

...

b. Proposed non-residential structures within the I Zone shall comply with the provisions of Section 3.6 of the Malibu LIP (Residential Development Standards) except that setbacks, height, and structure size shall comply with the following requirements instead of those in Section 3.6 of the Malibu LIP.

...

- ii. Maximum Height. Structures other than roof antennas and light standards shall not exceed a maximum height of 18 feet above natural or finished grade. The maximum height may be increased up to 28 feet if approved through site plan review, pursuant to Section 13.27 of the Malibu LIP.

|                                     |
|-------------------------------------|
| <b>SUGGESTED MODIFICATION NO. 3</b> |
|-------------------------------------|

## **CHAPTER 4 – ENVIRONMENTALLY SENSITIVE HABITAT AREA OVERLAY**

### **4.6 DEVELOPMENT STANDARDS**

#### **4.6.2. Lighting**

Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity features, shielded, and directed away from ESHA to minimize impacts on wildlife. Night lighting for sports courts, sports fields, or other private recreational facilities in ESHA, ESHA buffer, or where night lighting would increase illumination in ESHA shall be prohibited. Permitted lighting shall conform to the following standards:

1. The minimum necessary to light walkways used for entry and exit to the structures, including parking areas, on the site. This lighting shall be limited to fixtures that do not exceed two feet in height, are directed downward, and use

bulbs that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Planning Manager.

2. Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent.
3. The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent.
4. A light, not to exceed 60 watts or the equivalent, at the entrance to the (identify non-residential accessory structures).
5. No lighting around the perimeter of the site, no lighting for sports courts or other private recreational facilities, and no lighting for aesthetic purposes is allowed.
6. Prior to issuance of Coastal Development Permit, the applicant shall be required to execute and record a deed restriction reflecting the above restrictions.
7. Lighting of the main sports field at Malibu High School may only be permitted if it complies with the following standards:
  - a. Lighting shall be minimized, directed downward, and shielded using the best available visor technology and pole height and design that minimizes light spill, sky glow, and glare impacts to public views and wildlife to the maximum extent feasible.
  - b. Lighting may only occur for a maximum of three (3) days in any calendar week and must be limited to the following time restrictions:
    - i. During Pacific Standard Time (defined as of 2011 to be the first Sunday in November to the second Sunday in March), the lights may be illuminated no later than 7:30 p.m. except as indicated below.
    - ii. From each September 1 through May 31 period, inclusive, the lights may only be illuminated after 7:30 p.m. up to 18 times, and then (a) only until 10:30 p.m., (b) never on consecutive nights, and (c) on no more than two nights in any given calendar week.
    - iii. The lights may not be illuminated at any time between June 1 and August 31, inclusive, of any year.
  - c. For lighting that is to be allowed during bird migration periods (Fall Migration: September through first week in November, and Spring Migration: Last week of March through May), an Avian Monitoring Plan, that is prepared by a qualified ornithologist/ecologist and reviewed and approved by the City Biologist, shall be required prior to issuance of the coastal development permit, and the permit shall be consistent with and require compliance with that plan. The plan shall, at a minimum, include the following elements:

- i. Monitoring shall be conducted by a qualified ornithologist/ecologist to assess potential adverse impacts to migratory and resident bird species.
- ii. The monitoring design and schedule shall include a paired monitoring design (i.e. a night with lights immediately preceded or followed by a night without lights), and a monitoring frequency of once per week during any week when lights are operated during Fall and Spring migration periods for at least one year. If the monitoring results indicate that the one year monitoring period was a typical bird migration year with a typical range of atmospheric conditions and the main sports field lights have resulted in no adverse impacts upon birds, no additional monitoring may be required. If the monitoring results indicate otherwise, monitoring shall continue for an additional year(s) until a year of monitoring under typical conditions occurs and the consulting ornithologist obtains enough data to assess potential adverse impacts to migratory and resident bird species.
- iii. The description of observational monitoring activities shall include tallying species and numbers of birds observed within a 200 ft. sphere of the light standards and noting atmospheric conditions, bird behavior, and changes in bird behavior.
- iv. The monitoring plan shall specify a threshold for determining significant adverse impacts to migratory and resident bird species from field lights.
- v. Seasonal migration reports (Fall and Spring) of monitoring results shall be submitted to the City Biologist. However, the consulting ornithologist shall immediately notify the City should an adverse bird event related to the approved field lights occur at any time during the course of monitoring. The monitoring plan shall also include a provision for submission of a final monitoring report to the City Biologist at the end of the monitoring period.

The approved Avian Monitoring Plan shall be implemented concurrent with the approved field lighting operations. If the Monitoring results indicate that the approved field lighting results in significant adverse impacts upon birds, the City shall require modification of the approved lighting schedule in order to ensure avoidance of the identified impacts.

- d. The applicant shall be required to submit a written statement agreeing to the above restrictions.

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| <b>SUGGESTED MODIFICATION NO. 4</b> |
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## **CHAPTER 6 – SCENIC, VISUAL, AND HILLSIDE RESOURCE PROTECTION ORDINANCE**

### **6.5 DEVELOPMENT STANDARDS**

#### **G. Lighting**

Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity features, shielded, and concealed to the maximum feasible extent so that no light source is directly visible from public viewing areas. Night lighting for sports courts, sports fields, or other private recreational facilities in scenic areas designated for residential use shall be prohibited. Permitted lighting shall conform to the following standards:

1. The minimum necessary to light walkways used for entry and exit to the structures, including parking areas, on the site. This lighting shall be limited to fixtures that do not exceed two feet in height, are directed downward, and use bulbs that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Planning Manager.
2. Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent.
3. The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent.
4. A light, not to exceed 60 watts or the equivalent, at the entrance to the (identify nonresidential accessory structures).
5. No lighting around the perimeter of the site, no lighting for sports courts or other private recreational facilities, and no lighting for aesthetic purposes is allowed.
6. Lighting of the main sports field at Malibu High School may only be permitted if it complies with the following standards:
  - a. Lighting shall be minimized, directed downward, and shielded using the best available visor technology and pole height and design that minimizes light spill, sky glow, and glare impacts to public views and wildlife to the maximum extent feasible.
  - b. Lighting may only occur for a maximum of three (3) days in any calendar week and must be limited to the following time restrictions:
    - i. During Pacific Standard Time (defined as of 2011 to be the first Sunday in November to the second Sunday in March), the lights may be illuminated no later than 7:30 p.m. except as indicated below.

- ii. From each September 1 through May 31 period, inclusive, the lights may only be illuminated after 7:30 p.m. up to 18 times, and then (a) only until 10:30 p.m., (b) never on consecutive nights, and (c) on no more than two nights in any given calendar week.
- iii. The lights may not be illuminated at any time between June 1 and August 31, inclusive, of any year.

~~6.~~ 7. Prior to issuance of Coastal Development Permit, the applicant shall be required to execute and record a deed restriction reflecting the above restrictions. Public agencies shall not be required to record a deed restriction but may be required to submit a written statement agreeing to any applicable restrictions above.

## **FINDINGS FOR DENIAL OF THE CITY OF MALIBU LCP AMENDMENT, AS SUBMITTED, AND FINDINGS FOR APPROVAL OF THE CITY OF MALIBU LCP AMENDMENT, IF MODIFIED AS SUGGESTED**

The proposed amendment affects the Local Implementation Plan (LIP) component of the certified Malibu LCP. The standard of review for the proposed amendment to the LIP, pursuant to Sections 30513 and 30514 of the Coastal Act, is whether the LIP, as amended by the proposed amendment, is in conformance with, and adequate to carry out, the provisions of, the LUP portion of the certified City of Malibu LCP.

The following findings support the Commission's approval of the LCP amendment if modified as suggested. The Commission hereby finds and declares as follows:

### **A. AMENDMENT DESCRIPTION AND BACKGROUND**

The proposed amendment seeks to modify the permitted use table (Table B) of the LIP to allow lighting of main sports fields at public high schools in the Institutional zone as a conditional use. The permitted use table (Table B) of the City's LIP currently prohibits lighted sports courts in the Institutional zone district, and the Commission has previously interpreted that prohibition to apply to sports "fields" as well. The City's stated intent for this amendment request is to add a provision in the LCP to allow for the use of night lighting that is restricted to (1) public high schools in the Institutional zone (the only public high school in the City is Malibu High School), (2) the main sports field of any such school, (3) Pacific Standard Time until 7:30 p.m. except for (4) a maximum of 18 days in any 12 month period up to 10:30 p.m., and (5) requirement of a conditional use permit. **Exhibit 6** contains the City's proposed amendment language.

In May 2000, prior to certification of an LCP for the City of Malibu, the Commission had approved Coastal Development Permit No. 4-99-276 to the Santa Monica-Malibu Unified School District ("Malibu School District") for the construction of a new spectator

gymnasium, a two-story classroom building, significant upgrades to the track and field facility/football stadium, and relocation/expansion of the faculty parking lot at the Malibu High School campus. The permit approval was subject to eight special conditions regarding landscaping and erosion control plans, drainage and polluted runoff control plans, plans conforming to geologic recommendations, removal of excavated material, wildfire waiver of liability, athletic field lighting restriction, event parking management plan, and protection of paleontological resources. The permit was issued on August 18, 2000. Subsequent amendments permitted a change in the parking lot design (CDP 4-99-276-A1) and septic system improvements (CDP 4-99-276-A2), both as immaterial amendments. Although field lights were not proposed as part of the football stadium upgrades associated with Application No. 4-99-276, the Commission found it necessary in its action on the application to prohibit all field lighting, whether temporary or permanent, in order to protect the nearby scenic areas and native wildlife from avoidable disturbance that would otherwise be associated with nighttime use of the football stadium. The Commission had found that night lighting of areas in the Malibu/Santa Monica Mountains area creates a visual impact to nearby scenic beaches, scenic roads, parks, and trails. In addition, the Commission found that night lighting may alter or disrupt feeding, nesting, and roosting activities of native wildlife species. As required by Special Condition No. 6 of the permit approval, prior to issuance of the permit the applicant submitted a written agreement acknowledging and agreeing to prohibit all lighting of the football field/track and field facility.

In or around 2003, the District began operating temporary night lighting of the football field in violation of CDP 4-99-276. In 2009, the District requested a permit amendment (4-99-276-A3) from the Commission that involved removing the outright prohibition of lighting required by Special Condition No. 6 (Athletic Field Lighting Restriction) of the permit to allow operation of temporary light standards on the football field for a maximum of 16 practices and games per football season. The projected season schedule would have resulted in a maximum of 62 hours of lighting per football season for 8 practices and 8 games during the months of September, October and November, with a possible extension into December for playoff games. The 16 total nights and 62 hours was inclusive of potential playoffs. Team practices were scheduled for select Thursday nights until approximately 7:30 p.m. and football games were scheduled for select Friday nights until approximately 10:30 p.m. Five 53-foot high light standards providing temporary lighting for the football field were proposed. The lights were proposed to be directed downward and fitted with visors that minimize the light spill, sky glow, and glare impacts.

Commission staff had recommended approval of the amendment request in its staff report of September 17, 2009, which was considered at the October 2009 Commission hearing. Commission staff had determined that the proposed temporary and limited use of the lights would not adversely impact ESHA, ESHA buffer, or public scenic views, and would minimize adverse impacts to area wildlife. However, at its hearing of October 8, 2009, the Commission considered the staff recommendation, public comment and testimony, and all evidence in the record and unanimously denied the amendment request. Contrary to the staff recommendation, the Commission found that even the



temporary, limited use of the proposed field lights would adversely impact visual resources and not be compatible with the rural and scenic character of the area. In addition, the Commission noted that lighted sports courts in the Institutional zone district were not an allowed use in the City of Malibu LCP, particularly in Table B of the LCP, which summarizes permitted uses in the various zone districts of the City.

The City is now proposing to amend Table B of the Implementation Plan portion of its LCP to allow the conditional use of sport court lighting of the main sports field at public high schools in the Institutional zone. While the proposed amendment request would serve to clarify the issue of sport court lighting at Malibu High School in the LCP for any future lighting proposal, the lighting prohibition for Malibu High School pursuant to Coastal Development Permit No. 4-99-276 still exists. As such, the Malibu School District has submitted another amendment application to CDP 4-99-276 requesting the elimination of the permit's Athletic Field Lighting Restriction (Special Condition No. 6) so that any future lighting proposed by Malibu High School is subject to the City's LCP requirements, as amended in the subject LCP amendment request. Given the interrelatedness of the City's LCP amendment request and the School District's CDP amendment request (CDP Amendment 4-99-276-A4), Commission staff has scheduled both items for the same Commission hearing.

### **Correspondence Received**

Commission staff has received correspondence from a number of interested parties expressing opposition to nighttime field lighting at the high school and the proposed amendment request. The common concerns expressed in the opposition letters are that night field lighting would impact area wildlife and diminish the scenic, rural quality of the area and dark skies. These letters are attached as **Exhibit 7**.

Commission staff received a letter dated August 31, 2011 from Douglas Carstens, an attorney representing the Malibu Dark Skies Committee, which consists of area residents and environmental activists concerned with the significant impacts intensive nighttime lighting will have on wildlife and the nighttime scenic views in the rural area of Malibu. This letter is attached as **Exhibit 8**. The letter expresses opposition to nighttime lighting of sports fields at Malibu High School, asserting that lighting would result in significant negative impacts to scenic and biological resources, inconsistent with the policies of the Malibu LCP. In response, Commission staff notes that the consistency analysis of the proposed amendment in relation to the scenic/visual resource and biological resource policies of the LCP is included in the following sections of this staff report. In addition, Mr. Carstens letter states that the LCP Amendment does not take into consideration a recently released Draft Environment Impact Report (DEIR) by the School District for a planned campus expansion project that does not include the subject field lights and that the environmental impact of the project "as a whole" has not been assessed. In response, Commission staff would note that the Commission is not in a position to determine the scope of an LCP amendment that is submitted for our review and certification, nor the scope of the City or School District's CEQA process.

Commission staff has also received correspondence from a number of interested parties expressing support for nighttime field lighting at the high school and the proposed amendment request. These letters are attached as **Exhibit 9**.

Commission staff has also received correspondence from interested parties who were concerned that this amendment request may be scheduled for a Commission hearing on the north or central coast and had requested that this item be scheduled for a Commission hearing that is closer to Malibu in order to allow for greater participation. Since that time, the City of Malibu withdrew and resubmitted its amendment request in order to extend the Commission's deadline for action and allow for the item to be scheduled for a more local hearing for greater public participation.

## **B. VISUAL RESOURCES AND CUMULATIVE IMPACTS**

Section 30251 of the Coastal Act, which is incorporated as part of the Malibu Land Use Plan (LUP), requires that visual qualities of coastal areas shall be considered and protected, landform alteration shall be minimized, and where feasible, degraded areas shall be enhanced and restored. Specifically, Section 30251 of the Coastal Act states:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinated to the character of its setting.*

Section 30250 of the Coastal Act, which is incorporated as part of the Malibu Land Use Plan (LUP), states. in relevant part:

*(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*

In addition, the following LUP policies are applicable in this case:

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

**6.2 Places on and along public roads, trails, parklands, and beaches that offer scenic vistas are considered public viewing areas. Existing public roads where there are views of the ocean and other scenic areas are considered Scenic Roads. Public parklands and riding and hiking trails which contain public viewing areas are shown**

*on the LUP Park Map. The LUP Public Access Map shows public beach parks and other beach areas accessible to the public that serve as public viewing areas.*

**6.4** *Places on, along, within, or visible from scenic roads, trails, beaches, parklands and state waters that offer scenic vistas of the beach and ocean, coastline, mountains, canyons and other unique natural features are considered Scenic Areas. Scenic Areas do not include inland areas that are largely developed or built out such as residential subdivisions along the coastal terrace, residential development inland of Birdview Avenue and Cliffside Drive on Point Dume, or existing commercial development within the Civic Center and along Pacific Coast Highway east of Malibu Canyon Road.*

**6.5** *New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.*

**6.23** *Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity fixtures, shielded, and concealed to the maximum feasible extent so that no light source is directly visible from public viewing areas. Night lighting for sports courts or other private recreational facilities in scenic areas designated for residential use shall be prohibited.*

The Malibu Local Implementation Plan (LIP) contains the following relevant development standard regarding exterior lighting.

**6.5(G) Lighting.** *Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity features, shielded, and concealed to the maximum feasible extent so that no light source is directly visible from public viewing areas. Night lighting for sports courts or other private recreational facilities in scenic areas designated for residential use shall be prohibited. Permitted lighting shall conform to the following standards:*

- 1. The minimum necessary to light walkways used for entry and exit to the structures, including parking areas, on the site. This lighting shall be limited to fixtures that do not exceed two feet in height, are directed downward, and use bulbs that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Planning Manager.*
- 2. Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent.*
- 3. The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent.*
- 4. A light, not to exceed 60 watts or the equivalent, at the entrance to the (identify nonresidential accessory structures).*
- 5. No lighting around the perimeter of the site, no lighting for sports courts or other private recreational facilities, and no lighting for aesthetic purposes is allowed.*

***6. Prior to issuance of Coastal Development Permit, the applicant shall be 'required to execute and record a deed restriction reflecting the above restrictions. Public agencies shall not be required to record a deed restriction but may be required to submit a written statement agreeing to any applicable restrictions above.***

The subject amendment request proposes to modify the permitted use table (Table B) of the LIP to allow lighting of the main sports field at public high schools in the Institutional zone as a conditional use in order to clarify the issue of sport field lighting at Malibu High School in the LCP for any future lighting proposal by the Malibu School District. The City proposes to restrict the use of night lighting to (1) public high schools in the Institutional zone (the only public high school in the City is Malibu High School), (2) the main sports field of any such school, (3) Pacific Standard Time until 7:30 p.m. except for (4) a maximum of 18 days in any 12 month period up to 10:30 p.m., and (5) requirement of a conditional use permit from City.

Malibu High School is part of the Malibu-Santa Monica Unified School District and the only public high school in the City of Malibu. The Malibu High School campus is located on land originally part of Juan Cabrillo Elementary School, which was partitioned in 1963 to create Malibu Park Junior High School. In 1992, the School District converted the Malibu Park Junior High School campus to its present combined middle school/high school. The Malibu High School campus site is approximately 30 acres in size, situated within the City of Malibu on the coastal terrace between Zuma Beach and the southern flanks of the western portion of the Santa Monica Mountains. The area is characterized by rolling slopes that descend southwesterly towards Zuma Beach. Pacific Coast Highway, a designated Scenic Road, lies between the school site and Zuma Beach (**Exhibits 1 and 3**). The elevation of the campus site ranges from approximately 100 feet along Morning View Drive on the south side, up to approximately 208 feet on the north side of campus. The High School's main athletic field is situated in the middle portion of campus at approximately 150 feet above sea level and approximately 2,000 feet inland from Zuma Beach. The high school campus consists of developed land with typical facilities associated with middle and high schools including classrooms and administrative buildings, a swimming pool, tennis courts, and sports fields (**Exhibit 3**).

The area surrounding Malibu High School is characterized as a semi-rural residential neighborhood. However, Cabrillo Elementary School is located to the west of the high school site, and the approximately 46-acre Malibu Equestrian Park is located to the east of the high school site. The Malibu Equestrian Park has been operated by the City of Malibu since 1993 pursuant to a Community Recreation Agreement between the School District and the City. A large berm separates the high school's main sports field area from the equestrian park to the east. The nearest residence to the main sports field of Malibu High is approximately 550 feet away to the northwest. Existing light sources in this area of educational facilities and residential development consist of security, parking lot, and residential lighting.

Public land/public viewing areas in the vicinity include Zuma Beach County Park approximately 1,400 feet to the south and National Park Service land approximately

4,000 feet inland to the north. The Zuma Ridge Trail that traverses in an east-west direction is situated near the National Park Service land to the north (**Exhibit 2**).

The subject LCP amendment request proposes that field lights may be permitted at the main sports field at Malibu High until 7:30 p.m. during Pacific Standard Time (PST), and until 10:30 p.m. for 18 nights in any 12 month period. The average time of sunset during PST is 5:30 p.m. Therefore, other than the 18 nights per year, when lights would be allowed, they would typically only be on for approximately two hours. However, PST is a rather expansive timeframe. PST extends from the first Sunday in November to the second Sunday in March, which is 19 weeks, or approximately 133 days (including weekends and holidays). Combined with the proposed additional 18 nights in any 12 month period until 10:30 p.m., field night lighting could theoretically be on for approximately 150 nights per year.

The main sports field at Malibu High School is located in the middle of a full-service high school campus located in an existing developed area of Malibu's coastal terrace. Malibu High School is the only public high school in the City of Malibu. Lighting of a main sports field is a type of development that is normally associated with a high school campus. In the context of the larger coastal zone region in this area, which includes the Santa Monica Mountains, the largely developed and built-out area along the coastal terrace where Malibu High School is situated is appropriate for siting a lighted public sports field use, and generally, such a use would be visually compatible with the character of the area. However, the LCP identifies the nearby mountain, canyon, beach and ocean as important scenic elements. Therefore, significant lighting within the coastal terrace area has the potential to result in individual and cumulative impacts to nearby scenic resources.

To minimize the cumulative effect of night lighting on the scenic quality and character of Malibu, LUP Policy 6.23 and LIP Section 6.5.G of the City's certified LCP currently prohibits night lighting "for sports courts or other private recreational facilities in scenic areas designated for residential use". While Table B of the LIP portion of the City's LCP prohibits lighted sports courts in the Institutional zone, the LUP policies and LIP provisions do not specifically address night lighting of sports courts or sports fields for public facilities, and it does not specifically prohibit night lighting of sports courts or fields in *non-residential* areas, such as the institutional zone district where Malibu High School is located. As such, the City's amendment to the LIP proposes to clarify that night lighting of the main sports field at public high schools in the institutional zone may be a conditionally permitted use that is subject to certain time restrictions. But while the proposed use is not a "sports court or other private recreational facility in a scenic area designated for residential use" where night lighting is specifically prohibited by the LUP, the LUP does also have more general provisions that require that the scenic qualities of coastal areas be protected and that all exterior lighting be minimized, restricted to low intensity fixtures, shielded, and concealed to the maximum feasible extent so that no light source is directly visible from public viewing areas (LUP § 6.23 & Section 30251 of the Coastal Act that is incorporated into the LUP as a Policy).

The City's proposed amendment language in the permitted use table of the LIP implies that lighted sports courts are allowed, unlimited, anywhere in the Institutional zone, subject to a Conditional Use Permit, except that specific lighting limitations only apply at the main sports field at public high schools. It does not appear that this interpretation was the City's intention based upon their submitted analysis of the proposed amendment request, but it is a reasonable and logical interpretation of the language proposed. Commission staff does not have any analysis regarding impacts associated with removing the prohibition of lighted sports courts everywhere in the City's Institutional zone district. There are potential adverse individual and cumulative impacts associated with removing the prohibition of lighted sports courts everywhere in the City's Institutional zone district. Therefore, Suggested Modifications 1, 3, and 4 are required to clarify that sports field lighting is prohibited everywhere in the institutional zone except at the main sports field at Malibu High School, as discussed further below.

In addition, the City's amendment request places the main sports field at Malibu High School under the category of "sports court (lighted)" in the permitted use table of the LIP. While it could be argued that a sports field is a type of sports court, it is more common to regard hard-surface playing areas as sports courts and soft-surface playing areas as sports fields. In order to avoid confusion and provide greater specificity with regards to the proposed use, the Commission finds it appropriate to make a distinction between lighted sports courts and lighted sports fields in the permitted use table, as reflected in **Suggested Modification 1**.

**Suggested Modification 1** inserts a new use to the permitted use table of the LIP – Sports *Fields* (lighted) – with added language as a footnote specifying that sports field lighting in the institutional zone must be limited to the main sports field at Malibu High School. In order to minimize the cumulative effect of night lighting on the scenic quality and character of Malibu, Suggested Modification 1 specifies that lighted sports fields are prohibited in all other zone districts, and lighted sports *courts* shall continue to be prohibited in the institutional zone, as was the case prior to this amendment. In addition, in order to be consistent with the existing format of the LIP and its permitted use table, the specific standards for sport field lighting in the institutional zone should become part of the exterior lighting policies of the LIP rather than as proposed in a footnote of the permitted use table. Therefore, **Suggested Modifications 1, 3 and 4** are required, which shift the specific standards for field lighting in the institutional zone to the appropriate scenic/visual resource and environmentally sensitive habitat provisions of the LIP.

As for the propriety of allowing lighting of even the main athletic field at Malibu High School, given the topography of the area and the distance from that field to the public viewing areas described above, the light standards/poles themselves at the main sports field at the Malibu High campus are not expected to significantly block or obscure public views of the ocean or mountains during the daytime. However, to ensure that public views are not obscured by light fixtures during the daytime and that impacts to scenic resources from the operation of the lights are minimized as required by the policies of the LUP, **Suggested Modification 4** is required, which adds a specific provision to the

Scenic/Visual Resource chapter of the LIP specifying that field lighting at Malibu High School must be minimized, directed downward, and shielded using the best available visor technology and pole height and design that minimizes light spill, sky glow, and glare impacts to public views to the maximum extent feasible. In addition, in order to clarify that light standards and roof antennae should not be subject to the 18 ft. maximum structure height limit pursuant to the institutional zone development criteria of LIP Section 3.3(N)(3)(b)(ii), **Suggested Modification 2** is also required.

In 2009, the School District had performed an environmental review (Mitigated Negative Declaration (MND)) of a field lighting project previously proposed as part of CDP Application 4-99-276-A3, which included photometric and visual analyses of field night lighting (with five 53-ft. tall light standards equipped with light control visors) at the high school's main athletic field. Illumination, or light intensity, of field lights equipped with light control visors at the main sports field at Malibu High School was calculated around the field, measured in foot-candles<sup>1</sup>. Within a distance of approximately 150 feet from the field, light intensity was calculated to be equal or greater than 0.1 foot candles. Between a 150 foot and 450 foot distance from the field, light intensity was calculated to be between 0.1 and zero foot candles. Zero foot candles of light were received in the area beyond a 450 foot distance from the field. To relate these light levels to familiar visual situations, the light level of a clear starry night is 0.0001 foot candle, the light level of a full moon night is 0.01 foot candle, the light level of pre-dawn is 0.1 foot candle, and the light level of lighted parking lot is 1 foot candle. As such, with light control visors installed, lighting of the campus' main sports field was found not to exceed the intensity of pre-dawn light beyond 150 feet of the field and to have no discernable impact beyond 450 feet. While no specific project for field lighting is being considered as part of the City's LCP amendment proposal, the Commission finds that the lighting effects of a future proposal for lighting the main sports field would include similar amounts of light in adjacent areas.

Sky glow is the light that spills into the sky above the horizon and illuminates the moisture and other tiny particles in the atmosphere. Sky glow is intensified when there is a low cloud ceiling or foggy conditions because light refracts off water particles in the air. Field lights will unavoidably create illumination/sky glow when operated at night, particularly along the coast where foggy conditions are common, that will be visible from nearby public scenic viewing areas that include Zuma Beach County Park to the south and National Park Service land/Zuma Ridge Trail to the north.

The potential for field lights to be on at the high school's main sports field for roughly 150 nights per year poses significant individual and cumulative impacts on public views of natural landforms, the beach and ocean, and the nighttime sky in the area. While PST is the most appropriate time of year for night lighting because it is when the sun sets the earliest in the evenings and it best avoids the season for night migrating birds and breeding and nesting raptors and owls, the impact of proposed illumination/sky glow in the area would be significant if the lights were to be used nightly during PST.

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<sup>1</sup> A foot-candle is a unit of illuminance on a surface that is one foot from a uniform point source of light of one candle and is equal to one lumen per square foot.

Malibu High School is located in a semi-rural residential area of Malibu's coastal terrace, and the LCP identifies the nearby mountain, canyon, beach and ocean as important scenic elements. Field lighting on the main sports field nightly during PST within this coastal terrace area would not be compatible with the semi-rural and scenic character of the area and would adversely impact nearby scenic resources. The City has indicated that the lights would likely not be utilized nightly during PST because school sports and activities do not occur on Sundays or observed holidays, and because the City may further restrict the number of nights the lights may be on through its Conditional Use Permit process. However, for purposes of analyzing the impacts of the proposed amendment request, it must be assumed that the maximum number of nights allowed for in the proposed amendment request could be implemented.

The Commission finds that it is appropriate to provide for the limited use of night lighting at the main sports field of Malibu High because it is a full-service campus in an existing developed area. In addition, limited use of night lighting at the main sports field of Malibu High would protect views and the scenic qualities of the coastal area and be visually compatible with the character of the surrounding area, consistent with the policies of the LUP. However, in order to ensure protection of views to and along the ocean and scenic coastal areas and minimize adverse impacts on scenic areas, as required by the Malibu Land Use Plan, the Commission finds it appropriate to limit night lighting of the main sports field at Malibu High School to: (1) a maximum of three days per week, (2) generally to Pacific Standard Time (PST), which extends from the first Sunday in November to the second Sunday in March; and (3) no later than 7:30 p.m..

However, in order to allow limited night lighting for school sports programs that may occur during the school year outside of PST and/or that would require later lighting, the Commission finds it appropriate to allow no more than 18 nights per year where the lights may remain on until 10:30 p.m., as proposed by the City, except that the 18 nights must be limited to the period from September through May and for no more than 2 non-consecutive days of the maximum 3 days per week. The months of September through May represents the bulk of the school year in which school field sports are played. These limitations would represent a maximum of 75 nights per year where the field may be lit for a few hours of the evening. As such, the Commission finds it necessary to adopt **Suggested Modifications 1 and 4**, which limit night light usage to the main sports field for no more than three nights in any calendar week, until 7:30 p.m. during PST, except that for 18 nights the lights may be on until 10:30 p.m. from September through May (limited to two non-consecutive days of the maximum three days per calendar week). In addition, in order to ensure that adverse visual impacts from exterior night lighting are minimized to the maximum extent feasible, consistent with LUP policies 6.5 and 6.23, **Suggested Modification 4** also specifies that field lighting must be minimized, directed downward, and shielded using the best available visor technology and pole height and design that minimizes light spill, sky glow, and glare impacts to public views to the maximum extent feasible.



As such, the Commission finds that the limited location and duration and the restricted means of operation of field lights outlined in Suggested Modifications 1 and 4 would be compatible with the character of this semi-rural area; would not significantly impact public views of natural landforms, the beach and ocean, or the nighttime sky because the night lighting would be confined to a limited number of hours, nights per week, and nights per year; would protect the general scenic and visual qualities of the nearby coastal areas; and would minimize impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

As suggested to be modified, the Commission finds that the LIP amendment serves to minimize visual impacts to the maximum extent feasible and would ensure that the LIP as a whole remains consistent with, and adequate to carry out, the scenic/visual resource policies of the LUP.

### **C. ENVIRONMENTALLY SENSITIVE HABITAT**

The following policies of Chapter Three of the Coastal Act are incorporated as part of the City of Malibu LUP:

#### **Section 30240**

*(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those 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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

#### **Section 30230**

*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 30250 (in relevant part)**

*(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*

In addition, the following LUP policies are applicable in this case:

- 3.4**     *Any area not designated on the LUP ESHA Map that meets the ESHA criteria is ESHA and shall be accorded all the protection provided for ESHA in the LCP. The following areas*

*shall be considered ESHA, unless there is compelling site-specific evidence to the contrary:*

- a. Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.*
- b. Areas that contribute to the viability of plant or animal species designated as rare, threatened, or endangered under State or Federal law.*
- c. Areas that contribute to the viability of species designated as Fully Protected or Species of Special Concern under State law or regulations.*
- d. Areas that contribute to the viability of plant species for which there is compelling evidence of rarity, for example, those designated 1b (Rare or endangered in California and elsewhere) or 2 (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society.*

**3.23** *Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers shall be a minimum of 100 feet in width, except for the case addressed in Policy 3.27.*

LUP Policy 3.56 and LIP Section 4.6.2 state the following regarding exterior lighting and ESHA:

*Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHA in order to minimize impacts on wildlife. High intensity perimeter lighting and lighting for sports courts or other private recreational facilities in ESHA, ESHA buffer, or where night lighting would increase illumination in ESHA is prohibited.*

The Malibu High School campus site is approximately 30 acres in size, situated within the City of Malibu on the coastal terrace between Zuma Beach and the southern flanks of the western portion of the Santa Monica Mountains. The elevation of the campus site ranges from approximately 100 feet along Morning View Drive on the south side, up to approximately 208 feet on the north side of campus. The campus' main athletic field is situated in the middle portion of campus at approximately 150 feet above sea level and approximately 2,000 feet inland from Zuma Beach. The high school campus consists of developed land with typical facilities associated with middle and high schools including classrooms and administrative buildings, a swimming pool and sports fields.

The surrounding area is characterized by primarily semi-rural residential development. However, there is also Cabrillo Elementary School located nearby to the west of the high school site, and the approximately 46-acre Malibu Equestrian Park to the east of the site, which has been operated by the City of Malibu since 1993 pursuant to a Community Recreation Agreement between the District and the City. A large berm separates the school's athletic field area from the equestrian park to the east. There is a grove of eucalyptus trees near the equestrian park approximately 750 feet east of the athletic field, and a small stand of black walnut trees approximately 1,400 feet east/southeast of the athletic field. Zuma Creek, a blue-line stream that is designated

ESHA in the Malibu LCP is situated approximately 2,500 feet to the east of the campus. An intermittent blue-line stream containing highly degraded riparian vegetation exists just west of the campus site, approximately 600 feet northwest of the campus' main athletic field. The Malibu High School campus is not located within or adjacent to any LCP-designated environmentally sensitive habitat areas (ESHA).

A biological inventory was prepared ("Biological Inventory – Malibu High School Athletic Lighting Project", prepared by Glenn Lukos Associates (GLA)), which describes the biological characteristics of the entire School District property (which includes the Malibu Equestrian Park) and a 500 ft. radius surrounding the property. The inventory found that the area surrounding the campus and main athletic field were vegetated with a matrix of disturbed and undisturbed coastal sage scrub, ruderal vegetation, a stand of eucalyptus trees, a small stand of black walnut trees, and disturbed/developed land (**Exhibit 5**). Thirteen biological surveys were conducted at and around the main athletic field at Malibu High School between July 31, 2008, and April 27, 2009, to survey for the presence of sensitive habitat or special-status species. General surveys were also conducted for birds, mammals, reptiles and amphibians, including special-status species, which were evaluated through habitat assessments and focused surveys. Habitat assessments were also conducted for three owl species – western burrowing owl, barn owl, and great horned owl. During the surveys no special-status plants or animals or nesting raptors were detected. Raptors (red tailed hawks, red shouldered hawks, and Cooper's hawks) were observed in the study area over the course of the GLA study. The degraded riparian habitat west of the high school campus (and about 600 feet from the main athletic field) is the only environmentally sensitive habitat (ESHA) that GLA identified within the study area.

On April 26, 2010, May Lau, a PBS&J Consulting wildlife biologist, conducted a biological resources survey to verify the findings of the 2009 Biological Inventory Assessment by Glenn Lukos Associates. May Lau's May 18, 2010 Summary of Findings memo found that the Glenn Lukos report had accurately identified the type and extent of habitat types in the area of the High School. May Lau also found that there were no signs of nesting or roosting owls in the vicinity of the Malibu Equestrian Park eucalyptus tree stands. In addition, May Lau had detected additional wildlife species not previously documented in the Glenn Lukos report, including one amphibian (Baja California chorus frog [*Pseudacris hypochondriaca*]), one invertebrate (dung beetle), two bird species (California thrasher and western gull), and one mammal (cottontail). However, none of these detected species are considered special-status, sensitive, or rare species.

In 2009, the School District had performed an environmental review (Mitigated Negative Declaration (MND)) of a field lighting project previously proposed as part of CDP Application 4-99-276-A3, which included photometric and visual analyses of field night lighting (with five 53-ft. tall light standards equipped with light control visors) at the high school's main athletic field. Illumination, or light intensity, of field lights equipped with light control visors at the main sports field at Malibu High School was calculated around

the field, measured in foot-candles<sup>2</sup>. Within a distance of approximately 150 feet from the field, light intensity was calculated to be equal or greater than 0.1 foot candles. Between a 150 foot and 450 foot distance from the field, light intensity was calculated to be between 0.1 and zero foot candles. Zero foot candles of light were received in the area beyond a 450 foot distance from the field. To relate these light levels to familiar visual situations, the light level of a clear starry night is 0.0001 foot candle, the light level of a full moon night is 0.01 foot candle, the light level of pre-dawn is 0.1 foot candle, and the light level of lighted parking lot is 1 foot candle. As such, with light control visors installed, lighting of the campus' main sports field was found not to exceed the intensity of pre-dawn light beyond 150 feet of the field and to have no discernable impact beyond 450 feet. While no specific project for field lighting is being considered as part of the City's LCP amendment proposal, the Commission finds that the lighting effects of a future proposal for lighting the main sports field would include similar amounts of light in adjacent areas.

Commission Staff Ecologist, Dr. Jonna Engel, has reviewed all available biological information, visited the Malibu High School property and surrounding area on July 12, 2011, to survey the natural resources, and prepared a memo regarding biological resources of the site, September 22, 2011, which is hereby incorporated herein, and which is attached as **Exhibit 4**. The Commission concurs with the following conclusions reached by Dr. Engel regarding the site's biological resources.

Dr. Engel observed that the section of blue-line stream/riparian habitat that borders the western boundary of the property is highly degraded. It is a dirt channel invaded and choked by non-native species for much of the reach bordering the high school. There are scattered cottonwood trees that appear to be in poor health along the stream, a few small sycamores, and a large patch of arroyo willow which provides some native habitat value. Dr. Engel determined that with lighting limited to the main sports field at Malibu High School and subject to the time and design restrictions outlined in Suggested Modification 3, the nearby stream would not be negatively impacted by night lighting due to the stream's distance from the field (approximately 600 feet away). In addition, as restricted, and based on the illumination study discussed in the prior section, the lighting will not increase illumination of the degraded riparian habitat west of campus that GLA and Dr. Engel identified as the nearest ESHA. Thus, it would be consistent with the prohibition in LUP policy 3.56 against night lighting "for sports courts or other private recreational facilities [that] would increase illumination in ESHA" even if that were interpreted to apply to a *public sports field*.

During her July 12, 2011 site visit, Dr. Engel found that the six to eight black walnut trees that span an ephemeral stream/drainage near Merritt Drive to the east may have native habitat value, but that the small size and isolated nature of the trees and surrounding habitat do not rise to the level of black walnut grove ESHA. Dr. Engel also looked closely at the grove of eucalyptus trees adjacent to the equestrian area to the east. Although one nest was observed in the trees, the nest did not show evidence of

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<sup>2</sup> A foot-candle is a unit of illuminance on a surface that is one foot from a uniform point source of light of one candle and is equal to one lumen per square foot.

current use (no whitewash, feathers, forage discards, or owl pellets on the ground under or around the nest). Based on the nests' size, it was likely the former nest of a red-tailed or red-shouldered hawk or a great horned owl. Should the eucalyptus grove support nesting raptors or owls in the future, athletic field night lighting that is limited to the main sports field at Malibu High School, and subject to the time and design restrictions outlined in Suggested Modification 3, would not pose significant negative impacts upon these species based on the topography and distance between the athletic field and the eucalyptus tree grove (approximately 750 feet). Dr. Engel also confirmed that the area of undisturbed coastal sage scrub vegetation to the east of the field site does not rise to the level of ESHA because it is fragmented within a matrix of development and ruderal, ornamental, and disturbed habitat and because it does not support any special status species.

Therefore, based upon Dr. Engel's observations and conclusions described above, the Commission finds that Malibu High School's main athletic field is not located in, or adjacent to, any areas that are considered environmentally sensitive habitat (ESHA), or that support special status species. The proposed LCP amendment, if modified as suggested, will ensure that the proposed lighting use will not adversely impact ESHA or ESHA buffer or increase illumination of any ESHA.

In 2000, the Commission approved City of Watsonville LCP Amendment 1-99 with suggested modifications. The LCP Amendment dealt with modifying development standards at a 139-acre site composed exclusively of agricultural fields and wetlands in a rural agricultural area in order to facilitate the construction of a new high school for the Pajaro Valley School District. In that action, the Commission found that night lighting of sports facilities and parking areas associated with a new school use could significantly disrupt the environmentally sensitive habitat areas located adjacent to the planned school site. The Commission also found that certain night lighting for school uses would be incompatible with the rural character of the mostly undeveloped area. Therefore, in its action, the Commission prohibited exterior night lighting at the site, other than the minimum lighting necessary for pedestrian and vehicular safety purposes.

However, Commission staff would note that the City of Watsonville site was an undeveloped area containing a significant quantity and quality of wetland as well as upland areas considered ESHA that would be in close proximity to a potential future high school site. In addition, the City of Watsonville site is located in a mostly undeveloped area lying in the middle of a large agrarian/wetland landscape. In the case of the subject amendment, Malibu High School is an existing school within an existing developed area and where there are no areas considered ESHA on or adjacent to the proposed lighted sports field.

However, the proposed amendment has the potential to impact migratory birds and nesting and roosting raptors and owls. Malibu High School is situated within the Pacific Flyway, and potentially within the pathway of northward spring and southward fall migrations, which occur during the months of late March through May and September, October, and the first part of November, respectively. Birds migrating along this route

are heading to the Canadian Arctic, Canadian plains, and Canadian boreal forest in the spring, and to Mexico, South America, and Pacific Islands in the fall. It is important to note that “Pacific Flyway” is a descriptor for a phenomenon that encompasses the entire state of California and beyond and that not all areas of the state are as important as others. However, depending on the types of migrating birds, certain pathways (e.g. bordering the ocean, along valleys, etc.) will be more frequented, and certain habitats (woodlands, riparian areas, wetlands) will be more important stopovers, than others. Over 60 species of waterfowl, raptors, shorebirds, and songbirds are known to regularly migrate through Ventura and Los Angeles counties; traveling at night and stopping for a time by inland and coastal creeks, wetlands, woods, and neighborhoods<sup>3</sup>.

The Malibu High School property is not likely to be used by migratory birds as a stopover site. The habitats suitable for supporting resting migrating birds are the nearby stream, eucalyptus grove, and black walnut tree areas. However, given the limited extent and quality of these habitats among the surrounding development, the areas do not represent quality stopover habitat. The main concern with night lighting at the campus’ main athletic field is the potential for night migrating birds to become confused and attracted to the lights during inclement/foggy weather. Birds that migrate at night use the moon and stars for navigation. During clear weather they appear to be able to distinguish artificial lighting from light emanating from planets and stars. However, during inclement weather, birds can become confused and drawn to artificial lights. This phenomenon has been observed on numerous occasions at lighted buildings, oil platforms, and athletic fields. Once drawn into an artificial light source a number of negative outcomes can occur; birds may crash into something, become confused and drawn off course, or circle the light source and become exhausted.

Section 30230 of the Coastal Act, which is incorporated as a policy in the Malibu LUP, requires protection of marine resources, with special protection given to areas and species of special biological significance. Section 30250 of the Coastal Act, which is incorporated as a policy in the Malibu LUP, requires that development be located and designed to ensure that significant adverse impacts to coastal resources, both individual and cumulative, be avoided. In addition, LUP Policy 3.56 states that exterior night lighting shall be minimized and directed away from ESHA in order to minimize impacts to wildlife.

In order to minimize adverse impacts to night migrating birds, as well as breeding and nesting raptors and owls, night lighting at the main sports field at Malibu High School should be limited to primarily Pacific Standard Time (PST) because it avoids the peak and majority of the fall migration and all of spring migration. Raptors and owls start courtship and breeding in late January followed by nesting in late February and March. Dr. Engel has determined that night lights during PST and for a maximum of three days per week would significantly limit the amount of time that migratory and resident bird

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<sup>3</sup> See: [http://www.borealbirds.org/birdguide/map\\_losangeles.shtml#anchor](http://www.borealbirds.org/birdguide/map_losangeles.shtml#anchor). The Boreal Songbird Initiative is a network of conservation and birding groups interested in raising awareness in the U.S. and Canada about the importance of the boreal forest and other locations for migratory birds. They conduct migratory bird research and manage and maintain a migratory bird database.

species would be exposed to artificial lights at the athletic field. However, in order to allow limited night lighting for school sports programs that occur outside of PST, the City also proposes to allow no more than 18 nights any time of the year and to allow the lights to remain on until 10:30 p.m. during those 18 nights. The months of September through May represents the bulk of the school year in which school field sports are played. As discussed in Section B, in order to minimize impacts to scenic resources, the Commission finds it appropriate to limit the 18 nights where the lights may be on until 10:30 p.m. to the months of September through May and to prohibit such lighting on consecutive days, and to limit it to two nights per week of the maximum 3 days per week. However, allowing night lighting outside of PST and during the bird migration periods at all still has the potential to result in significant impacts to migratory birds and nesting and roosting raptors and owls. Dr. Engel has determined that the only way to ensure the proposed 18 nights that could occur outside of PST will avoid significant adverse impacts to migratory and resident bird species from field lights is to require that an Avian Monitoring Plan be prepared and conducted for any field night lighting that is allowed during bird migration periods (September through first week of November and the last week of March through May).

In order to minimize impacts to night migrating birds and breeding and nesting raptors and owls, **Suggested Modifications 1 and 3** are required, which limits night light usage to the main sports field until 7:30 p.m. during PST, except that for 18 nights the lights may be on until 10:30 p.m., but only from September through May, and for no more than three nights per week. In addition, the 18 nights until 10:30 p.m. is also limited to no more than 2, non-consecutive days of the maximum 3 days per week. Suggested Modification 3 also requires that, should lighting be allowed during bird migration periods (Fall Migration: September through first week in November, and Spring Migration: Last week of March through May), an Avian Monitoring Plan that is prepared by a qualified ornithologist/ecologist and reviewed and approved by the City Biologist shall be required prior to issuance of the coastal development permit allowing such lighting, and that the permit shall be consistent with and require compliance with that plan. The approved Avian Monitoring Plan shall be implemented concurrent with the approved field lighting operations. If the Monitoring results indicate that the approved field lighting results in significant adverse impacts upon birds, the City shall require modification of the approved lighting schedule in order to ensure avoidance of the identified impacts. In addition, to ensure that the required Avian Monitoring Plan includes components for an effective and scientifically meaningful study, Suggested Modification 3 outlines minimum elements for the plan, which include:

- vi. Monitoring shall be conducted by a qualified ornithologist/ecologist to assess potential adverse impacts to migratory and resident bird species.
- vii. The monitoring design and schedule shall include a paired monitoring design (i.e. a night with lights immediately preceded or followed by a night without lights), and a monitoring frequency of once per week during any week when lights are operated during Fall and Spring migration periods for at least one year. If the monitoring results indicate that the one year monitoring period was a typical bird migration year with a typical range of atmospheric conditions and the main sports field lights have resulted in no adverse impacts upon birds, no additional

monitoring may be required. If the monitoring results indicate otherwise, monitoring shall continue for an additional year(s) until a year of monitoring under typical conditions occurs and the consulting ornithologist obtains enough data to assess potential adverse impacts to migratory and resident bird species.

- viii. The description of observational monitoring activities shall include tallying species and numbers of birds observed within a 200 ft. sphere of the light standards and noting atmospheric conditions, bird behavior, and changes in bird behavior.
- ix. The monitoring plan shall specify a threshold for determining significant adverse impacts to migratory and resident bird species from field lights.
- x. Seasonal migration reports (Fall and Spring) of monitoring results shall be submitted to the City Biologist. However, the consulting ornithologist shall immediately notify the City should an adverse bird event related to the approved field lights occur at any time during the course of monitoring. The monitoring plan shall also include a provision for submission of a final monitoring report to the City Biologist at the end of the monitoring period.

With Suggested Modifications 1 and 3 described above, the Commission finds that night lighting of the main sports field at Malibu High School would not pose a significant impact to migratory and resident bird species that may potentially occur in the area of the field. Adverse impacts to wildlife from light spill, sky glow, and glare can be further minimized by requiring that field lighting be minimized, directed downward, and shielded using the best available visor technology. Therefore, **Suggested Modifications 3** further specifies that field lighting must be minimized, directed downward, and shielded using the best available visor technology that minimizes light spill, sky glow, and glare impacts to wildlife.

The Commission has considered alternatives to the proposed amendment request to determine if there is any alternative that can meet the amendment objectives while avoiding or reducing significant impacts to coastal resources. Obvious modifications to the amendment would be to either make no change to the LCP, or to prohibit any night lighting of sports fields in the institutional zone. However, such alternatives would not meet the objectives of the amendment request and the LCP provisions would continue to not specifically address night lighting of sports fields or courts for public educational facilities located in the institutional zone district. As discussed in detail previously, if modified as suggested, the proposed amendment limits the location, duration, and design of sport field night lighting in the institutional zone to avoid or minimize impacts to scenic resources, ESHA and other significant coastal resources to the maximum extent feasible. In addition, sport field night lighting is a type of development that is normally associated with an existing public high school campus that is located in an existing developed area, and with the limitations imposed pursuant to the suggested modifications, the proposed amendment will not result in significant adverse impacts to coastal resources.

Therefore, the Commission finds that the proposed LCP amendment, only if modified as suggested, would ensure that field night lights would not spill into any areas designated



ESHA or ESHA buffer and would minimize adverse impacts to biologically significant wildlife and coastal resources, consistent with the relevant ESHA policies of the LUP. As suggested to be modified, the Commission finds that the LIP amendment serves to protect ESHA from significant disruption of habitat values and is consistent with, and adequate to carry out, the ESHA policies of the LUP.

## **D. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

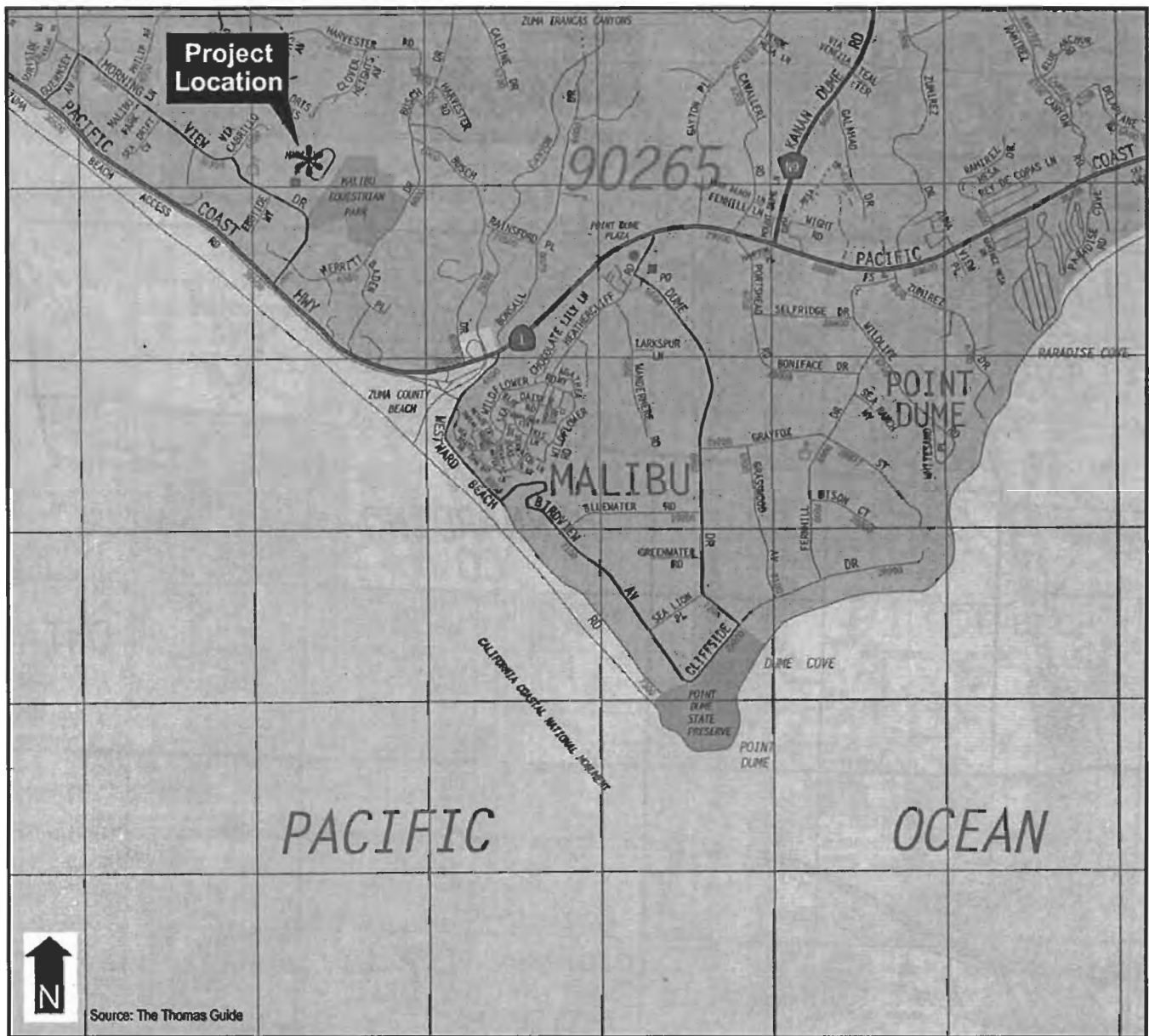
California Public Resources Code (PRC) Section 21080.9 – within the California Environmental Quality Act (CEQA) – exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with their activities and approvals necessary for the preparation and adoption of a local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission. However, because the Natural Resources Agency found the Commission's LCP review and approval program to be functionally equivalent to the EIR process, see 14 C.C.R. § 15251(f), PRC Section 21080.5 relieves the Commission of the responsibility to prepare an EIR for its review of and action on LCP provisions. Nevertheless, some elements of CEQA continue to apply to this review process.

Specifically, pursuant to CEQA and the Commission's regulations (see 14 C.C.R. §§ 13540(f), 13542(a), and 13555(b)), the Commission's certification of this LCP amendment must be based in part on a finding that it meets the CEQA requirements listed in PRC section 21080.5(d)(2)(A). That section requires that the Commission not approve or adopt an LCP:

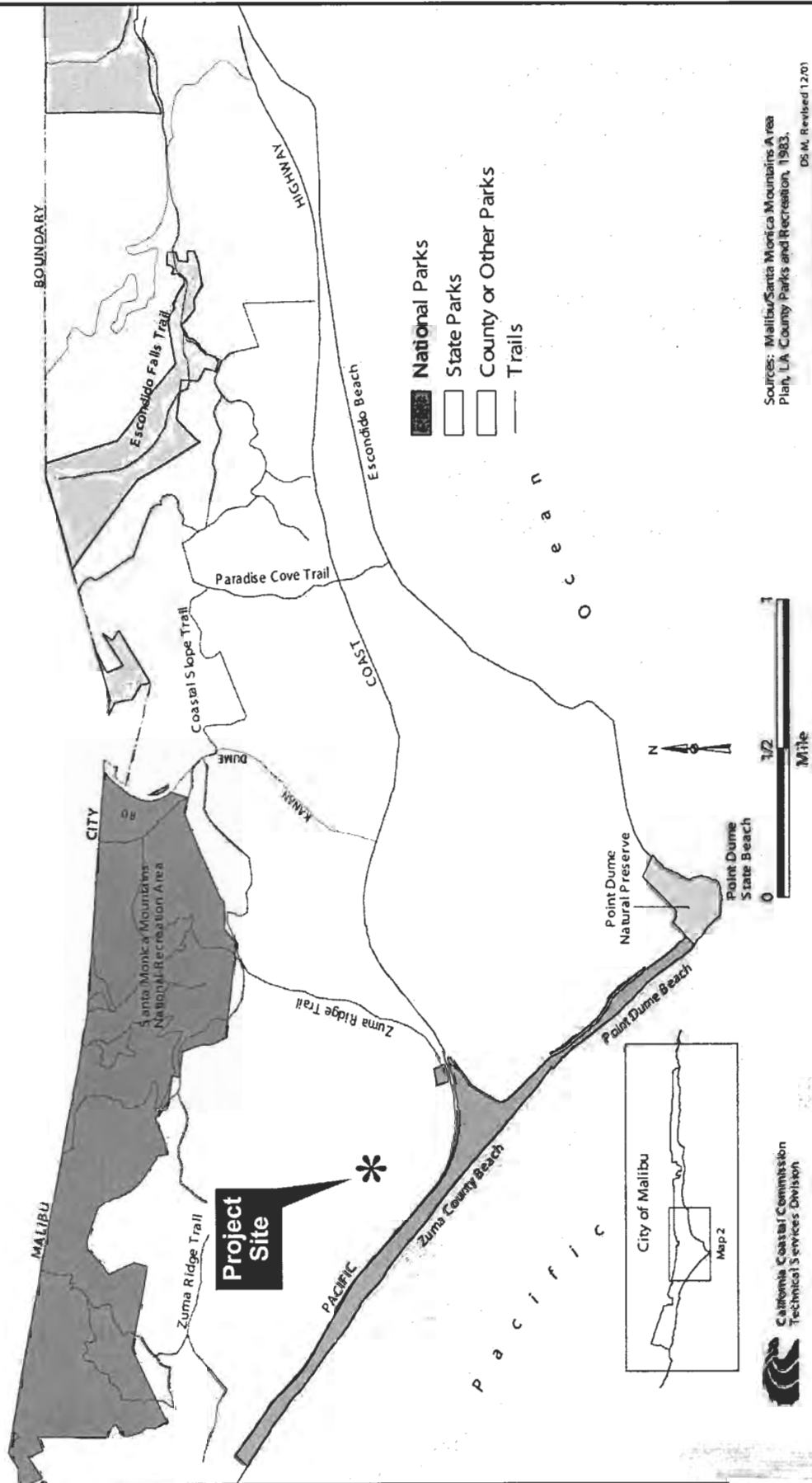
...if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The Implementation Plan amendment has been found not to be in conformance with, or adequate to carry out, the provisions of the Land Use Plan portion of the certified LCP. To resolve the concerns identified, suggested modifications have been made to the proposed amendment. With incorporation of the suggested modifications, the Implementation Plan, is adequate to carry out and is in conformity with the Land Use Plan. The suggested modifications minimize or mitigate any potentially significant environmental impacts of the LCP amendment. If modified as suggested, the Commission finds that approval of the LCP amendment will not result in significant adverse environmental impacts within the meaning of the California Environmental Quality Act.

The Commission finds that for the reasons discussed in this report, if the LCP amendment is modified as suggested, there are no additional feasible alternatives or feasible mitigation measures available that could substantially reduce any adverse environmental impacts. The Commission further finds that the proposed LCP amendment, if modified as suggested, is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.



# Local Coastal Program - City of Malibu Park Lands Map 2: Zuma Beach to Escondido Beach





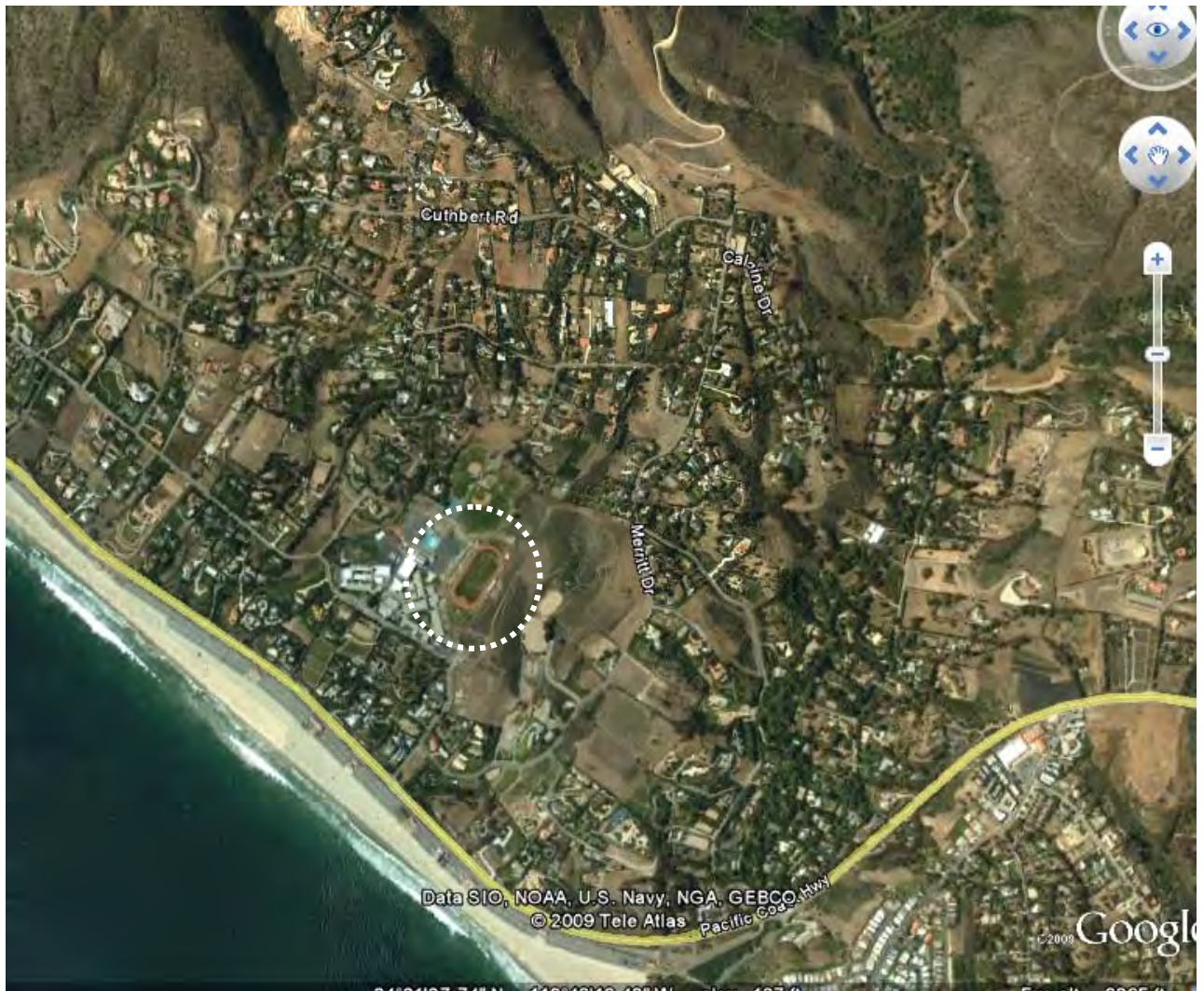


Exhibit 3  
Malibu LCP Amendment 1-11-A  
Aerial Views 1 of 2



An aerial photograph showing Malibu High School and its athletic fields. The school buildings are clustered in the center-left, with several baseball and softball fields nearby. A large, open, undeveloped area is to the right of the school. The coastline and beach are visible at the bottom of the frame.

Main  
Athletic  
Field  
MALIBU HIGH SCHOOL

ZUMA BEACH

Exhibit 3  
Malibu LCP Amendment 1-11-A  
Aerial Views 2 of 2

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800

**MEMORANDUM**

FROM: Jonna D. Engel, Ph.D., Ecologist  
TO: Deanna Christensen, Coastal Analyst  
SUBJECT: City of Malibu LCP Amendment No. 1-11-A regarding Malibu High School Athletic Field Night Lighting  
DATE: September 22, 2011

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**Documents Reviewed:**

Glenn Lukos Associates. May 4, 2009. Biological Inventory-Malibu High School Athletic Lighting Project

Glenn Lukos Associates. August 7, 2009. Addendum to Biological Inventory -Malibu High School Athletic Lighting Project

PBS&J Consultants. May 18, 2010. Biological Field Study Findings-MHS Campus Improvement Project

PBS&J Consultants. August 29, 2009. Field Lighting Correspondence-Malibu High School Athletic Lighting Project

CAA Planning. May 8, 2009. Malibu High School Athletic Lighting-Mitigated Negative Declaration. Prepared for Santa Monica-Malibu Unified School District.

CDP Application 4-99-276-A3

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The City of Malibu Local Coastal Program Amendment No. 1-11-A proposes to modify the permitted use table (Table B) of the LIP to allow night lighting of the main sports fields at public high schools in the Institutional zone as a conditional use. The permitted use table (Table B) of the City's LIP currently prohibits lighted sports courts in the Institutional zone district. The City's stated intent for this amendment request is to add a regulation in the LCP for the use of night lighting that is restricted to (1) public high schools in the Institutional zone (the only public high school in the City is Malibu High School), (2) the main sports field, (3) Pacific Standard Time until 7:30 p.m., (4) a

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|------------------------------------------------|
| <b>Exhibit 4</b>                               |
| <b>City of Malibu LCP<br/>Amendment 1-11-A</b> |
| <b>Dr. Engel's Biological<br/>Memorandum</b>   |

maximum of 18 days in any 12 month period up to 10:30 p.m., and (5) requirement of a conditional use permit.

The Malibu High School campus is approximately 30 acres in size and is located in the City of Malibu on a coastal terrace between Zuma Beach and the western end of the Santa Monica Mountains. The high school's main athletic field is located in the middle portion of campus at approximately 150 feet above sea level and approximately 2,000 feet inland from Zuma Beach. The high school campus consists of developed land with typical facilities associated with middle and high schools including classrooms, administrative buildings, a swimming pool, and sports fields. The surrounding area is characterized by primarily semi-rural residential development on slopes bordered by higher peaks of the Santa Monica Mountains National Recreational Area.

In addition, Cabrillo Elementary School is located immediately adjacent and west of the high school site and Malibu Equestrian Park (approx. 46-acres) is to the east of the site. The equestrian park has been operated by the City of Malibu since 1993 pursuant to a Community Recreation Agreement between the District and the City. A large berm separates the school's athletic field area from the equestrian park to the east. An intermittent blue-line stream containing riparian and non-native and invasive vegetation exists just west of the campus site, approximately 600 feet northwest of the campus' main athletic field. There is grove of eucalyptus trees adjacent to and east of the equestrian park approximately 600 feet from the athletic field and a small stand of black walnut trees approximately 1,200 feet east/southeast of the athletic field. Zuma Creek, a blue-line stream that is designated ESHA in the Malibu LCP is situated approximately 2,500 feet to the east of the campus athletic field. The Malibu High School campus is not located within or adjacent to any LCP-designated environmentally sensitive habitat areas (ESHA).

A biological inventory, "Biological Inventory – Malibu High School Athletic Lighting Project", prepared by Glenn Lukos Associates (GLA), was conducted for the proposed project in 2009. The biological inventory study area consisted of Malibu High School campus, the undeveloped lands adjacent to the campus owned by Santa Monica-Malibu High School District, and Malibu Equestrian Park. The study included characterization of the biological resources within the study area and a number of focused surveys for specific organisms.

GLA describes the high school campus as being landscaped with ornamental groundcovers, shrubs, and trees and the athletic field as vegetated with turf grasses. GLA describes the slopes surrounding the athletic field as vegetated with ruderal species and disturbed coastal sage scrub and the property adjacent to the campus as supporting a matrix of both disturbed and undisturbed coastal sage scrub, ruderal vegetation, a stand of eucalyptus trees and a small stand of black walnut trees, and disturbed/developed land. Following is a summary of the vegetation/land use types and their acreages documented by GLA:



Disturbed/Developed - 28.82 acres  
Ruderal - 20.47 acres  
Disturbed Venturan Coastal Sage Scrub - 17.43 acres  
Turf Grass - 14.2 acres  
Venturan Coastal Sage Scrub - 6.03 acres  
Disturbed Coyote Brush Scrub - 0.76 acres  
Ornamental - 0.60 acres  
Arroyo Willow Riparian - 0.48 acres  
Ruderal/Ornamental - 0.47 acres  
Black Walnut Trees - 0.29 acres

The GLA biological inventory was conducted over a period of nearly a year starting in July 2008 and ending in April 2009. The GLA biological inventory included general surveys and vegetation mapping, owl and burrowing owl habitat assessments, and focused plant, burrowing owl, raptor, and raptor nesting surveys. During the surveys no special-status plants or animals or nesting raptors were detected. A few raptors (red tailed hawks, red shouldered hawks, and Cooper's hawks) were observed along the perimeter of the study area over the course of the GLA study. The degraded riparian habitat, west of the high school campus and approximately 600 feet from the athletic field, is the only environmentally sensitive habitat (ESHA) that GLA identified within the study area and I agree with this determination.

On April 26, 2010, May Lau, a wildlife biologist at PBS&J Consulting, conducted a biological resources survey to verify GLA's findings. May Lau's May 18, 2010 summary of findings memo found that GLA had accurately identified the type and extent of habitats in the area of the high school. May Lau also found that there were no signs of nesting or roosting owls in the vicinity of the Malibu Equestrian Park eucalyptus grove. May Lau detected additional wildlife species not previously documented by GLA, including one amphibian (Baja California chorus frog, *Pseudacris hypochondriaca*), one invertebrate (dung beetle), two bird species (California thrasher and western gull), and one mammal (cottontail). However, none of these species are considered special-status, sensitive, or rare and May Lau, like GLA, did not identify any special status species on Malibu High School property.

On July 12, 2011, I visited the Malibu High School property to survey the natural resources on and surrounding the high school campus. Like May Lau of PBS&J Consulting, I found the on-the-ground conditions to be consistent with the findings of GLA. In addition to walking the area, I spent considerable time surveying the eucalyptus tree stand near the Malibu Equestrian Center, the black walnut trees and surrounding community on the eastern perimeter of the site, and the blue-line stream corridor on the western perimeter of the site for evidence of sensitive species, raptor and owl use, and to assess the potential for negative impacts from night lighting. To get to the eucalyptus grove from the athletic field berm, I walked east/southeast down a trail losing a lot of elevation. The athletic field is not visible from the Malibu Equestrian



Center or eucalyptus grove. I observed one nest in the eucalyptus grove that showed no evidence of current use; I did not see any whitewash, feathers, forage discards, or owl pellets on the ground under or around the nest. I walked through most of the grove and didn't see any evidence of nesting birds. Based on its size, the nest I observed was likely the former nest of a red-tailed or red-shouldered hawk or a great horned owl.

Raptors and owls start courtship and breeding in January followed by nesting in February and March through August. Primarily limiting night lights to Pacific Standard Time would significantly limit the amount of time that nesting raptors and owls would be exposed to artificial lights at the athletic field. Should the eucalyptus grove support nesting raptors or owls in the future, it is my opinion that athletic field night lighting will not pose significant negative impacts upon these species based on the distance and elevation difference between the athletic field and the eucalyptus grove, provided that night lighting is primarily limited to Pacific Standard Time, no more than three nights per week for the hours proposed, and if the height and design of the lights are minimized.

On the eastern perimeter of the site, approximately 1,200 feet east/southeast of the athletic field, there are six to eight black walnut trees that span an ephemeral stream/drainage. While this area does have native habitat value, I agree with GLA that these trees and surrounding habitat do not rise to the level of black walnut grove ESHA. In addition, for the same reasons outlined above for the eucalyptus grove raptor and owl habitat (distance between, elevation differences), I don't believe this area will be exposed to significant negative impacts from athletic field night lighting, if night lighting is limited to the above provisions.

The section of blue-line stream/riparian habitat that borders the western boundary of the property is highly degraded. It is a dirt channel invaded and choked by non-native species for much of the reach bordering the high school. There are scattered black cottonwood trees (*Populus balsamifera*) that appear to be in poor health along the stream, a few small sycamores (*Platanus racemosa*), and a large patch of arroyo willow (*Salix lasiolepis*) which do provide native habitat value. The stream is over 600 feet away and noticeably lower in elevation than the athletic field, which was out of site for most of my walk along the stream course. My site visit observations align with GLA in finding that the stream does not support sensitive species and that it will also not be negatively impacted by limited athletic field night lighting due to distance, elevation difference.

Malibu High School is within the Pacific Flyway (Figure 1), and potentially within the pathway of northward spring and southward fall migrations, which occur during the months of late March through May and September, October, and the first part of November, respectively. Birds migrating along this route are heading to the Canadian Arctic, Canadian plains, and Canadian boreal forest in the spring, and to Mexico, South America, and Pacific Islands in the fall. It is important to note that "Pacific Flyway" is a descriptor for a phenomenon that encompasses the entire state of California and

beyond and that not all areas of the state are as important as others. However, depending on the types of migrating birds, certain pathways (e.g. bordering the ocean, along valleys, etc.) will be more frequented, and certain habitats (woodlands, riparian areas, wetlands) will be more important stopovers, than others. Over 60 species of waterfowl, raptors, shorebirds, and songbirds are known to regularly migrate through Ventura and Los Angeles counties; traveling at night and stopping for a time by inland and coastal creeks, wetlands, woods, and neighborhoods<sup>1</sup>.

The Malibu High School property is not likely to be used by migratory birds as a stopover site. The habitats suitable for supporting resting migrating birds are the stream, eucalyptus grove, and black walnut tree area. However, given the limited extent of these habitats and the surrounding residential properties, they do not represent quality stopover habitat. The main concern with night lighting at the athletic field is the potential for night migrating birds to become confused and attracted to the lights during inclement/foggy weather. In addition, most migratory movement occurs early in the evening so any impacts to migrating birds due to the high school lighting are likely to occur during the first two to three hours after sunset (6:00 to 8:00PM)<sup>2</sup>, when the lights will be in use. Birds that migrate at night use the moon and stars for navigation. During clear weather they appear to be able to distinguish artificial lighting from light emanating from planets and stars. However, during inclement weather, birds can become confused and drawn to artificial lights. This phenomenon has been observed on numerous occasions at lighted buildings, oil platforms, and athletic fields. Once drawn into an artificial light source a number of negative outcomes including mortality can occur; birds may crash into something, circle the light source becoming exhausted, or become confused and drawn off course.

On the island of Kauai, bird die-offs became such a problem that school officials canceled night athletic games in 2010<sup>3</sup>. Young Newell's shearwaters were mistaking athletic stadium lights for the moon and stars during their migration to the ocean, causing them to become disoriented, fly in circles around the lights, become exhausted, and drop to the ground, where they would die, be hit by cars, or be preyed upon. Another example of migrating birds becoming disoriented from night lights occurred on September 30, 2008 at Tucker County High School in West Virginia. When teachers and students arrived at school that morning they found hundreds of dead birds in the

<sup>1</sup> See: [http://www.borealbirds.org/birdguide/map\\_losangeles.shtml#anchor](http://www.borealbirds.org/birdguide/map_losangeles.shtml#anchor). The Boreal Songbird Initiative is a network of conservation and birding groups interested in raising awareness in the U.S. and Canada about the importance of the boreal forest and other locations for migratory birds. They conduct migratory bird research and manage and maintain a migratory bird database.

<sup>2</sup> McCrary, M.D., R.L. McKernan, R.E. Landry, W.D. Wagner and R.W. Schreiber. 1982. Nocturnal Avian Migration Assessment of the San Geronio Wind Resource Study Area. Report Prepared for Research and Development, Southern California Edison Company, Rosemead, California through the Los Angeles County Natural History Museum Foundation, Section of Ornithology, Los Angeles, California.

<sup>3</sup> McAvoy, Audrey. October 22, 2010. Hawaii birds confuse Friday night lights with moon. Associated Press

parking lot and around school buildings<sup>4</sup>. The West Virginia Division of Natural Resources (DNR) theorized that the birds, which were mostly yellow warblers, migrating from North America to South America for the winter, became disoriented in fog and were attracted to lighting around the school where they proceeded to fly into structures. DNR spokesman, Hoy Murphy, stated that "Migratory songbirds migrate at night and use stars to navigate. If stars are obscured by clouds or fog, they will orient to almost any elevated light source to attempt to navigate."<sup>5</sup> DNR ornithologist Roy Tallman said this type of problem is not that unusual in the fall and that similar incidents have occurred around cell phone towers, a resort, and other facilities. He stated "We're trying to remedy the situation by turning the lights off for the short-term and providing them with other lighting options that aren't as attractive to birds."<sup>6</sup>

Another unfortunate occurrence involving migrating birds and lights occurred closer to home, at the Recreation Center field on the University of California, Santa Barbara (UCSB) campus. On the night of Thursday May 5, 2005, 30 migrating red-necked phalaropes collided with a light pole and fell to their deaths. The light pole was one of several surrounding a field and illuminating an evening soccer game. According to the UCSB *Daily Nexus* news article that reported the incident, "Intramural Sports field attendant Michael Lombardo said several birds of the same species, Red-Necked Phalaropes, died in a similar fashion earlier in the week."<sup>7</sup> The article also reported "The birds flew in groups, circling the field," Lombardo said. "The groups of birds would fly just over the light but one would unfortunately just drop straight to the ground, dying upon contact." The article includes information provided by Mark Holmgren, associate director of the Museum of Systematics and Ecology:

*"Sea birds like the Red-necked Phalarope migrate south for the winter in search of warmer tropical waters, Homgren said. He said the birds travel as far south as Chile, and large numbers have been reported off the coast of Peru and southern Mexico. Because Santa Barbara extends into the Pacific Ocean, Holmgren said some of the Phalaropes pass over the city during their migration north."*

In order to minimize impacts to night migrating birds, as well as breeding and nesting raptors and owls, night lighting at the main sports field at Malibu High School should be limited to primarily Pacific Standard Time, which currently starts the first Sunday in November and ends the second Sunday in March. Pacific Standard Time starts in late fall, continues through winter, and ends in early spring. This timing avoids the peak and majority of the fall migration and all of spring migration. Raptors and owls start courtship and breeding in late January followed by nesting in late February and March through August. Limiting night lighting to Pacific Standard Time significantly limits the

<sup>4</sup> Stump, Jake. September 30, 2008. Hundreds of dead birds found outside high school. The Times West Virginian, Fairmont, W.V.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Bordcosh, L. and L. Rudser (Staff Writers). May 10, 2005. Daily Nexus, Volume 85, Issue 124.

amount of time that nesting raptors and owls would be exposed to artificial lights at the athletic field.

In addition to restricting night lighting primarily to Pacific Standard Time, night lighting should be restricted to no more than three nights per week and then only until 7:30 p.m. Sky glow, glare, and spillover must also be minimized to the maximum extent possible by using the best available visor technology (e.g. total light control visors), minimizing lights directed above the horizontal plane, directing lights downward, using the minimum amount of wattage necessary, and building the lights at the minimum height necessary to adequately light the field. Birds are most confused and attracted to lights emitting red wavelength energy therefore lights that maximize energy in the blue and green spectrum should be utilized to the greatest extent feasible<sup>8</sup>.

The City has also requested an additional 18 nights of lights till 10:30 p.m. any time of year. As proposed, the 18 nights until 10:30 p.m. any time of the year could potentially occur during the Fall or Spring bird migration periods. Allowing any field light use during the Fall or Spring bird migration periods has the potential to result in significant impacts to night migrating birds. To minimize impacts I recommend that night lighting for 18 nights until 10:30 p.m. be limited to a maximum of two nights per week on non-consecutive days. In order to assess potential impacts and ensure that field night lights do not negatively impact night migrating birds, I recommend implementation of a night light avian monitoring program during Fall and Spring migration periods. The monitoring program should be prepared and conducted by a qualified ornithologist/ecologist. The monitoring should consist of a paired design such that a survey would occur on a night with lights and on a night without lights immediately preceding or following the night with lights. Monitoring should occur once per week during any week when the lights are operated during Fall and Spring migration for at least one year. If the monitoring results indicate that the one year monitoring period was a typical bird migration year (as determined by the qualified ornithologist/ecologist) with a typical range of atmospheric conditions and the main sports field lights have resulted in no adverse impacts upon birds, no additional monitoring is necessary. If however, the monitoring indicates otherwise, monitoring shall continue for another year (s) until a year of monitoring under typical conditions occurs and the qualified ornithologist/ecologist obtains enough data to assess potential adverse impacts to migratory and resident bird species. If the monitoring program finds that athletic field lighting poses an adverse impact to migratory or resident bird species I recommend that athletic field lighting be limited to Pacific Standard Time.

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<sup>8</sup> Marquenie, J. et al. 2008. Adapting the spectral composition of artificial lighting to safeguard the environment. NAM; Van de Laar, F.J.T. December 2007. Investigation into the effects of bird-friendly lighting. NAM Locatie L15-FA-1; & Wiltshko, W., Munro, U., Ford, H. & Wiltshko, R. 1993. Red light disrupts magnetic orientation of migratory birds. Nature 364, 525-527.

The significance threshold for spill light upon sensitive resources is 0.1 foot-candles at any receptor location. The impact analysis (Mitigated Negative Declaration) for the Malibu High School athletic field night lighting calculated that within a distance of approximately 150 feet from the field, light intensity would be equal or greater than 0.1 foot-candles and that between 150 and 450 feet from the field light intensity was calculated to be between 0.1 and zero foot-candles. The habitats within 150 feet of the field are turf, ruderal, and disturbed coastal sage scrub which will not experience significant negative impacts from light intensity between 0.1 and zero foot-candles.

During my site visit I did not observe any sensitive plant or animal species which is consistent with GLA and May Lau's (PBS& J Consulting) findings. The only animals we observed were numerous crows and one rabbit. The degraded blue-line stream/riparian habitat west of the high school campus and approximately 600 feet from the athletic field is the only ESHA within the study area. Given the lack of sensitive species and the distance from and elevation difference between the athletic field and the stream, I find that night lighting, with the limitations described above, will not significantly impact this habitat. The coastal sage scrub within the study area does not rise to the level of ESHA because it is fragmented within a matrix of development and ruderal, ornamental, and disturbed habitat and because it does not support any special status species. I believe that the athletic field night lighting, with the limitations described above, will not pose a significant negative impact to this habitat or any of the other habitats on and near Malibu High School. Additionally, I believe the athletic field night lighting will not create significant negative impacts for migrating birds and foraging, roosting, or nesting raptors and/or owls because the lights will primarily be limited to Pacific Standard Time, a monitoring program will be implemented to ensure that night lighting during Fall or Spring migration will not negatively impact night migrating birds, and the athletic field lighting plan will be required to incorporate a design and technologies that will minimize light spill, glare, and sky glow to the maximum extent feasible.



Figure 1. Source: [http://www.borealbirds.org/birdguide/map\\_losanageles.shtml#anchor](http://www.borealbirds.org/birdguide/map_losanageles.shtml#anchor).





## PROPOSED

### MALIBU LOCAL COASTAL PROGRAM AMENDMENT NO. 09-004

April 20, 2010

The existing language in the certified LCP is shown in straight type. The language proposed by the City of Malibu in this amendment to be ~~deleted~~ is shown in ~~strikethrough~~. The language proposed by the City of Malibu in this amendment to be inserted is shown underlined.

## 1. Local Implementation Plan

- 1.1 Table B (Permitted Uses), an exhibit of the LIP Chapter 3 (Zoning Designations and Permitted Uses), under the Institutional Zone for "Sports Courts (Lighted)" is hereby amended as follows:

| USE                     | RR | SF | MF | MFBF | MHR | CR | BPO | CN  | CC  | CV-1             | CV-2             | CG  | OS | I                       | PRF | RVP |
|-------------------------|----|----|----|------|-----|----|-----|-----|-----|------------------|------------------|-----|----|-------------------------|-----|-----|
| Sports courts (lighted) | .  | .  | .  | .    | .   | .  | .   | CUP | CUP | CUP <sup>9</sup> | CUP <sup>9</sup> | CUP | .  | <u>CUP<sup>11</sup></u> | .   | .   |

### Notes

1. Subject to Residential Development Standards (Section 3.6)
2. Subject to Home Occupations Standards [(Section 3.6(O))]
3. Use Prohibited in Environmentally Sensitive Habitat Areas
4. This commercial use may be permitted only if at least 50% of the total floor area of the project is devoted to visitor serving commercial use
5. CUP for veterinary hospitals
6. Maximum interior occupancy of 125 persons
7. If exceeding interior occupancy of 125 persons
8. By hand only
9. Use permitted only if available to general public
10. Charitable, philanthropic, or educational non-profit activities shall be limited to permanent uses that occur within an enclosed building.
11. Limited lighting of the main sports field at public high schools during Pacific Standard Time until 7:30 p.m., except that for 18 days in any 12 month period up to 10:30 p.m. The School District shall obtain a conditional use permit from the City pursuant to Malibu Municipal Code Chapter 17.66.

|                                                                               |
|-------------------------------------------------------------------------------|
| Exhibit 6                                                                     |
| City of Malibu LCP<br>Amendment 1-11-A                                        |
| City of Malibu<br>Proposed LCP<br>Amendment Language<br>and Ordinance No. 345 |



ORDINANCE NO. 345

AN ORDINANCE OF THE CITY OF MALIBU APPROVING LOCAL COASTAL PROGRAM AMENDMENT NO. 09-004 AND ZONING TEXT AMENDMENT NO. 09-006 TO AMEND THE MALIBU LOCAL COASTAL PROGRAM AND MALIBU MUNICIPAL CODE REGARDING LIMITED LIGHTING OF THE MAIN SPORTS FIELD AT PUBLIC HIGH SCHOOLS

THE CITY COUNCIL OF THE CITY OF MALIBU DOES ORDAIN AS FOLLOWS:

Section 1. Recitals.

- A. On October 12, 2009, the City Council directed staff to begin preparation of an amendment to the Local Coastal Program (LCP) and Malibu Municipal Code (M.M.C.) for permitted and conditionally permitted uses and accompanying development standards within the Institutional Zone.
- B. On November 9, 2009, the City Council adopted City Council Resolution No. 09-59 to initiate Local Coastal Program Amendment (LCPA) No. 09-004 and Zoning Text Amendment (ZTA) No. 09-006 to consider changes to the LCP and M.M.C. regarding Institutional Zone development standards, permitted and conditionally permitted uses. The City Council directed the Planning Commission to schedule a public hearing regarding the amendment.
- C. On November 10, 2009, the draft amendment was presented to the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) for review and recommendation.
- D. On December 8, 2009, an amended version of the draft amendment was presented to ZORACES for final comments and recommendations.
- E. On December 24, 2009, a Notice of Planning Commission Public Hearing and Notice of Availability for Local Coastal Program Documents was published in a newspaper of general circulation within the City of Malibu and was mailed to all interested parties; regional, state and federal agencies affected by the amendment; local libraries and media; and the California Coastal Commission indicating that the Planning Commission would hold a public hearing on January 19, 2010 to consider an amendment to the LCP. In addition, the notice was mailed to all property owners and occupants within a 500 foot radius of the Malibu High School (MHS) campus boundary.
- F. On January 19, 2010, the Planning Commission held a duly noticed public hearing on the amendment, reviewed and considered the agenda report, reviewed and considered written reports, public testimony and other information in the record. The Planning Commission requested staff prepare a resolution recommending that the City Council approve the limited lighting of the main sports field at public high schools with temporary light standards.

G. On February 16, 2010, the Planning Commission considered the amendments and adopted Planning Commission Resolution No. 10-08, recommending the City Council approve the amendment.

H. On February 25, 2010, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all interested parties; regional, state and federal agencies affected by the amendment; local libraries and media; and the California Coastal Commission indicating that the City Council would hold a public hearing on March 22, 2010 to consider an amendment to the LCP. In addition, the notice was mailed to all property owners and occupants within 500 feet of the MHS campus boundary.

I. On March 22, 2010, the City Council heard and considered the evidence and information provided in support of and in opposition to the application, public testimony of all interested persons and the recommendations of the Planning Commission.

## Section 2. Environmental Review.

In accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.9, CEQA does not apply to activities and approvals by the City as necessary for the preparation and adoption of an LCP amendment. This application is for an amendment to the LCP, which must be certified by the California Coastal Commission before it takes effect. LCP Local Implementation Plan (LIP) Section 1.3.1 states that the provisions of the LCP take precedence over any conflict between the LCP and Zoning Ordinance. In order to prevent an inconsistency between the LCP and the City's Zoning Ordinance, if the LCP amendment is approved, the City must also approve the corollary ZTA to the Zoning Ordinance. This amendment is necessary for the preparation and adoption of the LCP amendment and because they are entirely dependent on, related to, and duplicative of the exempt activity, they are subject to the same CEQA exemption.

## Section 3. Local Coastal Program Amendment No. 09-004.

LCPA No. 09-004 includes amendments to the certified LCP Table B (Permitted Uses) and corollary amendments to the M.M.C. Amendments to the LCP are identified in Section 4 of this ordinance. Corollary amendments to the M.M.C. are identified in Section 6 of this ordinance.

## Section 4. Local Coastal Program Local Implementation Plan Amendments.

Table B (Permitted Uses), an exhibit of the LIP (Chapter 3 – Zoning Designations and Permitted Uses), under the Institutional Zone for “Sports Courts (Lighted)” is hereby amended as follows:

| USE                        | RR | SF | MF | MFB<br>F | MHR | CR | BPO | CN  | CC  | CV-1             | CV-2             | CG  | OS | I                       | PRF | RVP |
|----------------------------|----|----|----|----------|-----|----|-----|-----|-----|------------------|------------------|-----|----|-------------------------|-----|-----|
| Sports courts<br>(lighted) | .  | .  | .  | .        | .   | .  | .   | CUP | CUP | CUP <sup>9</sup> | CUP <sup>9</sup> | CUP | .  | <u>CUP<sup>11</sup></u> | .   | .   |

Notes

1. Subject to Residential Development Standards (Section 3.6)
2. Subject to Home Occupations Standards [(Section 3.6(O))]
3. Use Prohibited in Environmentally Sensitive Habitat Areas
4. This commercial use may be permitted only if at least 50% of the total floor area of the project is devoted to visitor serving commercial use
5. CUP for veterinary hospitals
6. Maximum interior occupancy of 125 persons
7. If exceeding interior occupancy of 125 persons
8. By hand only
9. Use permitted only if available to general public
10. Charitable, philanthropic, or educational non-profit activities shall be limited to permanent uses that occur within an enclosed building.
11. Limited lighting of the main sports field at public high schools during Pacific Standard Time until 7:30 p.m., except that for 18 days in any 12 month period up to 10:30 p.m. The School District shall obtain a conditional use permit from the City pursuant to Malibu Municipal Code Chapter 17.66.

Section 5. Local Coastal Program Amendment Findings.

A. Based on substantial evidence in the whole record, the City Council hereby finds that the proposed amendments meet the requirements of, and are in conformance with, the policies and requirements of Chapter 3 of the California Coastal Act.

B. The amendments to the LCP meet the requirements of, and are in conformance with the goals, objectives and purposes of the LCP as identified in the LCP, including scenic, visual, and environmentally sensitive habitat area (ESHA) resource protection policies.

The proposed amendment is consistent with the scenic and visual resource protection policies of the LCP. MHS is the only public high school in the City and serves all of Malibu. Given the topography of the area and the distance from the main sports field to scenic and visual resources in the vicinity, it is anticipated that, when positioned, any light standards would blend in with the existing, residentially-developed area and would not block or obscure public views of the ocean or mountains during daytime hours. However, when lights are in operation during nighttime hours, they would create illumination/sky glow that would be visible from public scenic and visual resources. The amount of sky glow would depend on weather conditions since sky glow is exacerbated during foggy conditions. However, the impact of any illumination in the area would not be significant as any light standards would be used intermittently and limited to a minimum number of hours on select evenings, for a designated number of days per year. In

addition, the main sports field is nestled in the middle of a full-service high school campus located in an existing developed area of the City. Any proposed lights would be required to be directed downward and use state-of-the-art measures that minimize light spill, sky glow and glare impacts. As such, the limited operation of light standards maintains compatibility with the Malibu Park community as described in the LCP. Furthermore, it is not anticipated to adversely impact public views because they would only be used at night when such views from public viewing areas are not available. Since adverse impacts to scenic and visual resources are not anticipated, the City Council finds that the proposed amendment is consistent with the scenic and visual resource protection policies of the LCP.

The proposed amendment is consistent with the ESHA resource protection policies of the LCP. The area of undisturbed coastal sage scrub is located approximately 190 feet from the main sports field. In addition, the area of undisturbed coastal sage scrub vegetation to the east of the main sports field does not rise to the level of ESHA because it is fragmented within a matrix of development and ruderal, ornamental, and disturbed habitat and because it does not support any special status species. As such, the MHS site and surrounding area do not constitute ESHA as noted in a Biological Inventory prepared by Glenn Lukos Associates in May 2009 and subsequent determination made by the CCC Staff Biologist and City Biologist. Any proposed field lights would not spill into any areas designated ESHA or ESHA buffer and the impact of the proposed illumination in the area is not anticipated to be significant as any light standards would be used intermittently and limited to a minimum number of hours on select evenings, for a designated number of days per year. The proposed lights would be required to be directed downward and use state-of-the-art measures that minimize adverse impacts to area wildlife. Since adverse impacts to sensitive habitat resources are not anticipated, the City Council finds that the proposed amendment is consistent with the ESHA resource protection policies of the LCP.

#### Section 6. Zoning Text Amendments.

M.M.C. Chapter 17.34 Institutional District, Section 17.34.030 Conditionally Permitted Uses is hereby amended to add the following conditionally permitted use:

N. Limited lighting of the main sports field at public high schools during Pacific Standard Time until 7:30 p.m., except that for 18 days in any 12 month period up to 10:30 p.m. (pursuant to the provisions in M.M.C. Chapter 17.66).

#### Section 7. Zoning Text Amendment Findings.

The City Council hereby finds that the ZTA is necessary for the proposed LCP amendment and recommends that the City Council approve ZTA only if it approves the LCP amendment and on the condition that the ZTA only take effect if the LCP amendment is certified by the California Coastal Commission. Pursuant to M.M.C. Section 17.74.040, the City Council further finds that the subject ZTA is consistent with the objectives, policies, and general land uses in the General Plan, as amended by the LCP amendment. MHS is the only public high school in the City and is

within the Institutional Zone. The minimum operation of use maintains compatibility with the Malibu Park community as described in the General Plan. The ZTA will allow the text of the M.M.C. to be amended consistent with the amended LCP and is only corollary of that action.

Section 8. Approval.

Subject to the contingency set forth in Section 10, the City Council hereby adopts LCPA No. 09-004 and ZTA No. 09-006 amending the LCP and M.M.C regarding limited lighting of the main sports field at public high schools with light standards.

Section 9. Submittal to California Coastal Commission.

The City Council hereby directs staff to submit LCPA No. 09-004 to the California Coastal Commission for certification, in conformance with the submittal requirements specified in California Code of Regulation, Title 14, Division 5.5., Chapter 8, Subchapter 2, Article 7 and Chapter 6, Article 2 and Code of Regulations Section 13551, et. seq.

Section 10. Effectiveness.

The LCP amendment and ZTA approved in this ordinance shall become effective only upon certification by the California Coastal Commission of this amendment to the LCP.

Section 11. Certification.

The City Clerk shall certify the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED this 12th day of April 2010.

---

SHARON BAROVSKY, Mayor

ATTEST:

---

LISA POPE, City clerk  
(seal)

APPROVED AS TO FORM:

---

CHRISTI HOGIN, City Attorney

exhibit 6

**Chris Sally Benjamin**

**Received**

**From:** Chris & Sally Benjamin [indyjo@earthlink.net]  
**Sent:** Thursday, September 08, 2011 7:45 PM  
**To:** 'jainsworth@costal.ca.gov'  
**Subject:** Night lighting in Malibu

**SEP 12 2011**

California  
Coastal Commission

Dear Coastal Commissioners:

We have lived in Malibu for over 30 years, and have seen our night skies and view of the ocean diminished as developers add lights to their trees, roofs, and parking lots. We no longer can see the ocean at night. We have also seen the diminishing presence of night animals such as owls and coyotes. Please do not allow further impacts of night lighting by rejecting the Malibu proposed LCP Amendment that would allow the Malibu high school to install lights on their football field.

Regards,

Chris and Sally Benjamin  
3216 Colony View Circle  
Malibu Ca 90265

|                                                        |
|--------------------------------------------------------|
| Exhibit 7                                              |
| City of Malibu LCP<br>Amendment 1-11-A                 |
| Correspondence in<br>Opposition to MHS<br>Field Lights |

SEP 19 2011

California Coastal Commission  
South Central Coast District**Re: Malibu LCP Amendment 1-11(high school lights) and  
Coastal Development Permit Amendment 4-99-276-A4  
(Santa Monica-Malibu Unified School District)**

We purchased our house at 5936 Filaree Heights in 1995. We are located directly above the high school. For the last 15 plus years, we have greatly enjoyed the peace, quiet and darkness that we are so privileged to have in Malibu Park. We have also enjoyed the excitement of the lights and cheering during football season of the Friday night games. A perfect situation.

We currently have a 9<sup>th</sup> grader and a 7<sup>th</sup> grader attending Malibu High School. Our 9<sup>th</sup> grader has been involved in community sports since he was 5. He went through middle school with a very limited and most often spotty sports program offered thru the city since the funding is not in place for our middle school to have their own sports program. What we have seen at the high school is that the only teams who are able to compete on any level are the soccer, baseball and water polo all of which are available to our kids in Malibu at a young enough age so that come high school, they can hold their own. You can't start kids in a sport that they have never done in 9<sup>th</sup> grade and expect that they can compete against schools where the kids have been working on their sport from 5 years and up. So, under the heading of "put the lights up and the players will follow", that is a dream. **How about continuing to rent the lights for Friday night lights and put the rest of the money toward more fields in Malibu and a great youth sports program so we can groom our athletes.**

Lastly, Malibu is a place where everyone seems to get what they need as long as they are willing to pay. Rules are ALWAYS broken here. Putting permanent lights at MHS with restrictions will be a joke. I wouldn't even give it a year before we had those lights on til 10:30 most days of the week with every adult league renting the field for their own use. Then it turns into a constant fight for those of us in Malibu Park to get the lights turned off...and who will regulate it and help us when they are abused....because they will be!

Malibu has had many chances over the years to build new fields... Better fields but instead opt for things like that stupid assed weed field they call Legacy Park. The lights should be rented and the other money put towards our children in a meaningful way.

Jennifer Denker  
310-457-2160

**Received**

SEP 19 2011

California Coastal Commission  
South Central Coast District



**Received**

AUG 29 2011

California Coastal Commission  
South Central Coast District

**California Coastal Commission  
South Central Coast District Office  
Deanna Christensen, Coastal Program Analyst  
89 South California Street, Suite 200  
Ventura, CA 93001-2801**

**FAX: (805) 641-1732**

Dear Mr. Ainsworth & Coastal Commissioners,

I would like to go on record opposing the amendment for night lighting on the athletic field at Malibu High School. LCPA-MAJ-1-10

Malibu Park, is a rural dark community and the proposed lighting will dramatically alter its character. The night lighting will also adversely impact the views of the night sky and the scenic views from the local beach, local trails and nearby Park Service lands.

Please help us protect the unique coastal resources, the rural atmosphere, the dark skies, the scenic views and the wildlife in one of the few remaining dark communities along the California coast.

As of Oct. 1, 2011, Point Dume and Westward Beach will be a Marine Reserve. Just a block from the Malibu High School.

This article was posted in The Mercury News, 6/24/2011

colleagues discovered two key areas in the Pacific Ocean that supported a complex and robust ecosystem -- the California Current large marine ecosystem and the North Pacific transition zone.

The North Pacific transition zone is a migration highway in which sleek commuters such as bluefin tuna eat their way across the Pacific, eventually arriving off the West Coast.

The California Current large marine ecosystem resembles Africa's Serengeti plain in the richness of life it supports, Block said.

It extends as far as 230 miles from the West Coast, running from Canada to Mexico. It's a seasonal area, defined by predators that move along

California's coast, following changing ocean temperatures and chasing food.

The ecosystem includes the California Current, which fuels a nutrient-rich food web that draws predators in search of tasty morsels such as anchovies, sardines, krill and squid.

"We have a very intact ecosystem off shore," Block said.

But she cautions that it isn't pristine. Although our patch of the Pacific is wilder than anyone thought, we need to make sure it stays that way.

"The richness is still a blessing," said Jesse Ausubel, vice president of the Alfred P. Sloan Foundation, one of the organizations that funded the Census of Marine Life. "And it's one I hope humanity doesn't squander."

Please do not vote to approve institutional athletic field lighting for Malibu.

Judi Hutchinson

Robert C. Hutchinson

The block contains two handwritten signatures in black ink. The top signature is 'Judi Hutchinson' and the bottom signature is 'Robert C. Hutchinson'. Both are written in a cursive, flowing style.

California Coastal Commission  
Attn D. Christensen  
89 South California Street, Suite 200  
Ventura, CA 93001-2801  
Fax (805) 641-1732

**Received**

AUG 29 2011

California Coastal Commission  
South Central Coast District

Dear Ms. Christensen:

Please consider the following.

Not only do the lights disturb the birds and other wild life but more importantly they disturb the home owners in Malibu Park where the ball field at the school is located...

I am one of the many families disturbed by the noise and lights that will violate our right to peace and quite.

There are so few ball players and very few of the people of the small number that attend the games live in Malibu Park. The attendance is as few as a dozen people..

In a matter of a few years there will be fewer young men to join the teams and the facilities will hardly have any use.

There are so many games played away from home in facilities that have lights that our Malibu High School team should use those facilities for night games.

If they must have a ball field it should be on land that is away from residential homes. The homes were here long before the school and the ball field.

Like the dog park that was such a waste of money there are only a few people who use the dog park which is also true of a ball field with night lights while there are hundreds or thousands of people who will be disturbed by night games.

After all the Rose Bowl and other major league games are not played at night.

And in this economy spending money on lighting equipment, the electric bill, and ongoing costs for maintenance does not make sense..

The state is closing parks to cut costs so we should be finding ways to cut costs when ever we can..

I would also like to see you schedule a new date for a meeting on this matter that will meet some place within driving distance of Malibu so we can attend. It would be unfair for those meetings in San Rosa or Watsonville be where this matter is decided.

Thank you in advance for taking the time to consider these requests.

Sincerely:

Matthew Katz  
(310) 457-9055

August 26, 2011

California Coastal Commission  
By U.S. Mail and Fax  
Attn: Jack Ainsworth  
Steve Hudson  
D. Christensen  
89 South California Street, Suite 200  
Ventura, CA 93001-2801  
Fax (805) 641-1732

To the California Coastal Commission:

We live directly behind the Malibu High School ("MHS") athletic fields and our back yard adjoins school property. We hear and see kids and adults using the MHS athletic fields six or seven days a week, which is fine during the day. But when we bought our house in 2002, we were told that MHS was not allowed by its agreement with the California Coastal Commission to install lights on the football field.

Our two sons played football for MHS from 2002-2008. We have nothing but the highest praise for the MHS football program. We did not oppose temporary lights for a few nights of practice and games (about 10 nights total.) The lights were always removed promptly after the last night game and we thought that MHS must be authorized to use the temporary lights since we did not believe that the school would do something in violation of the Commission permit. It is unfortunate that the situation has evolved to the point where limited temporary lights no longer seem to be a viable option. We would not oppose the continuation of the temporary lights.

The history of these football field lights can be broken down generally into three time periods. In **2000**, the Commission issued the original permit for the football field which included Condition 6 prohibiting night lighting of the football field. The Commission made a finding at that time in the Staff report filed on April 7, 2000, page 11, that the night lighting of the Malibu/Santa Monica Mountains area creates a visual impact to nearby scenic beaches, scenic roads, parks and trails and may disrupt native wildlife activities. The Commission imposed Condition 6 prohibiting all outdoor night lighting of the athletic fields "...in order to mitigate any potential future visual and environmental impacts of the proposed improvements to the football stadium..."

In **2009**, in response to the MHS and Santa Monica/Malibu Unified School District ("SMMUSD") application to amend the 2000 permit, the Commission Staff recommended 16 nights of temporary lights during football season that were 53 feet tall and to be removed at the end of football season. The Staff report was relying on the infamous biology report of Glen Lukos that stated incorrectly that the neighborhood of Malibu Park is lit at night by streetlights (it is not) and there were no reports of wildlife that would be disrupted (which is nonsense). The Commission Staff biologist based her report on the Glenn Lukos report including its incorrect assumptions, which led to a faulty scientific opinion. The application was denied. One of the reasons for denial was that the amendment would violate Malibu's LCP.

In **2011**, after amending the LCP to permit temporary lights, the City of Malibu is now asking the Commission to allow permanent lights on the football field for up to 136 nights a year. In 2009, the Staff report only recommended 16 nights a year for temporary lights, stating that the limitations were necessary to protect the environment. But that recommendation was based on incorrect information regarding the wildlife and streetlights. Now that it has become apparent that those reports were incorrect in those two important assumptions, Staff has no basis to recommend approval of the City's request for permanent lights for the MHS athletic fields.

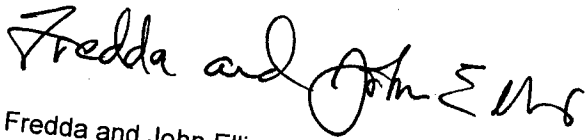
This latest attempt to amend the LCP is an attempt to circumvent the Commission's original decision in 2000 and the subsequent decision in 2009. In both hearings, the protection of the

environment was instrumental in making the decision against the lights. The fact is that the installation of permanent lights would negatively impact the environment up and down the Malibu coastline, and would fundamentally change the character and use of the MHS athletic fields. The City of Malibu has indicated a strong desire to rent out the football field for all types of events which it would have the power to do under its joint use agreement with MHS (SMMUSD) which would increase the usage of the fields to the maximum with no Commission oversight.

We believe the Commission got it right the first time in 2000 by requiring the SMMUSD to sign a written agreement to not install lighting on the football field. We adamantly oppose changing the LCP to allow permanent lights for the MHS athletic fields. The Malibu coastline is different from other areas of Los Angeles County where you can see night lighted athletic fields 365 days a year. Our coastline is dark, for a reason: it has been protected by the Commission, under the California Coastal Act. MHS and the City of Malibu want to sell out that unique resource and make money renting the athletic fields at night. Please don't let this sell-out go forward.

Thank you for your time and your attention.

Sincerely,

A handwritten signature in cursive script, appearing to read "Freda and John Ellis".

Freda and John Ellis  
5940 Filaree Heights  
Malibu, CA 90265

**Received**

AUG 17 2011

California Coastal Commission  
South Central Coast District

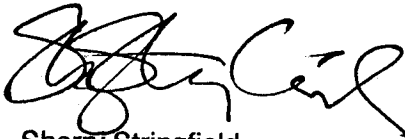
August 11, 2011

Jack Ainsworth, Deputy Director  
Steve Hudson, District Manager  
89 South California Street, Suite 200  
Ventura, CA 93001

Dear Mr. Ainsworth and Mr. Hudson,

I am a resident of the city of Malibu and am writing in regards to the lighting situation at Malibu High School. The issue being proposed will cause more traffic, more noise, and a significant degradation of our night sky views. Although I am sympathetic to school needs, I think it is excessive to use the lights every night during Pacific Daylight time. I hope the Coastal Commission, which has been sensitive to preserving Malibu and it's natural beauty, would consider the impact that the lights would cause.

Sincerely,



Sherry Stringfield  
29623 Cuthbert Road  
Malibu, CA 90265

**SUSAN LIEBELER**

---

30373 Morning View Drive, Malibu, CA 90265-3618 (310) 457-2926  
(310) 589-2559 (fax); Lexpert@Lexpertresearch.com.

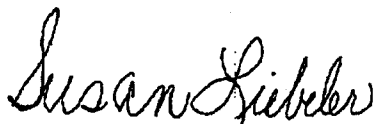
August 9, 2011

California Coastal Commission  
South Central Coast District Office  
Jack Ainsworth, Deputy Director,  
Steve Hudson, District Manager  
89 South California St, Suite 200  
Ventura, CA 93001-2801  
Fax: 805-641-1732

Dear Coastal Commission:

As a property owner and resident and neighbor of Malibu High School, I am writing to urge the Coastal Commission to disapprove of the City of Malibu's application to amend the Local Coast Plan to allow the limited lighting of the high school sport field every night during Pacific Daylight time. Even with the proposed timing restrictions, this light pollution is unnecessary and will have a significant adverse impact on the neighboring properties and Malibu sky.

Sincerely,



Susan Liebler



California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

**Received**

AUG 08 2011

California  
Coastal Commission


Dear Mr. Ainsworth & Coastal Commissioners,

I would like to go on record opposing the amendment for night lighting on the athletic field at Malibu High School.

The Malibu Park neighborhood is a rural dark community and the proposed lighting will dramatically alter its character. The night lighting will also adversely impact the views of the night sky and the scenic views from the local beach, local trails and nearby Park Service lands.

Please help us protect the unique coastal resources, the rural atmosphere, the dark skies, the scenic views and the wildlife in one of the few remaining dark communities along the California coast

Please do not vote to approve institutional athletic field lighting for Malibu.

Sincerely,  
  
NARE and Lynn Weingarten  
nareweingarten@gmail.com

July 4, 2011

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

**Received**

AUG 29 2011

California Coastal Commission  
South Central Coast District

Re: LCP Amendment - Malibu High School Night Lighting

Dear Mr. Ainsworth:

This letter is in regard to the code changes for night lighting at Malibu High School. I am at a loss as to why Malibu needs to conform to the standards of other cities when we have the most unique environment at our front and back doors. Night lighting should not be a part of the Malibu environment. Just go outside and look up at the night sky. What do you see? A whole other world that is not available to most other cities in Los Angeles.

The spreading night pollution is causing a loss of species. Quoting Stephaine Remington, bat biologist, "Night pollution is a really serious problem." Many species require darkness for survival, it's cumulative. Habitat loss is another major problem.

Should Malibu really contribute to the demise of more species? Malibu needs to preserve their unique environment not destroy it!  
I plead with the CCC to please deny approval for the unacceptable lighting proposal at Malibu High School.

Sincerely,  
Linda Joslynn

# Malibu Dark Skies

**Received**

July 17, 2011

AUG 29 2011

Dear Coastal Commissioners:

California Coastal Commission  
South Central Coast District

In 2000 the Coastal Commission, via a CDP to Malibu High School, prohibited the installation of any night lighting on the High School's athletic fields. In 2009 Malibu High School attempted to reverse this decision and requested that the Commission grant them a permit allowing temporary athletic field night lighting for 16 nights a year for football games. The 2009 Commissioners, in a 12-0 vote, rejected this permit application.

At that meeting Coastal Commission staff recommended approval of the Schools permit request and in the 2009 Commission's Biologists report (attached they stated:..... street lights run ....along Morning View Drive which runs parallel to the south side of the high school and throughout the residential area". Further on the CC biologist says... *Malibu High School campus lies within the city of Malibu in a suburban area characterized by schools, single family residences, recreational facilities and open space. The Schools homes and streets are all lit at night. The biological inventory conducted for the proposed project did not identify any special study status plants or animals or nesting raptors within the study area.*

The problem with the report is that there are absolutely no street lights on Morning View Drive or anywhere in the Malibu Park neighborhood that surrounds the school.

The fact that Malibu Park is a dark neighborhood was confirmed on July 15, 2011, in a DEIR (Draft Environmental Impact Report) prepared by Malibu High School for an extensive renovation project planned for the school. Page 4.1-69 of the DEIR states...**Due to the rural nature of the surrounding area, and the absence of streetlights, lighting levels in the vicinity of the High School are well below average for residential areas. According to the Luminescence Study, lighting levels on- and off- site were less than 1 fc, which is substantially less than the typical 7 to 10 fc in residential areas"**

Night lighting at Malibu High is coming back to the Commission in the form an LCP amendment initiated by the City of Malibu. All we are asking is that you request that staff provide you with the accurate information you need to make an informed decision on this night lighting amendment.

Thank you in advance

Steve Uhring

**Received**

AUG 29 2011

**DEBORAH M. FORRESTER, M.D.**

5900 Filaree Heights Avenue

Malibu, California 90265

Tel: Work (323) 409-1295 Home (310) 457-2964

E-mail: HYPERLINK "<mailto:forreste@usc.edu>" [forreste@usc.edu](mailto:forreste@usc.edu)

California Coastal Commission  
South Central Coast District

California Coastal Commission

Attn: Jack Ainsworth

89 South California St. Suite 200,

Ventura, CA 93001-2801

We would like to add our names to the list of opponents of the installation of Athletic Lights at Malibu High School athletic fields. As Malibu Park property owners since 1973 we have adjusted to the daily noise and bells that the high school has brought to the neighborhood. Adding night lights is wasteful of money, of electricity and has a negative environmental impact to the animals and birds who need the darkness to hunt or sleep. Why not take this opportunity to demonstrate to the students of Malibu High what it means to be fiscally and environmentally responsible. Show them how to make responsible choices. Use the money to install solar panels to reduce the electric bill and your carbon footprint. Play sports during daylight and use the dark to have night seminars for the Malibu community to see the stars and study the constellations. Turn this divisive controversy into an uplifting event. Bring neighbors together to picnic and study astronomy with the Malibu High School students. Then the Malibu community could respect you as mature adults, and gladly cheer the teams on to victory.

Deborah Forrester-Brown, M.D.

John C Brown M.D

Peggy Garrity  
30765 Pacific Coast Highway #254  
Malibu, Ca 90265

July 13, 2011

California Coastal Commission  
Executive Director Peter Douglas  
45 Fremont Street  
San Francisco, Ca 94105-5200

California Coastal Commission  
Assistant Director Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

**Received**

JUL 18 2011

California  
Coastal Commission

Dear Mr. Douglas, Mr. Ainsworth, and Coastal Commissioners:

I would like to go on record opposing approval and certification by the California Coastal Commission of the amendment to Malibu's LCP that would allow for night lighting on the athletic field at Malibu High School. This amendment is a cynical ploy to reverse by collateral attack the unanimous October 2009 (12-0) vote of the Coastal Commission denying a permit for permanent installation of stadium lighting in a rare "dark skies" neighborhood near two ESHAs. It is in derogation of the perpetual prohibition of such lighting, one of the specific conditions of the permit issued in 2000 by the Coastal Commission allowing construction of the athletic fields and stadium here in question.

The permit states:

"On May 9, 2000, the California Coastal Commission granted to Santa Monica/Malibu Unified School District, permit 4-99-276, subject to the attached Standard and Special Conditions, for development consisting of significant upgrades to the track and field facility/football stadium, and relocation/expansion of the faculty parking lot..."

p. 2 sec. 7.

Terms and Conditions Run with the Land.

These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

p. 5, sec. 6.

Athletic Fields Lighting Restrictions

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a written agreement in a form and content acceptable to the

Executive Director which states that the applicant acknowledges and agrees that all lighting for the football field and outdoor track and field facility (athletic fields), whether temporary or permanent, shall be prohibited.

Shortly thereafter, private parties brought in temporary lighting in direct violation.

In 2009, after 7 years of such violations and an order to remove the lights, the SMMUSD applied for permit for the lights and the Commission unanimously denied the request.

The City of Malibu immediately voted to bypass this ruling by changing the LCP. This Coastal Commission permit process ensued.

This is not the appropriate procedure or venue to challenge an adverse ruling by the Commission and that is exactly what this is. The proposed amendment is just one more scheme of SMMUSD and powerful enablers on the Malibu City Council to subvert the rule of law.

The long history of applicants' cavalier disregard of the law is worth noting. In that respect, this case is analogous to the very recent Ackenberg case wherein the Superior Court, per the Honorable Judge James Helfant, upheld the decision of the Coastal Commission ordering removal of private obstructions to a public access beach easement which had gone on for 26 years in violation of the conditions of a Coastal permit for development of a Carbon Beach property.

The pending request here only came before the Coastal Commission in 2009 after an order interrupted seven years of illegal temporary lighting (in violation of CDP 4-99-276-A2) placed on public school property by private parties in direct violation of the existing Coastal Commission permit issued in 2000. But this was standard operating procedure for the District and the City.

In 1994, when Santa Monica/Malibu Unified School District sought permits for upgrades to the track and field facility/football stadium, and relocation/expansion of the faculty parking lot, as well as other "various minor improvements", SMMUSD, had already done major excavation, illegally, without permits including destruction of a blue line stream on the western border of the property. Photographs of the destruction done without permit are attached hereto.

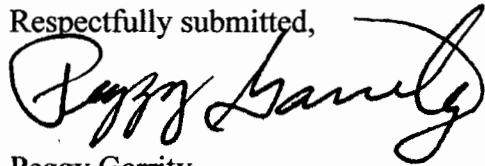
The California Coastal Commission issued the permit "after-the-fact" subject to standard "Terms and Conditions [that] Run with the Land." Said permit specifically states that the conditions "shall be perpetual and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions."

Pursuant to the 2000 Coastal permit, the controlling condition here, which( specified as a Standard Condition in all the permits) runs with the land: prohibition of athletic field lighting whether permanent or temporary.

The LCP amendment is substantively inappropriate because it would flood with light a dark skies neighborhood and sensitive ecological area unnecessarily and interfere with scenic coastal views. The EIR commissioned by the District states as much.

The LCP amendment, I submit, is legally barred by the conditions imposed in specific and standard conditions of the 2000 Coastal Commission permit that allowed construction of the athletic fields in the first place. The request is yet another blatant attempt to undermine previous permits, rulings and actions of the Coastal Commission, and is made by an entity that has a documented history of disregard for the Coastal law and the Commission's rulings, an entity charged with teaching good citizenship to our children.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peggy Garrity", written in a cursive style.

Peggy Garrity

# SEASONAL WETLAND





This was in 1994, after they graded.



blue line

seasonal blue line 1994 after massive illegal grading



1994, you can see where the seasonal wet land was.

July 17, 2011

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

**Received**

JUL 21 2011

California Coastal Commission  
South Central Coast District

Dear Commissioner Ainsworth:

In October, the Commission will be reviewing for vote an amendment from Malibu City Council for permanent lighting at Malibu High School's football field. I am writing requesting that this amendment be denied.

The history of this request started in 2009, when the Malibu School district petitioned the Coastal Commission for the right to install night lighting at Malibu high on the football field after illegally using temporary lights for 7 years prior to this. Fortunately, in October 2009, the Coastal Commissioners (in a 12-0 vote) rejected the request to permit temporary lighting on the athletic field. This prompted the Malibu City Council to immediately vote to change the Local Coastal Plan (LCP) to permit institutional lighting, which would allow the lighting on the football field. Now the City Council is requesting permanent lights!

There is strong opposition in the Malibu community against night lighting. Our community is a rural, "dark skies community" with the majority of residents preferring to retain this character. Almost all the cities in our country are over-developed and there are very few areas left in our country that can be a dark sky community. Recently, another city (Palos Verdes) had so much controversy and division of the community over a campaign for night lighting at their athletic field, that it was decided to nix the goal for lights.

An interesting comment by many who want these lights at Malibu High is that "lights would help the parents come to night games and create more family-time". As a Doctor of Psychology I find this a bit sad! Having "family-time" shouldn't have to depend upon a football game – lights or no lights! There are many ways to bring families together – in the day and night! There's also the true fact that football is a dangerous game that has left many students with injuries. But, as an environmentalist, what I find most disturbing is that these same families don't seem to realize the unique quality of the High School. This school is in the middle of an environmentally sensitive area – there are endangered and threatened species that live in the area. Perhaps these families could find more family-time if Malibu High School acknowledged the rare plants and animals of the area and made some sort of project for the students. For example, currently lush, blue-green grasses are spreading along the Ballona Creek estuary. What makes this sight even more precious, is that students from the Westside Global Awareness School (formerly known as the Westside Leadership School) helped to plant them over five years ago for an Earth Day event. Now this school is

moving into a new era with a core emphasis on global environmental protection in its curriculum.


So, having football – and having lights for night games, does not seem to be the most desirable way to have true community engagement. Instead this plan is creating disunity in the community, will bring stress to the nocturnal animals, and will destroy the rural character of the area.

At a public meeting at Malibu High School the high school presented a chart - *"Future Goals for Athletic Field Community Sports Group Use"* which showed the field being used over 200 nights a year! As I mentioned above, there already was illegal use of temporary lights at Malibu High School for 7 years before the Malibu School district petitioned the Coastal Commission for the right to install night lighting on the football field. This illegal action alerts me to think that they will do anything to get these lights installed! The Coastal Commissioners rejected the request for lights to be installed before – please reject it again!!

Humans have encroached the Malibu area enough! Please deny this amendment.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alessandra DeClario', with a long horizontal flourish extending to the right.

Alessandra DeClario, Ph.D.  
P.O. BOX 2534  
MALIBU, CA 90265

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

**Received**

JUL 26 2011

California  
Coastal Commission

Dear Mr. Ainsworth & Coastal Commissioners,

I would like to go on record opposing the amendment for night lighting on the athletic field at Malibu High School.

The Malibu Park neighborhood is a rural dark community and the proposed lighting will dramatically alter its character. The night lighting will also adversely impact the views of the night sky and the scenic views from the local beach, local trails and nearby Park Service lands.

Please help us protect the unique coastal resources, the rural atmosphere, the dark skies, the scenic views and the wildlife in one of the few remaining dark communities along the California coast

Please do not vote to approve institutional athletic field lighting for Malibu.

Robert V. Herrin  
6225 Binsall Drive  
Malibu, CA 90268

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

Dear Mr. Ainsworth & Coastal Commissioners,

I would like to go on record opposing the amendment for night lighting on the athletic field at Malibu High School.

The Malibu Park neighborhood is a rural dark community and the proposed lighting will dramatically alter its character. The night lighting will also adversely impact the views of the night sky and the scenic views from the local beach, local trails and nearby Park Service lands.

Please help us protect the unique coastal resources, the rural atmosphere, the dark skies, the scenic views and the wildlife in one of the few remaining dark communities along the California coast

Please do not vote to approve institutional athletic field lighting for Malibu.

Vicki Arnold  
5824 Clover Heights Dr  
Malibu, CA 90265

**Received**

JUL 26 2011

California  
Coastal Commission

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

July 8, 2011

**Received**

**JUL 14 2011**

California Coastal Commission  
South Central Coast District

Subject Dark Skies in Malibu

Dear Mr. Jack Ainsworth,

I hope to bring additional information to you about the proposed LIGHTS for Malibu High School. I have lived in Malibu Park for over 40 years and have two grown children. I have worked closely with the schools within our areas, have know all the principals very well, contributing greatly as a good neighbor, parent and supporter of educational programs.

The reality of the Malibu High Football games is that very few students participate in the Malibu High School football programs. I have attended the Friday night games along with mid day activities for other sports. The number of students, including family members that attended Malibu school games is extremely low. Sports activities never bring in huge crowds. The number of students in the spotlight as football players is extremely limited since the school has a small enrollments which is shrinking due to the economy.

But the City of Malibu, lead by two women council people: Pamela Conley Ulich and Laura Zahn Rosenthal have been extremely aggressively in their activities to bring more city activities to the Malibu High School campus. Both these ladies represent a small group of bullies within our community. They heed no responsibility to the written contracts about No LIGHTS within the community and will not stop until they meet their aggressively agendas. Ms. Ulich and Ms. Roenthal have already begun plans to expand sports activities using Measure BB funds. The Measure BB funds were designated by the SMMSD to restore or rebuild old buildings, upgrade the bathrooms (constructed in 1976) and other vital facilities- which have not been completed.

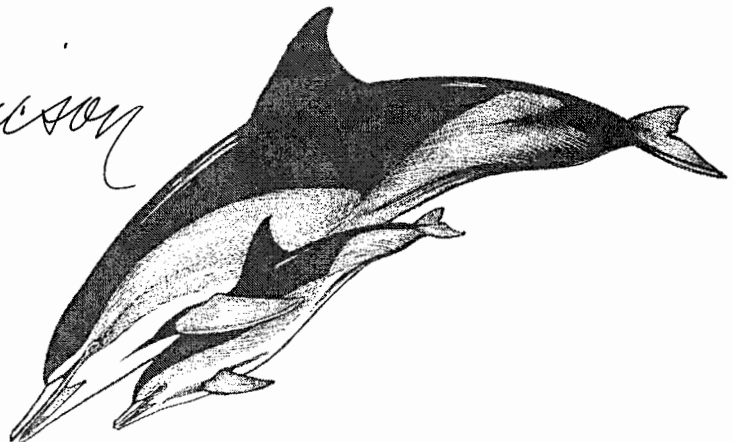
The motivation for developing more sports activities within Malibu may serve some of our residents. But many more people do not rely on organized school or city programs for their recreation.

I do want to mention that the City of Malibu also provides sports activities and programs for organizations that are not Malibu residents. For example, on Saturday in the summer, there are on goin child directed football games for non residents. These programs are handled by the City of Malibu and provide income to the city.

We, the Malibu Community are not in agreement with Pamela Conley Ulich and Laura Zahn Rosenthal to light up Malibu night skies just for a few students or as fund raiser for the City.

Thank you for taking time to read,

Dawn Navarro Ericson  
30069 Harvester Road  
Malibu, CA 90265



July 8, 2011

**Received**

JUL 11 2011

California Coastal Commission  
South Central Coast District

California Coastal Commission  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

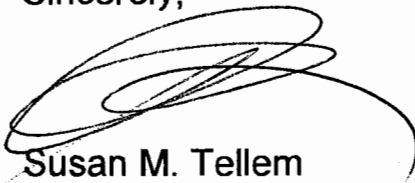
Dear Mr. Ainsworth:

Thank you for the 12-0 vote rejecting the request to permit temporary lighting on the athletic field at Malibu High. As you know, the City Council immediately voted to change the Local Coastal Plan to permit institutional lighting which would allow lighting on the football field. This amendment will be before you and the Commission on August 10, 2011. I am writing to voice my opposition especially because it calls for permanent lighting.

My neighbors and I strongly oppose night lighting. I live in the direct area and lights will harm the many owls and other birds that have habitats in the area of the school, as well as interrupt the night feeding schedule of many animals including coyotes and big cats. There are also many bats in our part of the city that would be disrupted. Our community is a rural, "dark skies community" and we would like to retain the character of this area without having 60' tall stadium lighting on the field directly overlooking Zuma beach and below Zuma Trail. The rest of Malibu, especially in the center of the city, looks like LA at night, all lighted up like a Christmas tree with no stars visible. We don't want that at our end of town.

It would be a travesty and change the rural area of Malibu forever. The kids have been able to play ball with no problems for years. Please vote against this harmful amendment.

Sincerely,



Susan M. Tellem  
Resident, Malibu Park

**Received**

JUL 14 2011

California Coastal Commission  
South Central Coast District

July 4, 2011

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

Re: LCP Amendment - Malibu High School Night Lighting

Dear Mr. Ainsworth:

This letter is in regard to the code changes for night lighting at Malibu High School. I am at a loss as to why Malibu needs to conform to the standards of other cities when we have the most unique environment at our front and back doors. Night lighting should not be a part of the Malibu environment. Just go outside and look up at the night sky. What do you see? A whole other world that is not available to most other cities in Los Angeles.

The spreading night pollution is causing a loss of species. Quoting Stephaine Remington, bat biologist, "Night pollution is a really serious problem." Many species require darkness for survival, it's cumulative. Habitat loss is another major problem.

Should Malibu really contribute to the demise of more species? Malibu needs to preserve their unique environment not destroy it!  
I plead with the CCC to please deny approval for the unacceptable lighting proposal at Malibu High School.

Sincerely,



Linda Joslynn  
PO Box 6915  
Malibu, CA 90265



**Received**

JUL 14 2011

California Coastal Commission  
South Central Coast District

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

Dear Mr. Ainsworth & Coastal Commissioners,

I would like to go on record opposing the amendment for night lighting on the athletic field at Malibu High School.

The Malibu Park neighborhood is a rural dark community and the proposed lighting will dramatically alter its character. The night lighting will also adversely impact the views of the night sky and the scenic views from the local beach, local trails and nearby Park Service lands.

Please help us protect the unique coastal resources, the rural atmosphere, the dark skies, the scenic views and the wildlife in one of the few remaining dark communities along the California coast

Please do not vote to approve institutional athletic field lighting for Malibu.

Sincerely

Paola Stroppiana  
6469 Zuma View pl 154  
Malibu CA 90265

**Received**

JUL 14 2011

California Coastal Commission  
South Central Coast District

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

Dear Mr. Ainsworth & Coastal Commissioners,

I would like to go on record opposing the amendment for night lighting on the athletic field at Malibu High School.

The Malibu Park neighborhood is a rural dark community and the proposed lighting will dramatically alter its character. The night lighting will also adversely impact the views of the night sky and the scenic views from the local beach, local trails and nearby Park Service lands.

Please help us protect the unique coastal resources, the rural atmosphere, the dark skies, the scenic views and the wildlife in one of the few remaining dark communities along the California coast

Please do not vote to approve institutional athletic field lighting for Malibu.

Very truly,



Richard Lawrence  
19264 Pacific Coast Highway  
Malibu, Ca. 90265

**South Central Coast District Office**

Steve Hudson, District Manager

89 South California Street, Suite 200  
Ventura, CA 93001-2801

September 5<sup>th</sup> 2008

RECEIVED  
SEP 09 2008

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Re: CDP 04-99-276

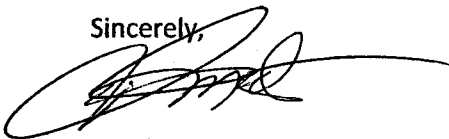
Dear Mr. Hudson,

I read in the Malibu Times that the School district is attempting to get an amendment to the existing Coastal plan which Bans nighttime lighting. I feel that it is critical for the commission to uphold the ban on nighttime lighting for the following reasons:

- 1). Nighttime lighting will be detrimental to the wildlife living adjacent to the ball fields in the Malibu Equestrian center, as well as behind the ball fields in the Santa Monica Mountains national recreation area. It will affect feeding and reproductive patterns on an already stressed fauna.
- 2). Night time lighting will detract from the experience of hikers and nature lovers that use the national and state park lands behind the school. During the winter, it gets dark early, and the lights will be a terrible visual pollution detracting from a wilderness experience.
- 3). Residents local to the school of which I am not will be directly impacted for obvious reasons. Many houses overlook the ball fields.
- 4). There would be a regional light pollution impact which would take away from the brilliant night skies of the rurally zoned area where the school is located.

Most people who moved to Malibu do so specifically because it is one of the last rural coastal areas of S.Cal, being sandwiched in on all sides by the wilderness of the national and state parks which are there to preserve flora and fauna and to provide an escape for people from the urban areas. Please don't let the desire of some local residents to suburbanize Malibu for the short term horizon of the 4 years their child is in school, at the expense of the wildlife and the regional hikers that depend on the area as a needed respite from the urban expanse.

Sincerely,



Tom Molloy

29549 Harvester Rd

Malibu Ca. 90265

**Received**

JUL 11 2011

California Coastal Commission  
South Central Coast District

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

Dear Mr. Ainsworth & Coastal Commissioners,

We would like to go on record opposing the amendment for night lighting on the athletic field at Malibu High School.

The Malibu Park neighborhood is a rural dark community and the proposed lighting will dramatically alter its character. The night lighting will also adversely impact the views of the night sky and the scenic views from the local beaches, local trails and nearby Park Service lands from Pt Dume to Zuma Ridge and beyond.

Many people come to the beach and hike the trails and stay to watch the tranquil beauty of sunsets and moon rises from these vantage points. A silent, unpolluted night sky is irreplaceable, a state resource, a wonder, but once lights are installed, gone forever as our neighboring communities are only too aware.

Please help us protect the unique coastal resources, the rural atmosphere, the dark skies, the scenic views and the wildlife in one of the few remaining dark communities along the California coast.

Please do not vote to approve institutional athletic field lighting for Malibu.

Alan and Rachel Roderick-Jones

Malibu Park Residents,

**Deanna Christensen**

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**From:** John Ainsworth  
**Sent:** Monday, July 11, 2011 5:36 PM  
**To:** Deanna Christensen  
**Subject:** FW: Las Vegas-Style Lighting Coming to Malibu

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**From:** j brady fogel [mailto:jmikebrady@yahoo.com]  
**Sent:** Monday, July 11, 2011 4:35 PM  
**To:** John Ainsworth  
**Subject:** Las Vegas-Style Lighting Coming to Malibu

**Received**

JUL 12 2011

California Coastal Commission  
South Central Coast District

Mr. Jack Ainsworth  
Deputy Director  
Coastal Commissioners  
California Coastal Commission,  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

July 9, 2011

**RE: Forcing Malibu Visitors, Residents & Wildlife to Accept Las Vegas-style Lighting Levels**

Dear Mr. Ainsworth & Coastal Commissioners,

Respectfully, I would like to go on record as opposing the amendment for night lighting on the athletic field at Malibu High School.

**At night these football stadium lights make it look like a Las Vegas casino has landed at the high school.** As you know, Malibu is cursed with stratocumulus marine clouds ("low clouds and fog along the coast") which causes even tennis court lights (which Coastal prohibits residents from having) to reflect back off the night sky in a most dramatic manner. This night lighting adversely impacts the views of the night sky, the scenic views from Zuma Beach, local trails and nearby Park Service lands, as well as wildlife.

Please help us protect the unique coastal resources, the rural atmosphere, the dark skies, the scenic views and the wildlife in one of the few remaining dark skies communities along the California coast. Malibu High School is not a city school where stadium lights would blend in with city lighting levels. This is a school in a very dark rural neighborhood where there are no Taco Bells, no movie theaters, no malls.

7/12/2011

Please vote against these city-style sixty foot high stadium lights which Coastal correctly originally rejected for this area. They absolutely destroy the natural setting which makes the Malibu coast such a popular public resource and destination.

**Thank you for considering preserving Malibu's wild rugged coast.**

Regards,

Judy Fogel

Received

AUG 01 2011

**Subject: Save our Dark Skies**

California Coastal Commission  
South Central Coast District

Dear Neighbor,

In 2009, the Malibu School district petitioned the Coastal Commission for the right to install night lighting at Malibu high on the football field after illegally using temporary lights for 7 years prior to this.

At a public meeting at the high school the high school presented a chart "**Future Goals for Athletic Field Community Sports Group Use**" which showed the field being used over 200 nights a year.

In October 2009, in a 12-0 vote the Coastal Commissioners rejected the request to permit temporary lighting on the athletic field. The City Council immediately voted to change the Local Coastal Plan (LCP) to permit institutional lighting which would allow the lighting on the football field. This amendment goes before the Coastal Commission on August 10, 2011 at their meeting in northern California. This time the request is for permanent lighting.

There is strong opposition in the Malibu community against night lighting. Our community is a rural, "dark skies community" and most of us would like to retain the character of this area of Malibu without having over 60' tall stadium lighting put on the field directly overlooking Zuma beach and below Zuma Trail

We don't have a lot of time before the meeting and some of you may not even know that this is before the Commission in August. If you are opposed to stadium lighting on the football field please join us in writing a letter to the Coastal Commission voicing your opposition and e-mail us a copy of your letter. (I have included a sample but it would be good if you could put it in your own words--just a line or two is fine)

You should send your letter to: [<jainsworth@coastal.ca.gov>](mailto:jainsworth@coastal.ca.gov).

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

And remember to please email a copy to us so we can make sure the Coastal Commission is counting your letter [malibudarkskies@gmail.com](mailto:malibudarkskies@gmail.com)

Thank you,

Malibu Dark Skies Committee

*Please I have lived in Malibu  
Park for 25 years and it have  
been 25 years of constant  
intrusion by the school district  
on the integrity of our  
neighborhood.*  
**PLEASE STOP IT  
Now!!!**  
*From Robert Grey  
5841 Buseck Dr  
Malibu, Ca 90265  
310-457-4040*

**Deanna Christensen**

---

**From:** John Ainsworth  
**Sent:** Monday, August 01, 2011 11:15 AM  
**To:** Deanna Christensen  
**Subject:** FW: Malibu High School Lights (amendment 09-004)  
**Attachments:** EH\_Malibu\_High\_lights\_7-19-11.doc

**Received**

AUG 01 2011

California Coastal Commission  
South Central Coast District

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**From:** ehalp@aol.com [mailto:ehalp@aol.com]  
**Sent:** Tuesday, July 19, 2011 9:26 AM  
**To:** John Ainsworth  
**Subject:** Malibu High School Lights (amendment 09-004)

Dear Mr. Ainsworth,

I am sending the attached letter by way of this email for distribution to the Commissioners so that may consider my opposition when reviewing the above cited amendment. For your convenience I have also copied the letter at the bottom of this email.

It will be appreciated if you will email me to confirm your receipt of this letter.

Thank you,

Edward Halpern

**Edward & Sonya Halpern**  
5939 Floris Hts.  
Malibu, CA. 90265  
[ehalp@aol.com](mailto:ehalp@aol.com)  
July 17, 2011

RE: Local Coastal Program Amendment # 09-004 (Football Field Lighting)

Dear Commission Members,

Our family resides in Malibu Park. Our house is just one property removed from Malibu High School. As such the proposed installation of lights at the football field will have a serious and continuing effect on the quiet enjoyment of our property. Or past experiences with lights at Malibu High School show that they create an environment that turns a rural neighborhood into the likes of a brightly lit industrial neighborhood. Not only do these lights create an unpleasant environment, they also result in early evening and late night blaring noise created by the school audio system. The resultant noise is amplified both by the audio system and by the prevailing ocean winds that drive the loud noise right into neighborhood homes.

We cannot herein express the intrusion on the lives of local residents that the lights and noise create. It disrupts conversation, overrides the enjoyment of television and disturbs sleep. It even goes so far as to wake a sleeping baby. Asking residents to

8/1/2011



accept lights and noise from nighttime field events is not reasonable. We suggest that those of you who do not live in the neighborhood cannot understand the intrusion without having endured it.

The proponents of this plan to install lights attempt to stress the benefits of lights for evening sports programs. They say it would allow more parents to attend night games and it would give participants an experience that cannot be duplicated without lights. Nothing could be further from the truth. Experience over a number of years in which temporary lights were used, shows that very few parents or students attend these nighttime events. Furthermore, chances are those same parents would attend on Saturday during the day if games were held on Saturdays. As to benefit to the students who participate in sports, those benefits, if any, are and will continue to be had when games are played at other stadiums that already have lights.

In addition to the effect on the quality of life for local residents, apparently lights such as these can have a greater effect on local bird populations. We are sure you have been referred to the situation in Kauai wherein night lights are not being used at the high school because of the threat they pose to local seabirds. Following is a quote from the "Inside Science News Service" dated July 26, 2008 referring to a case in Minnesota. It independently supports the proposition that these lights are injurious to the local bird population.

"Birds, like moths, are attracted to light at night and if they become disoriented, will fly in circles around the lights in a tall building, often hitting the building, or dropping exhausted to the ground. The phenomenon is not understood by scientists, but a researcher at the Bell Museum ☐ in Minneapolis, along with the Minnesota Department of Natural Resources, is spearheading a program to turn off the lights to protect migrating birds. Participants in the programs, including the owners, tenants, and management companies from 32 buildings Minneapolis, St. Paul, Bloomington, and Rochester, will dim their building lights during the spring and fall bird migration seasons. Similar programs are in place in Toronto, New York, and Chicago." Inside Science News Service  
idNews Service  
Date: 26 July 2008

In closing, this movement to add lights to the field is completely insensitive to both the environmental effects and to the burden it places on the local residents. These lights are not an educational necessity nor are they neutral to the environment. As such we ask that you deny any request to install and use night lights at Malibu High School.

Thank you for your consideration of the undue burdens that will be placed on local residents if night lights are permitted at this high school.

Sincerely,

Sonya Halpern and Edward Halpern

**Deanna Christensen**

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**From:** John Ainsworth  
**Sent:** Monday, August 01, 2011 11:13 AM  
**To:** Deanna Christensen  
**Subject:** FW: Lighting in Malibu

**Received**

AUG 01 2011

California Coastal Commission  
South Central Coast District

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**From:** SKYLAR PEAK [mailto:skylar@peakpowerelectric.com]  
**Sent:** Friday, July 22, 2011 7:48 AM  
**To:** John Ainsworth  
**Subject:** Lighting in Malibu

Hi,

My name is Skylar Peak and I am a lifelong resident of Malibu. I attended local Malibu public schools and played football a long time ago on the very field the school district is asking to add lights too. While I am not opposed to the kids having lights for a few 3-4 football games a year, the light pollution from any more lighting than that is ridiculous, especially anything permanent. I have no idea how the coastal commission could approve something like this.

My home rest on a bluff on the hill in Malibu. Over the year the light pollution has got worse and worse.

The light pollution from the new residential developments in this town is out of control and now they want to light it up permanently for sporting events. Please do what you can to keep out pristine dark nights out here where the mountains meet the sea.

Thanks for your time,  
Skylar

--

Skylar Peak

**PEAK POWER ELECTRIC**

[skylar@peakpowerelectric.com](mailto:skylar@peakpowerelectric.com)

PHONE: 310-457-9348

FAX: 310-919-3068

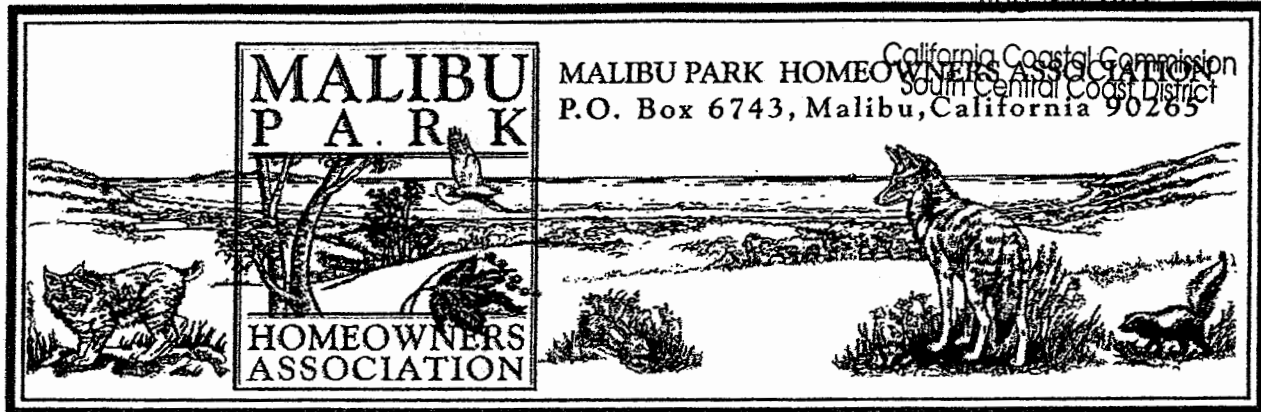
CA License #365831.

*Peak Power Electric is a locally owned and operated business based out of Malibu, CA since 1978. We offer service to commercial and residential buildings in Malibu, Los Angeles Westside, and San Fernando Valley Areas. Specializing in electricity and lighting for new construction, remodels, service and repair.*

8/1/2011

Received.

AUG 29 2011



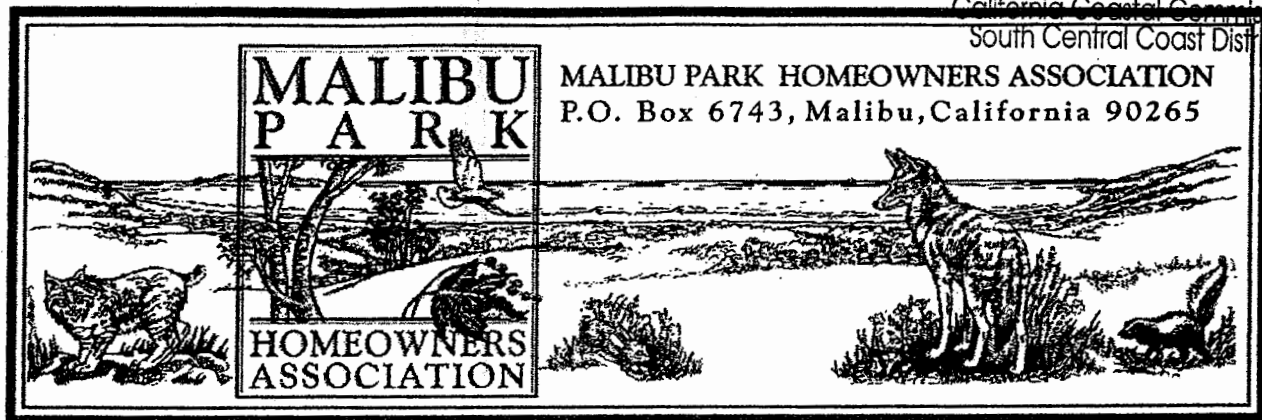
# P E T I T I O N

## MALIBU PARK HIGH SCHOOL STADIUM LIGHTS BREACH of PROMISE

| NAME               | ADDRESS                   | COMMENTS                             |
|--------------------|---------------------------|--------------------------------------|
| CAROL BRETTONNE    | 5763 BUSCH DR.            | NO LIGHTS                            |
| Carol Britton      | MALIBU                    | NEW BUILDING UGLE                    |
| GREGORY SONSHINE   | 6035 Paseo Cyn Dr         | No LIGHTS                            |
| L. Agnew           | MALIBU                    |                                      |
| Ted Glogio         | 24500 #107<br>HEATHERLIFE |                                      |
| Raft Hutchinson    | Malibu<br>5960 Floris HTs | No Lights                            |
| Jana Scarpeena     | 30147 Cuthbert            |                                      |
| Kym & Robert Dursi | 5321 Horizon              | No lights                            |
| VICTORIA Epstein   | 5707 Busch Dr             | NO NOISE                             |
| Wanda Aguandost    | 5705 Busch Dr             |                                      |
| H. F. Eisenbach    | 30147 A Cuthbert Rd       | No lights<br>no noise                |
| Barbara Mackey     | - 30103 Harvester Rd.     | No lights<br>no more noise + traffic |
| Bruce Bates        | 29956 Cuthbert Rd         | - Traffic study                      |
| Vol Omasia         | 5815 Fibree Ht            | No lights                            |
| MICHAEL BENDIX     | 5815 Fibree               | MALIBU 90265                         |

AUG 29 2011

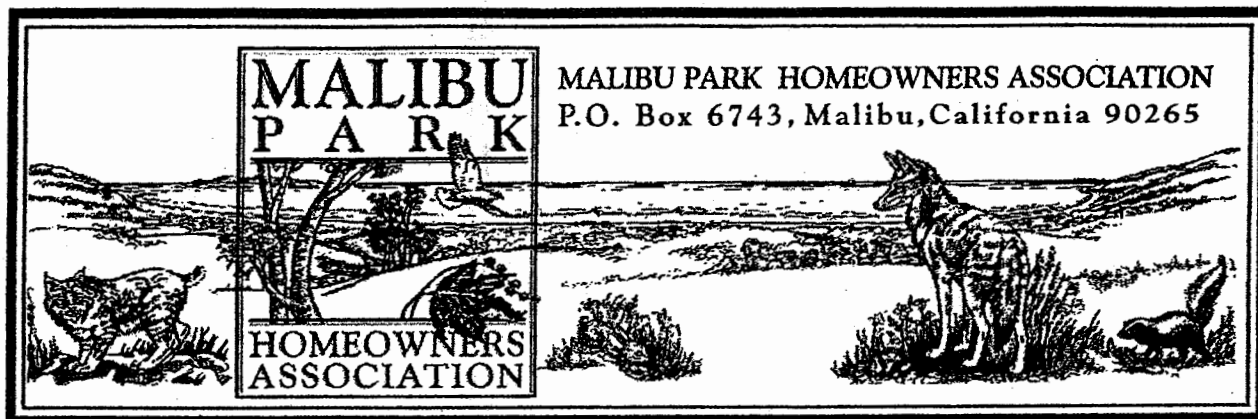
California Coastal Commission  
South Central Coast District



# P E T I T I O N

## MALIBU PARK HIGH SCHOOL STADIUM LIGHTS BREACH of PROMISE

| NAME                | ADDRESS                | COMMENTS                                           |
|---------------------|------------------------|----------------------------------------------------|
| Tim Beebe           | 29755 Harvester Rd.    | Wildlife habitat                                   |
| Robert J. [unclear] | 29755 Harvester Rd.    | intrusion                                          |
| Angela [unclear]    | 29670                  |                                                    |
| Carol D. O'Meara    | 5961 Floris Hts Road   |                                                    |
| Thomas R O'Meara    | 5961 Floris Hts        |                                                    |
| Thad Murphy         | 5904 Floris Hts Rd     | BIOTORENVIROMENTS<br>INTRUSION ON PERSONS<br>HOME! |
| Jennifer Denker     | 5936 Filmore Hts.      |                                                    |
| Shon Wrayatt        | 5580 Busch Dr.         |                                                    |
| Ralph Wrayatt       | 5580 Busch Dr.         |                                                    |
| LM Hill             | 30530 Morning View Dr. |                                                    |
| Jean A. Mac Gregor  | 5804 S Philip Ave      |                                                    |
| Mac Gregor          | 5804 S. Philip Ave     |                                                    |
| Ellie Reich         | 6353 Malibu PK. Ln.    |                                                    |
| Anne Buskey         | 5840 Clover Hts. AVE.  |                                                    |



# P E T I T I O N

## MALIBU PARK HIGH SCHOOL STADIUM LIGHTS BREACH of PROMISE

NAME

ADDRESS

COMMENTS

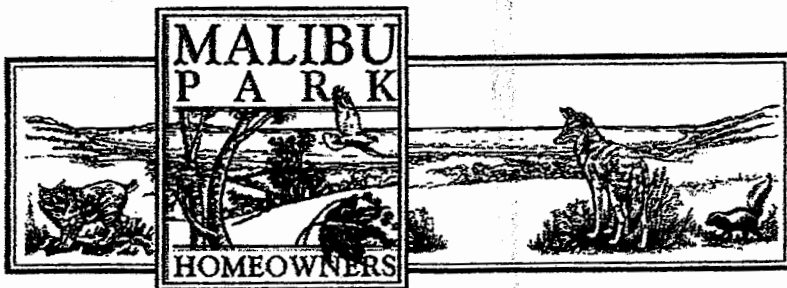
|                      |                                       |            |
|----------------------|---------------------------------------|------------|
| Dick Lucas           | 5838 Deerhead Rd                      | No lights! |
| Paul Lucas           | 5838 DEERHEAD RD.                     |            |
| John Wolf            | 5954 Philip Mall                      | Shink      |
| Pauli Hutchinson     | 5980 Floris Hts Mal                   | ecology    |
| Chloise Hooper       | 5921 Floris Hts Rd. Malibu Ca.        |            |
| Teresa Clare Campeau | 6055 Trancas Cyn Rd. Malibu, CA 90265 |            |
| Rose Ooka            | 28500 Heatherclif #281                |            |
| Kay Stone            | 28500 Heatherclif #281                |            |
| Frene M. Stott       | 28953 Boniface                        |            |
| Betty McCarty        | 31948 PC #                            |            |
| Walt Kellert         | 4984 S. Encinal Ln. Rd.               |            |
| Lorna White          | 6274 Trancas Cyn Rd                   |            |
| Alfred Reed          | 6839 Duarte                           |            |
| Ann Sykes            | 6432 TRANCAS Cyn Rd                   |            |

Received

AUG 29 2011

California Coastal Commission  
South Central Coast District

# WE SAY NO TO LIGHTS!



## P E T I T I O N

### MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

In a series of meetings held at Malibu High School the public was informed by the Santa Monica-Malibu Unified School District that the proposed plan to install permanent lights on the athletic field of Malibu High will include 70 to 80 foot high lights as part of their Measure BB School Improvements. The joint usage agreement with the City of Malibu Department of Parks and Recreation, projects a possible 204 nights of use for the field. The negative impacts of this proposed plan to the neighborhood of Malibu Park would include increased traffic and noise at night, and would destroy the peace and tranquility of the area surrounding the

school. During the day, the ocean views from the neighboring bluffs, including the trails used by hikers and equestrians would be impacted by these tall light standards.

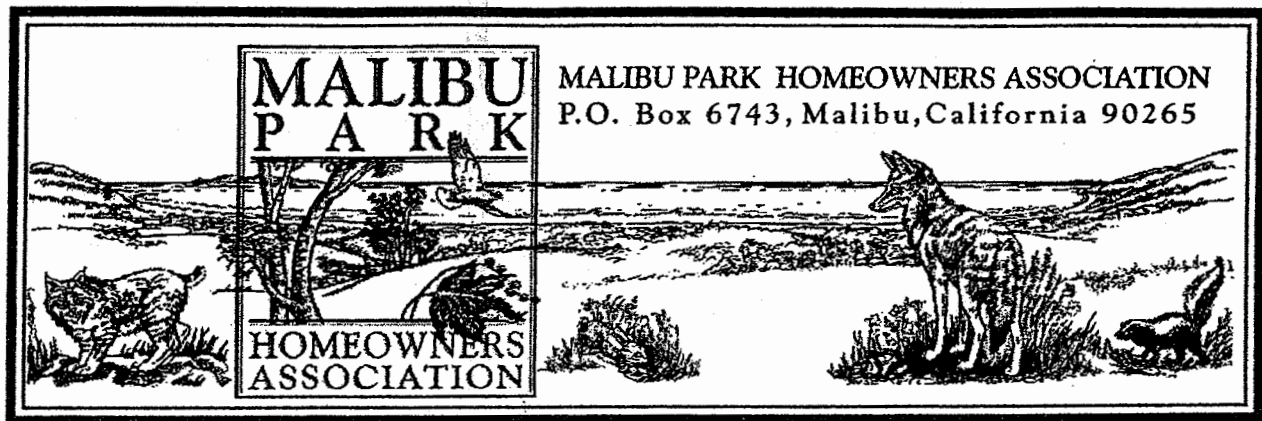
For the past three years the SMMUSD has been in direct violation of their Coastal Permit # 4-99-276 Condition 6 which prohibits both temporary and permanent lights at the high school. On January 27, at a meeting at the high school, the public was informed that the School District was going to ask for an amendment to this Coastal Permit to allow temporary lighting on the fields this fall. Malibu has historically been a "no lighting" community with a strong commitment to preservation of views. We encourage you, our elected officials, to use all authority and power that has been granted to you by law to insure that to the extent any project is approved, all measures are taken to preserve the Malibu Park community. Value our rural neighborhood and SAY NO TO LIGHTS!

| NAME                | ADDRESS                 | PHONE #        | E-Mail                      |
|---------------------|-------------------------|----------------|-----------------------------|
| 1. Mary Le Grassick | 5901 Clover Heights Ave | 310 924 4648   | empressmary44@aol.com       |
| 2. Anne Drisby      | 5840 Clover Hts Ave     | 310 457 7996   |                             |
| 3. Thomas Drisby    | 5840 Clover Hts Ave     | 310 457 7996   |                             |
| 4. Sam Lake         | 5906 Clover Heights Ave | (310) 457-6481 |                             |
| 5. Debra Cote       | "                       | "              | debracote50@verizon.net     |
| 6. Shary Nassimi    | 29670 Harvester Rd.     | 4576131        | SharyNassimi@comcast.net    |
| 7. Judith Guillenot | 5940 Clover Heights Ave | 310 457 9234   | judithguillenot@comcast.net |
| 8. John Brown       | 5900 Filaree Hts        | 310 457 2964   |                             |
| 9.                  |                         |                |                             |
| 10.                 |                         |                |                             |
| 11.                 |                         |                |                             |
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# P E T I T I O N

## MALIBU PARK HIGH SCHOOL STADIUM LIGHTS BREACH of PROMISE

NAME

ADDRESS

COMMENTS

Thomas Griskey  
THOMAS GRISKEY

5840 CLOVER HEIGHTS AVE MALIBU, CA 90265

Alan Carson  
Alan Carson

5845 CLOVER HTS MALIBU, CA 90265

Jeanna Burke  
JESSE DE MERI  
J. DE MERI

6106 BUNBAIL DR MALIBU CA 90265

6254 EBBTIDE WAY MALIBU CA 90265

Anne De Meri 6254 Ebbtide Way Malibu, Ca. 90265

MARSHALL THOMPSON 5782 Calpine Drive 310-589-5521

Susan M. Tellem 5782 Calpine Drive 310-589-5521

MARSHALL @ DVIDEO.TV  
Michael Peller 1102 Elder Cyn Rd Malibu, CA 90265

Lolita S. METSCHER 18174 Kingsport Dr. MALIBU, CA 90265

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South Central Coast District



# MALIBU DARK SKIES COMMITTEE

WE SAY **NO** TO CITY LIGHTS. WE SAY **NO** TO CHANGING THE LCP.

Malibu has historically been a "no lighting" community with a strong commitment to preservation of views. We encourage you, our elected officials, to use all authority and power that has been granted to you by law to insure that all measures are taken to preserve our rural neighborhood with no lights in Malibu.

| NAME                             | ADDRESS                     | PHONE #        | E-Mail              | Volunteer |
|----------------------------------|-----------------------------|----------------|---------------------|-----------|
| 1. VICTORIA Epstein              | 5701 Busch                  | 457 7352       | budogmon@net        |           |
| 2. ANNE CRISKEY                  | 5840 CLOVER HTS. MALIBU     |                | T. Criskey@ieee.org |           |
| 3. ANNE CRISKEY                  | 5840 CLOVER HTS. MALIBU     |                | T. Criskey@ieee.org |           |
| 4. Robert Therrien               | 6820 Wildlife Road, Malibu  |                | rt22@sbcslobal      |           |
| 5. Vicky Arnold                  | 5824 Clover Heights         | (310) 589-8898 | vickyarnold@net     |           |
| 6. Joanne Boggs                  | 6414 Bonsall Dr.            | 310 457-3319   | verizon-net         |           |
| 7. Harry & Frederique EISENBACH  | 30147 amberi rd Malibu      | 90265          |                     |           |
| 8. IRIS & RICK EHRlich           | 31952 P.C.H Malibu          | 90265          |                     |           |
| 9. Kim Tipper                    | P.O Box 6352 Malibu         | 90265          |                     |           |
| 10. Agnes Stevens                | 192 Paradise Cove, Malibu   | 90265          |                     |           |
| 11. Adriana Davis                | 1846 Semole Drive, Malibu   | 90265          |                     |           |
| 12. Barbara Bacon                | 192 Paradise Cove Malibu    | 90265          |                     |           |
| 13. Danny Shuman                 | 30866 Broadbeach Rd         | 90265          |                     |           |
| 14. Jeremy & Lynn Kronsberg      | 35395 Mulholland Hwy        | 90265          |                     |           |
| 15. Ron & Leowore Lawrence       | 7341 Audview Ave            | 90265          |                     |           |
| 16. Remy O'Neil                  | 6135 cavalleri Rd Malibu    | 90265          |                     |           |
| 17. Robbi & Candice Mader-Rosian | 24727 Vantage Point Terrace | 90265          |                     |           |
| 18. Mary & Glen Lynch            | 31862 W. Sea level,         | 90265          |                     |           |
| 19. Kim & Robert Dursi           | 5331 Horizon DR             | 90265          |                     |           |

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# MALIBU DARK SKIES COMMITTEE

WE SAY **NO** TO INSTITUTIONAL LIGHTING. WE SAY **NO** TO CHANGING THE LCP.

Malibu has historically been a "dark" community with a strong commitment to preservation of views. Changing the LCP would mean that every institutional area in Malibu can have 60ft polls with lights. We encourage you, our elected officials, to use all authority and power that has been granted to you by law to insure that all measures are taken to preserve our rural neighborhood with no lights in Malibu.

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| NAME                    | ADDRESS                  | PHONE #      | E-Mail                    |
|-------------------------|--------------------------|--------------|---------------------------|
| 1. Kathryn Stabile      | 30051 Andromeda LN       | 457-1742     | KATHLYN444@yahoo.com      |
| 2. Alan Frederick-Jones | 29630 CUTBERT RD Malibu  | 310-457-3029 | malacard@mindspring.com   |
| 3. Rosa del Castillo    | 11202 PACIFIC VIEW RD    | ROSA D       | ROSADCAST@YAHOO.COM       |
| 4. Lynne Traine         | 10827 Pacific View Rd    | 310-457-1644 |                           |
| 5. Geraldine Chollet    | 5617 Busch Drive Malibu  | 310-503-2362 |                           |
| 6. Coi Lawe             | 4777 Wildedge Rd         | 457-4048     |                           |
| 7. Pernyl Ward          | 27409 PCH                | 457-6962     |                           |
| 8. Debby Bond           | 29500 Heather Cliff Rd   | 457-9529     |                           |
| 9. Wendy Hernandez      | 5705 Busch Drive         | 457-5026     |                           |
| 10. Sherman Bapin       | 29575 P.C.H.             | 310-457-5501 |                           |
| 11. DMI Sherman         | 29500 Heather Cliff Rd   | 457-5061     |                           |
| 12. Alessandra DeClario | PO Box 2534 Malibu 90265 | 310-457-0458 | DOCTOR DADO@earthlink.net |
| 13. Michael Rosenthal   | PO Box 2534 Malibu       | 310-457-0458 |                           |
| 14. Rick Mullen         | 5969 RAMIREZ CYN         | 310-457-7502 |                           |
| 15. Lynn Norton         | 6005 Paseo Cyn Dr        | 457-6925     | lynorton@charter.net      |
| 16. Dian Everett        | 30021 Hawthorn Rd.       | 457-6455     |                           |
| 17. Fudela Ellis        | 5940 Filaree Heights     | 310-457-7503 | ellisp2@gmail.com         |
| 18. Richard Lawrence    | 19264 PCH                | 310-456-9207 | RLawrence@earthlink.com   |
| 19. Odina Dixon         | 30254 Morning View Dr.   | 310-457-1057 |                           |
| 20. Graeme Clifford     | PO Box 1166 90265        | 310-314-2177 |                           |

Judi Hutchinson

15

John Ellis

5940 Filaree Hts

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South Central Coast District

# MALIBU DARK SKIES COMMITTEE

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| NAME                  | ADDRESS                 | PHONE #      | E-Mail                   |
|-----------------------|-------------------------|--------------|--------------------------|
| 1. Guillemot dominick | 5940 clover Heights     | 310-4579234  |                          |
| 2.                    |                         |              | d92dominickphoto.com     |
| 3. Avelina Diaz       | 5845 Cloud Heights      | 310-924-4291 | avelinodiaz@yahoo.com    |
| 4. Jonathan Banks     | 29734 HARVESTER         | 3109240033   | Banksjohnny4@verizon.net |
| 5. Scott Olson        | 29670 Alhambra          | 305.720.4360 | 2010@scottolson.com      |
| 6. Thordis Carson     | 5845 Clover Hts.        | 457-7150     | thordis@earthlink.net    |
| 7. Alan Carson        | 5845 Clover Hts         | 310-457-7150 |                          |
| 8. Frank B Polhem     | 4630 VIA VIENTA         | 310-457-3538 |                          |
| 9. Susan Kelly        | 30604 LAS ESTRELLAS DR. | 3104573856   |                          |
| 10. INA DEERE         | 29735 HARVESTER RD.     | 310-457-2284 |                          |
| 11. Beth Treweek      | 5960 Busch Dr.          | 310.593.4605 |                          |
| 12. LAURENCE TREWEEK  | 5960 BUSCH DR           | 310 593 4605 |                          |
| 13.                   |                         |              |                          |
| 14.                   |                         |              |                          |
| 15.                   |                         |              |                          |
| 16.                   |                         |              |                          |
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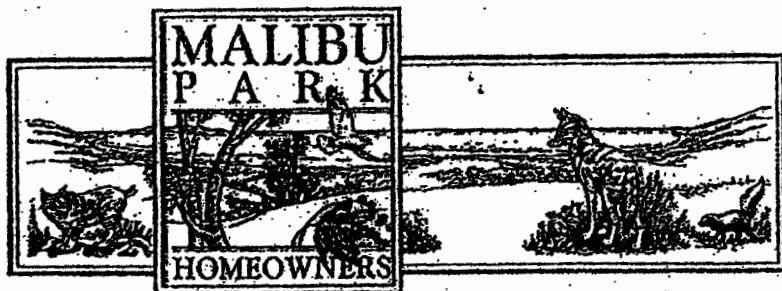
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California Coastal Commission  
South Central Coast District

# WE SAY NO TO LIGHTS!



## P E T I T I O N MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

school. During the day, the ocean views from the neighboring bluffs, including the trails used by hikers and equestrians would be impacted by these tall light standards.

In a series of meetings held at Malibu High School the public was informed by the Santa Monica-Malibu Unified School District that the proposed plan to install permanent lights on the athletic field of Malibu High will include 70 to 80 foot high lights as part of their Measure 8B School Improvements. The joint usage agreement with the City of Malibu Department of Parks and Recreation, projects a possible 204 nights of use for the field. The negative impacts of this proposed plan to the neighborhood of Malibu Park would include increased traffic and noise at night, and would destroy the peace and tranquility of the area surrounding the

For the past three years the SMMUSD has been in direct violation of their Coastal Permit #4-99-276 Condition 6 which prohibits both temporary and permanent lights at the high school. On January 27, at a meeting at the high school, the public was informed that the School District was going to ask for an amendment to this Coastal Permit to allow temporary lighting on the fields this fall. Malibu has historically been a "no lighting" community with a strong commitment to preservation of views. We encourage you, our elected officials, to use all authority and power that has been granted to you by law to insure that to the extent any project is approved, all measures are taken to preserve the Malibu Park community. Value our rural neighborhood and SAY NO TO LIGHTS!

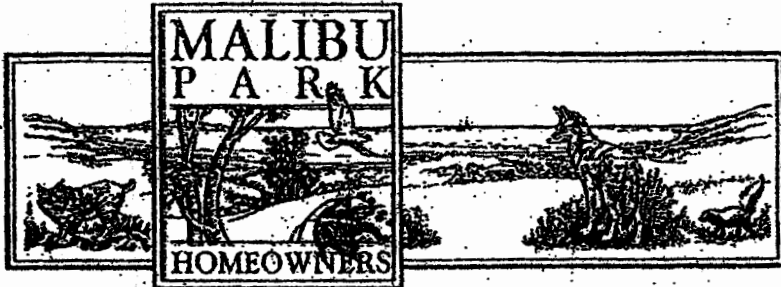
| NAME               | ADDRESS                                     | PHONE #      | E-Mail            |
|--------------------|---------------------------------------------|--------------|-------------------|
| 1. James Rhodes    | 33206 Decker School Rd Malibu               | 310-457-5781 |                   |
| 2. ANNIE ERIS      | 29500 Heathercliff Rd #227 Malibu, CA 90265 | 805-457-8117 | 310-467-2366      |
| 3. Cheryl Anderson | 592 Camino Del Lago, T.O. Malibu            |              | Cheryl@jarego.com |
| 4. Bettina Briggs  | 28250 Ray De Casas, Malibu                  | CA 90265     |                   |
| 5. Glenn Lynch     | 31862 W Sea Level Dr Malibu                 | 90265        |                   |
| 6. DON KENNY       | 53064 Decker Rd                             | Malibu       |                   |
| 7. Annemarie Brown | 33050 W. Decker Sch. Rd Malibu              |              | k9world@aol       |
| 8. ALISON RICHARD  | 3336 Olivegrove Pl. Thousand Oaks           |              | sweetal74@hotmail |
| 9. Mathew Wock     | 30540 morning view Drive Malibu             | 90265        |                   |
| 10. Phil Hart      | 2308 Redwood St S.M                         | 90405        |                   |
| 11. Julie Siegel   | 35100 Mulholland Hwy Malibu                 | 90265        |                   |
| 12. LARKE TREHEK   | 5960 BUSCH DRIVE MALIBU                     | 90265        |                   |

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# WE SAY NO TO LIGHTS!



## P E T I T I O N

### MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

school. During the day, the ocean views from the neighboring bluffs, including the trails used by hikers and equestrians would be impacted by these tall light standards.

In a series of meetings held at Malibu High School the public was informed by the Santa Monica-Malibu Unified School District that the proposed plan to install permanent lights on the athletic field of Malibu High will include 70 to 80 foot high lights as part of their Measure BB School Improvements. The joint usage agreement with the City of Malibu Department of Parks and Recreation, projects a possible 204 nights of use for the field. The negative impacts of this proposed plan to the neighborhood of Malibu Park would include increased traffic and noise at night, and would destroy the peace and tranquility of the area surrounding the

For the past three years the SMMUSD has been in direct violation of their Coastal Permit # 4-99-276 Condition 6 which prohibits both temporary and permanent lights at the high school. On January 27, at a meeting at the high school, the public was informed that the School District was going to ask for an amendment to this Coastal Permit to allow temporary lighting on the fields this fall. Malibu has historically been a "no lighting" community with a strong commitment to preservation of views. We encourage you, our elected officials, to use all authority and power that has been granted to you by law to insure that to the extent any project is approved, all measures are taken to preserve the Malibu Park community. Value our rural neighborhood and SAY NO TO LIGHTS!

| NAME             | ADDRESS                            | PHONE # | E-Mail                |
|------------------|------------------------------------|---------|-----------------------|
| 1. Kevin Hanna   | 29500 Heathercliff #23, Malibu     |         | <input type="radio"/> |
| 2. Anise Riar    | 29500 Heathercliff #209 Malibu     |         | <input type="radio"/> |
| 3. Don Ellis     | 31954 Heathercliff Malibu          |         |                       |
| 4. Chelsea Bloch | 31954 PCH Malibu                   |         |                       |
| 5. MARSH CORON   | 5637 BUSCH DR. MALIBU              |         |                       |
| 6. Mar Crow      | 5637 BUSCH DR. MALIBU              |         |                       |
| 7. Rhonda Grubel | 29500 Heathercliff #251 Malibu     |         |                       |
| 8. [Signature]   | 23722 Harbor Vista Dr Malibu 90261 |         |                       |
| 9. Fred Sual     | 5640 Culpine Dr Malibu 90265       |         |                       |
| 10.              |                                    |         |                       |
| 11.              |                                    |         |                       |
| 12.              |                                    |         |                       |

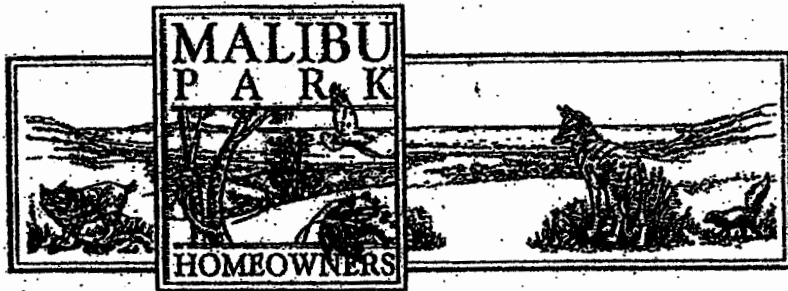
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California Coastal Commission  
South Central Coast District

# WE SAY NO TO LIGHTS!



## P E T I T I O N MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

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For the past three years the SMMUSD has been in direct violation of their Coastal Permit # 4-99-276.

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| NAME                | ADDRESS                 | PHONE #      | E-Mail |
|---------------------|-------------------------|--------------|--------|
| 1. Amy Marderosian  | 5950 Busch Dr.          | 310-457-0133 |        |
| 2. Vicki Lane       | 5946 Busch Dr           | 310-457-9016 |        |
| 3. Doug Chase       | 5946 Busch Dr           | 310-457-9076 |        |
| 4. Andor Keselman   | 6022 Merritt Dr. Malibu | 310 356 6000 |        |
| 5. Beth Trewick     | 5960 Busch Dr Malibu    | 310 457-3473 |        |
| 6. Cynthia Keselman | 6022 Merritt Dr. Malibu | 310-356-6144 |        |
| 7.                  |                         |              |        |
| 8.                  |                         |              |        |
| 9.                  |                         |              |        |
| 10.                 |                         |              |        |
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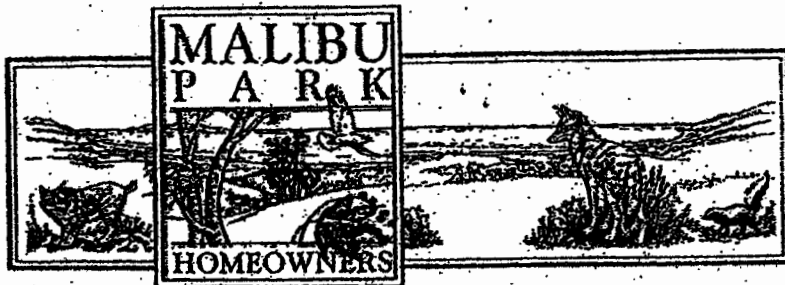
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South Central Coast District



# WE SAY NO TO LIGHTS!



## P E T I T I O N

### MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

In a series of meetings held at Malibu High School the public was informed by the Santa Monica-Malibu Unified School District that the proposed plan to install permanent lights on the athletic field of Malibu High will include 70 to 80 foot high lights as part of their Measure 8B School Improvements. The joint usage agreement with the City of Malibu Department of Parks and Recreation, projects a possible 204 nights of use for the field. The negative impacts of this proposed plan to the neighborhood of Malibu Park would include increased traffic and noise at night, and would destroy the peace and tranquility of the area surrounding the

school. During the day, the ocean views from the neighboring bluffs, including the trails used by hikers and equestrians would be impacted by these tall light standards.

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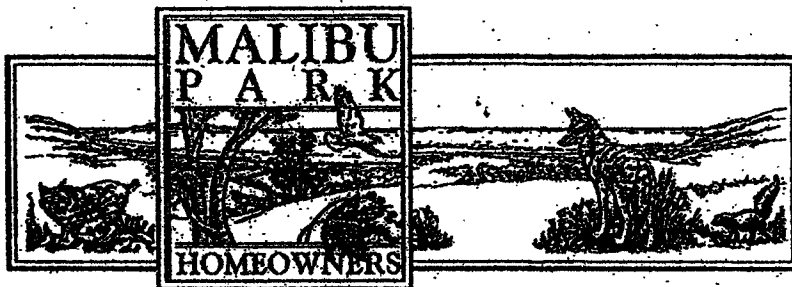
| NAME                  | ADDRESS                       | PHONE #        | E-Mail            |
|-----------------------|-------------------------------|----------------|-------------------|
| 1. Ann Dalling        | 29500 34 Heather              | 310-457-2605   | ADALLING2@Verizon |
| 2. Garrett Nichols    | 29500 34 Heather              | 310-457-2603   | NET               |
| 3. Stan G. Dulin      | 2075 LINDSEY RD. LYNNBURG VA. | 1804 687-6292  | DR. PETER DULIN   |
| 4. Lisa Ferrin        | 3804 Latigo Canyon            | 310-924-0994   | lisa@lbfarc.com   |
| 5. DR. NILES E. EBBEN | 1885 LAR. 60 E. 70            | 310-585-0806   |                   |
| 6. CECE ABEL          | 4085 ESCONDIDO                | (310) 457 3888 |                   |
| 7. Sandra Nichols     | 59235 Greenwater Rd           | (310) 589-0491 | Sandandsam        |
| 8. Janet Katz         | 23852 PCH, Malibu             |                |                   |
| 9. Kay Schuch         | 6051 Philip Ave, Malibu       | 310 467-3826   |                   |
| 10. [Signature]       | 28711 PCH #8                  | 310 589-5127   |                   |
| 11. [Signature]       | 33740 PCH                     | 310 948-6470   |                   |

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# WE SAY NO TO LIGHTS!



## P E T I T I O N MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

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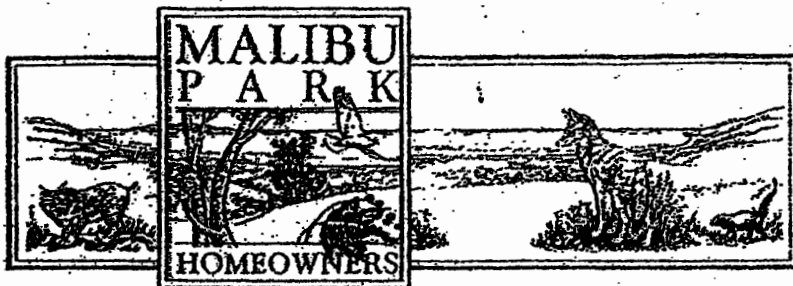
| NAME                  | ADDRESS                | PHONE # 310 | E-Mail                      |
|-----------------------|------------------------|-------------|-----------------------------|
| 1. Jim Ludwig         | 6040 Merritt           | 457-4305    | jdl@kassoc.com              |
| 2. Rebecca O'Gorman   | 5737 Busch             | 457-6731    | rebecca@o-gorman.com        |
| 3. Kathleen Gable     | 29840 Harvester Rd.    | 457-1016    | gableearthlink.net          |
| 4. Carol Gable        | 29840 Harvester Rd.    | 457-1016    | pal33217@aol.com            |
| 5. Janet Pollan       | 4630 VIA VIENTA        | 457-3538    | harrietpollan@yahoo.com     |
| 6. Dominick Guillemet | 5940 Clover Heights    | 457-9234    | dominickphoto.com           |
| 7. Marc Weingarten    | 5920 Clover Heights    |             | marcweingarten@gmail.com    |
| 8. Lynn Weingarten    | 5920 Clover Heights    |             | laine@citicorp.com          |
| 9. SARAH LUX          | 5950 BUSCH DR.         | 457-0133    | LUXSAHAH1@GMAIL             |
| 10. NATALIE LEGO      | 5950 BUSCH DR.         | 457-0133    | Natalielego@yahoo.com       |
| 11. Brandon Bradford  | 5950 BUSCH DR.         | 457-0133    | BBANQUETS@yahoo.com         |
| 12. Sabrina Sinclair  | Sagol clover Hts. Ave. | 457-7155    | Sabrina_love@helixkitty.com |

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# WE SAY NO TO LIGHTS!



In a series of meetings held at Malibu High School the public was informed by the Santa Monica-Malibu Unified School District that the proposed plan to install permanent lights on the athletic field of Malibu High will include 70 to 80 foot high lights as part of their Measure BB School Improvements. The joint usage agreement with the City of Malibu Department of Parks and Recreation, projects a possible 204 nights of use for the field. The negative impacts of this proposed plan to the neighborhood of Malibu Park would include increased traffic and noise at night, and would destroy the peace and tranquility of the area surrounding the

## P E T I T I O N MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

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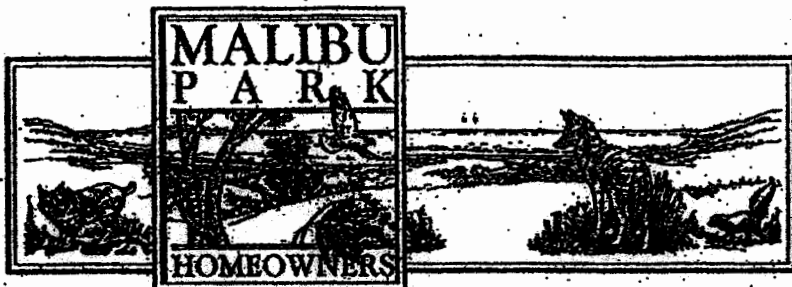
| NAME                | ADDRESS              | PHONE #          | E-Mail                    |
|---------------------|----------------------|------------------|---------------------------|
| 1. Elynd Lopez      | 6774 Las Olas        | 310 457 0087     |                           |
| 2. Hector C. Garcia | 6774 Las Olas Way    | 310 457-0438     |                           |
| 3. Julie Lopez      | 6714 Las Olas Way    | 805 216 1411     | julie.msl@gmail.com       |
| 4. Esther Najjar    | 5675 Calpine Dr      | (310) 457-2265   | esther.najjar@verizon.net |
| 5. [Signature]      | 5675 Calpine         | 417-2265         |                           |
| 6. [Signature]      | 31585 Broadwood Rd.  | Malibu Ca. 90264 |                           |
| 7. [Signature]      | 6774 Las Olas Way    | 310 457 0087     |                           |
| 8. Walter C. Gould  | 6754 Las Olas Way    | 310 924 1471     |                           |
| 9. Debbie Brey      | 6754 Las Olas Way    | 310 578-2231     |                           |
| 10. Devyn Pearce    | 3645 Malibu Vista Dr | 310 922 8355     |                           |
| 11. [Signature]     | 6012 Galahad         | 310 124-0343     |                           |
| 12. Hollie Coleman  | 1814 Seminole Dr.    | 818 865 8777     |                           |

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## MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

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For the past three years the SMMUSD has been in direct violation of their Coastal Permit # 4-99-276 Condition 6 which prohibits both temporary and permanent lights at the high school. On January 27, at a meeting at the high school, the public was informed that the School District was going to ask for an amendment to this Coastal Permit to allow temporary lighting on the fields this fall. Malibu has historically been a "no lighting" community with a strong commitment to preservation of views. We encourage you, our elected officials, to use all authority and power that has been granted to you by law to insure that to the extent any project is approved, all measures are taken to preserve the Malibu Park community. Value our rural neighborhood and SAY NO TO LIGHTS!

| NAME                      | ADDRESS                     | PHONE #               | E-Mail                           |
|---------------------------|-----------------------------|-----------------------|----------------------------------|
| 1. <u>Hunny Silva</u>     | <u>2050 CONEL</u>           | <u>310-678-9881</u>   | <u>HS@ERSILVA.COM</u>            |
| 2. <u>Gloria Christen</u> | <u>28382 Rey del Norte</u>  | <u>(310)-2951</u>     |                                  |
| 3. <u>Michelle Miller</u> | <u>27415 WINDING WAY</u>    | <u>310-207-789</u>    | <u>Michelle.Doglas Miller@cp</u> |
| 4. <u>Sam Ry</u>          | <u>6780 Duane Dr</u>        | <u>(310) 457-1079</u> |                                  |
| 5. <u>S R Plamondon</u>   | <u>6780 Duane Dr</u>        | <u>310 457-1079</u>   |                                  |
| 6. <u>Nature Soloway</u>  | <u>31533 Victoria Pt Rd</u> | <u>Malibu 90265</u>   | <u>552-1866</u>                  |
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AUG 29 2011

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California Coastal Commission  
South Central Coast District



# P E T I T I O N

## MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

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| NAME               | ADDRESS             | PHONE #      | E-Mail           |
|--------------------|---------------------|--------------|------------------|
| 1. Gail Flann      | 22625 PCH #2        | 310 995 9907 | ENT 6-ONE        |
| 2. Susan Schkaber  | 22626 PCH #2        | 310 552 6942 | S021 - ctaw1     |
| 3. Oppe Flann      | 22626 PCH #2        | 995 9908     | ENT 6-ONE        |
| 4. MATTHEW KATZ    | 99903 HARVESTER RD  |              | Malibu@adobe.com |
| 5. [Signature]     | 2050 Cornua/Cr      | 310 457 451  |                  |
| 6. Linda Gould     | 5815 1/2 Clover Ntp | 457-1716     |                  |
| 7. David Lanchford | 5815 Clover Ntp     | 310-457-1716 |                  |
| 8. Susan Hulse     | 6447 Guernsey AVE   | 310-457-71   |                  |
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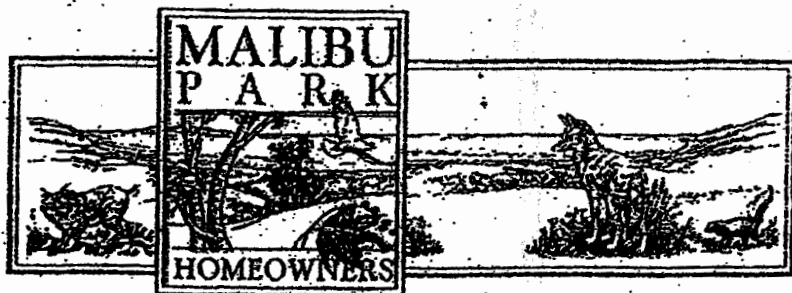
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California Coastal Commission  
South Central Coast District

# WE SAY NO TO LIGHTS!



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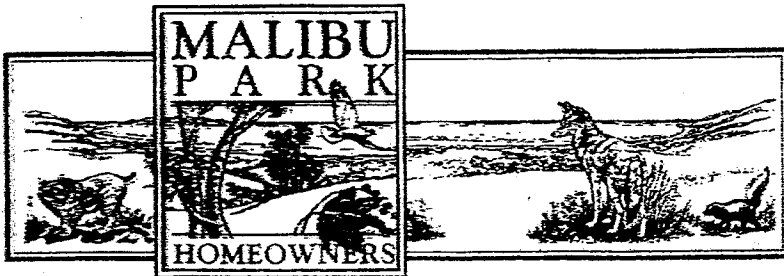
| NAME                              | ADDRESS                   | PHONE #             | E-Mail                     |
|-----------------------------------|---------------------------|---------------------|----------------------------|
| 1. <u>Cym W. Duvet</u>            | <u>5331 Horizon</u>       | <u>310 589 8762</u> |                            |
| 2. <u>Rob Duvet</u>               | <u>5331 Horizon</u>       | <u>310 589 8682</u> | <u>saber@smgystone.com</u> |
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| 4. <u>MARK &amp; LEMMY MORROW</u> | <u>5501 Horizon</u>       | <u>310 457-9686</u> | <u>MORROW@MARK-REF</u>     |
| 5. <u>HARRY EISENBACH</u>         | <u>20147 Cumber Rd</u>    |                     | <u>P. Gise Gady</u>        |
| 6. <u>Albert Brunt</u>            | <u>30745 PCH H 172</u>    | <u>310 457 6569</u> |                            |
| 7. <u>Phil Richards</u>           | <u>5416 Horizon Dr</u>    | <u>310-589-5406</u> | <u>philr64@verizon.net</u> |
| <u>Thomas D. Rull</u>             | <u>5806 Overhead Rd</u>   | <u>310 457 5539</u> | <u>zumaf16@yahoo.com</u>   |
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AUG 29 2011

California Coastal Commission  
South Central Coast District

WE SAY NO TO LIGHTS



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| NAME                | ADDRESS            | PHONE #      | E-Mail                  |
|---------------------|--------------------|--------------|-------------------------|
| 1. K. Spangle       | 30601 Vista Sierra | 310-457-7826 | kmalibu@verizon.net     |
| 2. Kim Cudinger     | 26514 Ocean View   | 310-589-9751 | kimcudinger@verizon.net |
| 3. Jeff Pietryk     | Malibu 90265       | 310-463-3949 | jeffpietryk@gmail.com   |
| 4. Caroline Pietryk | " "                | 310-924-5165 | malibucash@gmail.com    |
| 5. Monika Petrus    | 26575 Ocean View   | 310-457-3080 | spamonika@charter.net   |
| 6. NIDRA Winger     | 26535 Ocean View   | 714-457-9370 | NIDRAWinger@charter.net |
| 7. Cindy Ellis      | 31369 PCA          | 310-557-7095 | malibukin@yahoo.com     |
| 8. Megan Blake      | 5709 Bush Dr       | 310-457-8048 | info@meganblake.com     |
| 9. Kim H. Swartz    | 5709 Bush Dr       | 310-457-8048 | info@meganblake.com     |
| 10. Deborah Rizzo   |                    | 310-457-5251 |                         |
| 11. Lois Boquette   | 29500 Highland Dr  | 323-377-8457 | lboquette@att.net       |
| 12. Bob Bort        | 2209 PCA           | 310-368-8555 | PacBort@comcast.net     |

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AUG 29 2011

California Coastal Commission  
South Central Coast District

# MALIBU DARK SKIES COMMITTEE

WE SAY **NO** TO INSTITUTIONAL LIGHTING. WE SAY **NO** TO CHANGING THE LCP.

Malibu has historically been a "dark" community with a strong commitment to preservation of views. Changing the LCP would mean that every institutional area in Malibu can have 60ft poles with lights. We encourage you, our elected officials, to use all authority and power that has been granted to you by law to insure that all measures are taken to preserve our rural neighborhood with no lights in Malibu.

| NAME                      | ADDRESS                        | PHONE #              | E-Mail                   |
|---------------------------|--------------------------------|----------------------|--------------------------|
| 1. DONALD ANDERLE         | 2243 CLOVERFIELD <sup>3M</sup> | 310-480-8135         | danderle @ earthlink.net |
| 2. JIMMY                  | 1212 ORB, S.N.                 | 210-399 0192         | Vin Ryan                 |
| 3. ONLINE HALPER          | 17243 Ave Herradura            | Pacific Palisades CA |                          |
| 4. F. FUEHLING            | 4001 Ven Buren Rd 90232        | 310-837-4022         | hwf4061@gmail.com        |
| 5. HARVEY ALLEN           | 1425 6 <sup>th</sup> ST #401   | (310) 393-1217       | harveallen@earthlink.net |
| 6. CHRIS & SALLY BENJAMIN | 3216 COWBOY VIEW               | 310 456 2736         | Chris Benjamin           |
| 7. MARC & LYON WEINGARTEN | 5920 LOUIE HEIGHTS             |                      | MARCWEINGARTEN@GMAIL.COM |
| 8.                        |                                |                      |                          |
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California Coastal Commission  
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NAME

ADDRESS

PHONE #

E-Mail

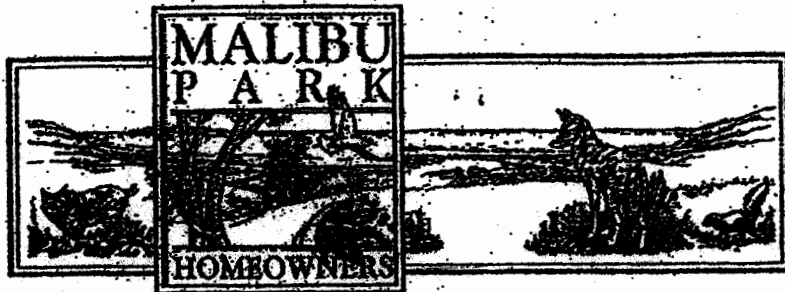
1. DAVID LANE 5815 1/2 CLOVER HTS-AVE. MALIBU
2. Linda Gould 5815 CLOVER HEIGHTS MALIBU
3. THOMAS GRISKEY 5840 CLOVER HTS AVE. CA 90265
4. ANNE GRISKEY 5840 CLOVER HTS. AVE. CA. 90265
5. Carol Gable 29840 Harvester Rd CA. 90265
6. Ken Gable " " " "
7. Gwen Knoff 5738 Pilana Hgts Ave CA 90265
8. Terry Huco 5938 Fikree Hts, Malibu 90265
9. John Huco 5940 Clover Heights Ave Malibu 90265
10. Robert Walcman 29846 Harvester Road Malibu 90265
11. MARCH
12. JAY LIEBIG 6463 Zuma View Pl JAYLIEBIG1@verizon.net
13. PAUL SPIER 5900 CLOVER HEIGHTS AVE PAULS86@GMAIL.com
14. Patricia Greenwood 5906 PHILIP AVE, (310) 457-2774 Pgreenwood@calwellbank.com
15. Rachel Rodrick-Jones 29630 Cuthbert Rd Rachelrj@mindspring.com
16. Steve G. Grew 29575 PEN 804-687-6292 dgrewseu@yahoo.com
17. David Greenberg P.O. Box 688 Malibu, CA 90265
18. Jeremy Greenberg P.O. Box 683 MALIBU CA 90265
19. Susan Green 4984 S. Encinal mbuwait@verizon.net
20. Walcott " " " "

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California Coastal Commission  
South Central Coast District





# P E T I T I O N

## MALIBU PARK HIGH SCHOOL FIELD LIGHTS BREACH of PROMISE

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| NAME              | ADDRESS          | PHONE #      | E-Mail |
|-------------------|------------------|--------------|--------|
| 1. VICTORIA NOLAN | 23852 PCH #163   | 310 457-2677 |        |
| 2. Suzanne Cannel | 1775 Encinal Cyn | 310 457-9301 |        |
| 3.                |                  |              |        |
| 4.                |                  |              |        |
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AUG 29 2011

California Coastal Commission  
South Central Coast District

**Steve Uhring**  
**23722 Harbor Vista Drive**  
**Malibu, 90265**  
**310-291-6480**

**RECEIVED**  
MAR 18 2009  
CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Friday, March 13, 2009

California Coastal Commission  
Att: Steve Hudson, District Manager  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

Mr. Hudson,

In April the Santa Monica/Malibu Unified School District will submit an application to the Coastal Commission seeking an amendment to Coastal Development Permit 4-99-276. The School District will request that the Commission reverse its earlier ruling (Special Condition Six in Permit 4-99-276) and approve temporary night lighting of the athletic fields at Malibu High School. I am writing to inform you of our intent to oppose this application.

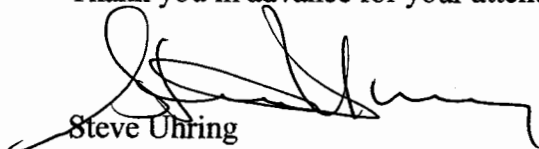
In 2000, with CDP 4-99-276, the Coastal Commission informed Malibu High that night lighting was prohibited. In 2003 the School District and the High School ignored this Coastal Commission ruling, and began using temporary night lighting for football games. Encouraged by the lack of enforcement, the School District now envisions a solution that will install permanent lights at Malibu High School enabling it to execute a plan to light up the playing field some 203 nights a year. This request for a temporary permit is simply a stepping stone to this final solution.

There are a significant number of Malibu Residents who believe that night lighting, temporary or permanent, is a bad idea. This lighting proposal is inconsistent with the policies in The California Coastal Act, Malibu's General Plan and Malibu's Local Coastal Plan and if approved it will decimate the wildlife habitat that lives in and around the school.

On behalf of these residents I am requesting that I be copied on any correspondence connected with the hearing of the School District's application. Many of the residents opposed to the night lighting would like to address the Commission, so if it is possible to place this topic on the agenda of a Coastal Commission meeting that is held in a location in or near Malibu it would be greatly appreciated.

I have enclosed "A Brief History of Night Lighting at Malibu High", for your review.

Thank you in advance for your attention to this matter.

  
Steve Uhring

cc. Pat Veasart



## A Brief History of Night Lighting at Malibu High School

In 2000 the Coastal Commission addressed the issue of night lighting in Coastal Development Permit 4-99-276. They began in the Staff Report page 11 which reads in part...

“ The Commission has found that night lighting of areas in Malibu/Santa Monica Mountains area creates a visual impact to nearby scenic beaches, scenic roads, parks and trails . In addition night lighting may alter or disrupt feeding, nesting and roosting activities of native wildlife species...”in order to mitigate any potential future visual and environmental impacts ...the Coastal Commission finds it necessary to require the applicant to submit a deed restriction prohibiting all outdoor lighting for the athletic fields whether temporary or permanent as specified in **Special Condition Six**. **Special Condition Six** will protect the nearby scenic areas and native wildlife from avoidable disturbance that would otherwise be associated with nighttime use of the football stadium, track and field facility.”

**Special Condition Six** reads ..

Prior to the issuance of the Coastal Development Permit the applicant shall submit a written agreement in a form and content acceptable to the Executive Director which states that the applicant acknowledges and agrees that all lighting for the football field and outdoor track and field facility , whether temporary or permanent, shall be prohibited.

The School District decided to ignore the night lighting prohibitions of their CDP and in 2003 Malibu High began a yearly program of using temporary lights for approximately 4 to 5 football games a year plus additional nights for football practice.

This 2003 decision to use temporary lighting at Malibu High also broke an earlier promise Malibu High made to the residents who live near the school. To gain support for its' 2000 expansion plans the school Principal wrote a letter to Malibu Park residents assuring them that night lighting would not be used at the school.

Flash forward to today and we find a school district that is flush with bond money, planning major modifications at Malibu High. Included in these plans are designs for the installation of permanent light fixtures at the athletic field (4 to 6 lighting polls some 80 feet high) and a plan to use the lighted fields some 203 nights a year.

Despite vehement protests from Malibu Residents, and clear language in the Coastal Act and Malibu's LCP prohibiting invasive night lighting, the school is aggressively moving forward to secure permits for lighting up the athletic field. Their plan is to first secure a permit for temporary night lighting which will enable them to accommodate night football games this fall. With that permit in place they will then go through the City of Malibu to apply for a permanent lighting permit from the Coastal Commission.

We agree with the Coastal Commission's 2000 decision that prohibited night lighting and we believe the conditions that were the basis for this decision still exist today. Most important of these is the fact that a vibrant wildlife habitat currently exists around Malibu High and substantial damage will be done to this habitat if a night lighting program is approved.

**Attachments:**

- 1994 Letter from Malibu High School Principal to residents promising that night lighting would not be used at the school.
- 2/11/09 Article from the Malibu Times highlighting the School Board's admission to using temporary lights at Malibu High for the past five years and their future plans for night lighting 203 nights per year.
- 2/19/09 Article from Malibu Surfside News highlighting the active wildlife habitat that surrounds the school and residents protests against night lighting
- A daylight picture of the athletic field with temporary lights installed and two pictures of night football games at Malibu High taken in October of 2008.

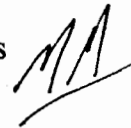
Michael D. Matthews  
Principal  
Esther J. Winkelman  
Assistant Principal



# MALIBU HIGH SCHOOL

30215 Morning View Drive  
Malibu, CA 90265  
Telephone (310) 457-6801  
Facsimile (310) 457-4984

To: Mr. Gene Wood  
Mrs. Judy Hutchinson  
Malibu Park Committee Members

From: Michael D. Matthews 

Date: June 10, 1994

Re: Response to May 23 letter from Malibu Park Committee

In response to your requests in your May 23 letter, the responses are listed below:

1. I encourage the neighbors to meet with the city to determine parking policies on Clover Heights. The only thing that I can do is to lock the gates to the facilities on nights and weekends to prevent anybody from using the facilities. As I have mentioned, I am looking for input from your committee to decide this.
2. The district is currently evaluating the purchase of a fence to go along the north end of the property, extending down Clover Heights and connecting with the existing fence. I will keep the neighbors apprised of this development.
3. The City of Malibu is currently investigating an airflush toilet composting system that does not require plumbing. Similar systems are used in national parks across the nation. Carolyn Van Horn has indicated to me that funds may be available for purchase and installation. Again, I will keep the neighbors informed on this development.
4. There are no plans to have any night games at any time. There is no electrical infrastructure to support a new lighting system. In the long-term future of the sports activities here I do not see a need for night games.
5. The district and the City of Malibu will be working together to properly maintain the fields and facilities. This is in the best interest of the community, the school and the district.
6. When the time comes for planting trees, I will consult with the neighbors on proper placement. We recently lost a grant through the City of Malibu that would have provided trees for us, but there may be another opportunity in the future.
7. Although I appreciate the concerns of the neighbors, we will be installing permanent scoreboards for both the baseball and softball fields. The baseball scoreboard has already arrived, and the softball scoreboard is being negotiated. Both of these items were donated to the district by community members.

8. The school and the district are very concerned with safety. A new alarm system is being installed in the school. In terms of the field, it will be gated off this summer once the construction has begun. We will continue to look for solutions to vandalism and will prosecute offenders to the full extent of the law.
9. I would like more information on your concern for student traffic. Are you concerned about Clover Heights traffic?
10. I like the idea of a pedestrians only gate. I believe it would further secure the field. The district is currently looking into this idea.

As principal of Malibu High School, I am committed to working with our neighbors. I would like to set up a monthly time when we can meet to discuss upcoming events and concerns. Although I cannot always provide the solutions you desire, I do want to effectively communicate so you can know why we are doing things and so you can feel informed of issues that may be affecting you.

Thank you for your concerns.

cc: Dr. Neil Schmidt, Superintendent  
Art Cohen, Assistant Superintendent  
Bill Bonozo, Director of Facilities and Improvement

*Monday -*

# The Malibu Times

## NEWS

### School board votes for temporary field lights at Malibu High

Published:

Wednesday, February 11, 2009 12:59 PM PST

Although the California Coastal Commission has prohibited the use of any field lights, the school has been using temporary lights for the past five years.

By Nora Fleming / Special to The Malibu Times

Although Malibu High School came under fire for using temporary athletic field lights in violation of a state-issued permit, the Santa Monica-Malibu Unified School District Board of Education voted last week in favor of applying for an amendment to the permit to maintain temporary lighting for the school's next football season. The current permit, issued by the California Coastal Commission, prohibits any night lighting on the school's athletic field.

Those opposed to the project have expressed concerns that the construction project includes plans for permanent lights that could be used up to 203 nights a year. High school athletes and parents of students in favor of the lights said evening games were a necessary part of building a sustainable athletic program and as a community builder.

The California Coastal Commission issued a coastal development permit in 2000 under Proposition X, another school improvements project, which prohibits both permanent and temporary lighting at Malibu High School. However, the school has used temporary field lights for the past five years, which were paid for by private donations, school Principal Mark Kelly said.

"How did you get so off track?" asked resident Steve Uhring. "You're lighting up the neighborhood like Times Square when you promised no night lighting. There's a coastal development permit you've directed your consultants to ignore. Apparently, the California Coastal Commission applies to everyone but [the school district]."

The board agreed that while the proposed permanent lighting, particularly the number of nights they would be used, should be reexamined, it was important to continue the school's Friday night football games next season, and to have field lights used legally. The board agreed that further community workshops and meetings might be necessary to continue discussion about the number of nights the lights might be used, if approved.

Several board members apologized for the use of the lights at Malibu High during the past five years without obtaining an amendment to the existing permit, which had contributed to a mistrust of the school district by some Malibu Park neighbors.

"There seems to be an erosion of trust," said Board member Oscar de la Torre. "I think that one of the outcomes of [continued] discussions needs to be some guarantee of strict guidelines in the use of the lights, and that in order for us to have a reasonable compromise we need to make it clear to the community that we need to be held accountable in the future."

The district said it would pay for CAA Consulting to apply to the California Coastal Commission for an amendment to the existing permit so that temporary lights could be used next year, but agreed not to use BB money to do so.

Steve Hudson, district manager for the South Central Coast office of the CCC, said he was unaware of any temporary lighting being used at the school during the past few years, but due to the current permit, use of lights would be cause for enforcement from the CCC.

Hudson said the item on the current permit prohibiting lighting was made due to concerns about the native and wildlife habitat in the area. If the district were to apply for an amendment, it would be asked to prove that the "amendment would not lessen the intent of the previous requirement of the permit," specifically that the lighting would not cause substantial negative environmental impact.

In August of last year, the school board approved hiring a consulting group to apply for an amendment for the permanent lights on behalf of the district; this application will depend on completion and evaluation of the project's environmental impact report, slated for spring this year.

The 203 nights was a number provided at a BB meeting last month in an effort to be "open and transparent," said Jan Maez, SMMUSD assistant superintendent. This number was generated based on all possible uses of the lights, including games for other sports teams and practices.

"We want to sit down with the community and put all of this on the table and find a reasonable plan," Maez said. "We know that 203 nights is not going to be acceptable and want to reach a middle ground, and we need to continue community meetings to reach that [middle ground]."

The City of Malibu currently has a joint-use agreement in place with the district to use Malibu High School facilities in exchange for an annual sum paid to the district. It is undetermined how many nights the city would be able to use facilities with night lighting, if the permanent lights are approved.

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**[X] Close Window**

## Many Assurances about Malibu High Were Not Put in Official Documents

**I**t's a Sunday morning at 9 a.m. Killdeer and western sandpipers have taken the field at Malibu High School's football stadium, engaged not in a game but in a hunt for breakfast. In the air above them, a pair of western kingbirds are hunting airborne insects. A scattering of residents are out walking, enjoying the February sunshine and the view of the ocean. In the background, raising above the sounds of softball practice and a tennis game from the brush on the berm beside the field comes the song of the California thrasher, which has been described as being like that of the old world nightingale.

It doesn't look like it, but this field and the hillside beside it have become a battleground in a conflict between residents and environmentalists on the one side and the school district and sports parents who want to see the school's athletic program remain competitive.

At the heart of the conflict are three elements of school improvement plans that are being funded by Measure BB bond money: permanent field lighting that would consist of four or six 70-to-80-foot high light poles that have the potential to be in use 203 nights a year; synthetic turf that would replace the grass football field and is being criticized because of its potential to be a health and environmental hazard; and a parking lot consisting of a possible 250 stalls that would run the length of the ridge along the athletic field, and according to critics, will block a deeded trail easement, as well as have the potential to create additional light pollution and negatively affect the coastal sage scrub ecosystem and watershed adjacent to the ridge.

Most residents have been supportive of plans to remodel an existing building and replace the library and administrative buildings with Measure BB funds. They have also praised plans to improve safety and traffic flow, and are quick to point out that they have been providing input and suggestions for the project, but the improvements to the football stadium have raised a red flag.

"I keep hearing people say 'you should have realized you were buying a house near a school,'" one Sunday morning walker told the Malibu Surfside News. "I think it's maybe time that the school district realizes that it has built a school in an environmentally sensitive area. It needs to start behaving responsibly. Malibu Park is a little residential pocket surrounded by Zuma Beach and thousands of acres of National Park land. You can't just do what you want here. You have to respect the law. You have to honor your promises."

According to residents, the Santa Monica Malibu Unified School District has failed to do just that. In 1994, when the school was starting its football program, a letter from then Principal Michael Matthews assured residents "There are no plans to have night games at any time. There is no electrical infrastructure to support a new lighting system. In the long term future of the sports activities here, I do not see a need for lighting." When the school received its Coastal Development Permit from the California Coastal Commission in 2000 to install the football field, it agreed to eight special conditions. Special condition six was in the form of a deed restriction prohibiting temporary or permanent athletic

field lighting, to "protect the nearby scenic areas and native wildlife from avoidable disturbance that would otherwise be associated with nighttime use of the football stadium/ track and field facility," according to the language in the Coastal Commission staff report on the permit. Residents say that within a few years of the CDP being issued, the school was using rental lights for night games, funded, according to the school, by contributions from parents.

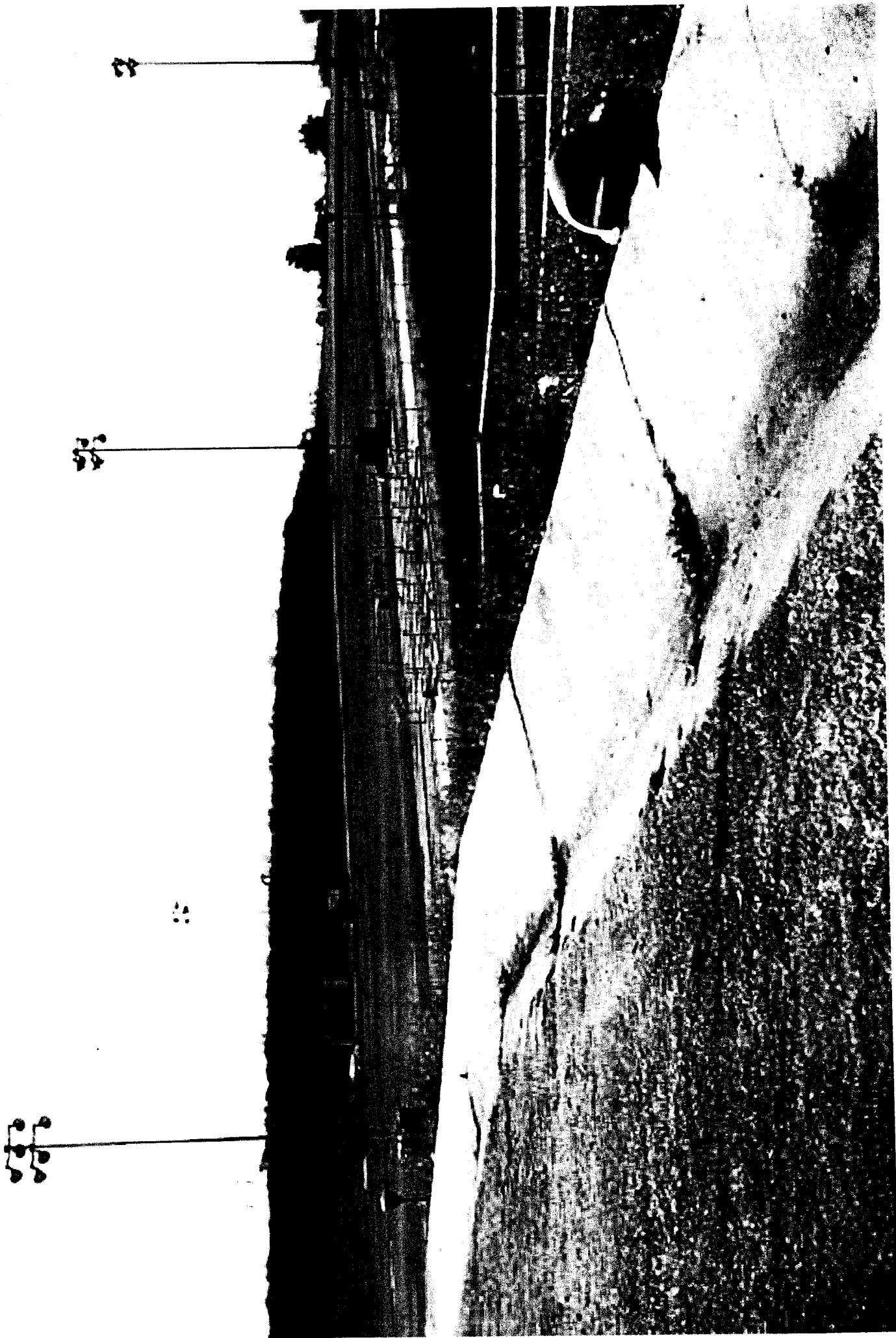
In 1991, when plans to upgrade Malibu Park Junior High into a full fledged high school were presented, Santa Monica parents protested the plan, claiming that the new school would be a "brain drain," and strip needed funding away from Santa Monica. Santa Monica and Malibu residents sat on opposite sides of the room at meetings, like relatives at a wedding. Some members of the Santa Monica group wore black armbands, according to reports published in the Los Angeles Times. Before approving the controversial new school in April of 1991, the board of education adopted revisions in an effort to reconcile the two sides. District officials, according to a Los Angeles Times article dated March 31, 1991, announced that the new high school "would not have the array of classes and extracurricular activities of Santa Monica High," in an effort to ease tensions between the two groups. In the April 18 L.A. Times, Eugene Tucker, who was superintendent at that time, is quoted saying "The orchestra and other extracurricular programs would also be scaled to an appropriate size. There [will] be no football team and no business or industrial arts in the foreseeable future." However, none of the restrictions appear in the language of Malibu high School's mission statement, or in the minutes of the board of education meeting, when MHS was approved. Residents are citing this history of past dealings as a reason not to believe assurances from the current school board that their concerns will be heard and that any future promises will be honored.

Malibu Park resident Jay Griffith stated at the Feb. 5 board of education meeting that the school told him when the lights first appeared that they would be "for homecoming night only, just one night. Now it's six weeks and they want 203 nights. It's a slippery slope now turned into a landslide." "Five or six night games for a high school of 755 students makes no sense in terms of this size expenditure— people should be outraged as the state moves to cut \$7 billion [from education]," Harriet Pollen told The News.

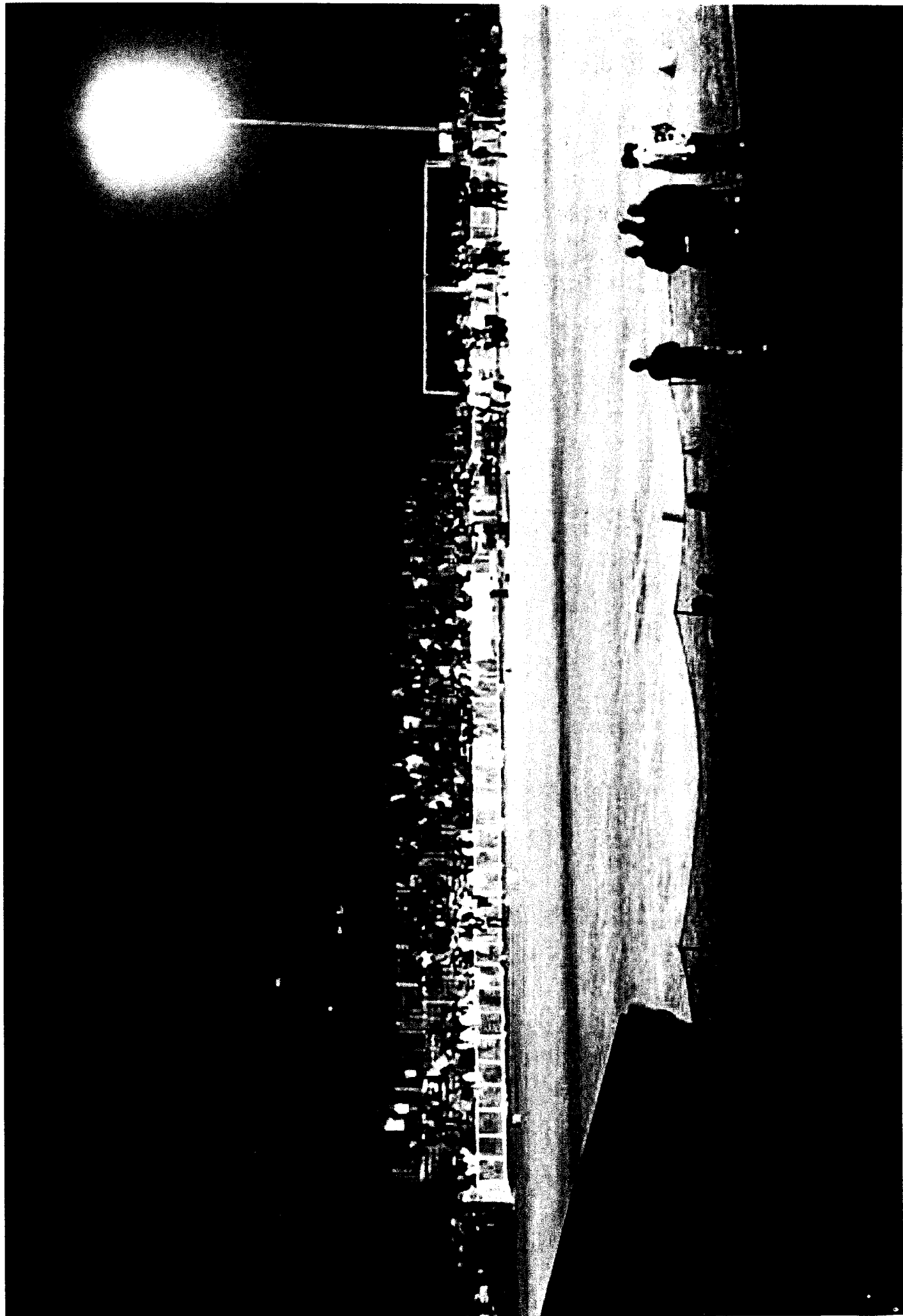
These concerns are echoed by her husband, Oxnard High School Principal James Edwards, who told The News that his campus, which has 3100 students, has an average of 25 to 30 nighttime events a year, including soccer, band practice and other events in addition to football. He questioned the need for permanent lighting at MHS and the 203 night number, adding that "The Pacific View League schools have been asked to cut back on night activities. When you flip the switch it's \$120 hour for the first hour, and \$90 per hour after that [for electricity]. Supervision is massive. We're really watching everything with the budget cuts." Some critics of the project believe the 203- night number does make sense, if the district plans to rent the facility out as part of a community use agreement it will be negotiating with the city. "It all makes sense when one realizes it's about a regional recreational center, not Friday Night Lights," one resident told The News. The current board of education, at its Feb. 5 meeting in Malibu, expressed dismay that MHS has been operating temporary lights without a permit. The board approved funds that won't come from Measure BB to pursue a Coastal Commission amendment to permit temporary lighting for this year's football season. The board also offered assurances to concerned residents that the district will listen to their concerns and work with them to find a solution that works for the school, the parents and the neighborhood.

BY SUZANNE GULDIMANN









**Deanna Christensen**

---

**From:** John Ainsworth  
**Sent:** Thursday, September 08, 2011 9:57 AM  
**To:** Deanna Christensen  
**Subject:** FW: Opposition to Night Lighting in Malibu Park

**Received**

SEP 08 2011

California Coastal Commission  
South Central Coast District

-----Original Message-----

From: Judi Hutchinson [mailto:judihutch@gmail.com]  
Sent: Thu 9/8/2011 7:43 AM  
To: John Ainsworth  
Cc:  
Subject: Fwd: Opposition to Night Lighting in Malibu Park

Begin forwarded message:

> From: cori lowe <corilowe@mac.com>  
> Date: September 6, 2011 7:30:35 PM PDT  
> To: judihutch@gmail.com  
> Cc: rachel jones <rachelrj@mindspring.com>  
> Subject: Re: Opposition to Night Lighting in Malibu Park  
>  
> This was returned as undeliverable to the Commission. Could you  
> please make sure that they receive our letter? Thanks.  
>  
>>  
>>  
>> Begin forwarded message:  
>>  
>>> From: cori lowe <corilowe@mac.com>  
>>> Date: September 6, 2011 7:11:19 PM PDT  
>>> To: jainsworth@coastalcommission.ca.gov  
>>> Subject: Opposition to Night Lighting in Malibu Park  
>>>  
>>> We are residents of West Malibu for over 30 years opposed to the  
>>> change being considered to add night lighting. It would be a  
>>> tragedy to spoil this quiet rural family neighborhood with lighting.  
>>> Lighting of this kind would change the rural feel forever and  
>>> disrupt many residents who moved to Malibu for the  
>>> peace and quiet and dark skies. We pay property taxes and are  
>>> active citizens requesting that our concerns are considered when  
>>> making this decision. We feel strongly that it would have a  
>>> extremely negative impact and appreciate your thoughtfulness on this  
>>> matter.  
>>>  
>>> Cori and Richard Lowe  
>>> 6777 Wildlife Rd.  
>>> Malibu  
>>  
>

Judi Hutchinson

**Deanna Christensen**

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**From:** John Ainsworth  
**Sent:** Wednesday, September 07, 2011 1:15 PM  
**To:** Deanna Christensen  
**Subject:** FW: Dark Skies Forever!

-----Original Message-----

From: Debby Rondell [mailto:debrondell@mac.com]  
Sent: Tue 9/6/2011 4:08 PM  
To: John Ainsworth  
Cc:  
Subject: Dark Skies Forever!

I am completely opposed to putting in permanent lights and the Malibu High School football field. I join the others in trying to put a stop to this ruination of our beautiful dark and rural skies of Malibu. Please don't let this happen.

Regards.  
Deb

Debby Ross Rondell  
310-383-8977

**Received**

SEP 07 2011

California Coastal Commission  
South Central Coast District

Received

SEP 08 2011

California Coastal Commission  
South Central Coast District

Moore  
6416 SeaStarts  
Malibu CA 90265

Sept 4, 2011

Dear Mr. Ainsworth and Mr. Hudson:

We live in Malibu Park. Our children attend the schools here, participate in the sports programs w/ the parks and at the Malibu High School Pool. We have lived in Malibu since 1997 and do so because of the community and the preserved and protected wildlife and nature.

We would appreciate that the MHS football field lights be on as little as possible. Thank you for your consciousness and proper reflection and action regarding this matter.

Sincerely

Denny + Sally Moore and Family

## Deanna Christensen

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**From:** John Ainsworth  
**Sent:** Friday, September 09, 2011 8:19 AM  
**To:** Deanna Christensen  
**Subject:** FW:

-----Original Message-----

From: Jean Thompson [mailto:ladyjean@roadrunner.com]  
Sent: Fri 9/9/2011 7:18 AM  
To: John Ainsworth  
Cc: malibudarkskies@gmail.com  
Subject:

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

Dear Coastal Commissioners,

We request that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field.

The dark Malibu Park neighborhood is a unique part of our California Coast and we encourage you to continue to do whatever is necessary to protect it.

Sincerely,

Jean & Kenneth Thompson

**Deanna Christensen**

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**From:** John Ainsworth  
**Sent:** Monday, September 12, 2011 8:27 AM  
**To:** Deanna Christensen  
**Subject:** FW: PROPOSED LCP AMENDMENT

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**From:** J & M John [mailto:jfjmcj@yahoo.com]  
**Sent:** Sunday, September 11, 2011 11:57 PM  
**To:** John Ainsworth  
**Subject:** PROPOSED LCP AMENDMENT

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

Dear Coastal Commissioners,

**ATTN:** Mr. Jack Ainsworth

I am requesting that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field.

The dark Malibu Park neighborhood is a unique part of our California Coast and I encourage you to continue to do whatever is necessary to protect it. Malibu is a very special place in Southern California, and the World. Please keep the area as is.

Thank you for you time in this matter.

Sincerely yours,

Julius F. and Misbette C. John

Redondo Beach, CA 90277

9/12/2011



29630 Cuthbert Rd  
Malibu  
Ca 90265

9/11/11

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801  
<[jainsworth@coastal.ca.gov](mailto:jainsworth@coastal.ca.gov)>.

Dear Coastal Commissioners,

I am requesting that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field.

A lit ball field would be adverse to the wild life, be seen from the coastal trails including Zuma Ridge, and is not essential in helping to generating school spirit.

As dark skies become more and more rare in Southern California , many people appreciate and come to enjoy the dark nights, full moon hikes and star gazing as well as watching the sunsets from a natural vantage point.

The dark Malibu Park neighborhood is a unique part of our California Coast and I encourage you to continue to do whatever is necessary to protect it,

Thank you

Sincerely,

Rachel and Alan Roderick-Jones

Lauren Palmer  
6740 Los Verdes Dr #7  
Rancho Palos Verdes, CA 90275  
laurenstpl@aol.com

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801  
<[jainsworth@coastal.ca.gov](mailto:jainsworth@coastal.ca.gov)>.

Dear Coastal Commissioners,

I am requesting that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field. Lighting from football games would exacerbate the gradual but persistent destruction of our natural coastline.

A similar fight in Rancho Palos Verdes was just won by local residents when the school decided to rescind its plan to erect lighting for night football games. After a long fight, the decision here was that the integrity and quality of life in the neighborhood was ultimately more important than nighttime football games. A big difference between the two situations however is that the integrity of nighttime coastline wasn't in jeopardy as it is in Malibu.

The dark Malibu Park neighborhood is a unique part of our California Coast and I encourage you to continue to do whatever is necessary to protect it.

Sincerely,

Lauren Palmer

**Deanna Christensen**

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**From:** John Ainsworth  
**Sent:** Monday, September 12, 2011 8:29 AM  
**To:** Deanna Christensen  
**Subject:** FW: Re. Malibu High School Lights

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**From:** j brady fogel [mailto:jmikebrady@yahoo.com]  
**Sent:** Friday, September 09, 2011 5:04 PM  
**To:** John Ainsworth  
**Subject:** Re. Malibu High School Lights

Dear Mr. Ainsworth,

The issue of installing 18 foot high lights at Malibu High School is dividing our community. Everyone supports student sports but at what price? Perhaps staff would be willing to address "Skyglow" pollution (residents' main concern). Attached is an article explaining that it can be measured very inexpensively using a "Sky Quality Meter." **Would staff be willing to include in their report a suggested range of "Skyglow" permitted for the lights?** This might calm both sides down by allowing the lights but setting a "permitted range" of "Skyglow." Thank you so very much.

Regards,  
Judy Fogel  
(Teacher)

**One more thing to worry about: cloud light  
pollution amplification**

Posted on March 3, 2011 by Anthony Watts

9/12/2011



Chicago City Lights Photograph by Jim Richardson - National Geographic 2008 - Chicago at night burns bright under blankets of clouds. Much of the glow escapes from streetlamps, including clear, Victorian-style lamps good for creating atmosphere but poor for harnessing today's extra-bright bulbs. - [Click for details and to get a print](#)

## Clouds amplify ecological light pollution

The brightness of the nightly **sky glow** over major cities has been shown to **depend strongly on cloud cover**. In natural environments, clouds make the night sky darker by blocking the light of the stars but around urban centers, this effect is completely reversed, according to a new study by a group of physicists and ecologists at the Free University of Berlin (FU) and the Leibniz-Institute of Freshwater Ecology and Inland Fisheries (IGB).

“We found that overcast skies were almost three times brighter than clear at our rural location, and ten times as bright within the city itself,” says the lead author of the study, Dr. Christopher Kyba, physicist at the Institute for Space Sciences at the FU. Their research was reported on March 2nd, 2011, in the open access journal *PLoS ONE*.

“The astronomers who founded the study of light pollution were concerned with how sky glow obscured the stars on perfectly clear nights,” says Kyba, “and researchers studying the potential influences of sky glow on human or ecosystem health often cite the results from satellite measurements taken on clear nights. What our study shows is that when considering biological impact on humans and the environment, the amplification of light pollution by clouds is large, and should be taken into account.”

The study compares measurements of clear and cloudy sky brightness data taken using “Sky Quality Meters” during five months in the spring and summer of 2010. Two monitoring stations took data at locations 10 and 32 km from the center of Berlin. “Recognition of the negative environmental influences of light pollution has come only recently,” says Dr. Franz Hölker, ecologist, study author, and project leader of Verlust der Nacht (VdN – Loss of the Night).

**“Now that we have developed a software technique to quantify the amplification factor of clouds, the next step is to expand our detection network. The Sky Quality Meter is an inexpensive and easy to operate device,** so we hope to recruit other researchers and citizen-scientists from around the world to build a global database of nighttime sky brightness measurements.”

The authors encourage those interested in participating in such a measurement to contact them at [sqm@wew.fu-berlin.de](mailto:sqm@wew.fu-berlin.de).

**Deanna Christensen**

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**From:** John Ainsworth  
**Sent:** Monday, September 12, 2011 8:30 AM  
**To:** Deanna Christensen  
**Subject:** FW: Reject Malibu Proposed LCP Amendment

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**From:** steve rucker [mailto:[steverucker@yahoo.com](mailto:steverucker@yahoo.com)]  
**Sent:** Friday, September 09, 2011 1:06 PM  
**To:** John Ainsworth  
**Subject:** Reject Malibu Proposed LCP Amendment

Dear Coastal Commissioners,

I am requesting that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field.

The dark Malibu Park neighborhood is a unique part of our California Coast and I encourage you to continue to do whatever is necessary to protect it.

Sincerely,

Steve Rucker  
310 589-2141  
<http://www.steveruckermusic.com>

**Deanna Christensen**

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**From:** John Ainsworth  
**Sent:** Monday, September 12, 2011 8:30 AM  
**To:** Deanna Christensen  
**Subject:** FW: Malibu's lights

---

**From:** Frederique Eisenbach [mailto:frederique3@verizon.net]  
**Sent:** Friday, September 09, 2011 2:35 PM  
**To:** John Ainsworth  
**Subject:** Malibu's lights

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801

Dear Coastal Commissioners,

I am requesting that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field.

The dark Malibu Park neighborhood is a unique part of our California Coast and I encourage you to continue to do whatever is necessary to protect it.

Sincerely,

Frederique Eisenbach

9/12/2011

**Deanna Christensen**

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**From:** John Ainsworth  
**Sent:** Monday, September 12, 2011 8:31 AM  
**To:** Deanna Christensen  
**Subject:** FW: Malibu Dark Sky

---

**From:** Lawrence, Richard [mailto:rlawrence@reptalent.com]  
**Sent:** Friday, September 09, 2011 10:15 AM  
**To:** John Ainsworth  
**Cc:** malibudarkskies@gmail.com  
**Subject:** Malibu Dark Sky

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801  
<[jainsworth@coastal.ca.gov](mailto:jainsworth@coastal.ca.gov)>.

Dear Coastal Commissioners,

I am requesting that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field.

The dark Malibu Park neighborhood is a unique part of our California Coast and I encourage you to continue to do whatever is necessary to protect it.

Sincerely,

Richard Lawrence  
19264 Pacific Coast Highway  
Malibu, Ca. 90265

9/12/2011



California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801  
<[jainsworth@coastal.ca.gov](mailto:jainsworth@coastal.ca.gov)>.

Dear Coastal Commissioners,

I am requesting that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field. Malibu High promised to not install lighting at night in 2000 and you need to make them uphold that promise.

The dark Malibu Park neighborhood is a unique part of our California Coast and I encourage you to continue to do whatever is necessary to protect it for all the neighborhood and the wildlife.

Sincerely,

JoAnn Smith

## Deanna Christensen

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**From:** John Ainsworth  
**Sent:** Monday, September 12, 2011 8:49 AM  
**To:** Deanna Christensen  
**Subject:** FW: : Night lighting in Malibu

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**From:** Steve Uhring [mailto:steve.uhring@gmail.com]  
**Sent:** Friday, September 09, 2011 8:50 AM  
**To:** John Ainsworth  
**Subject:** : Night lighting in Malibu

Dear Coastal Commissioners:

We have lived in Malibu for over 30 years, and have seen our night skies and view of the ocean diminished as developers add lights to their trees, roofs, and parking lots. We no longer can see the ocean at night. We have also seen the diminishing presence of night animals such as owls and coyotes. Please do not allow further impacts of night lighting by rejecting the Malibu proposed LCP Amendment that would allow the Malibu high school to install lights on their football field.

Regards,

Chris and Sally Benjamin  
3216 Colony View Circle  
Malibu Ca 90265

9/12/2011

**Deanna Christensen**

---

**From:** John Ainsworth  
**Sent:** Monday, September 12, 2011 8:49 AM  
**To:** Deanna Christensen  
**Subject:** FW: Do Not Light Malibu High School's Athletic Field

---

**From:** Maxine Wolf [mailto:letmaxinehelp@roadrunner.com]  
**Sent:** Friday, September 09, 2011 9:10 AM  
**To:** John Ainsworth  
**Subject:** Do Not Light Malibu High School's Athletic Field

California Coastal Commission,  
Attn: Jack Ainsworth,  
89 South California Street, Suite 200,  
Ventura, CA 93001-2801  
[jainsworth@coastal.ca.gov](mailto:jainsworth@coastal.ca.gov).

Dear Coastal Commissioners,

I am requesting that you reject Malibu's proposed LCP Amendment that would permit night lighting at Malibu High School's athletic field.

The lighting causes so many issues. Having experienced the lighting at Palisades High School, it affects the entire neighborhood in so many ways with noise, light, increased traffic etc. It affects the wildlife.

The dark Malibu Park neighborhood is a unique part of our California Coast and I encourage you to continue to do whatever is necessary to protect it.

Sincerely,

Maxine Wolf

Pacific Palisades

9/12/2011

**Deanna Christensen**

---

**From:** John Ainsworth  
**Sent:** Tuesday, September 13, 2011 5:18 PM  
**To:** Deanna Christensen  
**Subject:** FW: Vote no on nighttime sports lighting at Malibu High School

---

**From:** Marshall Thompson [mailto:marshall@prvideo.tv]  
**Sent:** Monday, September 12, 2011 8:41 PM  
**To:** John Ainsworth  
**Subject:** Vote no on nighttime sports lighting at Malibu High School

Dear California Coastal Commission Commissioners,

As a local homeowner and former two-term President of the Malibu Park HOA, I have lived in Malibu Park within approximately ½ mile of the Malibu High School for more than 13 years. In many respects the school is a great community resource and it is also the place to where we evacuate in times of our too-frequent wildfires. A low rise and tree line separates us from the High School but during times the illegal temporary stadium lights were operating I was and am illuminated by excessive scatter lighting from the system, especially on evenings and nights when there is a heavy marine layer. Also we have a remarkably effective channeling of the crowd noise to our residence so we were treated to an unwanted play-by-play rendition of the ensuing games.

My wife and I have successfully raised four children to productive adulthood and cannot in any way be considered anti-kid or anti-school as we have occasionally been labeled in the past by supporters of this intrusive 100 plus days nighttime lighting scheme for sports. We are, however, avid protectors of California's wildlife and the local coastal environment. One of the major problems with the proposal is that over many years the Santa Monica-Malibu Unified School district has proven itself to be an untrustworthy partner with the local community on issues ranging from development, traffic, public safety and wildlife management. For example, while they host an organic farm and outdoor classroom from the cornucopia organization on the school grounds, they are currently supporting and funding a campaign to poison native wildlife on the playing fields. The illuminated fields cost money to install and operate and there is talk of amateur and professional teams using these facilities for a fee that would raise the negative impact these fields will have on the neighboring community. I hold the School district cannot be trusted to hold to any restrictive use agreement, due to it's negative past performance.

My family supports dark skies in Malibu. A nighttime satellite photo of the Southern California coastline illustrated that Malibu is a welcome patch of darkness immediately adjacent to the brilliant milky white blob of the majority of the Los Angeles County behemoth. Nighttime lighting disturbs the hunting activities of raptors such as owls in trees and brush lands that ring the school grounds. Scientific studies tell us that shoreline lighting has negative impacts on birds and aquatic inhabitants far out to sea.

Kindest regards,

Marshall Thompson 310-403-2507  
Former two term President Malibu Park HOA  
5782 Calpine Drive, Malibu, CA 90265

9/14/2011

# **Exhibit 8**

## **Correspondence Letter by Malibu Dark Skies Committee, dated 8/31/11**

NOTE: Due to the large file size, Exhibit 8 may be accessed by clicking [this link](#)

# **Exhibit 9**

## **Correspondence Received in Support of MHS Field Lights**

NOTE: Due to the large file size, Exhibit 9 may be accessed by clicking [this link](#)