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April 26, 2000

VIA FACSIMILE

Gary Hernandez, Chair  
California State Coastal Conservancy  
1330 Broadway, Suite 1100  
Oakland, CA 94612

Re: La Costa Beach Public Access Dedication

Dear Chair Hernandez:

This law firm represents the La Costa Beach Homeowners Association representing approximately 50 interested homeowners on La Costa Beach. We have just been retained to review this matter; this letter contains our preliminary concerns but is by no means exhaustive.

We are writing to urge the Conservancy not to accept the dedication of property on Pacific Coast Highway in Malibu to provide public access to La Costa Beach. We are appalled based on our experience at the lack of attention given to very real public safety issues raised by this proposal.

First, we urge the Conservancy to delay the hearing on this matter to allow opportunity for meaningful public input and sufficient time for staff review of the relevant public safety and liability issues raised by this dedication. If you do act, we believe that the only decision that you can make in the public interest is to refuse this proposed dedication property.

**Background**

This dedication is in satisfaction of a Coastal Permit condition attached to three Coastal Permits for three private residences on Carbon Beach in Malibu. The amendment of these Coastal Permits to substitute on-site mitigation at 22368,

Gary Hernandez, Chair  
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21958 and 22338 Pacific Coast Highway for off-site mitigation at 21704 Pacific Coast Highway (the proposed dedication site) is a highly controversial matter which has been rushed to judgment with very little public input or scrutiny.

For your information, with this letter we are submitting copies of some of the photographs (Exhibit A) and correspondence (Exhibit B) submitted to the Coastal Commission at the hearing on the Coastal Permit Amendments on April 12, 2000, including a letter from the City of Malibu opposing the off-site mitigation amendment.

### **The Hearing Should Be Delayed**

This is an extremely controversial matter which is being rushed to decision. Inadequate notice and opportunity for public input has been provided for this meeting. However, the behind the scenes trade-off that went into this proposal appears to have been in the making for considerably longer than the time afforded for public review.

Notice of this Conservancy hearing was received by some homeowners less than two weeks ago. Others received no notice. The Association was not able to meet to retain legal counsel until Tuesday night. It is impossible for the homeowners to attend this meeting set in Sacramento.

The action of the Coastal Commission was similarly rushed and without adequate notice. The Coastal Permit Amendments were approved on April 12, 2000 following very late notice. Most interested parties, including the City of Malibu, received their first notice of the proposal on April 6, 2000. There is no reason why the Conservancy should be acting on this matter merely 15 days after the amendments were approved and only 21 days after the public first learned of this proposal. And there is no reason why this matter needs to be heard in Sacramento without the benefit of a site visit or local public input.

We urge the Conservancy to continue the hearing and decision on the acceptance of dedication for at least two months and to schedule the matter for a meeting held in the Los Angeles area to allow maximum public participation.

**The Dedication Should Not Be Accepted**

**1. There has been no analysis of the public safety issues concerning this public access site**

In the rush to approve these controversial Coastal Permit Amendments and this dedication, there has been no analysis either by the Coastal Commission or the Coastal Conservancy of the public safety issues associated with this property.

It does not appear that either the Coastal Commission or the Conservancy have received any input from the Sheriff's Department, the City of Malibu, the Highway Patrol or any independent traffic safety expert regarding the traffic and pedestrian safety issues associated with the site. Neither does it appear that any analysis has been performed regarding the suitability of the site for public beach use in terms of the size of the sandy beach, the condition of the rocky slope and the tidal conditions on the property. No input has been received from any state agency charged with maintenance of beaches or public parks. Finally, it does not appear that there has been any study of the public amenities available in the area to serve public beachgoers including parking, restroom facilities or lifeguards.

We believe that when these issues have been investigated the conclusion will be that the opening of this property for public access will serve as an "attractive nuisance" encouraging the public to risk life and limb to park, walk across or along Pacific Coast Highway, scramble down a rocky slope into dangerous tidal waters with very little sandy beach and no zone of safety off busy Pacific Coast Highway.

**2. The site is completely unsuited and unsafe for public beach use**

The property is the wrong location for public beach access based on public safety issues, including but not limited to: 1) traffic conditions; 2) lack of pedestrian safety items such as sidewalks and crosswalks; 3) lack of parking; 4) lack of beach amenities such as restrooms or lifeguards; and 5) lack of a safe pedestrian access onto the beach from the site.

The residents of La Costa Beach know the history of this site and the countless automobile accidents that have occurred here over the years, especially those involving beachgoers trying to access the Pepperdine property. In the past,

the Highway Patrol has required Pepperdine to fence the property adequately to prevent pedestrian use because of these accidents.

The City of Malibu opposes the public access at this property based on the lack of sidewalks, the lack of traffic signals, the lack of crosswalks, the lack of public parking and the existing dangerous traffic conditions at the blind curve of Pacific Coast Highway.

The local Malibu Sheriff's Department representative has reported that the blind curve at the western end of La Costa Beach directly in front of the proposed beach access is among the most dangerous on Pacific Coast Highway contributing to at least 20% of all traffic accidents on Pacific Coast Highway in Malibu. Local residents presented anecdotal information regarding traffic fatalities and crashes to the Coastal Commission, because there was no time for an exhaustive traffic safety report. Recent Sheriff's Department accident reports for this area of Pacific Coast Highway are attached as Exhibit C, showing a high level of accidents involving personal injury. Caltrans reports that in excess of 40,000 cars per day travel north and south on this stretch of Pacific Coast Highway, making the potential increase in slowing and u-turns for beach parking a particular traffic hazard.

The western section of La Costa Beach where the access is proposed has no sidewalks, no traffic signal and no crosswalk. Parking is very limited adjacent to the beach and crossing the highway is extremely dangerous to both passing traffic and pedestrians.

This matter clearly requires further study and consideration before this property is selected as a public beach access point.

**3. There has been no analysis of the potential liability issues concerning this property**

This property is a narrow beachfront lot composed almost entirely of rocky shore and wet sand. Its access on Pacific Coast Highway is at a dangerous blind curve with limited sight distance. There appears to be no analysis by your staff as to the suitability of this property, not only for public access purposes, but even as a property owned by a public entity.

Geologic conditions, tidal conditions, stability issues and access issues must be analyzed to determine the risks the Conservancy may be undertaking in taking title to the property. The costs of fencing, maintenance and repair **even if the property is never opened for public access** must be taken into account. There is no evidence that the Conservancy has adequate information about the property to make an informed decision in the public interest.

**4. The access is inconsistent with the Malibu Draft Local Coastal Plan**

The City of Malibu reports that the location of the proposed public access is inconsistent with the public access policies and proposals of the Malibu Draft Local Coastal Plan ("LCP"). The draft LCP proposes public beach access points along La Costa Beach **but not in this location**. The draft LCP also proposes more public access to Carbon Beach than proposed for La Costa because of superior public safety and visitor-serving features of Carbon Beach. Instead, the Coastal Commission, in direct contravention of the draft LCP has chosen to mitigate public access for three Carbon Beach homes with an off-site mitigation providing access to La Costa Beach!

The dedication property is at the extreme western end of La Costa Beach; whereas the draft LCP identifies two potential public access areas at the eastern end of the beach (close to signalized crossing and visitor serving facilities at Rambla Pacifico Road) and in the center of the La Costa Beach area (where visitors could access the beach in both directions). The proposed dedication property at the far western end, on the other hand, is unsafe, not visitor friendly, and accesses only the area to the east due to the often impassable rocky shoreline area directly to the west. The City of Malibu states that, for these reasons, the City chose not to identify the location of the proposed dedication as a potential site for public access.

**5. The Coastal Amendments and modified conditions regarding public access do not comply with the Coastal Act nor with CEQA**

This law firm has been retained by the La Costa Beach Association and interested homeowners to challenge the Coastal Development Permits and the public access condition. The validity of the permits and the conditions will ultimately be decided by the courts, and the Conservancy should not act prematurely to accept the property in the midst of this dispute.

Gary Hernandez, Chair  
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Furthermore, to the extent the Conservancy is relying on the Coastal Commission to satisfy the environmental review of this dedication, that review has been inadequate, both under the Coastal Act and under the California Environmental Quality Act (CEQA). In fact, as outlined above, the environmental and public safety impacts of the proposed dedication have not been analyzed by any staff, any document or any agency.

### Summary

In summary, we urge you not to act on this matter tomorrow at your April 27, 2000 meeting, but rather to direct staff to further analyze this proposal and to continue your decision for further information and meaningful public input. The only decision you can make today is to turn down the dedication on the grounds that the property is unsafe and unsuitable for public access purposes and on the grounds that ownership of the property may expose the Conservancy to potential liability and unknown risks.

Sincerely,



Patricia L. Glaser

of CHRISTENSEN, MILLER, FINK, JACOBS  
GLASER, WEIL & SHAPIRO, LLP

CB:cb

Enclosures

cc: Marc Beyeler, Project Manager  
All Conservancy Members  
Dan Hillman  
Ken Chiate  
Peg Yorkin  
Art Zoloff  
Freddie Fields  
Mimi Polk Gitlin  
La Costa Homeowners Association

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400



April 25, 2000

Marc Beyeler  
State Coastal Conservancy  
1330 Broadway, Suite 100  
Oakland, California 94612

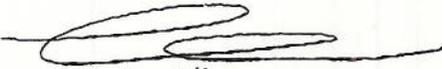
**Re: Carbon/La Costa Beach Public Beach Access Dedication, File No. 00-033**

Dear Mr. Beyeler:

As you know, on April 12, 2000, the Coastal Commission approved an amendment to three coastal permits (4-99-146 Broad, 4-99-185 Gamma, and 4-99-266 Daly) that allowed for an off-site mitigation program. The Commission action included a revision to staff proposed conditions. Attached, for your files, is a copy of the conditions, as we believe the Commission adopted them. The attachment is stamped "draft", as the final findings and conditions must still be submitted for Commission review and approval. You will note that condition #3.B requires the permittee to submit revised project plans that provide for: removal of the existing fence and construction/installation of a new fence, gate (which provides for public access during daylight hours by such method as use of a time lock gate) and public access signs. Once the plans have been approved by the Commission's Executive Director, the fence removal and new public improvements must be installed, by the permittee, within 90 days of permit issuance. Therefore, the costs associated with these public access improvements will be borne by the permittees. Additionally, these improvements must be installed, by the permittee, within 90 days of the permit issuance. Condition #3.C requires the accepting agency to agree to allow these improvements to be constructed.

If the Conservancy accepts dedication of the mitigation parcel, the property transfer will occur prior to the construction of the permittee required public access improvements. Therefore, we suggest that the Conservancy staff recommendation be amended to not only authorize acceptance of the property but also to include authorization to allow the permittee to construct these improvements. Our suggested language is: "The Conservancy agrees the fence, gate and signage that is required pursuant to the amendments approved by the Coastal Commission for coastal permits 4-99-146, 4-99-185, and 4-99-266 may be constructed on the property, in accordance with the conditions of the amended permits".

Please do not hesitate to call me if you have any questions.

  
Linda Locklin  
Manager, Coastal Access Program

Cc: Chairwoman Wan  
Chuck Damm, Senior Deputy Director

Draft 4/24/00

### 3. Public View Corridor Mitigation and Public Access Program

The deed restrictions previously required by Special Condition Eight (8) of Coastal Development Permits 4-99-146 and 4-99-185 and Special Condition Nine (9) of Coastal Development Permit 4-99-266 for the provision of a public view corridor on the subject sites shall be deemed null and void and may be extinguished. Special Condition Eight (8) of Coastal Development Permits 4-99-146 and 4-99-185 and Special Condition Nine (9) of Coastal Development Permit 4-99-266 are replaced in their entirety as follows:

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director, for review and approval, evidence that:

- A. Applicants have dedicated to the State of California, or its appropriate public agency, the parcel located at 21704 Pacific Coast Highway, Malibu, Los Angeles County (APN 4451-003-033) ("the parcel") to be held in perpetuity for public view and public access purposes. The dedication of the parcel shall be in fee simple and free and clear of all liens and encumbrances. Dedication of the parcel shall be in lieu of providing public view corridors across their properties. The parcel shall be opened and used for public access, both visual and physical. A deed conveying title to the parcel and a deed restriction restricting the parcel to use for public view and public access purposes in perpetuity shall be held in escrow by a mutually agreeable escrow agent. If the sixty days statute of limitations (Public Resource Code Section 30801) to challenge the Commission's decision on this permit amendment expires and no litigation is filed, the escrow agent shall release the deed to the parcel and deed restriction to the State of California or its appropriate agency. In the event of litigation challenging the Commission's decision on this amendment, the applicants agree to cooperate in the defense of such litigation. If, at the final conclusion of such litigation, the Commission prevails, the escrow agent shall release the deed to the parcel and the deed restriction to the State of California or its appropriate agency. In the event that litigation precludes the parcel from being opened to public access, either visually or physically or both, the deed to the parcel and the deed restriction will be returned to the applicants by the escrow agent and the applicants shall pay to the California Coastal Conservancy the greater of \$1,000,000 or, in the event the applicants sell the parcel within one year of the return of the deed, the net sales proceeds; this money shall be used to open public accessways in Malibu or to obtain public access in Malibu. Nothing in this condition is intended to or will affect any sovereign rights or public trust rights that may exist in the parcel located at 21704 Pacific Coast Highway, Malibu, Los Angeles County (APN 4451-003-033).

In the event applicants are precluded from dedicating the parcel located at 21704 Pacific Coast Highway, Malibu, then applicants shall pay to the California Coastal Conservancy \$1,000,000 to be used to open public accessways in Malibu or obtain public access in Malibu.

The deed restriction required above shall reflect that:

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- (1) The entire parcel, as measured from the Pacific Coast Highway right-of-way line seaward to the ambulatory mean high tide line, shall be available for public recreation and both vertical and lateral public access to the beach and ocean on and across the entire site. Any future development or improvements on the parcel will require a new coastal development permit and shall be limited to those improvements necessary to provide adequate public recreation and access. New development such as gates, stairs, fences, signs, and locks may be approved, subject to the issuance of a coastal development permit, if the Commission finds that such improvements are appropriate to regulate public access on the site.
- (2) The entire parcel shall be maintained as a public view corridor from Pacific Coast Highway to the Pacific Ocean. No structures, vegetation, or obstacles which result in an obstruction of public views of the ocean from Pacific Coast Highway shall be permitted on site. Vegetation on site shall be limited to low-lying vegetation of no more than 2 ft. in height. Fencing within the public view corridor shall be limited to visually permeable designs and materials (e.g. wrought iron or non-tinted glass materials). Fencing shall be limited to no more than 6 ft. in height. All bars, beams, or other non-visually permeable materials used in the construction of the proposed fence shall be no more than 1 inch in thickness/width and shall be placed no less than 12 inches in distance apart. Alternative designs may be allowed only if the Executive Director determines that such designs are consistent with the intent of this condition and serve to minimize adverse effects to public views.
- (3) No signs shall be posted on the parcel which (1) explicitly or implicitly indicate that any portion of the subject site (APN: 4451-003-033) is private or (2) contain similar messages that attempt to prohibit public use of this portion of the beach. In no instance shall signs be posted which read "Private Beach" or "Private Property." In order to effectuate the above prohibitions, prior to the issuance of the coastal permit as amended, the permittee/landowner is required to submit to the Executive Director for review and approval prior to posting, the content of any proposed signs as consistent with Part B of this condition. After the permit has been issued, new signs limiting the time that the subject site is available for public use (such as limiting public access on the site to daylight hours) may be approved, subject to the issuance of a coastal development permit, if the Commission finds that such are appropriate to regulate public access on the site.
- (4) The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

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Draft 4/24/00

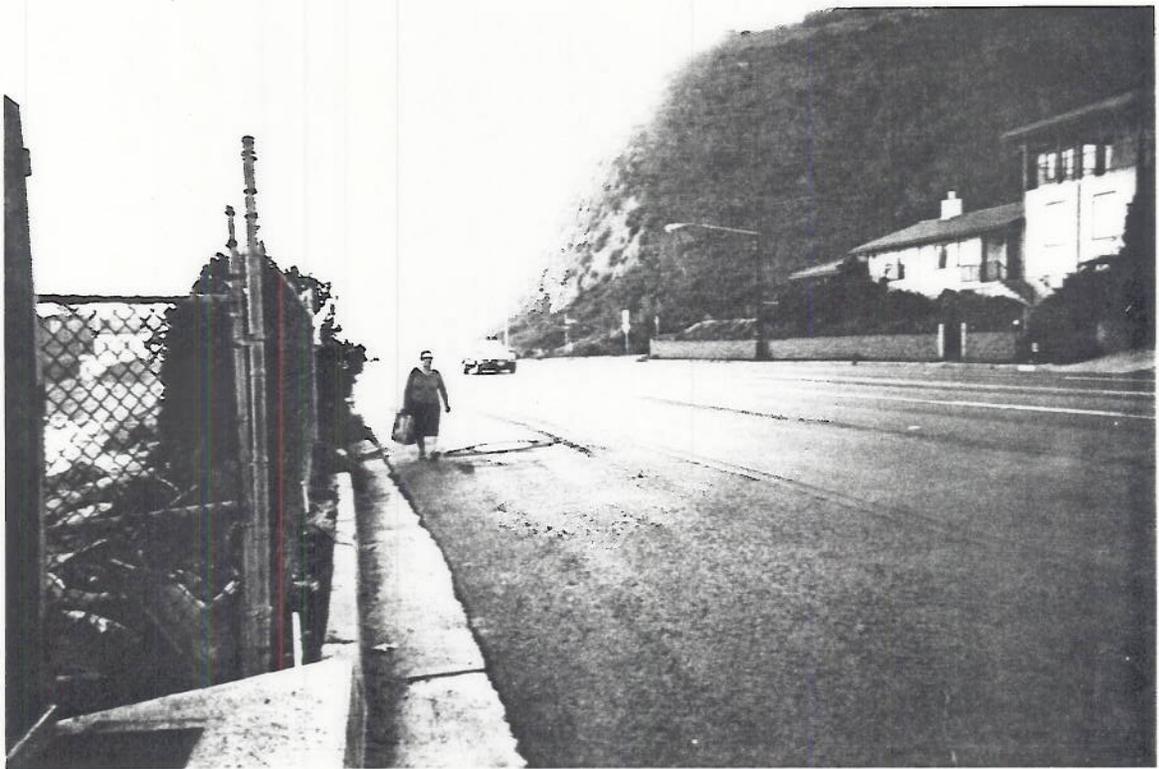
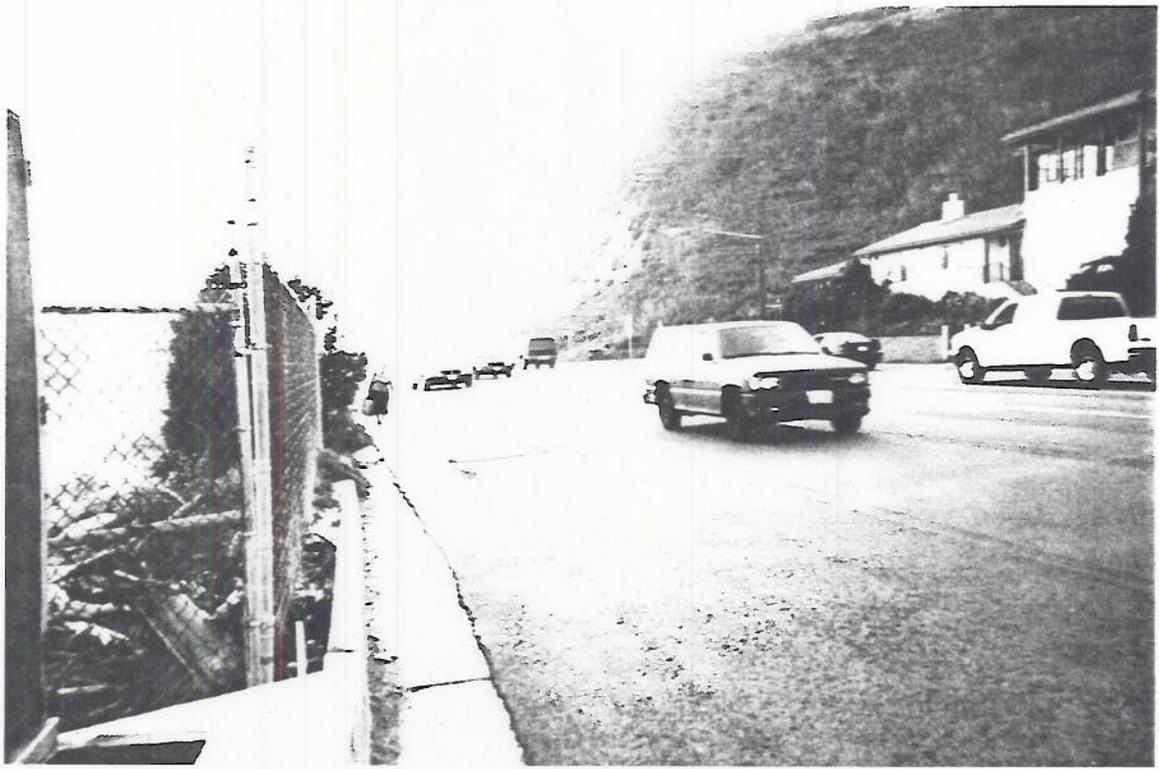
- B. All existing fencing on the subject site has been removed. The applicant shall submit, for the review and approval of the Executive Director, revised project plans for the construction/installation of a new fence and gate consistent with the requirements of Part A, Subparts (1), (2), and (3) of this condition. The plans must also include a time-lock mechanism or other means to allow public access to the site during daylight hours and must be designed in consultation with the California Coastal Conservancy. The revised plans shall also include the provision of signage indicating the availability of public access on the site. The approved signage must be maintained at the site. After the revised project plans have been approved by the Executive Director, the fence, gate, and signage must be constructed/installed in accordance with the approved plans within 90 days of issuance of the Amended Coastal Development Permit.
- C. The Coastal Conservancy, or other appropriate agency, has agreed to allow construction of the new fence, gate and signage on the parcel in accordance with the plans approved by the Executive Director pursuant to Section B. above.

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**Items 8.5 (a,b,&c)**

**Additional Letters of  
Concern**



# City of Malibu

23555 Civic Center Way, Malibu, California 90265  
(310) 456-2439 Fax (310) 456-3356

Carolyn Van Horn, Mayor

April 10, 2000

Californian Coastal Commission  
89 South California Street, Suite 200  
Ventura, CA 93001

Subject: Application Nos. 4-99-185A1, 4-99-146A2, 4-99-266-A1  
Applicants: Gamma, Broad, Daly, Modifications to Special Conditions of Coastal Permits 4-99-146, 4-99-185 and 4-99-266.

Dear Members of the Commission:

Let me apologize for sending this letter to you so late. Unfortunately the Malibu City Council was only made aware of the hearing on this pending application on April 6 and we were unable to act until the regular meeting of the City Council on April 10 due to the requirements of the Brown Act.

The City of Malibu is writing to the California Coastal Commission to oppose modification of Special Conditions 1, 2, and 8 of Coastal Permits 4-99-146 and 4-99-185 and Special Conditions 1, 2, and 9 of Coastal Permit 4-99-266 to allow for offsite mitigation of the required public view corridor on each subject site by provision of public views and public access to the ocean from Pacific Coast Highway over the entire parcel at 21704 Pacific Coast Highway and to allow development within the previously identified public view corridors on each project site.

The Commission is being asked, and the Commission staff is recommending, to substitute public access at three locations along Carbon Beach, 22368, 22338 and 21958 Pacific Coast Highway for a single public access point along La Costa Beach at 21704 Pacific Coast Highway. The City of Malibu objects to these proposed modifications on a number of grounds.

The City of Malibu General Plan Open Space Policy 3.2.1 states in full that, "The City shall require reasonable and equitable beach access for the public, balancing the rights of the individual property owner and the public's right of access." Substituting only one public access point for the three public access points required in the existing permits is contrary to that policy statement. The policy of the general plan contemplates more public access points, not fewer.

The City's working draft Local Coastal Plan, submitted to the Coastal Commission staff for informal review earlier this year, proposes five additional access points along Carbon Beach but



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only three additional access points along La Costa Beach. There are a number of reasons for these differences.

The access points to Carbon Beach are in close proximity to many visitor serving facilities; the access points are, therefore, more convenient for the visiting public. Pacific Coast Highway along Carbon Beach is straight and level. It has three pedestrian crosswalks and a signalized intersection to assist beach visitors who park on the inland side of Pacific Coast Highway and cross the Highway to get to the beach access points. Finally, providing several additional access points along Carbon Beach allows public access to a long stretch of sandy beach in each direction, from the Malibu Pier to the rocky shoreline area which separates Carbon Beach from La Costa Beach to the east. Further, since the developments have access to Carbon Beach, it is logical that the access points be located on that same beach, not some other beach in Malibu. In summary, providing for three additional access points along Carbon Beach is more convenient, safer, user friendly, consistent with the City's General Plan and consistent with its draft Local Coastal Plan. That is why this area was chosen for five additional access points.

Proposed access at La Costa Beach is not as user friendly as at Carbon Beach and therefore, the locations had to be more carefully selected. The City's working draft Local Coastal Plan identifies three additional possible public access points along La Costa Beach. None of those access points is in close proximity to the one being proposed here which is at the extreme west end of La Costa Beach. The City's Plan locates two access points at the eastern end of La Costa Beach, opposite the Rambla Pacifico Road intersection. This intersection is signalized and has a crosswalk. It is located directly across the highway from visitor serving facilities. The third access point identified is approximately in the center of the La Costa Beach area. While it is not close to visitor serving facilities and is not near a signalized intersection or crosswalk, it does allow access to La Costa Beach in both directions.

By way of contrast, the proposed access site at 21704 Pacific Coast Highway is inferior in every respect. It is located at the extreme western end of La Costa Beach. Access to the beach would only be to the east, not in both directions because of the rocky shoreline area which exists directly to the west of the proposed access site which separates La Costa Beach from Carbon Beach. Pacific Coast Highway at this location is on a curve. Thus, both pedestrian and motorist sight distance is limited. This location has a high vehicle accident history. According to statistics provided by the Los Angeles County Sheriff's Department some 20% of all vehicle collisions on Pacific Coast Highway, from Topanga Canyon Road to the western City limits, in the last year have taken place along this stretch of PCH. Vehicles travel at high speeds on this stretch of the Highway; south-bound autos have frequently run off the road. Parking is very limited adjacent to the beach; crossing the highway is disruptive of traffic and dangerous to pedestrians. There are no traffic signals or crosswalks in the vicinity of this access site to assist pedestrians in crossing



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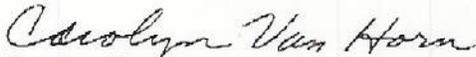
the Highway from the inland side to get to the beach and vice versa. Because of the limited parking opportunities along this stretch of the Highway, cars will park directly in front of the property at 21704 Pacific Coast Highway, blocking the view of the ocean and defeating one of the main purposes of providing an access point, to provide views of the ocean and beach to passing motorists.

For all of the above reasons, the City chose not to identify the location at 21704 Pacific Coast Highway as a candidate site for public access in its draft Local Coastal Plan.

The City of Malibu feels that by any objective criterion, many of which have been set forth above, changing the location of the access sites and reducing them from three to one is an inferior and dangerous proposition. Access points should be provided in close proximity to new development. The burden of access should be borne by those developments both initially and after they are occupied. Locations need to be chosen where public safety and convenience is greatest, not at greatest risk.

The City urges the Coastal Commission to deny the requests for modification of the existing permits.

Sincerely,

  
Carolyn Van Horn

C: City Council  
City Attorney  
Interim Planning Director



**JODY AND SCOTT SIEGLER**

April 10, 2000

Coastal Commissioners  
c/o Steve Hudson  
California Coastal Commission  
89 South California  
Suite 200  
Ventura, CA 93001

CASE # W8 SABC  
4-99-185-A1, 2, 3

Dear Steve:

Thank you for spending some time on the phone with me today. Per our conversation, I'd like to convey the thoughts of my husband and myself, property owners of 21640 PCH on La Costa.

As I stated, we are very concerned and disappointed in the lack of "due process" on the subject of notification. The Notice of Pending Permit was dated April 3, and your own memo regarding the "submission of written materials" requires that you "submit your materials to the Commission staff no later than three working days before the hearing..." Three working days before April 12<sup>th</sup> is April 7<sup>th</sup>. A posting of 4 days hardly seems adequate, or even legal, for such a sophisticated issue. You cited your own lawyer's opinion that while admittedly short, the notification period was legal. The fact that the notification period was so questionably short that it required legal counsel is a statement unto itself.

Homeowners on La Costa are struggling to spread the word and obtain a postponement so that the issue can receive the due diligence it deserves. While I appreciate that the Commission has studied the issue and rendered it's concurring opinion, it seems that the process of requiring public notice is obviated when adequate lead time is ignored. Why bother posting at all? The intent of public notification must include some test of reasonableness.

While we hope for the adequate opportunity to explore all facets of this issue, our immediate response includes the following concerns:

1. How is it that mitigation of the public view corridor on Carbon Beach is satisfied by providing it on La Costa? Doesn't La Costa carry its own public access burden? Isn't it the intent of the public access allocation to be distributed it across the shoreline?
2. Isn't beach width relevant in determining the appropriateness of public access? Isn't Carbon beach much wider than La Costa, and therefore minimizes the issue of "forced trespass" by providing more sandy beach to walk on. I, myself, have gotten caught clinging to neighbors' stairs as I walked the beach without being mindful of seasonal tide charts. Water comes up to the stairs and most bulkheads during the day on La Costa beach. Where is the public supposed to perch? On our decks? It seems that a

21640 Pacific Coast Highway, LA, CA 90265  
(310) 476-1286

## JODY AND SCOTT SIEGLER

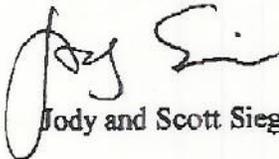
consistently sandy beach is tantamount to fairly provided public access for all those concerned.

3. How is it considered equivalent and fair to take 3 portions of public access and aggregate them into one space on either La Costa or Carbon? Doesn't that encourage creating a bona fide public beach, as opposed to a public view corridor? What is then done about parking, restroom needs, eating, etc.? At least on Carbon Beach there are commercial establishments which will help mitigate the violation of personal property, which is what I call it when someone urinates on the side of my house (or worse).
4. Have you ever tried backing out of a driveway on La Costa Beach? Do you have any idea how blind that curve is at the northern end of the beach? As dangerous as PCH may be in all areas, I understand that fully 20% of all traffic accidents on PCH occur at this curve. If taking your life into your own hands was a matter of choice, suicide wouldn't be illegal. Is this a "buyer beware" attitude toward the potential consumers of the proposed "public view corridor"?

Whether or not you agree with our feelings, or whether or not they have had adequate time to be fleshed out seems to go right to the heart of public notice and hearings. Why have them at all if not to invite our attendance in a meaningful and actionable way?

Thank you for your time and consideration.

Sincerely,



Jody and Scott Siegler

# LAWRENCE KUPPIN

April 11, 2000

Mr. Steve Hudson  
CALIFORNIA COASTAL COMMISSION  
South Central Coast Area  
89 California Street  
Suite 200  
Ventura, CA. 93001

Via Mail & Fax:  
(805) 641-1732

I was greatly distressed to learn from one of my neighbors on LaCosta beach in Malibu that a Coastal Commission hearing has been scheduled for tomorrow concerning the issue of turning the lot, commonly known as 21704 Pacific Coast Highway, into public access to LaCosta and Carbon Beaches. As a homeowner on LaCosta Beach, I was given no notice of such a meeting, no notice of the issues to be discussed or determined and no notice allowing me and my fellow neighbors to investigate the proposal, the applicable laws, ordinances, zoning and other issues which would permit us to prepare for such a hearing. I strongly object to the setting and holding of this hearing without proper and timely notice to myself and the other property owners along Carbon and LaCosta beaches.

Without having any time at all to investigate the matters which I understand are to be discussed at tomorrow's meeting of the Coastal Commission and lacking any information from any governmental authority, I have a great many questions concerning this public access proposal. They include the following:

1. There is limited and often no available public parking near or adjacent to the 21704 Pacific Coast Highway location. Has a study been conducted to determine where the public would park to take advantage of access at this location? What are the safety issues involved with parking and then walking along or across Pacific Coast Highway to gain the proposed beach access to this stretch of Pacific Coast Highway?
2. There are no sidewalks at or near the proposed access location. Has a safety study been conducted concerning the safety or lack of safety related to walking in the street from one's car to arrive at the public access location?

**21314 Pacific Coast Highway, Malibu, California 90265**  
**Telephone: (310) 275-1440 Telefax: (310) 275-2076**

Mr. Steve Hudson  
California Coastal Commission

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April 11, 2000

3. According to the Malibu Sherriff's Office, the curve on Pacific Coast Highway, which abuts the 21704 Pacific Coast Highway location, is the third worst site of auto accidents in all of Malibu. Many people have been injured and even killed in accidents which have taken place directly in front of the 21704 Pacific Coast Highway location being discussed as appropriate for public access. Is the Coastal Commission aware of the accident statistics at this location? Has the Malibu Sheriff's Office been contacted to determine their attitude concerning the appropriateness of this location for public access? Has a traffic safety study been conducted concerning the safety issue involved in locating public access at this location?

4. I have been informed by some of my neighbors that the idea of transferring the 21704 Pacific Coast Highway location for use as public access is the result of a "deal" worked out to facilitate the building of "beach mansions" on Carbon beach by certain well known families. The trade off, I am told, involves the transfer of the lot in question in return for building permits which would otherwise exceed the permissible building limits. I hope these accusations I have heard are not true, but it would obviously be of great concern if public safety were being compromised for the benefit of the rich and well-connected.

Because of the numerous issues which surround the matter of using 21704 Pacific Coast Highway as potential public access, I believe all LaCosta and Carbon beach homeowners should be advised of: a.) what is being proposed; b.) what studies have or have not been done concerning safety and other issues concerning the matter (with copies to all homeowners); c.) what, if any, quid pro quos are involved in the transfer of 21704 Pacific Coast Highway for the proposed purpose and d.) all interested homeowners should be provided an adequate time to study all written and other materials and to prepare for any hearings or meetings on the matter, which hearings or meetings should be rescheduled for a later date to permit a proper and informed response.

This letter does not intend to state all of my reasons for concern with the proposal in question and I reserve all of my rights to object to and challenge the conclusions reached at the hearing scheduled for tomorrow. Due to the lack of prior notice, I cannot attend the meeting.

Sincerely,



LAWRENCE KLIPPIN

cc: Art Zolof  
Fax: (310) 456-8524

*Laurel Dickranian*

---

21658 Pacific Coast Highway  
Malibu, California 90265

April 11, 2000

VIA FACSIMILE NO. (805) 641-1732

Steven Hudson  
Coastal Program Analyst  
California Coastal Commission  
89 South California Street  
Ventura, California 93001

Re: *Application Nos.*    4-99-146-A2  
                                  4-99-185-A1  
                                  4-99-266-A1

Dear Mr. Hudson:

I am writing to request that no action be taken on the above-referenced applications at the Coastal Commission meeting on Wednesday, April 12, 2000.

Unlike the locations at 22368, 21958 and 22338 Pacific Coast Highway which are situated on a straight stretch of the road with a broad sandy beach, the site at 21704 Pacific Coast Highway lies along one of the highway's most treacherous curves, acknowledged as one of the top three in terms of accidents and fatalities. Adequate investigation must be made of the safety of opening this portion of the coast to public access. By the way, what exactly is the California Coastal Commission's liability in accidents and fatalities which can be connected to the victim's usage of a facility under the Commission's jurisdiction that is publicly known to be as dangerous as this one is?

I know that you have received documentation on some of the many accidents and fatalities that have occurred in the vicinity of 21704 Pacific Coast Highway. In the past few years, we have had three parked cars destroyed in separate accidents in front of 21658 Pacific Coast Highway, caused by drivers losing control of their vehicles as they came around the curve from the west. The police reports will be supplied to you shortly.

Please be sure you are fully informed before you take any action, and please make sure that your actions don't lead to additional injuries and fatalities of people who could have been enjoying California's glorious coastline from safer locations.

Sincerely,

*Laurel Dickranian*

11920 SAN VICENTE BLVD.  
BRENTWOOD, CA 90049  
(310) 826-6624

805 641 1732

To Steve Hudson  
California Coastal Comm.

Dear Steve -

I have lived on LA Costa beach for over 30 years and the plan to add an excess at the north end is a extremely dangerous proposition, that corner is one of the most dangerous spots on P.C.H. Just ask the Sheriff's Dept. they always getting calls, because of the number emergency situations.

Thank-you Ryan O'Neal

Home Address 21368 P.C.H. Malibu  
90265

LOU ADLER

April 10, 2000

Mr. Steve Hudson  
Staff Analyst  
California Coastal Commission  
89 South California Street  
Suite 200  
Ventura, CA 93001

Dear Mr. Hudson:

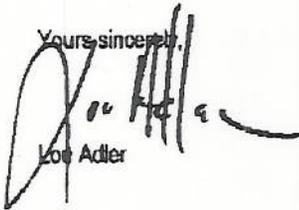
This is in reference to the Broad/Daly Permits on Carbon Beach in the city of Malibu.

I have been a resident of Malibu since 1972. My house is located on Carbon Beach. It is the second house, from the space the Coastal Commission is considering for public access. It is my understanding that there will be a hearing on Wednesday, April 12, 2000.

I have had no official notice of this hearing. I am requesting that the hearing on this subject be postponed until the residents of La Costa and Carbon Beach are properly notified. It would be appropriate as well as informative to allow us time to bring to the table pertinent information involving public safety as well as other issues.

Your attention to this matter would be greatly appreciated.

Yours sincerely,



Lou Adler

▷ Agenda # =

▷ COASTAL  
PERMIT  
AMENDMENT  
APPLICATIONS  
4-99-146-A2  
(GAMMA),  
4-99-185 (BROAD),  
4-99-266 (DALY)

TO:  
CALIF. COASTAL COMMISSION  
FAX 805 641-1732

PHONE  
805  
641-  
0142

NINE  
PAGES  
TOTAL  
IN  
THIS PAGE

RE: 21704 PCH  
and La Costa Beach (PCH)  
area.

ATTACHED  
LETTERS  
NEWSCLIPPING  
& COMMENTS  
NEIGHBORS PER  
CUBOE  
REGARDING

PAUL BECK

THIS MOVE BY THE  
COASTAL COMMISSION IS BEING RAILROADED  
BY THE REQUEST OF ELI BROAD  
AND HIS ASSOCIATES  
FOR THEIR OWN BENEFITS THUS  
COSTING THE STATE OF CALIFORNIA  
SEVENTY FIVE TO ONE HUNDRED AND  
TWENTY FIVE MILLION ( 75-125 MILLION )  
DOLLARS OF LA COSTA  
PROPERTY DEVALUATION -

WE WILL PROCEED  
AGAINST THE STATE  
AND MR ELI BROAD  
AND HIS ASSOCIATES  
TO RECOVER THIS DAMAGE  
SHOULD THE COASTAL COMMISSION  
CO-OPERATE WITH MR ELI BROAD  
WE ALSO WILL MOVE  
AGAINST THE COASTAL  
COMMISSION INDIVIDUALLY.

INDIVIDUAL  
DEPOSITIONS  
TO FOLLOW -

4/9/2000

To whom it may concern -

I am extremely concerned about turning the lot across from my house (21701 PCH, Malibu) into public beach access. ~~The~~ This section of PCH is very dangerous. Pls see attached re the near-fatal accident I was involved in right in front of the lot in question.

Thank you,

Deborah Lachman

Deborah Lachman

21701 PCH

Malibu's Community Newspaper Since 1946

# Malibu Times

Thursday, July 1, 1993

25 Cents

## Budget grows

A 6 percent increase in revenues offsets a 1.2 percent increase in expenses.

### Budget At A Glance

	Projected FY 92-93	Projected FY 93-94	Dollar change	Percent change
<b>Revenues</b>				
Ad revenues	\$7,265,000	\$7,345,480	\$80,480	1.2%
Donations	1,050,000	1,019,000	(31,000)	(3.0%)
Other	3,385,000	4,873,280	1,488,280	44.3%
<b>Expenses</b>				
Personnel	\$1,071,080	\$1,052,840	(18,240)	(1.7%)
Printing	6,388,100	6,192,870	(195,230)	(3.1%)
Telephone	2,500	59,500	57,000	n/a
Travel	1,540,180	6,015,050	4,474,870	290.5%
<b>Projected Revenues</b>				
Total	\$12,220,100	\$13,292,150	\$1,072,050	8.8%
Operating	820,000	900,000	80,000	9.8%
Capital	28,000	100,000	72,000	n/a
<b>Projected Expenses</b>				
Total	\$14,416,200	\$13,411,850	(1,004,350)	(6.9%)
Operating	6,000,000	5,800,000	(200,000)	(3.3%)
Capital	1,000,000	1,000,000	0	0%

Source: City of Malibu, Department of Finance, July 1993. 1994 budget city staff & Ford.

...reparable that we have...  
...million to jump of around 6.8 percent over the previous fiscal year, which is enough to pay for beach patrol on weekends and holidays from July 2

## Ingenuity



Diane Baldwin/Malibu Times

Hams of the Sheriff's Disaster Communications Service use a weather balloon to attempt to raise an antenna Saturday, during an American Radio Relay League Field Day exercise.

## 'Cyclist rams truck

Pathfinder backs into Motorcyclist's path; biker 'saved' by firefighters, is in critical condition

By George Gordon  
Staff Writer

A motorcyclist is in "critical condition" following a major accident on Tuesday with a truck that left him unconscious and resulted in his having to be helicoptered to the hospital.

The crash reportedly closed the highway at about 6:30 a.m., causing a five-mile, hour-long traffic jam.

The biker, a 28-year-old Point Hueneme man, was said to be in "critical condition" after he skidded his motorcycle into the rear axle of a 1991 Nissan Pathfinder on Pacific Coast Highway and landed "50 feet or so" from the truck, according to authorities.

The motorcyclist, a Navy Scabec, was riding westbound on Pacific Coast Highway near Carbon Canyon shortly after 6 a.m. when a Malibu woman



## Accident

From page A1

"backed up" her Pathfinder onto the street to "execute a U-turn" and blocked his path. Traffic Sergeant Kevin Mauch of the Lost Hills Sheriff's Station told *The Malibu Times*.

The woman reportedly suffered no injuries.

After "skidding some distance," the motorcycle, a mid-sized 1991 Suzuki, "fell to the pavement" and continued to slide with the man until he "terminated" the rear side of the other vehicle, according to

Mauch. When the motorcyclist hit the vehicle, he was "ejected" from the bike and "tumbled down the street 50 feet or so," he said.

Mauch said the motorcycle's gas tank spilled and "caught on fire," causing the bike to burn up.

### Lifesavers

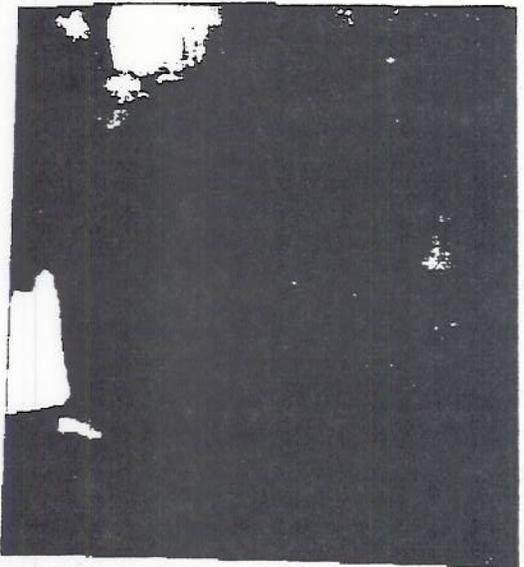
Firefighters from the nearby Canyon Canyon station reportedly responded to the accident, hosing down the bike and treating the motorcyclist.

"They were the ones that probably saved his life," Mauch said.

Authorities said the man was airlifted to Westlake Community Hospital where he reportedly is in critical condition.

Mauch said the woman driving the Pathfinder claimed she saw the motorcyclist and believed he was far enough away for her to make the turn. A traffic division representative said if the biker had not been wearing a helmet, "he would not be here."

## Dancing with Siva



Satguru Sivaya Subramuniyaswami, publisher of Hindu book, "Dancing with Siva," Sunday during festivities at the

## Parks

From page A1

tion of the Paramount Ranch acquisition, on which a \$10 million payment is due June 30.

The Santa Monica Mountains Conservancy had planned to use county and state bond funds to pay off the note, then resell the property to the federal government later in the year so the funds could be used for other acquisitions.

"We've set aside \$5 million from Prop. 117 and \$5 million from Prop. A funds for July, August, September and October. We thought that by Nov. 1, we would have the federal funds," said Conservancy Executive Director Joseph T. Edmiston. "Now, in reality, it may be November '94 before we could be reimbursed."

The only alternative would be to get Union Federal to extend the note, but that would cost almost \$1

million in interest, which would not be reimbursed by the Federal government, Edmiston said.

### 'New trend'?

"One of the big questions for us is whether this is a temporary situation for this year, or does it represent a new trend," he said. "If so, we have to take a look at our policy of advancing state money for federal acquisitions."

A controversial attempt to acquire 248 acres of Soka University land by condemnation would not be affected, as \$19 million has been set aside for that, Edmiston said.

Created in 1978, the SMMNRA has sought to stitch together 35,000 acres of contiguous parkland, preserving wildlife corridors and riparian

areas from development. Of that, 20,406 acres have been purchased for \$136.9 million.

Parks advocates had hoped that a democratic Administration would better support those efforts, which went begging during the Reagan years when appropriations were lean and property values sky high.

"Senator (Diane) Feinstein is a good environmentalist, and I would hope that we would see the Senate taking the lead," Edmiston said. "I don't think that's too much of a vain hope, but it's a tough year."

With real estate prices the lowest in decades and the depressed economy discouraging developers, parks advocates see this as the ideal time to buy. Ironically, those same economic factors are drying up both state and federal funding.

## Budget

From page A1

the General Plan preparation," Harlow said, pointing out that Wein's contract is costing the city "almost half a million dollars" over three years, but, for example, the public and even the staff are unable to obtain planning maps. "Nobody has maps!" Harlow exclaimed. "I went to (Planning Director Bob) Benard, and he doesn't even have a set of maps."

Councilmember Jeff Kramer told Harlow his criticisms were "completely off base," and after Harlow finished speaking, Kramer defensively asked: "Is there anything else on your mind, Mr.

Harlow, like what you had dinner?"

### Consultants targeted

Councilmembers sp. recommendations from H. and Keller to thin out the current contract consultants in favor of house staff and reduce contract purchases.

"We're not going to save money in this city until we go at replacing these consultant Harlow said. He pointed out that the average city payout for contract consultants furnished by Willd Associates is \$70 per hour

## Council

From page A1

and having government dictate is not what this country is about."

The council put off deciding the *Times* issue, and that of others, until Tuesday, July 6, 6:30 p.m. at Hughes Auditorium, 3011 Malibu Canyon Road.

During the public commentary, Mayor Carolyn Van Horn took the unusual step of having Planning Director Bob Benard address



## Time warp at watershe

# Key Escondido Land Purchase Now Appears to Be on Hold

"In my judgment, there is not a rayer in the world that this acquisition of land will not go forward. We will acquire the falls," Joseph Dimston, executive director of the Santa Monica Mountains Conservancy said last month.

Four weeks later, the SMMC is no longer considering acquisition of the privately owned Escondido falls and surrounding property.

In response to concerns expressed by Erin Murphy O'Hara, owner of the 34-acre property which includes the falls, concerning alleged violation of her constitutional rights, Jerome Daniel, chair of the SMMC, issued a two-page letter to O'Hara which was obtained by the News.

"I assure you that the Conservancy will take extraordinary measures to avoid even a suggestion that we are somehow acting to violate your constitutional rights," Daniel wrote.

Measures to be taken include the refrain from comment before Los Angeles County or the Coastal Commission on the proposed 10-lot subdivision of O'Hara's property.

The Conservancy further agreed to erect and maintain an eight-foot fence topped by razor wire at the

base of the falls on the northern boundary of the Fairfax Savings Bank property, once that property is acquired.

"We will do nothing to encourage the public to use your property and will sign it against trespassing," Daniel wrote.

According to Daniel the Conservancy was accused of violating O'Hara's rights after its refusal to purchase the 34 acres for \$1.3 million without an appraisal.

"Mad as this kind of tactic makes us feel personally," Edmiston said, "as public officials we have no choice but to stand up to extortionate demands."

"I'm not sure if the Conservancy had funds to seriously negotiate with me, but at least we were moving forward," O'Hara said.

"In truth if they don't purchase the waterfall and they purchase everything up to the waterfall, it puts me in a bad position. After all, the waterfall is the main attraction to the park."

She added, "[The fence] is their appeasement for not purchasing [the falls]. A fence is better than no protection at all, but the ideal situation is to purchase the waterfall."

BY CHRISTOPHER SHARPE

# Special Meeting Set to Address Interim Zoning Map Changes

## Public Testimony Closed on Map Amendments

After hearing extensive testimony on proposed amendments to the City of Malibu interim zoning map, the city council adjourned Monday night's meeting to a special session set for Wednesday, July 7.

Council discussion of the proposed map changes is expected to be the sole item on the agenda of the meeting scheduled for 6:30 p.m. in the Hughes Research Laboratories Auditorium.

City Manager David Carmany said council members were adamant that the continued meeting provide an opportunity for as full an exploration of map issues as possible.

Proposed map changes include a number of instances where General Plan Task Force down-zoning has been reversed in response to criticism from affected parties.

In addition, changes being

referred to as mapping errors and map reconciliations will be addressed by the council.

The testimony portion of the public hearing having been closed, discussion will be limited to members of the council unless they ask questions or seek specific input from the public.

Council action on the amendments package is expected to take place at the Wednesday meeting.

BY ANNE SOBLE

# Tuesday Morning Mishap Snarls Highway Traffic

A fiery motorcycle crash that lit up the early morning sky on Tuesday left the cyclist in critical condition.

According to authorities, Michael Ryan of Los Alamitos locked his brakes when riding westbound on Pacific Coast Highway as he attempted to avert hitting a vehicle driven by Malibuite Deborah Lachman, who

was making a U-turn on PCH.

When Ryan swerved to avoid hitting her vehicle, the motorcycle and rider "went down and the motorcycle hit [Lachman's vehicle] in a sliding position," according to Sergeant Kevin Mauch of the Los Angeles County Sheriff's Department.

"He was ejected off the bike and kept sliding," said Mauch.

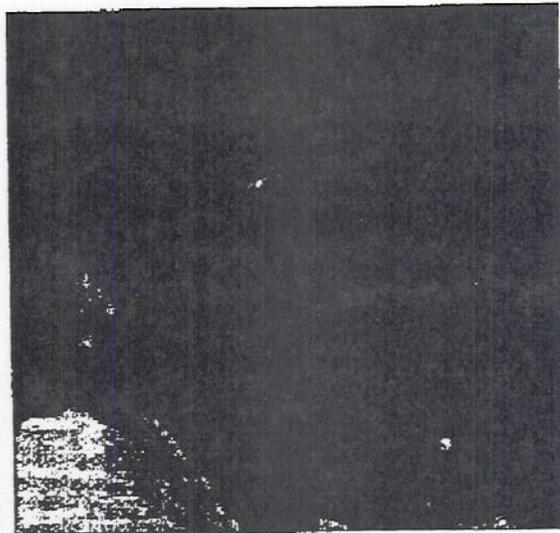
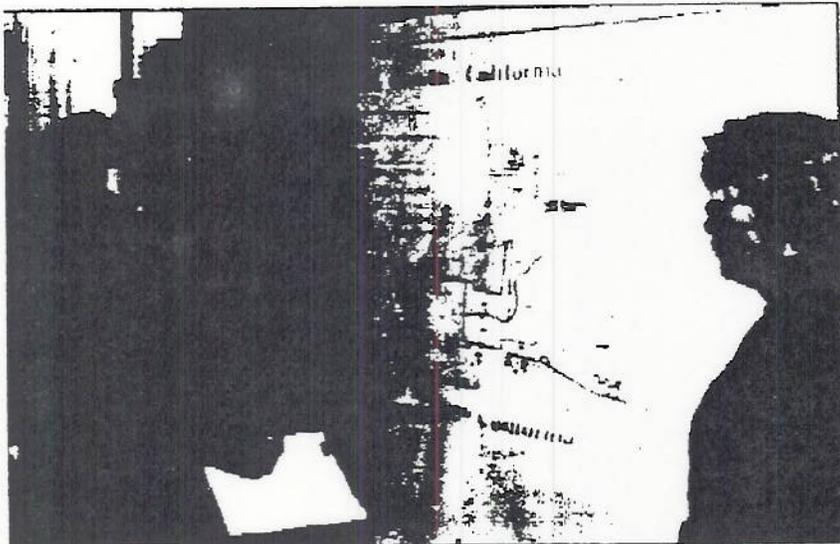
who added the cycle then burst into flames.

Ryan was airlifted to an area hospital where he was listed in critical condition as The News went to press.

Lachman was uninjured but sustained damage to her vehicle. An investigation of the incident is continuing, according to Mauch.

BY BILL KOENEKER

# Anti-IZO Group Disseminates Concerns



FOOD FOR THOUGHT—Arlene Waxman and Ed Niles

CLE/Thousand Oaks, Calif./Wednesday, June 30, 1993

### SIRENS

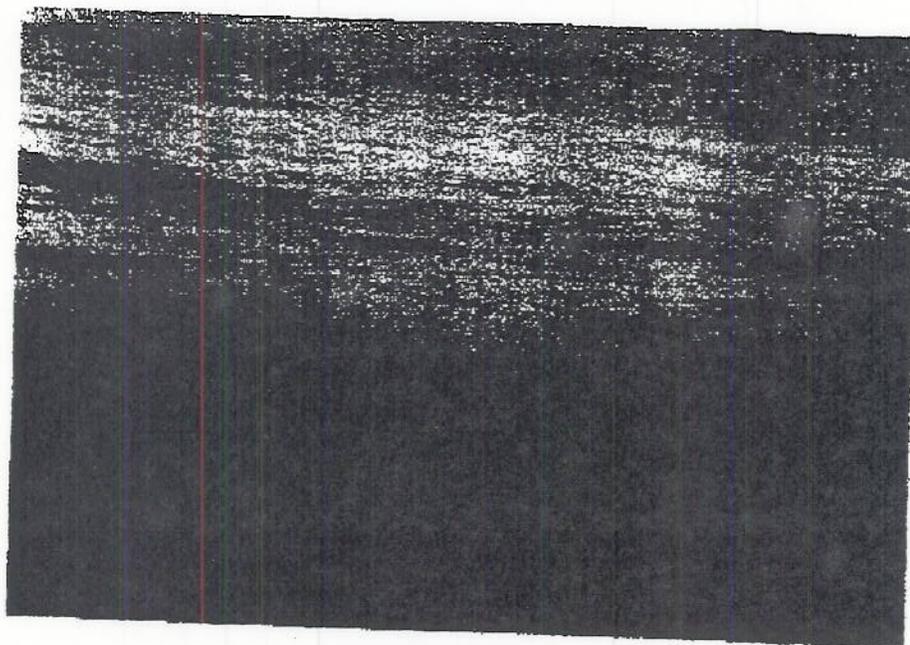
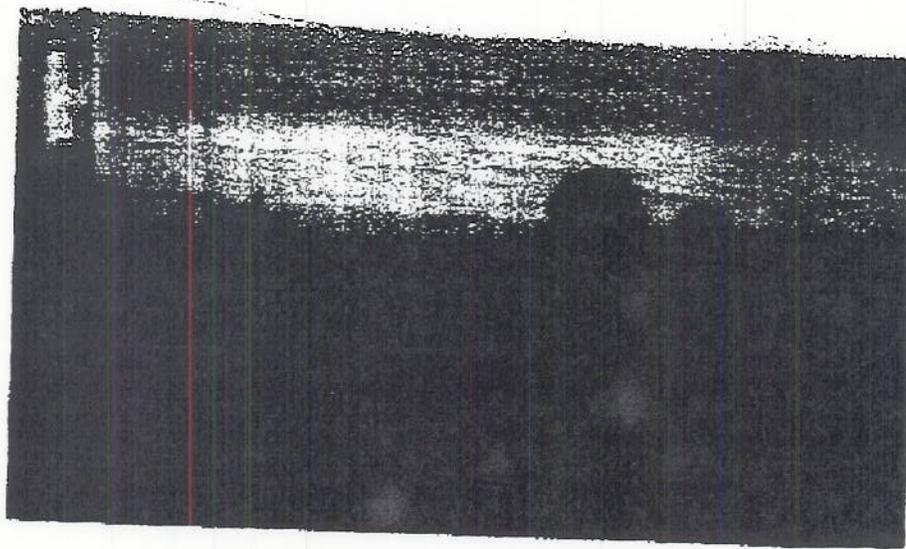
#### Cycle wrecks leave 1 dead, 1 hurt

Police are investigating two motorcycle accidents — one a fatal and one a near-fatal — in Simi Valley and Malibu this week. A 57-year-old Valencia man was killed in Simi Valley on Monday. Richard Demattie was thrown from his motorcycle when he drifted and hit a curb at the intersection of First and Easy streets at 7:40 p.m., said Senior Officer John Parks of the Simi Valley Police Department.

In Malibu on Tuesday morning, an unidentified man was seriously injured and is recovering at Westlake Medical Center, said traffic deputies at the Lost Hills Sheriff's Station.

The man was severely injured at 6 a.m. on Pacific Coast Highway near Carbon Canyon. He was northbound at a high speed when a car turned in front of him, said Lost Hills Sgt. William Hines.

The motorcycle burst into flames, and its rider was airlifted by hospital to the Westlake hospital. The highway remained closed for half an hour.



PHOTOS SHOW TIDE/SURF  
TO PCH + FENCE LINE

FROM  
DEBORAH  
LACHMAN  
21701 P.C.H

→ TIDAL CONDITIONS ←  
WILL NOT PROVIDE  
ACCESS DUE TO

Kenji Michino  
21553 Pacific Coast Hwy.  
Malibu, CA 90265  
(310)456-1243

4/10/2000

California Coastal Commission  
89 South California St. #200  
Ventura, CA 93001

Re: Permit #: 4-99-146-A2, 4-99-185-A1, 4-99-266-A1  
22368, 21958, 22330 & 21704 Pacific Coast Hwy, Malibu

To whom it might concern,

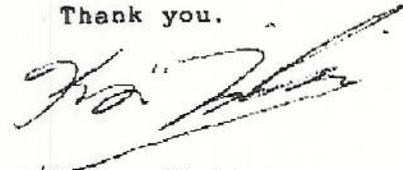
I live in the neighbor of above location. I am deeply concerned about using this place as a public beach.

This location is in the dangerous high traffic area and I have witnessed many car accidents occurred. Opening this location to the public is totally disregarding people's welfare.

Let's imagine people park their cars and walk around this location, even, crossing the wide Pacific Coast Highway to the beach.

I strongly feel this location is not suitable for a public use.

Thank you.



Kenji Michino

 **BRILLSTEIN-GREY MANAGEMENT**  
*a basic entertainment company*  
9150 Wilshire Blvd. Suite 350  
Beverly Hills, CA 90212  
phone: (310) 275-6135  
fax: (310) 275-6180

---

**TELEFAX**

**Deliver To:** Steve Hudson  
**Company:** California Coastal Commission  
**Fax Number:** 805-641-1732  
**From:** Marc Gurvitz  
**Date:** 4/10/00  
**Re:** Easements  
**# of Pages Inc. Cover:** 2  
**Message:**

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the address below via the U.S. Postal Services. Thank you.

If you have problems regarding this fax please call (310) 275-6135

**THOMAS PROPERTIES**  
21310 Pacific Coast Highway, Malibu, California 90265  
(310) 456 2804; (323) 851 3565

APRIL 10, 2000

FAX TO STEVE HUDSON, CALIFORNIA COASTAL COMMISSION, SOUTH CENTRAL COAST AREA, 89 CALIFORNIA STREET, SUITE 200, VENTURA, CALIFORNIA 93001 FROM SAM AND MARGOT THOMAS.

DEAR MR HUDSON:

THIS LETTER IS IN RESPONSE TO AN ARTICLE IN THE MALIBU TIMES, DATED APRIL 6TH, 2000 ENTITLED, "DEVELOPERS CLASH OVER BEACHFRONT BUY." WE WERE UNAWARE OF THIS ISSUE UNTIL WE READ THIS ARTICLE.

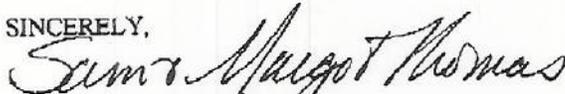
AS PROPERTY OWNERS ON LA COSTA BEACH, MALIBU, WE WISH TO INFORM YOU THAT WE WERE NEVER NOTIFIED AND WERE UNAWARE OF THE HEARING FOR A PENDING PERMIT BEFORE THE COASTAL COMMISSION REGARDING SITES 22368, 22338, AND 21704 TO DEVELOP THESE PROPERTIES BY APPLICANTS GAMMA, BROAD, AND DALY.

SURELY, A MATTER OF PUBLIC SAFETY NECESSITATES NOTIFICATION OF ALL PROPERTY OWNERS ON LA COSTA AND CARBON RATHER THAN JUST THE PROPERTY OWNERS NEXT DOOR.

WE WISH YOU TO BECOME AWARE THAT MANY PROPERTY OWNERS BOTH ON LA COSTA AND CARBON BEACHES ARE TOTALLY OPPOSED TO MAKING 21704 INTO A PUBLIC ACCESS PROPERTY. ON THE GROUNDS THAT P.C.H. IS AT THAT SITE A VERY DANGEROUS STRETCH OF ROAD DUE TO THE CURVATURE OF THE HIGHWAY AND SPEEDING MOTORISTS. IN FACT, SHERIFF STATISTICS SHOW THAT THIS HAS RESULTED IN THE THIRD WORST SITE OF ACCIDENTS IN MALIBU, SOME RESULTING IN DEATH. MOREOVER, THERE IS NOT ADEQUATE PARKING AND NO ROOM FOR DEVELOPING ANY.

THIS IS MOST DEFINITELY NOT A SUITABLE SITE. THE LIVES OF PEOPLE GOING TO THE BEACH MUST BE OF SOME INTEREST TO THE STATE

SINCERELY,

  
SAM AND MARGOT THOMAS



**BRILLSTEIN-GREY MANAGEMENT**  
*a basic entertainment company*

April 10, 2000

Steve Hudson  
California Coastal Commission  
89 S. California Street  
Suite #200  
Ventura, CA 93001  
Via Fax 805-641-1732

Dear Mr. Hudson,

I reside at 21644 Pacific Coast Highway and have lived there for several years. I am writing to voice my strong opposition to the potential easements that are being proposed near my residence. I'm sure that you are aware that this particular stretch of the highway is extremely dangerous where numerous accidents occur on a regular basis, especially in the summer time. Granting the proposed easements will only escalate the hazards on this highway instead of keeping it the beautiful scenic drive that it was originally envisioned as. I trust that you will consider all sides and make a decision that will ensure that safety of all those who use Pacific Coast Highway. Thank you for your time.

Best regards,



Marc Gurvitz  
MG/tm

9150 wilshire blvd.

suite 350

beverly hills, ca

90212

tel 310 275 6135

fax 310 275 6180

PETER MORTON

April, 10, 2000

Via Fax: (805) 641-1732

Steve Hudson  
Staff Analyst  
California Coastal Commission  
89 S. California Street, Suite 200  
Ventura, CA 93001

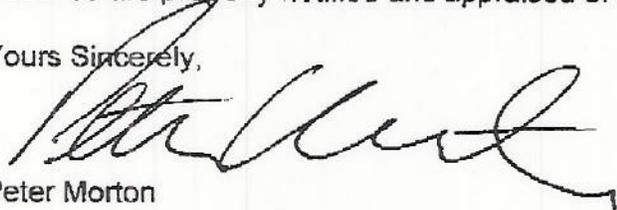
Ref: Permit #499-146-A2 Gamma  
#499-185-A Broad  
#499-266-A Daly

Dear Mr. Hudson,

I understand there is going to be a hearing regarding the above permit amendments on April 12, 2000. I learned of this only this weekend from neighbors and have received no public notice regarding this meeting.

I own three houses on Carbon Beach and could potentially be impacted from this view corridor beach. I request that this hearing be postponed until all residents on Carbon and La Costa Beaches are properly notified and appraised of the issues.

Yours Sincerely,



Peter Morton

PM:rc



*Part 5 Stopped*

NCIC CA1999 PAGE 21

REPORT 8. COLLISION LOCATION DETAILS--INVOLVED PARTY AND VICTIM DATA  
 CUMULATIVE 01/01/1999 THRU 09/30/1999

ON PRIMARY RD DIST BR DAY LOC METHR1 K I MR FLY PCF  
 FROM SECONDARY RD DATE TIME NCIC METH02 LIGHTING CNTRL-DEV TYPCLSN P TYPE I AGE S DP MOVEMENT O V E H J I C L E SP OTHER P TYPE I AGE  
 BY POSTABLE S BARGE RD-SURF-COORD/-COORD PED ACT M V I W T N SEX I Z PRECEDING I I Y P E MAKE INFO ASSOCIATED Y N SEX  
 CAL REPORT RD DST BEAT

F 1 1320 N WED 1995 CLEAR -- 1 UNSAFE SPEED 1 DRIVER 304 HMBD RANGE/FND E PICKUP/PAN FOR009 LANE CHANGE  
 WADISE COVE RD 021799 1705 1900 DAYLIGHT NO CNTRL HIT OBJ  
 I B 53.200 S 05001 DRY NORH / / FIXED OBJ  
 1012

F 1 43 S SAT 1995 CLEAR -- 2 1 UNSAFE SPEED 1 DRIVER 40F HMBD PROC ST H PASS|STGN FOR006 2 DRIVER C 24F  
 WADISE COVE RD 051589 1030 1900 DAYLIGHT CNTRL OK REARND 2 DRIVER C 24F HMBD STOPPED H PASS|STGN VOL933 3 PASS C 10F  
 I B 52.150 N 0971 DRY NORH / / OTHER MV 3 DRIVER 10F HMBD STOPPED H PASS|STGN FOR694  
 1012

F 1 45 S SAT 1995 CLOUDY -- 1 IMPED TRAFIC 1 DRIVER 22M HMBD CHANG LH M MOTORCYCLE 95  
 WADISE COVE RD 030589 1100 1000 DAYLIGHT CNTRL OK REARND 2 DRIVER 73M HMBD PROC ST N PICK WTRL TOTY80 LANE CHANGE  
 I B 53.020 N 0531 DRY NORH / / OTHER MV  
 1014

F 1 20 N SUN 1995 CLEAR -- 1 IMPROP PASS 1 DRIVER 24M HMBD PROC ST E PASS|STGN CAD186 2 DRIVER C 24F  
 WADISE COVE RD 051689 1700 1900 DAYLIGHT NO CNTRL BRUSIDE 2 DRIVER 71M HMBD LFT-TURN H PASS|STGN 00N 96 INATTENTION  
 I B 54.120 S 0971 DRY NORH / / OTHER MV  
 1012

F 1 1584 S FRI 1995 CLEAR -- 1 DRIVER ALC/DRC 1 DRIVER 37F HMBD PROC ST E PASS|STGN CHRY92 2 DRIVER C 50H  
 WADISE COVE RD 090399 0100 1900 ORK-LEYS NO CNTRL REARND 2 PRKD PARKED E PASS|STGN FOR935 1 PASS C 50H  
 I B 43.870 S 02881 DRY NORH / / PARKED MV 3 PRKD FOR936 1 PASS C 50H  
 1017

F 1 23 N WED 1995 CLEAR -- 2 1 UNSAFE SPEED 1 DRIVER 50H HMBD PROC ST E PASS|STGN BUIC93 1 PASS C 50H  
 WADISE COVE RD 031099 0855 1900 DAYLIGHT CNTRL OK REARND 2 DRIVER 40M HMBD SLOWING E PASS|STGN FOR936 1 PASS C 50H  
 I B 44.160 S 98020 DRY NORH / / OTHER MV  
 1017

F 1 30 N SUN 1995 CLEAR -- 3 1 UNSAFE SPEED 1 DRIVER V 34H HMBD PROC ST E MOTORCYCLE 98  
 WADISE COVE RD 062799 2135 1900 ORK-LGTS CNTRL OK REARND 2 DRIVER C 41H HMBD STOPPED E MOTORCYCLE 99  
 I B 44.100 S 81403 DRY NORH / / OTHER MV  
 1016

F 1 30 N SUN 1995 CLEAR -- 3 1 UNSAFE SPEED 1 DRIVER V 34H HMBD PROC ST E MOTORCYCLE 98  
 WADISE COVE RD 062799 2135 1900 ORK-LGTS CNTRL OK REARND 2 DRIVER C 41H HMBD STOPPED E MOTORCYCLE 99  
 I B 44.100 S 81403 DRY NORH / / OTHER MV  
 1016

F 1 30 N SUN 1995 CLEAR -- 3 1 UNSAFE SPEED 1 DRIVER V 34H HMBD PROC ST E MOTORCYCLE 98  
 WADISE COVE RD 062799 2135 1900 ORK-LGTS CNTRL OK REARND 2 DRIVER C 41H HMBD STOPPED E MOTORCYCLE 99  
 I B 44.100 S 81403 DRY NORH / / OTHER MV  
 1016

FOR INTERSECTION COLLISION DETAILS, SEE PORTSHEAD RD RT 1

FOR INTERSECTION COLLISION DETAILS, SEE RAMBLA PACIFICO RT 1

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REPORT B. COLLISION LOCATION DETAILS--INVOLVED PARTY AND VICTIM DATA  
CUMULATIVE 01/01/1999 THRU 01/30/1999

01/27/2000

ON PRIMARY NO DIST DR DAY LOC METHRI K I MR FLT P C F  
FROM SECONDARY DR DATE TIME NCIC METHRI LIGHTING CNL-DEV TYPOLSN P TYPE I AGE S DP MOVEMENT D V E H I C L E SP EITHER P TYPE I AGE  
HT POSIBLILE S BADGE RD-SURF -COND/-COND/-COND PED ACT M V I M Y M SEX I 2 PRECEDING J T Y P E NAME INFO ASSOCIATED T Y J  
AL REPORT NO DST BEAT

1 400 N SUN 1995 CLEAR -- N 1 UNSAFE SPEED 1 DRIVER 40R IMPU STOPPED E PASS/STAGN MIT AND RUN  
1 B 44.250 S 81403 DRY NORM / DAYLIGHT CNL OK REAREND 2 DRIVER 23R HMBD STOPPED E PASS/STAGN 90K90  
1016 OTHER HV

1 450 N SAT 1995 CLEAR -- 1 TOO CLOSE 1 DRIVER 32F HMBD SLOWING E PASS/STAGN UNSAFE SPEED  
1 B 44.260 S 74828 DRY NORM / DAYLIGHT NO CNL REAREND 2 DRIVER 46R HMBD STOPPED E PASS/STAGN F0M199

1 950 N WED 1995 CLOUDY -- 1 UNSAFE SPEED 1 DRIVER 21F HMBD PROC ST S PASS/STAGN STOP/GO TRAF  
1 B 48.850 S 8431 DRY CONET / DAYLIGHT NO CNL REAREND 2 DRIVER 42F HMBD STOPPED S PASS/STAGN T0Y190

1 1017  
FOR INTERSECTION COLLISION DETAILS, SEE RAMBLA VISTA RT 1

1 195 - FRI 1995 CLEAR -- 1 1 DAYL 1 DRIVER 20R HMBD FATO PROC ST M PASS/STAGN UNSAFE SPEED 2 DRIVER C 20F  
1 B 44.870 N 90676 DRY NORM / DAYLIGHT NO CNL HEAD-ON 2 DRIVER C 20F HMBD PROC ST S PASS/STAGN T0Y188  
1015 OTHER HV 3 DRIVER 55R HMBD PROC ST M PICKUP/PAN F0M099  
5 DRIVER 41R HMBD PROC ST M PASS/STAGN F0M095

1 650 E WED 1995 CLEAR -- 1 1 R-O-W AUTO 1 DRIVER C 26R HMBD ENT TRAF Y PASS/STAGN 1 DRIVER C 20R  
1 B 44.140 S 35100 DRY NORM / DAYLIGHT NO CNL CROSSIDE 2 DRIVER 28R HMBD PROC ST N PASS/STAGN H0M097

1 1056 N TUE 1995 CLEAR -- M 1 IMPROP TURN 1 DRIVER 60F IMPU PARKING E PASS/STAGN F0M087  
1 B 44.460 S 79803 DRY NORM / DAYLIGHT NO CNL SIDESHP 2 DRIVER 2 PRKO PARKED PASS/STAGN T0Y199

1 1584 N TUE 1995 CLEAR -- M 1 DAYL 1 DRIVER IMPU OTHER S OTHER 99  
1 B 45.140 S 92831 DRY NORM / DAYLIGHT NO CNL SIDESHP 2 DRIVER 2 PRKO PARKED S PASS/STAGN B0M 88

1017





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REPORT 0. COLLISION LOCATION DETAILS--INVOLVED PARTY AND VICTIM DATA  
CUMULATIVE 01/01/1999 THRU 09/30/1999

UN 01/27/2000

ON PRIMARY RD DIST ON DAY LOC METHD1 K I IR FLT P C F  
 FROM SECONDARY RD DATE TIME NCIC METHD2 LIBRARY CNTL-DEV TYPOLSH  
 H RT POSHILE S BRIDGE NO-GUNF -COND/-COND PED ACT N V I M Y  
 OCC. REPORT NO DST DEAT

RT I 28 W WED 1995 CLEAR - 1 1 1 ONE CHANGE  
 RANBI A VISTA 063059 1645 1900 DAYLIGHT NO CNTL HEAD-ON  
 N I 0 44.050 N 8971 DRY NORM / OTHER MV  
 1017

RT I 160 N MON 1995 CLEAR - 1 1 1 UNSAFE SPEED  
 VANILA VISTA DR 071999 1250 1900 DAYLIGHT NO CNTL REAREND  
 N I 0 44.290 S 92831 DRY NORM / OTHER MV  
 1017

RT I 1050 N TUE 1995 CLEAR - 1 1 1 UNSAFE SPEED  
 ANGLIA PACIFIC 072799 1450 1900 DAYLIGHT NO CNTL REAREND  
 N I 0 44.370 S 79162 DRY NORM / OTHER MV  
 1016

RT I 400 E THU 1995 CLEAR - 1 1 1 UNSAFE SPEED  
 730 N 80676 DRY NORM / OTHER MV  
 1015

RT I 2640 E TUE 1995 CLOUDY - 1 1 1 R-O-M AUTO  
 080199 1280 1900 DAYLIGHT NO CNTL BRDSTDE  
 N I 0 46.310 N 79903 DRY NORM / OTHER MV  
 1016

RT I 38 N SAT 1995 CLEAR - 1 1 1 UNSAFE SPEED  
 050199 1530 1900 DAYLIGHT NO CNTL REAREND  
 N I 0 46.820 S 7773 DRY NORM / OTHER MV  
 1015

RT I 5 S WED 1995 CLEAR - 1 1 1 IMPRCP TURN  
 063099 1215 1900 DAYLIGHT NO CNTL BRDSTDE  
 N I 0 40.800 N 77396 DRY NORM / OTHER MV  
 1015

RT I 204 S THU 1995 CLEAR - 1 1 1 UNSAFE SPEED  
 062499 1410 1900 DAYLIGHT NO CNTL REAREND  
 N I 0 46.770 S 99999 DRY NORM / OTHER MV  
 1015

UNSAFE SPEED 1 PASS C 30F  
 INATTENTION

PROC ST M PASS|STGN  
 STOPPED E PASS|STGN  
 PROC ST E PASS|STGN  
 STOPPED S PASS|STGN

1 DRIVER  
 2 DRIVER  
 3 DRIVER  
 4 DRIVER

62K HMBD  
 43M HMBD  
 34F HMBD  
 38M HMBD

17F HMBD  
 25F HMBD

34M HMBD  
 20M HMBD  
 27F HMBD  
 45M HMBD

16M HMBD  
 16M HMBD

WERT98  
 CHRY97  
 HOND98  
 TOYT98  
 VOLK98  
 FORD91

PROC ST E PICKUP|PAN  
 STOPPED E PASS|STGN  
 STOPPED E PASS|STGN  
 STOPPED E PICKUP|PAN

1 DRIVER  
 2 DRIVER  
 3 DRIVER  
 4 DRIVER

34M HMBD  
 20M HMBD  
 27F HMBD  
 45M HMBD

16M HMBD  
 16M HMBD

45M HMBD  
 42F HMBD

45M HMBD  
 21M HMBD  
 21M HMBD  
 34F HMBD  
 72K HMBD

FORD99  
 HOND99  
 HOND95  
 FORD84  
 WERT95  
 DAT94

PROC ST E PICKUP|PAN  
 STOPPED E PASS|STGN  
 STOPPED E PASS|STGN  
 STOPPED E PICKUP|PAN

1 DRIVER  
 2 DRIVER  
 3 DRIVER  
 4 DRIVER

34M HMBD  
 20M HMBD  
 27F HMBD  
 45M HMBD

16M HMBD  
 16M HMBD

45M HMBD  
 42F HMBD

45M HMBD  
 21M HMBD  
 21M HMBD  
 34F HMBD  
 72K HMBD

WERT98  
 DAT95  
 VOLV98  
 BMA 85

PROC ST E PASS|STGN  
 STOPPED E PASS|STGN

1 DRIVER  
 2 DRIVER

44F HMBD  
 18M HMBD

45M HMBD  
 42F HMBD

45M HMBD  
 21M HMBD  
 21M HMBD  
 34F HMBD  
 72K HMBD

45M HMBD  
 21M HMBD  
 21M HMBD  
 34F HMBD  
 72K HMBD

CHEV98  
 00  
 VOLV86  
 LENC97

PROC ST S PASS|STGN  
 STOPPED S PASS|STGN

1 DRIVER  
 2 DRIVER

34F HMBD  
 72K HMBD

45M HMBD  
 42F HMBD

45M HMBD  
 21M HMBD  
 21M HMBD  
 34F HMBD  
 72K HMBD

45M HMBD  
 21M HMBD  
 21M HMBD  
 34F HMBD  
 72K HMBD

INATTENTION 2 PASS C 23F  
 STOPPED TRAF  
 TOO CLOSE

INATTENTION 1 DRVR V 44F

INATTENTION 2 DRVR V 53M

INATTENTION 1 DRVR V 44F

INATTENTION 2 DRVR V 53M

INATTENTION 1 DRVR V 44F

INATTENTION 2 DRVR V 53M