

**Proposed Work Program
Malibu Coastal Access Public Works Plan
Mountains Recreation and Conservation Authority
State Coastal Conservancy Grant Agreement No. 12-104
June 2013**

The Mountains Recreation and Conservation Authority (MRCA) will complete requisite Malibu Coastal Access Public Works Plan (PWP) and California Environmental Quality Act (CEQA) document (Negative Declaration [ND] or Mitigated Negative Declaration [MND]) for said PWP. A maximum of 12 potential sites in the City of Malibu would be covered. The potential sites are located at Carbon Beach, La Costa Beach, Las Flores Beach, Las Tunas Beach, Escondido Beach, Lechuza Beach, and Malibu Cove Beach. MRCA staff and consultant work will include project planning and conceptual design for the vertical beach accessways. These include sites with vertical beach access easements, with vertical beach access deed restrictions, or that are owned by public agencies (State Coastal Conservancy [SCC] or MRCA). The MRCA and SCC seek to explore the feasibility of developing the remaining undeveloped or impeded accessways in Malibu as expeditiously as possible, in order to satisfy the objectives of the Coastal Act and the SCC statutory mandate, both of which require maximum public coastal access.

The proposed PWP will include eight of the original twelve sites.

- (1) Las Tunas Beach- Harner/Hundley, vertical access easement held by MRCA;
- (2) Las Tunas Beach- MRCA-owned land;
- (3) Las Flores Beach- Lent, vertical access easement held by SCC ;
- (4) La Costa Beach- Wayne, deed restriction in favor of public access;
- (5) Carbon Beach and La Costa Beach- SCC-owned land;
- (6) Escondido Beach- vertical access easement held by MRCA at Geoffrey's restaurant;
- (7) Escondido Beach- Clark, deed restriction in favor of public access; and
- (8) Escondido Beach- Wildman/Mancuso, parking access easement and vertical access easement held by SCC.

There will be some substantial challenges and complications in implementing this grant. This is partly due to landowner or homeowner association legal challenges. Historically, some Malibu residents have not welcomed public use of the local beaches. The City, once it formed in 1990, is similarly reluctant. There is pending litigation on one of the eight remaining sites. Also, several of the sites have private encroachments within the vertical access easements or deed restrictions, that are at varying stages of removal and enforcement actions. Furthermore, there are significant physical constraints at some sites (e.g., narrow easements, steep slopes) that will present design challenges. MRCA is enthusiastic about taking on these challenges.

It is not the MRCA's responsibility to resolve the issues related to encroachments as part of this grant. However, the MRCA staff will coordinate with the California Coastal Commission (CCC) and SCC staffs to work through these issues as far as project design.

MRCA staff and consultants will develop or refine existing conceptual site plans sufficiently to analyze site feasibility and any potential environmental impacts. Conceptual site plans will be developed to enable the public to pass over and through land to the coast. This may include, but is not limited to, construction or re-construction of stairways, at-grade paths and gates, viewing platforms, bridges, restrooms, parking areas, and signage. This would include coordination with CCC staff to obtain informal approval of project descriptions and parameters.

Consultants will conduct site visits, conduct environmental analyses, and prepare reports. Conceptual designs will be revised, as needed, based on preliminary environmental studies and feedback from agencies.

MRCA staff and consultants will prepare the PWP for the eight sites.

MRCA staff and consultants will prepare the CEQA document. (It is assumed this will be a ND or MND, not an Environmental Impact Report).

For the eight subject sites, the following list of tasks, attached budget, and attached schedule were developed with the best available information at the time of preparation. New information will be learned during this planning process that will require iterative changes to the approaches for all sites. For example, some tasks will drop out and some will be added. It is optimistically factored in that there will be cost savings from some original grant scope sites that can be used to fund the sites added at the end of the grant scope process. This later set of under-funded sites includes La Costa Beach-Wayne, Escondido Beach-Clark, and Escondido Beach-Geoffrey's/Finer Space Malibu LLC.

Tasks:

TASK 1: MRCA Project Management & Administration

As part of Task 1, "MRCA Project Management & Administration," some subtasks to be completed by MRCA include the following:

- Develop scopes of work for, and select, consultants, as necessary/appropriate for each site. Coordinate with and manage consultants.
- Conduct project management and administration.
- Research existing background documents.
- Coordinate with agencies (e.g., SCC, CCC, City of Malibu).
- Write portions of PWP and CEQA document.
- Hold MRCA public hearing to consider CEQA document.

Malibu Coastal Access Public Works Plan and CEQA
 Proposed Schedule (1)
 June 2013

TASK	MONTH/YEAR												
	2013						2014						
	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr		
Task 1 - MRCA Project Management & Administration													
Develop scopes of work for, and select, consultants													
Coordinate with and manage consultants													
Project management and administration													
Research existing background documents													
Coordinate with agencies													
Write portions of PWP and CEQA document													
Hold MRCA public hearing to consider CEQA document													
Prepare maps and figures as needed (MRCA GIS Manager)													
Provide design input and prepare figures as necessary (MRCA landscape architect)													
Task 2 - Consultants²													
Legal Surveyor													
CEQA/PWP Specialist													
Traffic/Parking Consultant													
Engineer													
Geologist/Geotechnical Engineer													
Coastal Engineer													
Landscape Architect													
MHTL Surveyor													
Archaeologist													
Biologist													
Visual/Aesthetics Specialist													

<p>Notes:</p>	<p>1 This proposed schedule was developed based on the information available at the time of preparation. This is a highly complex project with numerous sites and it is not prudent to expect the above-described tasks to reflect an exact chain of events and to proceed in an exactly linear fashion. Some tasks for some sites may proceed at a different schedule than above. This schedule is subject to change for various reasons (e.g., existing/new lawsuits, legal issues, encroachment issues, public opposition, physical site constraints, access issues, etc.).</p> <p>2 Consultants' tasks may need to be modified or the scope expanded if it is decided a certain study needs to be done at a particular site, where it was previously assumed that was not necessary. There are many possible reasons for this. Some examples are: geologist recommends borings onsite at a physically challenging site, old MHTL survey is not adequate and a new one is needed, past/existing analyses done for a site are not adequate and updated environmental studies are needed, and/or if CCC recommends modifications to previously existing designs.</p>
<p>Assumptions:</p>	<p>CEQA document would be ND or MND. CEQA document not be EIR.</p> <p>SCC hearing(s) not included in this schedule, and would occur after the completion of this grant. MRCA will provide to SCC completed PWP and CEQA document for SCC's use at a SCC meeting.</p> <p>CCC hearing(s) not included in this schedule, and would occur after the completion of this grant.</p> <p>Does not include obtaining City of Malibu building permits or GSA Division of State Architect approval (if needed).</p>
<p>Abbreviations:</p>	<p>CEQA-California Environmental Quality Act</p> <p>ND--Negative Declaration</p> <p>MND-Mitigated Negative Declaration</p> <p>EIR-Environmental Impact Report</p> <p>PWP-Public Works Plan</p> <p>SCC-State Coastal Conservancy</p> <p>CCC-California Coastal Commission</p> <p>MRCA-Mountains Recreation and Conservation Authority</p> <p>MHTL-Mean High Tide Line</p> <p>GSA-General Services Administration</p>

Malibu Coastal Access Public Works Plan and CEQA		
Mountains Recreation and Conservation Authority (MRCA)		
State Coastal Conservancy (SCC) Grant Agreement No. 12-104		
TOTAL ESTIMATED COSTS ^{1,2,3,4}		
June 2013		
	TASK	BUDGET
Task 1:	MRCA Project Management & Administration (Staff)	\$131,701
	MRCA Overhead (15%)	\$19,755
	Expenses	\$14,000
	MRCA subtotal	\$165,456
Task 2:	Consultants subtotal	\$304,544
	TOTAL (Grant)	\$470,000
	SMMC legal time (match)	\$20,000
	TOTAL (Project)	\$490,000
NOTES:		
<p>1 The following eight sites are addressed in this budget: Las Tunas Beach-Harner, Las Tunas Beach-MRCA, Las Flores Beach-Lent, La Costa Beach-Wayne, Carbon Beach-La Costa Beach-SCC, Escondido Beach-Geoffrey's/Finer Space Malibu, Escondido Beach-Clark, and Escondido Beach-Wildman/Mancuso. Carbon Beach-Ackerberg, Lechuza Beach-MRCA, Carbon Beach-Pozzo/Keith, and Malibu Cove Beach-Toberman are not included in the budget.</p>		
<p>2 This estimate is predicated on the assumption that there will be cost savings from other sites to apply to the following sites: La Costa Beach-Wayne, Escondido Beach-Geoffrey's/Finer Space Malibu, and Escondido Beach-Clark. For example, one or more subtasks for other sites may drop out, or be substantially less expensive.</p>		
<p>3 This budget reflects available funding, not actual costs for the three under-funded sites.</p>		
<p>4 Cost allocation plan in negotiation.</p>		

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

October 3, 2012 — Agenda Item IX

Resolution No. 12-143

RESOLUTION OF THE GOVERNING BOARD OF THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY APPROVING THE APPLICATION, ASSURANCES, AND APPLICATION SUBMISSION FOR GRANT FUNDS FROM THE CALIFORNIA STATE COASTAL CONSERVANCY, ENTERING INTO A GRANT AGREEMENT, AND ACCEPTANCE OF GRANT FUNDS FOR PROJECT PLANNING AND DESIGN, AND DEVELOPMENT OF MALIBU COASTAL ACCESS PUBLIC WORKS PLAN, FOR MULTIPLE BEACH ACCESSWAYS IN CITY OF MALIBU: THIRTEEN SITES LOCATED AT CARBON BEACH, LA COSTA BEACH, LAS FLORES BEACH, LAS TUNAS BEACH, ESCONDIDO BEACH, LECHUZA BEACH, AND MALIBU COVE BEACH

WHEREAS, the Legislature has established the California State Coastal Conservancy (Conservancy) under Division 21 of the California Public Resources Code, and has authorized the Conservancy to award grants to public agencies and nonprofit organizations to implement these provisions; and

WHEREAS, grants are awarded under eligibility guidelines adopted by the Conservancy; and

WHEREAS, procedures established by the Conservancy require the applicant to certify through a resolution approval to apply for and receive grant funds;

Resolved, That the Governing Board of the Mountains Recreation and Conservation Authority hereby:

1. FINDS that implementation of the Malibu Coastal Access Public Works Plan, encompassing planning and design for beach access improvements for up to thirteen sites, will provide significant public benefits.
2. FINDS that this action is categorically exempt from the provisions of the California Environmental Quality Act.
3. ADOPTS the staff report and recommendations dated October 3, 2012.
4. APPROVES the application, request for funding, and application submission for grant funds from the State Coastal Conservancy, for project planning and design, and development of Malibu Coastal Access Public Works Plan, for

multiple beach accessways in City of Malibu: thirteen sites located at Carbon Beach, La Costa Beach, Las Flores Beach, Las Tunas Beach, Escondido Beach, Lechuza Beach, and Malibu Cove Beach, in the amount of \$470,000.

5. APPROVES entering into a grant agreement and acceptance of grant funds for said project.
6. AUTHORIZES any budget amendments as necessary.
7. AUTHORIZES the Executive Officer or his designee to do any and all acts necessary to carry out this resolution and any recommendations made by the Governing Board, including negotiating and executing all agreements necessary to comply with the Conservancy's grant requirements.


Chair

AYES: Peterson, Hasenauer, Daniel, Lange

NOS: none

ABSTAIN: none

ABSENT: none

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Governing Board of the Mountains Recreation and Conservation Authority, duly noticed and held according to law, on the 3rd day of October, 2012.

Date: 10/3/12


Executive Officer