

CALIFORNIA STATE COASTAL CONSERVANCY

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July 25, 1990

BY FACSIMILE TRANSMISSION

Robert M. Berry
Robert M. Berry Realty, Inc.
21188 Hawthorne Boulevard
Torrance, CA 90503

SUBJECT: Encinal Beach lots

Dear Mr. Berry:

In response to your letter (facsimile transmission) of July 12, staff of the State Coastal Conservancy has completed a preliminary review of the offer to sell beach lots along the Sea Level Drive right-of-way.

This area has been identified in the Malibu LCP land use plan as a "high priority" for acquisition and development of additional beach access opportunities. The subject lots are relatively broad and would be quite attractive for public use, if the necessary support facilities (e.g. adequate parking, vertical access stairs) could be feasibly developed.

Despite these positive aspects, acquisition of some or all of the eighteen Encinal Beach lots is not within the ability of the Conservancy by itself. Two principal issues constrain the ability of the Conservancy to participate in such an acquisition: the very substantial cost of the project, and the necessity for management and operation of the site for public use. At present, neither of these has a clearly foreseeable solution.

Your letter proposes a cooperative effort by the Conservancy and the County of Los Angeles for an initial purchase. This would appear to imply that the County would also agree to operate the site for public access. It is my understanding, however, that the policy of the County has been to avoid any commitment to expand its beach management responsibilities beyond current levels. At the same time, it has been my understanding that the County did not have funds available for land acquisition other than for inholdings within existing park units. The concept outlined in your letter is certainly the most plausible means by which an acquisition could occur, but it assumes an extraordinary and perhaps improbable degree of local agency involvement. The desirability of accomplishing acquisition of all of the lots, and the consequent need for an even greater local funding commitment, underscores this uncertainty.

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I have discussed your proposal briefly with County of Los Angeles staff and I have transmitted to them a copy of your letter. Recognizing that the current offer may represent a unique opportunity, I will continue an active discussion with them. At the same time, it should be known within the next few weeks whether new park bond issues will be placed on the local and/or statewide ballots in November. The availability of such new financial resources would likely be the key to both Conservancy and County participation in establishing public access at Encinal Beach.

I will be in contact with your office as soon as I am able to develop more definitive information on the interest of the County and on the probability of additional future acquisition funds. If there is a favorable turn on the basic threshold issues, there will certainly be a number of other significant issues to be considered, including the feasibility of getting the public to the subject lots, adequacy of the appraisal, position of the State Lands Commission, and so forth.

Thank you for your offer. Please contact me at your convenience should you have any question regarding this matter or the Conservancy generally.

Very truly yours,



Steve Horn
Program Manager

cc: Norm Haynie

bcc: Larry Charness ✓