

CALIFORNIA STATE COASTAL CONSERVANCY

1330 BROADWAY, SUITE 1100
OAKLAND, CA 94612-2530
ATSS 561-1015
TELEPHONE 415/464-1015
FAX 415/464-0470



September 9, 1991

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

SUBJECT: Public Access to Encinal/Lechuza Beach (Malibu)

Dear Peter:

As I indicated would be done in my letter to you of July 8 (copy attached), the Conservancy now has completed an analysis of the potential for provision of public access to the beach adjacent to the Sea Level Drive right-of-way.

Offers to donate public access to this beach have been made by both the landowner, Lechuza Villas West, and by the Malibu Encinal Homeowners' Association. The Conservancy has focused its analysis on the feasibility of use of an area proposed by both the landowner and the homeowners' association, a ten-foot-wide strip (known as "Lot I" or "Bunny Lane") linking Broad Beach Road and Sea Level Drive. Based on this apparent agreement between the parties, we have employed an engineering firm to review the subject site and develop recommendations regarding its prospective use by the public. The consultant's report is attached.

In summary, our analysis indicates that use of Lot I for public access would be physically feasible, subject to the installation of improvements as described in the report. The consultant estimates the cost of needed initial improvements to be approximately \$100,000. It is our belief that it would also be desirable to install screening landscaping along portions of the pathway adjacent to existing residences, for a relatively small additional cost.

The administrative feasibility of providing access at this site will be dependent upon three factors: legal authority; availability of operations/management funding; and availability of a management entity.

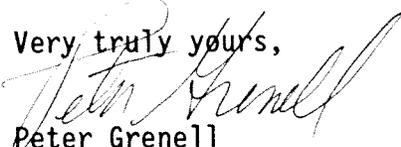
It is my understanding that Commission legal staff is evaluating the authority of either the landowner or the homeowners' association to provide shoreline access rights to the public at this site. A key issue in this respect, given the several intervening property divisions, will be the continuity of access rights from the public road (Broad Beach Road) to the mean high tide line. I would urge that the Commission not take any decision upon a premise of dedicated public access benefits without having a reasonable certainty that the offered benefits would withstand future legal scrutiny.

letter to Peter Douglas re: access to Encinal/Lechuza Beach, page two

No public access use will be possible without an agreement with a local agency or organization to be responsible for operation of the site. This, in turn, will likely require the provision of funding sufficient to meet the day-to-day expenses of management and to pay for upkeep of the improvements. The subject site will have relatively few improvements and thus a small operations budget. Principal management activities would involve opening/closing gates, arranging for garbage removal, monitoring the physical security of the improvements, and maintaining liability insurance. Based upon the Conservancy's survey of coastal accessway operations at several sites, it is estimated that such limited management responsibilities would require approximately \$10,000-\$15,000 annually. Our experience in Malibu has been that public agencies are reluctant to take on additional access management responsibilities, but I believe that if operations funding can be secured we will ultimately be able to find a willing public or private management entity. I would urge that the Commission consider the means by which operations expenses would be met in analyzing the efficacy of proposals to donate public access.

I hope that this information is useful to the Commission in its consideration of access to Encinal/Lechuza Beach. As I noted in my earlier letter, the Conservancy would be pleased to assist the Commission and other interested parties in any effort that may offer the public the opportunity to enjoy this site.

Very truly yours,


Peter Grenell
Executive Officer

cc: Norm Haynie, Lechuza Villas West
Tom Pieper, Malibu Encinal Homeowners' Association

CALIFORNIA STATE COASTAL CONSERVANCY

1330 BROADWAY, SUITE 1100
OAKLAND, CA 94612-2530
ATSS 561-1015
TELEPHONE 415/464-1015
FAX 415/464-0470



July 8, 1991

Peter Douglas
Executive Director
California Coastal Commission
45 Fremont Street, 20th Floor
San Francisco, CA 94105

SUBJECT: Public Access to Encinal/Lechuza Beach (Malibu)

Dear Peter:

I am writing to follow up on our discussion last week regarding the potential for Conservancy assistance in providing public access to the beach adjacent to the Sea Level Drive right-of-way.

As you know, this area has long been regarded as among the most important opportunities in Malibu for the provision of new beach access. The site is discussed in both the Coastal Plan and the Malibu LCP land use plan, and is identified in the latter as a high priority site for land acquisition and development to provide public access.

With this in mind, the Conservancy has been involved for more than a year in an effort to devise a feasible means of providing access to this beach. At the invitation of the current landowner, we have discussed the potential for public acquisition of some or all of the vacant beach lots along the Sea Level Drive right-of-way, and have explored the issues of acquisition funding and potential management of the site with the County of Los Angeles and the Department of Parks and Recreation.

Unfortunately, with the failure of both the Statewide and County park bond issues to gain voter approval last November, funding is not currently available for acquisition. As you might expect, the market value of Malibu beach lots is quite substantial, even given the stated willingness of the landowner to sell at a price below appraised value.

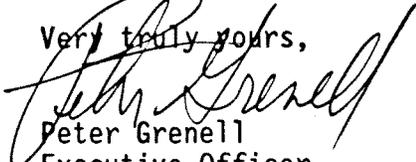
It is my understanding, however, that offers to donate public access to this beach have now been made by both the landowner, Lechuza Villas West, and by the Malibu Encinal Homeowners Association. Conservancy staff has indicated to all concerned our willingness and desire to work with all parties to accomplish the provision of access to this beach. We will continue to monitor the progress of Commission action on the development permit proposals related to this matter, and would be happy to respond to any request for assistance from your staff in respect to the feasibility of providing access through one or both of the suggested dedications.

letter to Peter Douglas re: access to Encinal/Lechuza Beach, page two

To promote the provision of access, the Conservancy will conduct an immediate evaluation of the feasibility of use of the ten-foot-wide strip linking Broad Beach Road and Sea Level Drive. This corridor has been named by both the landowner and the homeowners association as a principal vertical access connection to convey the public to this beach, and thus apparently represents an element of agreement. The landowner has agreed to permit the Conservancy to analyze the physical/administrative suitability of this corridor as a public beach access, and we will be conducting this analysis over the next 4-6 weeks. We will provide the conclusions of this analysis to your staff and the other concerned parties.

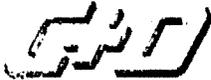
I hope that this clarifies the interest of the Conservancy in this matter. I would be pleased to respond to any request by the Commission staff or other parties for further information or assistance.

Very truly yours,



Peter Grenell
Executive Officer

cc: Norm Haynie, Lechuza Villas West
Tom Pieper, Malibu Encinal Homeowner's Association



Engineers • Planners • Surveyors

East Bay Regional Office
6150 Stoneridge Mall Rd.
Suite 100
Pleasanton, CA 94588
415 463 9150
Fax 415 463 9719

Offices Located In
San Jose, CA
Pleasanton, CA
Fairfield, CA
Monterey, CA
Martinez, CA
Phoenix, AZ

August 27, 1991

#390005.12

Hyden Associates
Landscape Architecture
2224 "J" Street, Suite 219
Sacramento, CA 95816

**ATTN: C. GARY HYDEN, ASLA
PRINCIPAL**

**RE: ENCINAL/LECHUZA BEACH
PUBLIC ACCESS FEASIBILITY ASSESSMENT**

Dear Gary:

GENERAL

In accordance with our Scope of Services, delineated in your letter of July 29, 1991, I have conducted a site visit with Mr. Steve Horn of the Coastal Conservancy and Mr. Norm Haynie of the Malibu Vista Professional Center. This site visit was conducted on August 21, 1991 and included reviewing available documents and walking the proposed public access. The documents of interest to the engineering feasibility of this site included a 1" = 40' topographic map prepared by Grimes Surveying and Mapping, Inc. dated October 1990, of the site and surrounding parcels and a slope stability report prepared by Strata-Tech providing a very general geological profile of the site (report dated April 8, 1991).

This letter presents the results of our engineering feasibility assessment of the site for use as a proposed public access. General concepts are developed based on site conditions and constraints and a preliminary estimate of probable construction costs are developed. Finally maintenance issues are discussed and agency reviews and permits are briefly outlined.

THE SITE

The proposed access is a ten (10) foot wide parcel that extends from Broad Beach Road at an elevation of approximately +85 feet to the beach below the terminus of the washed out portion of Sea Level Drive at an elevation of approximately +15 feet. The topographic map that I reviewed cited no datum, so I will assume that the datum is based on NGVD-1929. The proposed access way (see Figure 1) extends a horizontal distance of approximately 350 feet. Figure 2 shows a profile and stations along the approximate centerline of the proposed access. This parcel presently services as a restricted beach access with a locked wrought iron gate at Broad Beach Road. The access begins as a graded path, with chain link fencing, timber retaining wall and shrubs delineating it from adjacent parcels, extending approximately 140 feet to a break in grade as shown on Figure 2. At this grade break another wrought iron gate separates the path from the steep (1.4 horizontal to 1 vertical) slope that is traversed via existing wooden stairs with handrails. At the bottom of the stairs the access parcel turns westward for approximately 30 feet at a constant elevation of about 55 feet. This portion of the path is a wooden walkway flanked to the south by a large concrete retaining wall protecting a residence with a chain link fence as security. Immediately up slope of the wooden pathway is what appears to be loose recently deposited soil from grading the adjacent upper lot. This slope stands at approximately 1 1/3 horizontal to 1 vertical. From station 1+95 the access way turns southwesterly and proceeds down slope as a wooden ramp to approximately station 2+90. This portion of the slope stands at approximately 3 horizontal to 1 vertical. At the base of the ramp is a slightly sloping landing of concrete and rock leading to a final set of stairs that provide access from the bluff at the end of Sea Level Drive to the sandy beach.

PROPOSED ACCESS IMPROVEMENTS

At this level of feasibility studies we propose the following improvements:

1. Retain the wrought iron gate access point at Broad Beach Road. This gate will likely require sanding and painting and may require hardware replacement.
2. Regrade the pathway from Station 0+00 to 1+40 and install a six foot wide decomposed granite (DG) path with 2X6 redwood headers. A low (2 foot high) timber retaining wall may be required on the west side of the path approximately between stations 1+00 and 1+40.
3. Demolish the wrought iron gate at station 1+40 and remove the existing wooden stairs between station 1+40 and 1+65.

4. Install a new 6 foot wide wooden stairway supported on shallow concrete footings between stations 1+40 and 1+65.
5. Demolish the existing wooden path and ramp between approximately stations 1+65 and 2+90.
6. Install a new 6 foot wide wooden bridge supported on shallow (6 foot) concrete caissons with handrails between stations 1+40 and 1+65.
7. Install a new 6 foot wide wooden stairway with handrails and intermittent platforms between stations 1+65 and 2+90. Stairway is to be supported on shallow concrete footings.
8. Demolish existing stairway between approximately stations 2+95 and 3+15.
9. Install a new 6 foot wide wooden stairway with handrails between stations 2+95 and 3+25. Lower portion of stairway is to be constructed below existing beach sand level (approximately 5 feet) to allow for seasonal and storm induced changes in beach elevations. This portion of stairway is to be supported on piles driven into component material to provide some measure of protection from storm wave action and erosion.

From an engineering perspective, the above access improvements are feasible. Limitations do exist on the size and type of equipment that can be used during construction. Existing soils information was not adequate to address the stability of the steep loose slope above the "bridge" section between stations 1+65 and 1+95.

Soils information was not detailed enough to adequately assess the foundation requirements for the stairway sections. Thus, these sections were assumed to be founded on shallow concrete footings with the exception of the beach stairway between stations 2+95 and 3+25. It has been assumed that the proposed access parcel has adequate drainage characteristics and no additional drainage features will be required.

COST ESTIMATE

The following estimate of probable construction was prepared based on the proposed access improvements presented above.

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT COST</u>	<u>COST</u>
1. Demolition	Allow	LS	\$7,500.00
2. Grading	Allow	LS	\$2,000.00
3. D.G. Pathway	840 FT ²	\$15/FT ²	\$12,600.00
4. Stairways	900 FT ²	\$30/FT ²	\$27,000.00
5. Bridge Section	30 LF	\$300/LF	\$9,000.00
6. Beach Stairway	180 FT ²	\$50/FT ²	<u>\$9,000.00</u>
		SUBTOTAL	\$67,100.00
	Contingency 20%		\$13,420.00
	Surveying (Allow)		2,500.00
	Soils Engineering (Allow)		3,000.00
	Design Engineering (Allow)		<u>7,500.00</u>
		TOTAL	\$93,520.00

DISCUSSION

The Cost Estimate is conservative and can be defined with additional information. It may be necessary or advantageous to add additional chain link fencing and/or landscaping to provide security and screening. Signage requirements have not been addressed nor have site amenities such as trash receptacles or benches. Public parking has been assumed to be adequate along Broad Beach Road and no additional parking has been provided nor improvements such as striping included in this feasibility level estimate.

Maintenance requirements would be relatively minimal. If trash cans are provided, they would need to be emptied and the accessway should be inspected for repairs and litter retrieval on a weekly schedule. For budgeting

purposes a yearly maintenance cost for the structure only of approximately 5% of the capital cost is a general rule of thumb. This figure obviously depends on the usage and vandalism the structure receives and potential "Acts-of-God" such as storms and landslides.

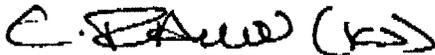
The Agency reviews and permits will likely begin with a Coastal Permit from the California Coastal Commission. A grading permit may be required from the Los Angeles County Department of Building and Safety. Since all construction activity is above the high tide line, (based on the assumed datum), no Corps of Engineers permit is required.

CONCLUSION

Based on this level of feasibility assessment, the proposed beach access is feasible from an engineering perspective. Concerns that require additional information prior to development of design documents include local slope stability and foundation requirements. Other issues that should be addressed include parking adequacy, signage, site amenities, security, landscaping and maintenance. We believe that this proposed public access could be developed for a capital cost of \$100,000 or less.

Please contact the under signed should you have questions.

Sincerely,
Creegan and D'Angelo



Charles I. Rauw
Project Manager

CIR/co

cc: Mr. Steve Horn