



MOUNTAINS RECREATION & CONSERVATION AUTHORITY  
Ramirez Canyon Park  
5810 Ramirez Canyon Road  
Malibu, California 90265  
Phone (310) 589-3230 Fax (310) 589-3237

January 8, 2010

Stephanie Danner  
Senior Planner  
City of Malibu  
23815 Stuart Ranch Road  
Malibu, California 90265

**Lechuza Beach Public Access Improvements Project – CDP App. No. 07-087  
31720.5 Broad Beach Road, also West Sea Level Drive  
and East Sea Level Drive  
INITIAL MANAGEMENT PLAN**

Dear Ms. Danner:

We have a Coastal Development Permit application No. 07-087 pending before the City of Malibu for the Lechuza Beach Public Access Improvements Project. Per this letter, we request to amend the project description to include the Initial Management Plan, Lechuza Beach, Malibu, California, which was approved by the Mountains Recreation and Conservation Authority at its January 6, 2010 governing board meeting. Please find enclosed:

- (1) Revised project description text, including a redline/strikeout version;
- (2) Initial Management Plan Lechuza Beach, Malibu, California (January 2010).

We would appreciate if you would include this Initial Management Plan as part of our project. As we indicated in previous correspondence, please provide us with clear direction on how to proceed, so that the City may agendaize this project soon at an upcoming Planning Commission hearing.

Please feel free to contact Judi Tamasi of our staff by phone at (310) 589-3230, ext. 121 or by email at [judi.tamasi@mrca.ca.gov](mailto:judi.tamasi@mrca.ca.gov) if you have any questions or if you need additional information.

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Lechuza Beach Public Access Improvements Project (CDP 07-087)  
Initial Management Plan  
January 8, 2010  
Page 2

You may also contact Paul Edelman, Chief of Natural Resources and Planning, by phone at the same phone number, ext.128. Thank you.

Sincerely,



Lisa Soghor  
Deputy Executive Officer

cc: Malibu Encinal Homeowners Association (Lisa Pallack)  
State Coastal Conservancy (Mary Small)  
California Coastal Commission (Pat Veesart)

### **9.A. Continued REVISED Project Description**

The Mountains Recreation and Conservation Authority (MRCA) is proposing a public works project at Lechuza Beach, a public beach owned by MRCA, to improve safety and accessibility. Project elements include upgrades and repairs to two existing staircases and an overlook. The project also includes the establishment of a new view area, a new view platform, and four new disabled parking spaces. MRCA also proposes the Initial Management Plan Lechuza Beach, Malibu, California January 2010 (attached). The proposed project is intended to carry out the public access policies of the City's certified Local Coastal Program which require vertical and lateral access and trail easements obtained pursuant to Offers to Dedicate (OTDs) that are accepted, opened, maintained and operated.

Both the existing staircase and overlook at the beach terminus of West Sea Level Drive would be reconstructed. An adjacent but separate new view area would also be established.

The existing Lot I staircase and pathway would be improved between the intersection of Bunnie Lane and Broad Beach Road, south (beachward) to the terminus of East Sea Level Drive at the beach.

A new view platform would be constructed at the south (beachward) end of Lot I.

Improvements to both staircases include reconstructing stairs and handrails, limited grading, installing guardrails, stabilizing the foundations, and installing native landscaping. Improvements on Lot I also include replacing both the pedestrian gate (recently removed) and the entrance sign to allow access to the beach via the pedestrian gate during the hours from sunrise to one hour after sunset. Public use hours of the beach will be unrestricted as the pedestrian gates will remain unlocked for those leaving the beach area at all times. A Parks Bond Act sign would be installed at the entrance to Lot I, per funding requirements.

Lot I stairs are proposed to be 4-5 feet wide. The materials to be used for the Lot I stairs construction include concrete, recycled plastic lumber, and steel. The materials to be used for the West Sea Level Drive stairs include concrete and steel.

One disabled parking space (Parking Space D) would be established along existing West Sea Level Drive, with accompanying access aisles, leading to both the reconstructed overlook/stairs and new view area (with new guardrails). (Parking Space C is shown for consideration as an alternative but is not currently being proposed.)

Three new disabled parking spaces (parking spaces B, C, and Z) would be established along existing East Sea Level Drive, with accompanying access aisles, leading to the new view platform at Lot I stairs.

Creation of the new parking spaces would include new surfacing and signage and the establishment of a parking access and pass reservation system. A code/access system would be established at the vehicle gates for vehicles with disabled placards to access the new disabled parking spaces. The new parking spaces may require the demolition of various small structures that currently encroach in the MRCA Sea Level Drive easement. All parking spaces will be van accessible, and parking signage will meet Federal and State regulations for accessibility.

The majority of the work would be conducted on MRCA-owned land. Such components include the West Sea Level Drive overlook and stairs improvements, the new view area at the terminus of West Sea Level Drive, the proposed parking space at West Sea Level Drive, the Lot I stairs improvements, and the new view platform at the southern (beachward) end of Lot I.

The three proposed parking spaces at East Sea Level Drive are located primarily within the Sea Level Drive easement (East Sea Level Drive) held by MRCA, in a lot owned by Malibu-Encinal Homeowners Association (MEHOA) (according to the Los Angeles County Assessor's data). A portion of Parking Space Z at East Sea Level Drive is proposed on MRCA-owned land.

For the proposed access aisle from parking spaces B and C to the proposed new view platform at East Sea Level Drive, MRCA is proposing to implement "Alternative Path 2," as shown in the attached figure. This access aisle along East Sea Level Drive would pass over the Sea Level Drive easement held by MRCA, in the lot owned by MEHOA (according to the Los Angeles County Assessor's data). The access aisle would terminate on MRCA-owned land. The other accessible paths (Alternative Path 1 and Alternative Path 3) shown are not included as part of the project description, but are shown as alternatives.

The proposed parking space at West Sea Level Drive (Parking Space D) is located on land owned by MRCA. For the proposed access aisle to the proposed new view area at West Sea Level Drive, MRCA is proposing to implement "Accessible Path 3," as shown in the attached figure. Portions of the access aisle by West Sea Level Drive (that would connect to the new view area) would pass on/by the existing Fire Department turnaround on a parcel that is privately owned, but over which MRCA holds an access easement. Portions of this access aisle along West Sea Level Drive would pass over the Sea Level Drive easement held by MRCA, in a lot owned by Lechuza Villas West L P (according to the Los

City of Malibu Planning Department  
Coastal Development Permit Application (No. 07-087)  
Lechuza Beach Public Access Improvements Project  
Mountains Recreation and Conservation Authority  
~~June 4, 2009~~- January 8, 2010-REVISED  
Page 3

Angeles County Assessor's data). Portions of the access aisle would be on MRCA-owned land. The other accessible paths shown are not included as part of the project description, but are shown as alternatives in case Alternative C were used.

The MRCA will enforce the Malibu Municipal Code at Lechuza Beach, including on MRCA's beach access easements. In all matters related to permitting dog use of the public beach, MRCA will enforce the Malibu Municipal Code at Lechuza Beach until such time that it is amended.

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City of Malibu Planning Department  
Coastal Development Permit Application (No. 07-087)  
Lechuza Beach Public Access Improvements Project  
Mountains Recreation and Conservation Authority  
January 8, 2010-REVISED  
Page 2

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City of Malibu Planning Department  
Coastal Development Permit Application (No. 07-087)  
Lechuza Beach Public Access Improvements Project  
Mountains Recreation and Conservation Authority  
January 8, 2010-REVISED  
Page 3

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Mountains Recreation and Conservation Authority

## **INITIAL MANAGEMENT PLAN LECHUZA BEACH, MALIBU, CALIFORNIA**

January 2010

### Section 1. Introduction, Status, and Statement of Purpose

1.0. Introduction. The Mountains Recreation and Conservation Authority (hereinafter "Authority") is a local agency exercising the joint powers of the Santa Monica Mountains Conservancy, the Conejo Recreation and Park District, and the Rancho Simi Recreation and Park District. The Authority acquired Lechuza Beach in Malibu, comprising over four acres, almost a quarter mile of beach front, for \$9,000,000 by virtue of a grant from the State Coastal Conservancy. The Coastal Conservancy grant contemplated a management plan prior to approval of any improvements.

1.1. Current Status. After almost eight years of negotiation there is no comprehensive agreement between the Authority, the local homeowner's association (Malibu-Encinal Homeowners Association), and the State Coastal Conservancy.

1.2. Statement of Purpose. This Initial Management Plan is designed to provide a minimum framework for the Coastal Development Permit proposing improvements and enhanced public access that has been submitted to the City of Malibu. The ultimate desired outcome of the process will be a plan agreed upon, in addition to the Mountains Recreation and Conservation Authority, by the homeowner's association, the Coastal Conservancy, the California Coastal Commission, and the city of Malibu. This Initial Management Plan recognizes, however, that given the controversial nature of the issues at stake agreement between all interested parties may not be possible, and that to wait until such total agreement can be reached will delay—perhaps indefinitely—needed public access improvements.

### Section 2. Invocation of the Police Power of the City of Malibu as the Default Management Authority

2.0. Malibu Municipal Code as the underlying enforcement power. In absence of agreement of all interested parties, the default situation is enforcement of the local police power of the city of Malibu. Malibu has adopted, with some exceptions not relevant here, the Los Angeles County Beach Code.

2.1. Enforcement of Malibu Municipal Code by peace officers of the Mountains Recreation and Conservation Authority. The Authority employs park rangers who are California peace officers pursuant to Penal Code § 830.31(b). Such peace officers may enforce for any public offense and a violation of the Malibu Municipal Code is a public offense.

### Section 3. Substantive Provisions

3.0. Substantive provisions. The following substantive provisions will be enforced at Lechuza Beach:

- No loitering on beach between midnight and 6:00 a.m. (§ 17.12.350 M.M.C.)
- No smoking. (§ 12.08.035 M.M.C.)
- No dogs. (§ 17.12.290 M.M.C.)
- No littering. (§ 17.12.380 M.M.C.)
- No alcoholic beverages. (§ 17.12.320 M.M.C.)
- No fires. (§ 17.12.370 M.M.C.)

3.1. Warnings. All applicable signs shall carry the following warning: "No lifeguard. Riptides and submerged rocks. Swim at your own risk."

3.2. Enforcement calls. All signs shall have the Ranger Services phone number.

3.3. Equal Applicability of Rules to All Persons. The provisions of this plan shall apply equally to all persons, whether or not they are members of the Malibu-Encinal Homeowners Association or are members of the general public using, or seeking to use, property of the Authority acquired by virtue of a grant from the State Coastal Conservancy using proceeds from General Obligation Bonds of the State of California. It shall not be a defense to a violation of this plan that a person is a member of the Malibu-Encinal Homeowners Association, or a member of the family of such member, where such membership is asserted as a defense to what would otherwise be a violation of the provisions of this management plan.

### Section 4. Compliance with California Coastal Act

4.0. Coastal Act Compliance Policy. It is the policy of the Mountains Recreation and Conservation Authority to fully comply with the California Coastal Act of 1976 and to that end the Authority will avoid any possible fines or enforcement actions against the Authority for violation of the Coastal Act.

4.1.1. Removal of Unpermitted Development per Coastal Commission. The Executive Officer shall cause any unpermitted development, as identified by the California Coastal Commission staff, to be removed forthwith so that the Authority will not be liable for violation of the California Coastal Act of 1976.