



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

King Gillette Ranch

26416 Mulholland Hwy

Calabasas, CA 91302

Phone (818) 871-9645 Fax (818) 871-9651

August 7, 2008

Mary S. Jones Wilson, President
Malibu Encinal Homeowners Association
Post Office Box 931
Malibu, California 90265

Lechuza Beach Maintenance Issues

Dear Ms. Wilson:

I am in receipt of your letter dated June 18, 2008 wherein several allegations of "...*hazardous conditions and deferred maintenance*" are made regarding the conditions at Lechuza Beach Park.

The Facilities & Maintenance Division of the Mountains Recreation and Conservation Authority takes all such reports seriously and all issues raised in your letter were fully investigated. To provide for clarity, each issue will be addressed separately below:

1. Hazardous Conditions

The Lechuza Beach area was inspected for any potential or active hazards to park users. Such an inspection includes developed improvements (human-made features) and natural occurring features that can be expected to found at the specific location. "Risk" is defined as the likelihood that an occurrence will result and the severity of any potential injuries that could result from this occurrence.

As a result of our inspection we have determined that no substantial risk or hazardous conditions exist at Lechuza Beach Park at this time. Developed features found at the park are structurally sound for the intended use levels and the potential failure of any individual structure is low. In addition, the likelihood of serious injury resulting from the failure of a developed feature is also low. The natural occurring features found at Lechuza Beach are consistent with other beach locations throughout Southern California. This includes tidal zone features such as cobbles, kelp, drift-wood, varying sand levels, and aquatic organisms. The natural features at Lechuza Beach Park also present no higher risk than other comparable beach locations.

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2. Staircase at West Sea Level

Specific concern was raised over the condition of the West Sea Level Staircase “...*of utmost concern is the staircase at the end of West Sea Level Drive. The foundation is crumbling and very close to complete failure. The handrails and steel bracket steps need repairs...*”

The staircase in question was inspected and photographs taken. The first photograph shows the step brackets with only surface rust present. The amount of corrosion present may detract from the appearance of the structure, but does not substantially affect the structural stability of the unit. Moreover, surface rust is commonly found on other similar structures that are in close proximity to tidal action and salt spray from waves.

The second photograph shows the foundation of the staircase. While there may be some superficial damage from tides and impacts with waves & rocks...the foundation is far from “crumbling”. Again, this type of wear is consistent with other similar structures located within the intertidal zone.

The result of our inspections indicate that the staircase in question does not present a higher than normal level of risk to park visitors. While it is readily obvious that the staircase is not in “new” condition, it is also far from the end of its useful service life. We will continue to monitor the condition of this staircase and other developed features at Lechuza Beach Park and will recommend repairs when they become structurally necessary.

As you know, we submitted a coastal development permit (CDP) application to the City of Malibu for the replacement of the West Sea Level stairs to meet building code standards and standards for accessibility for disabled persons. (A copy of the July 1, 2008 revised CDP application was sent to MEHOA, Attn: Mary Jones Wilson.) Obtaining this CDP will maximize the possibility of replacing the stairs in the future before the current stairs reach the end of their service life.

[See photos to follow on next page]

Photo 1:



Photo 2:



3. Deferred Maintenance

Several additional concerns were reported regarding overall maintenance at the site including the condition of gates, locks, cleaning of sand off stairs, removal of trash and litter, and the performance of regular inspections.

During multiple inspections of the site by F&M supervisors and myself performed over the past 30 days. None of the reported issues were observed. Locks on gates were working, beach areas were clean of litter, and trash cans were near empty (regularly emptied). Regarding regular inspections of the area and record keeping, you will see listed below a query from the Routes Maintenance Database which shows regular servicing of Lechuza Beach Park during the past 6 months.

In addition to work performed by the Facilities & Maintenance Division, the Ranger Services Division sends patrols to this site on a nearly daily basis. These ranger patrols also help pick up litter and report any maintenance needs to F&M. Lastly, the Maintenance Supervisor performs a system-wide inspection of all parks serviced by F&M on a quarterly basis. Any identified repair needs from these inspections are assigned to repair crews in a timely manner.

Furthermore, it is important to note that the MRCA is a conservation agency and naturally occurring tidal features such as kelp, cobbles, and other natural features are just that, "natural features." The suggested removal of kelp, cobbles, and other such features is not a "maintenance issue" and is contrary to the goals of the MRCA.

Lechuza Beach Park: Servicing Query

Below you will find the management summary from our servicing inspections this year.

Park Unit Name	Service Date	Service Day	Route	Heavy Litter	Type of Servicing	Major Incident Report Filed
Lechuza Beach	1/9/2008	Wednesday	Coastal	No	Standard	No
Lechuza Beach	1/17/2008	Thursday	Coastal	Yes	Standard	No
Lechuza Beach	1/23/2008	Wednesday	Coastal	No	Standard	No
Lechuza Beach	1/25/2008	Friday	Coastal	No	Standard	No

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Lechuza Beach	2/1/2008	Friday	Coastal	No	Standard	No
Lechuza Beach	2/5/2008	Tuesday	Coastal	Yes	Standard	No
Lechuza Beach	2/8/2008	Friday	Coastal	No	Standard	No
Lechuza Beach	2/13/2008	Wednesday	Coastal	No	Standard	No
Lechuza Beach	2/20/2008	Wednesday	Coastal	Yes	Standard	No
Lechuza Beach	2/22/2008	Friday	Coastal	No	Standard	No
Lechuza Beach	2/26/2008	Tuesday	Coastal	Yes	Standard	No

Lechuza Beach	3/4/2008	Tuesday	Coastal	Yes	Standard	No
Lechuza Beach	3/7/2008	Friday	Coastal	No	Standard	No
Lechuza Beach	3/11/2008	Tuesday	Coastal	No	Standard	No
Lechuza Beach	3/14/2008	Friday	Coastal	No	Standard	No
Lechuza Beach	3/18/2008	Tuesday	Coastal	Yes	Standard	No
Lechuza Beach	3/21/2008	Friday	Coastal	No	Standard	No
Lechuza Beach	3/25/2008	Tuesday	Coastal	Yes	Standard	No

Lechuza Beach	4/2/2008	Wednesday	Coastal	Yes	Standard	No
Lechuza Beach	4/3/2008	Thursday		No	Standard	No
Lechuza Beach	4/4/2008	Friday	Coastal	No	Standard	No
Lechuza Beach	4/8/2008	Tuesday	Coastal	Yes	Standard	No
Lechuza Beach	4/15/2008	Tuesday	Coastal	Yes	Standard	No
Lechuza Beach	4/18/2008	Friday	Coastal	Yes	Standard	No
Lechuza Beach	4/21/2008	Monday	Coastal	Yes	Standard	No

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Lechuza Beach	4/24/2008	Thursday	Coastal	Yes	Standard	No
Lechuza Beach	4/28/2008	Monday	Coastal	Yes	Standard	No

Lechuza Beach	5/5/2008	Monday	Coastal	Yes	Standard	No
Lechuza Beach	5/12/2008	Monday	Coastal	No	Standard	No
Lechuza Beach	5/15/2008	Thursday	Coastal	No	Standard	No
Lechuza Beach	5/19/2008	Monday	Coastal	Yes	Standard	No
Lechuza Beach	5/22/2008	Thursday	Coastal	No	Standard	No
Lechuza Beach	5/27/2008	Tuesday	Coastal	No	Standard	No
Lechuza Beach	5/30/2008	Friday	Coastal	No	Standard	No

Lechuza Beach	6/4/2008	Wednesday	Coastal	No	Standard	No
Lechuza Beach	6/9/2008	Monday	Coastal	No	Standard	No
Lechuza Beach	6/11/2008	Wednesday	Coastal	No	Standard	No
Lechuza Beach	6/12/2008	Thursday	Coastal	No	Standard	No
Lechuza Beach	6/15/2008	Monday	Coastal	No	Standard	No
Lechuza Beach	6/16/2008	Monday	Coastal	No	Standard	No
Lechuza Beach	6/16/2008	Monday	Coastal	No	Improvements	No
Lechuza Beach	6/19/2008	Thursday	Coastal	Yes	Standard	No
Lechuza Beach	6/28/2008	Saturday	Coastal	Yes	Standard	No

Lechuza Beach	7/2/2008	Wednesday	Coastal	Yes	Standard	No
Lechuza Beach	7/5/2008	Saturday	Coastal	No	Standard	No

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In conclusion, I hope this information has addressed your concerns regarding the safety and maintenance issues at Lechuza Beach Park. If you observe any future issues at the park, please feel free to contact me directly at so that we can provide a prompt response to your request. Thank you again for your help and concern regarding Lechuza Beach Park.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Tholund". The signature is stylized and cursive.

Dan Tholund
Chief of Facilities & Maintenance

cc: MRCA Governing Board
Joseph T. Edmiston, Executive Officer
Rorie A. Skei, Chief Deputy Executive Officer
Laurie C. Collins, Chief Staff Counsel
Walt Young, Chief Operations Officer
Mary Small (State Coastal Conservancy)
Tony Giordano (MEHOA Vice President)
Bill Kiefer (MEHOA)