



MOORE IACOFANO GOLTSMAN, INC.

June 22, 2007

Joseph T. Edmiston, FAICP
Executive Director
Santa Monica Mountains Conservancy
5750 Ramirez Canyon
Malibu, California 90265

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Dear Mr. Edmiston,

Our March 2007 report for the Mountains Recreation and Conservation Authority (MRCA), *Lechuza Beach Public Access Improvement Plan: Existing Conditions and Opportunities*, outlines the federal and state requirements for providing accessible facilities at Lechuza Beach. This report also includes a copy of the recent consent decree in settlement of U.S. District Court Case No. C 98-04935 CRB (PJH)—Tucker vs. California Department of Parks and Recreation.

Based on these accessibility guidelines and requirements, it is our opinion that MRCA is obligated to provide a beach access route (as described in section 16.4.1 of *Recommendations for Accessibility Guidelines: Outdoor Developed Areas*, published by the U.S. Architectural and Transportation Barriers Compliance Board in 1999) as part of any public access improvement project at Lechuza Beach. There do not appear to be any conditions at Lechuza Beach that would be considered acceptable departures (as described in section 16.1.1) that would limit the applicability of these guidelines. Our opinion is that this is true whether Lechuza Beach is considered a new or existing beach.

MIG would be pleased to assist MRCA in the design of a new beach overlook at East Sea Level Drive. However, we feel obligated to inform you of our opinion that the overlook without a beach access route does not fulfill MRCA's obligations to provide programmatic access to persons with disabilities at Lechuza Beach.

Please don't hesitate to call me if you have any questions or would like to discuss this matter further (510.845.7549).

Sincerely,

Timothy A. Gilbert, ASLA
Principal
MOORE IACOFANO GOLTSMAN, Inc.

Cc: Laurie Collins, Esq., Chief Legal Counsel, MRCA
Stephanie V. Landregan, ASLA, Chief Landscape Architect, MRCA
Judi Tamasi, Project Manager, MRCA

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