

Implementation Plan
Malibu Road Accessway Property - 24038 Malibu Road, Malibu, CA
Revised October 2010

This Implementation Plan has been prepared pursuant to Public Resources Code 31107 regarding the transfer of real property. The subject property (property) is owned in fee by the State Coastal Conservancy (Conservancy) and is located at 24038 Malibu Road, Malibu, CA. The property is a small lot - approximately 13,000 square feet – located on the west side of Malibu Road and perched above the Pacific Ocean, at Amarillo Beach. The property slopes steeply from elevation 35 feet, the elevation of Malibu Road, to the beach. The property is suitable for development of a public accessway and no public access to the beach exists for some distance in either direction.

The Conservancy acquired the property through acceptance of an Offer to Dedicate made by the former owner of the property as a condition of a Coastal Development Permit issued by the California Coastal Commission under the Coastal Act, Division 20 of the Public Resources Code. This Implementation Plan recommends that the Conservancy transfer the property to the Santa Monica Mountains Conservancy (SMMC), a state agency, with the property to be developed and managed on behalf of SMMC by the Mountains Recreation and Conservation Authority (MRCA), a joint powers authority of which SMMC is a member.

Under Chapter 9 of Division 21, which authorizes the Conservancy to acquire and hold property for the purpose of public access, Public Resources Code Section 31404 directs the Conservancy to “make a determined effort to identify local public agencies and nonprofit organizations which will accept responsibility for maintenance and liability for public accessways which are located outside of the state park system.” The property is neither within, adjacent to nor near any lands in the state park system.

SMMC is a State agency with authority over a defined local area in which the property is located. SMMC is willing to take jurisdiction to the property in order to retain State ownership and control of the property. However, SMMC believes the property would be best managed by MRCA. MRCA is a joint powers authority, whose member agencies are SMMC and the Conejo Recreation and Park District and the Rancho Simi Recreation and Park District, both of which are local park agencies established by the vote of the people in those communities. MRCA is dedicated to the preservation and management of local open space and parkland, watershed lands, trails, and wildlife habitat. The MRCA manages and provides ranger services for almost 60,000 acres of public lands and parks that it owns and that are owned by SMMC or other agencies and provides comprehensive educational and interpretive programs for the public. Included in the public lands managed by MRCA are coastal and near-coastal public recreational and access properties in Malibu. MRCA is uniquely suited, extremely well-equipped, and willing to manage and maintain the property and the public access improvements which are anticipated for the site on behalf of SMMC. By contrast, the Conservancy has no local staff and has limited ability to hold and manage the property.

Exhibit 2: Implementation Plan (Revised October 2010)

The Coastal Conservancy has obtained a Coastal Development Permit from the City of Malibu to construct a public beach access stairway on the subject property. Residents' concerns about the stairway, its management and hours of use, have been addressed by the Conservancy. Preparation of the final plans and specifications for the beach access stairway is expected to occur during the summer and fall of 2009~~10~~10. It is anticipated that MRCA will undertake construction, once approved and once funding is available, and will subsequently manage and maintain the property and the accessway.

CONCLUSION: That the Conservancy request the Department of General Services to transfer jurisdiction to the property to SMMC at no cost, to hold the property and, under an agreement with MRCA, to manage the property for public access purposes. Consistent with the Coastal Act and Conservancy agreement with the Coastal Commission, the Conservancy should retain the right to reversion of jurisdiction to the property in the event the property is not managed and maintained for public access.