

COASTAL CONSERVANCY

Staff Recommendation  
June 4, 2009

**MALIBU ACCESS PUBLIC OUTREACH**

Project No. 09-015-01  
Project Manager: Joan Cardellino

**RECOMMENDED ACTION:** Authorization to disburse up to \$25,000 to Los Angeles Forum to conduct public access educational tours in Malibu.

**LOCATION:** Malibu, Los Angeles County

**PROGRAM CATEGORY:** Public Access

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**EXHIBITS**

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Malibu Public Beaches Brochure](#)

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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$25,000 (twenty-five thousand dollars) to Los Angeles Forum for the purpose of conducting public access educational tours in Malibu, subject to the condition that prior to the disbursement of any funds, Los Angeles Forum shall submit for the review and approval of the Executive Officer of the Conservancy a detailed work program, and the names and qualifications of any contractors to be employed on the project.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
  2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding establishing a system of public coastal accessways.
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3. Los Angeles Forum is a nonprofit organization, existing under the provisions of Section 501(c)(3) of the Internal Revenue Code, whose purposes are consistent with Division 21 of the California Public Resources Code.”
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**PROJECT SUMMARY:**

Staff recommends disbursing up to \$25,000 (twenty-five thousand dollars) to Los Angeles Forum for the purpose of conducting public access educational tours in Malibu. Malibu has several public accessways that are not well known by the general public, and each of these accessways is surrounded by private beach property. It is often difficult for beachgoers to differentiate between public and private beach property. Additionally, the accessways are often not well signed for the public, and in many cases there is an abundance of private signs with confusing, and at times incorrect, information about the extent of private property. Because of this complicated landscape of public and private ownership, this grant will enable the Los Angeles Forum to work with the Los Angeles Urban Rangers (LAUR) on LAUR’s existing program which organizes tours (known as “safaris”) to take visitors to these under-utilized beaches and teach them how to identify and reach public easements on highly privatized beaches.

Using information provided by the Coastal Commission, LAUR has prepared guides to the Malibu coastline that include maps showing where public accessways are located. The guides also explain about the origins of the public ownership, often through the regulatory agencies, the significance of the mean high tide line for public access purposes, safety tips, tide charts, and basic beach etiquette (See Exhibit 2.) The safaris are free, and typically include groups of 30 people, who assemble in an assigned place. From that place, the rangers arrange carpools to minimize to the extent feasible the number of vehicles that will travel to each of the different beach sites for the day’s program.

The project is truly innovative in that it involves the public in a fun and engaging way to learn about beach access issues and a different Malibu beach experience than the larger public beaches, like Zuma, offer. Safari programs integrate dramatic interpretations of historic and current events with visual and graphic aids, in a humorous and environmentally friendly presentation that requires audience participation.

The project will fund these public safaris for the next two years, and serve approximately 240 people. The grant funds will go towards the expenses of printing the guides, preparing and printing a Spanish-language translation of the existing guide, program expenses, and the rangers’ time.

The Los Angeles Forum is a 501(c)(3) nonprofit organization dedicated to supporting innovative art, architecture, design and urbanism. It is the fiscal agent for LAUR which organizes and conducts the safaris. LAUR rangers have backgrounds in journalism, park planning, urban design, and related fields, and are provided with current and accurate information for each season’s safaris. LAUR is completely supported by grants and donations and has been conducting tours of Malibu accessways for the past two years for interested members of the public. To date, about 350 people have participated in the safaris.

**Site Description:** The project will take place on Broad Beach, Lechuza Beach, Malibu Road/Amarillo Beach, and Carbon Beach.

**Project History:** The Conservancy has been working for over 20 years to open Malibu beaches to the public, with some success. Our efforts to-date have focused on ensuring that Offers to Dedicate public access easements (OTD's) are accepted, and constructing necessary site improvements on those easements so they can be used by the public. The Conservancy has also worked to develop uniform signage for easements in Malibu that the Conservancy owns or controls. The project is an excellent complement to the work the Conservancy has been doing, and helps ensure that the facilities we develop are sufficiently used by the public. No other organization offers on-the-ground informational public trainings for identifying public beach easements.

Conservancy staff became acquainted with LAUR in 2008 through its work leading safaris on the Los Angeles River. The program was sufficiently funded through 2008, but did not have funding for extending the program at Malibu beaches for the summer and fall of 2009.

#### **PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$25,000</b>
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<b>Total Project Costs</b>	<b>\$25,000</b>
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Staff anticipates using funds from the Violation Remediation Account (VRA) for this project. The VRA is the repository for permit violation fees collected by the Coastal Commission. Under an agreement with the Commission, the Conservancy applies the funds as close to the area where the violation occurred as possible. Fees from permit violations in Malibu alone amount to tens of thousands of dollars in a typical year, so using the VRA for a public access outreach project is consistent with the purposes of the fund.

#### **CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

Pursuant to Public Resources Code Section 31400.3, the Conservancy may provide assistance necessary to enable public agencies and nonprofit organizations meet the objectives of Division 21. Section 31400 establishes the policy of the state that the right of the public to access and enjoyment of the coastal resources should be effectively guaranteed. The proposed project will provide effective guidance to enable the public to enjoy public beaches on the Malibu coast.

**CONSISTENCY WITH CONSERVANCY'S 2007 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 17, Objective A** of the Conservancy's 2007 Strategic Plan, the proposed project to provide public tours of, and printed brochures about, under-utilized beaches will reinforce the Conservancy's value to the general public.

The project also supports **Goal 2, Objectives C & D** by increasing public access to OTDs or areas of the coast that are effectively closed due to inadequate or confusing signage. Consistent with Goal 2, Objective C, the project will help educate the public to respect the rights of nearby landowners by providing clear, accurate information about both the public and private areas of the beach.

**CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on September 20, 2007, in the following respects:

**Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** The safaris are so popular that there has been a consistent waiting list of people wanting to attend.
4. **Location:** The proposed project would be located within the coastal zone of the City of Malibu.
5. **Need:** Without Conservancy assistance, Los Angeles Forum will not have sufficient funding to provide tours of the Malibu coast. The Conservancy benefits from increased public knowledge of its projects in this area, and the Los Angeles Forum and LAUR are uniquely positioned to help achieve that goal.
6. **Greater-than-local interest:** Malibu is a world-renowned destination and the visiting public will appreciate having a wider variety of places to access the beaches in this area. The LAUR program has received local and national attention, including an article in the New Yorker magazine.

**Additional Criteria**

7. **Leverage:** See the "Project Financing" section above.
8. **Conflict resolution:** The project provides a way to reduce conflict on public beaches between adjacent private landowners and the public because the project provides education about private areas on beaches and thereby reduces the amount of trespassing that may occur.

9. **Innovation:** The project is truly innovative in that it involves the public in a fun and engaging way to learn about beach access issues. Safari programs integrate dramatic interpretations of historic and current events with visual and graphic aids, in a humorous and environmentally friendly presentation that requires audience participation.
10. **Readiness:** The project is ready to begin in July 2009.
11. **Realization of prior Conservancy goals:** See “Project History” above.
12. **Return to Conservancy:** See the “Project Financing” section above.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

This project is consistent with the City of Malibu’s Local Coastal Program Land Use Plan policy 2.11, which states: “Public land, including rights of way, easements, dedications, shall be utilized for public recreation or access purposes, where appropriate and consistent with public safety and the protection of environmentally sensitive habitat areas.” By educating the visiting public about private property, public easements and encouraging appropriate public access and recreation, the project would carry out the intent of this policy.

**COMPLIANCE WITH CEQA:**

Providing information and education about beach locations and appropriate beach conduct on public beaches does not have the possibility of a significant effect on the environment and as such, is exempt from CEQA pursuant to California Code of Regulations Section 15061(b)(3). Upon approval, staff will file a notice of exemption for this project.