

COASTAL CONSERVANCY

Staff Recommendation
November 19, 2020

MARITIME ROCKS ACCESS AT BIG ROCKS BEACH

Project No. 20-037-01
Project Manager: Megan Cooper

RECOMMENDED ACTION: Authorization to disburse up to \$550,000 to the Mountains Recreation and Conservation Authority to construct public beach access improvements at Big Rock Beach in the City of Malibu.

LOCATION: City of Malibu, Los Angeles County

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [Site Map](#)
- Exhibit 3: [Site Photos](#)
- Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400-31410 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred fifty thousand dollars (\$550,000) to the Mountains Recreation and Conservation Authority (“the grantee”) to construct new public beach access improvements at Big Rock Beach in the City of Malibu.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.

4. Evidence that all permits and approvals required to implement the project have been obtained.
5. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain the project.

In addition, to the extent appropriate, the grantee shall incorporate the guidelines of the Conservancy's 'Standards and Recommendations for Accessway Location and Development'."

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 authorization is consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding a system of public accessways.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines."

PROJECT SUMMARY:

Staff recommends disbursement of up to \$550,000 to the Mountains Recreation and Conservation Authority (MRCA) to construct public beach access improvements at the access area known as Maritime Rocks located at Big Rock Beach in the City of Malibu (the project).

Big Rock Beach has been publicly owned for decades and locals and visitors use the site for public access. However, the site currently lacks permitted structures for safe access. The existing chain-link fence that serves as a safety barrier between the highway and the beach below is dilapidated and needs replacement. Visitors currently scurry down the slope on the eastern edge where there are unpermitted and degraded wooden structures and debris (Exhibit 3). Public use of the site in its current condition may result in injuries as well as behaviors and incidents that are disruptive to the enjoyment of other visitors. The project site is not accessible for visitors with impaired mobility in its current condition. In addition, the bluff on the western portion of the site has dead tree limbs and roots that create an uneven surface for users on the blufftop.

The site provides a secluded area to enjoy coastal recreation given that the beach is well below the highway, away from traffic noise and distractions. The beach consists of a unique combination of rock, sand, and cobbles that creates an attractive foraging location for birds and other marine life. The tides and seasonal changes in the beach profile provide a range of conditions ideal for observing various species throughout the year. Coastal recreation activities seen at this site include fishing along the shoreline, spear fishing, watching birds and offshore marine life, picnicking on the beach, sunbathing, and volleyball with visitor-provided portable nets. This level of usage necessitates adequate and safe beach access to enhance the beachgoing experience and enjoyment of coastal recreation.

The proposed project will provide much-needed safe public access consistent with the Americans with Disabilities Act (ADA) and enhance recreation opportunities at Big Rock Beach.

The proposed project includes removal of all unpermitted improvements and the construction of new improvements that include a new five-foot-wide beach access stairway, new blufftop view overlook, new fencing and gates six feet in height with automatic timed locks, and a new five-foot-wide decomposed granite pathway along the highway site frontage. Dead plants on the site's northern slope and the edge of the bluff will be replaced with coastal species native to the region. In addition, new public access signage will be posted for better site recognition and enforcement of beach use rules. Project tasks will include contractor bid and selection process, construction tasks, and construction management.

Site Description: The project site is located in between the residential properties at 20516 Pacific Coast Highway and 20466 Pacific Coast Highway, along Big Rock Beach in the City of Malibu (Exhibit 2). The site is approximately 1,300 square feet with approximately 150 linear feet of beach frontage. The site's northern boundary abuts the Pacific Coast Highway. The Project site features a sandy beach area approximately nine feet below the highway and a small bluff on the western edge of the site, buffered from the ocean by large rocks and bounded by private residences on its western and eastern boundaries. The beach is situated well below the highway away from traffic noise and distractions, giving visitors a secluded enclave to enjoy wildlife-oriented recreation. An approximately 24-inch storm drain located in the slopes along the northern edge of the site drains runoff from the canyon across the Pacific Coast Highway onto the beach. The storm drain is within a ten-foot-wide drainage easement located on the eastern portion of the site. The water quality, regularly tested by the County of Los Angeles Public Works Department, has been consistently determined safe. Other existing structures onsite include a chain-link fence in need of replacement and degraded unpermitted wooden structures and debris.

Grantee Qualifications: The California Department of Parks and Recreation transferred jurisdiction of the property to the Santa Monica Mountains Conservancy (SMMC) in December 2018. The MRCA will implement the proposed project and operate the site under its cooperative management agreement with the SMMC. After construction, the MRCA will be responsible for ongoing operation and management of the site. The project site will be open daily from sunrise to sunset. Trash cans will be placed onsite and emptied on a regular basis by MRCA staff. Gates will have automatic locking mechanisms that will unlock at sunrise and lock at sunset. Visitors will be able to exit from the beach side 24 hours a day. Signage will be posted for wayfinding and rule enforcement by MRCA rangers.

The MRCA currently manages nine other beach access sites throughout Malibu and has the capacity to permanently manage the project site. The MRCA employs its own operation and maintenance services, ranger division, and fire division for all its parklands and beach accessways. The MRCA also operates a 24-hour ranger service phone number that is posted at all parklands and accessways to ensure that all public inquiries are taken care of promptly. The 24-hour ranger service phone number will be posted at the project site. Overall, the project site will benefit from the MRCA's management as the MRCA's services will ensure that the

proposed improvements and the project site will be well maintained in the long term for the enjoyment of all visitors.

Project History: The MRCA began the planning and engineering design of the proposed Project in January 2016. The Malibu City Council approved a CDP for the proposed Project in July 2018. Since then, MRCA staff has been working diligently to finalize plans for construction and to secure building permits. The proposed project is nearing its final plan review with the City. In addition, in December 2019 the MRCA obtained an Encroachment Permit from Caltrans to address the portion of the project that will be located on Caltrans' adjacent easement.

PROJECT FINANCING

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|----------------------------|------------------|
| Coastal Conservancy | \$550,000 |
| MRCA | \$251,605 |
| Project Total | \$801,605 |

The anticipated source of Conservancy funds for the project is the FY 2019/2020 appropriation to the Conservancy from the Violation Remediation Account (VRA). The Coastal Act establishes the VRA within the State Coastal Conservancy Fund to hold funds derived from Coastal Commission enforcement actions (See Public Resources Code Section 30823.) VRA funds must be expended for the purposes of the Coastal Act and use of those VRA funds are guided by a Memorandum of Understanding between the Coastal Commission and the Conservancy. The Coastal Commission has agreed to the use of VRA funds for this project.

The source of MRCA funds is a \$400,000 payment to MRCA received under a permit condition from Coastal Commission Development Permit (CDP) No. 5-84-791-A1, as amended in August 2015, for a private development project for the construction of new public access improvements within the coastal zone in the City of Malibu. After planning and design costs for the project, approximately \$251,605 of the dedicated \$400,000 remains for construction.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 9 of Division 21 of the Public Resources Code Sections 31400-31410, which directs the Conservancy to take a principal role in the implementation of a system of public accessways to and along the state's coastline. The project is consistent with Section 31400.1, which authorizes the Conservancy to award access development grants to any public agency, provided that the resulting public accessways will serve more than local public needs. The improvements to Big Rocks beach will provide a safer and improved access point to the beach.

Section 31400.2 authorizes the Conservancy to provide up to the total cost of the initial development of a public accessway by any public agency, and the amount of funding provided

by the Conservancy shall be determined by the total amount of funding available for coastal public accessway projects, the fiscal resources of the applicant, the urgency of the project relative to other eligible projects, and the application of factors prescribed by the Conservancy. Consistent with this section, the proposed amount of the Conservancy contribution was determined based on the total amount of funding available to the Conservancy for public access projects and the Conservancy's Project Selection Criteria, including project urgency (See Consistency with Conservancy's Project Selection Criteria & Guidelines).

CONSISTENCY WITH CONSERVANCY'S ACCESS PROGRAM STANDARDS:

Standard No. 1 Protect the Public and Coastal Resources

The project is designed to safely accommodate public use by providing a new stairway for beach access. The proposed improvements will make use of the natural terrain, including using the existing blufftop as a view overlook. The entrances to the overlook and the stairway will be located away from adjoining properties to minimize privacy and use conflicts. The project integrates recommendations from a licensed coastal engineer to ensure that the project will not result in physical hazards on the site or on adjacent residential properties. The site is not a designated environmentally sensitive habitat area or agricultural area and does not contain habitat or agricultural resources.

Standard No. 2 Correct Hazards

The project is located along the beach and is subject to coastal flooding, storm surges, coastal erosion, and daily tidal changes, all of which could be exacerbated by climate change and sea level rise. However, the beach is protected by a rocky shoreline that helps dissipate offshore wave energy as it approaches the site, which reduces the impacts of coastal flooding and erosion. In addition, coastal engineering analysis and structural analysis has been incorporated into the project design to ensure that project components can withstand wave uprush impacts and the coastal environment, including sea level rise considerations. Should the site be inundated or damaged by storms, the site would be closed temporarily for safety and repairs.

Standard No. 3 Access Easements: Construction and Location

The project site is an approximately 1,300 square-foot property with approximately 150 linear feet of beach frontage. The proposed 5-foot wide stairway provides access to the approximately 1,300 square foot beach area for recreation. Due to the physical constraints of the site, wheelchair access could not be provided. However, all design components are designed to comply with the American with Disabilities Act (ADA) to the maximum extent possible, including the ADA-compliant view overlook.

Standard No. 4 Privacy

To access the beach, visitors currently scurry down the slope on the eastern edge of the site, sometimes inadvertently using the adjacent private property to access the site. The project relocates entrances to the overlook and the stairway away from adjoining properties to minimize privacy conflicts. In addition, the site will be secured by a six-foot high view permeable fence

along the entire northern boundary abutting the Pacific Coast Highway and automatically timed locks on entrance gates to the view overlook and stairway. Access to the site will be available from sunrise to sunset every day. The gates will be locked from the landside after operating hours and will always be open from the beachside for exit.

Standard No. 5 Environmentally Sensitive Areas

The project site does not contain environmentally sensitive habitat and therefore does not necessitate review by the California Department of Fish and Wildlife. The Coastal Commission has reviewed this project site for its suitability for public access improvements while also assessing the environmental sensitivity of the site.

Standard No. 6 Lateral Accessways: Construction and Location

The site is a vacant, approximately 1,300 square-foot beachfront parcel. The entirety of the site can be used for public beach access and recreation. The proposed stairway is cited at the most landward extent possible to minimize impact from storm waves and surges. Coastal engineering analysis and structural analysis have been incorporated into the project design to ensure that project components can withstand wave uprush impacts and the coastal environment, including sea level rise considerations.

Standard No. 7 Vertical Accessways: Construction and Location

The proposed stairway is cited at the most landward extent possible to minimize impact from storm waves and surges. Coastal engineering analysis and structural analysis have been incorporated into the project design to ensure that project components can withstand wave uprush impacts and the coastal environment, including sea level rise considerations. The next closest available public beach accessway is 0.6 mile east at 20000 Pacific Coast Highway and 2.1 miles west at 22126 Pacific Coast Highway. The project improves access to a beach with scarce public access in Malibu.

Standard No. 8 Trails

Not applicable.

Standard No. 9 Scenic Overlooks

The project includes a new view overlook on the existing blufftop on the western portion of the site. The view overlook will include railings, stabilized decomposed granite surfacing, and gate and fencing along the northern boundary. The view overlook is accessible and will include ADA-compliant seating.

Standard No. 10 Coastal Bikeways

Not applicable.

Standard No. 11 Hostels

Not applicable.

Standard No. 12 Support Facilities

The project will include onsite signage to help visitors identify the site, as well as inform visitors of rules by which to abide while using the site. The rules are enforceable by MRCA rangers. Parallel parking along the highway shoulders is available at the site. In addition, trash receptacles will also be provided.

Standard No. 13 Barrier-Free Access

The project includes a wheelchair-accessible view overlook and ADA-compliant seating. Beach access is not wheelchair-accessible due to physical site constraints. However, the proposed beach access stairway is designed to be ADA-compliant to the most feasible extent.

CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 2, Objective A** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will enhance opportunities for people with disabilities to the coast by creating safe stairway and a blufftop overlook area.

Consistent with **Goal 2, Objective D** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will involve reconstruction of unsafe and dilapidated facilities to increase and enhance coastal recreation opportunities.

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 October 2, 2014, 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. **Promotion and implementation of state plans and policies:** *California Coastal Act.* The California Constitution and the California Coastal Act require that public access to and along the shoreline be maximized. PRC Section 30001.5(c) declares the state's goal to "maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone." The proposed project would improve a public use easement and implement the public access and recreation policies of the Coastal Act.
4. **Support of the public:** The project is supported by Happy Trails for Kids, Community Nature Connection, Latino Outdoors, the Surfrider Foundation, Jenny Price, an LA Urban Ranger and the co-creator of the Our Malibu Beaches app, and the Santa Monica Mountains Conservancy (Exhibit 4).

5. **Location:** The proposed project would be located within the coastal zone of the City of Malibu, Los Angeles County.
6. **Need:** The Coastal Development Permit for the site expires in July 2021. Given the complications experienced during the entitlement process, the MRCA expects a challenging and costly process to request an extension of the CDP entitlement from the City. The process could delay the project for several years. The VRA funds from the Conservancy are currently the only funds available, in addition to the Coastal Commission fees held by MRCA.
7. **Greater-than-local interest:** Malibu's coastline stretches for 27 miles, which is a significant component of Los Angeles County's coast. For residents of inland communities especially those in the San Fernando and Conejo Valleys, Malibu offers the closest beaches. Additionally, thousands of visitors from all over the state and out-of-state visit Malibu annually, as it is a popular vacation destination.
8. **Sea level rise vulnerability:** The Project is located along the beach and is subject to coastal flooding, storm surges, coastal erosion, and daily tidal changes, all of which could be exacerbated by climate change and sea level rise. The project design was designed for +7.50 feet sea level rise by the year 2100, which exceeds the Ocean Protection Council's 2018 Sea-Level Rise Guidance for the project site's medium to high risk sea level rise level of 6.8 feet according to the Santa Monica tide gauge. In addition, coastal engineering analysis and structural analysis has been incorporated into the Project design to ensure that project components can withstand wave uprush impacts and the coastal environment, including sea level rise considerations. The Project is designed to have a minimum lifespan of 25 years and can last much longer with appropriate maintenance.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The City of Malibu's Local Coastal Program (LCP) calls for a public beach accessway every 1,000 feet along Big Rock Beach per Section 2.86 in the LCP's Land Use Plan. However, the next closest public beach accessway is 2.1 miles to the west and 0.6 mile to the east, both of which are well over 1,000 feet from the project site. The proposed project seeks to maximize public access and coastal recreation as intended by the City's LCP and consistent with the Public Access provisions in Chapter 3 of the California Coastal Act.

CEQA COMPLIANCE:

The proposed project is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations, section 15301, because it will involve operation of existing public facilities that involves negligible or no expansion of existing or prior use. The project is also categorically exempt from CEQA under Section 14 CCR 15303 because it consists of the construction of a limited number of new small facilities and exempt under 15304 because it involves minor alterations to land and vegetation but will not remove any healthy, mature or scenic trees.

Upon approval of the project, Conservancy staff will file a Notice of Exemption.