

COASTAL CONSERVANCY

Staff Recommendation
January 21, 2021

ESCONDIDO BEACH PUBLIC ACCESS IMPROVEMENTS

Project No. 95-010-02
Project Manager: Joel Gerwein

RECOMMENDED ACTION: Authorization to disburse up to \$131,000 to the Mountains Recreation and Conservation Authority to operate and maintain open public accessways and assist with planning for the removal of encroachments on access easements to Escondido Beach in Malibu, Los Angeles County.

LOCATION: Escondido Beach, Malibu, Los Angeles County

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [Site photographs](#)
- Exhibit 3: [Memorandums of Understanding regarding the Malibu Beach Access Fund](#)
- Exhibit 4: [Project Letters](#)
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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 one hundred thirty one thousand dollars (\$131,000) to the Mountains Recreation and Conservation Authority (“the grantee”) to operate and maintain open public accessways and assist with planning for the removal of encroachments on access easements to Escondido Beach in 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 the Conservancy authorize disbursement of up to \$131,000 to the Mountains Recreation and Conservation Authority (MRCA) to operate and maintain open public accessways and assist with planning for the removal of encroachments on access easements to Escondido Beach in Malibu. The project will maintain existing visitor-serving amenities at open accessways and facilities, and support the Coastal Commission's efforts to remove encroachments along accessways that are currently closed to the public through research and collection of information.

The proposed project involves operating and maintaining three open public accessways at Escondido Beach, and assisting with planning for the removal of encroachments on additional access easements (Exhibit 1). Escondido Beach is three miles long, and is an extremely popular recreational destination, receiving millions of visitors each year. However, there are currently only three open public accessways to the beach, and these accessways are clustered on the eastern end of the beach, resulting in overcrowding and intensive use of the accessways and the beach areas closest to them. The only western Escondido Beach access is a pathway at Paradise Cove, with its private restaurant and beach area and expensive parking (\$50 per day for weekends). There are additional easements owned by public entities that could provide more dispersed public access to Escondido Beach and parking for beach visitors. The planning and permitting process necessary to develop and manage additional accessways to Escondido Beach is ongoing.

MRCA currently manages two open beach accessways in eastern Escondido Beach: 1) Geoffrey's Restaurant/Finer Space, and 2) Seacliff. A third open accessway is managed by the County of Los Angeles and provides access from the south side of Pacific Coast Highway to Escondido Beach (Exhibit 1). Operation and maintenance of the two MRCA accessways includes site monitoring, ranger patrol, signage, trash pickup, restroom servicing, and other tasks necessary to maintain these coastal accessways in a safe, usable condition. The project will continue this effort at the two accessways managed by the MRCA and operate and maintain MRCA's newly acquired beach parcel and access easement discussed below. Operation and maintenance will include some minor improvements. For example, at two of its existing open Escondido Beach accessways, the MRCA will modernize public signs including information on public directional apps such as "Your Coast."

In December 2020, MRCA acquired an undeveloped beach parcel (APN 4460-028-012) adjacent to the County accessway and an access easement (APN 4460-009-016) that connects to the County accessway (Exhibit 1). The 0.57-acre beach parcel is located south of the Pacific Coast Highway immediately west of the County parcel, and the easement is located on the north side of Pacific Coast Highway. This vacant parcel contains the terminus of Escondido Creek that varies in position depending on sediment loads and storm activity. The beach parcel has had historical public use and will continue to offer space to sit and play on the beach. Beachgoers will be able to access the beach parcel from both the north and south sides of the PCH. From the north, access to the beach parcel will be via a safe pedestrian access utilizing a historic 10-foot earthen path running approximately 130 feet to a Caltrans-managed box culvert under the PCH leading to Escondido Beach. From the south side of the PCH, access will be via the County public accessway. Bus stops for the #534 bus route are on the north and south side of the PCH at this intersection, providing direct access to Escondido Beach using local public transit. A trail linkage via Meadows Court connecting Escondido Beach to Escondido Canyon Park and its waterfalls lies only a short walk of approximately 600 feet west. This beach parcel will be managed under the same set of MRCA ordinances currently posted on coastal sites and will be accessible from sunrise to sunset.

On January 15, 2021, MRCA expects to acquire a coastal access easement over the parcel on the north side of the Escondido Creek box culvert under PCH (APN 4460-009-016, Exhibit 1). The underlying fee ownership of the parcel is held by a private landowner. There is no signalized vehicular intersection or safe pedestrian crossing in the vicinity for pedestrians to safely cross the PCH to access Escondido Beach. The nearest PCH pedestrian crosswalk traveling west is located 1.2 miles at Paradise Cove Road, and the next pedestrian crosswalk traveling east is located 1.5 miles at Corral Canyon Road. This easement offers a safe pedestrian coastal accessway underneath the PCH to and from Escondido Beach. The easement provides safe pedestrian access from the north side of the PCH for beachgoers who park along this section of the PCH or arrive via public bus, as well as hikers coming from or going to Escondido Canyon Park. This dedicated public access easement will formalize the public's historic use of an existing

approximately 10-foot earthen path running approximately 130 feet to a Caltrans-managed box culvert under the PCH leading to Escondido Beach.

The coastal access easement will remain in substantially its existing condition to preserve natural conditions and the open space character of the area. MRCA ordinance signage will be installed on the site and it will be accessible from sunrise to sunset. The accessway and beach parcel will be added to MRCA's current coastal patrol route for its Ranger and Operations Division. Together, the easement and the beach parcel provide public access to a trail that provides a safe undercrossing of the highway and to an additional beach area, including Escondido Creek. The trail connects to the County accessway via the PCH box culvert undercrossing.

Regarding planning activities, the MRCA will collect and provide information to support the Coastal Commission's effort to remove encroachments at Escondido Beach accessways that are held by the MRCA and/or managed by the MRCA for the Santa Monica Mountains Conservancy (SMMC) under its operating agreement. This effort will include accessways that are currently open and accessways that are not currently open. If it were not for decades-old encroachments at some of these Escondido Beach accessways, the public could be enjoying amenities like much-needed new parking and new coastal access connectors from the north side of Pacific Coast Highway to Escondido Beach. MRCA's support of the Coastal Commission's enforcement staff will assist in removing these access constraints.

As a result of limited public access points on Escondido Beach, the intense use of the existing beach accessways results in accessway degradation and overcrowding. Major issues include full-capacity parking within and around the only public parking lot on Winding Way, spillover parking across the highway for those wanting to access Escondido Beach or Escondido Canyon Park, and lack of amenities such as additional public parking lots, safe Pacific Coast Highway crossings, picnicking, and restrooms. With approximately 20 million people in the larger Los Angeles metropolitan area and 15 million visitors a year to Malibu, the increasing visitation to this area is indicative of the coastal recreational demand that is straining the capacity of existing facilities.

Site Description: Escondido Beach is a south-facing, three-mile-long sandy beach east of Point Dume. Public access to much of the beach is protected by easements held primarily by the MRCA. Descriptions of the accessways covered by this project follow.

The Geoffrey's Restaurant accessway consists of a 10-foot-wide vertical access easement that traverses the eastern edge of the existing restaurant parking lot on the property at 27400 PCH, along the southern edge of the outdoor dining area of Geoffrey's Restaurant, and then traverses along an existing stairway south of the property, across a residential road, and then along the eastern property boundary line of the residential property at 27348 PCH that consists of two side-by-side stairways leading down to the top of a seawall and towards the beach. An existing lateral access easement on the property at 27348 PCH includes all areas from the mean high tide line landward to a location 10 feet seaward of the toe of the seawall. Public access would be available within the 10-foot strip when no other dry beach areas are available for

lateral public access. The section of this accessway on the commercial property at 27400 PCH contains physical encroachments that include portions of the existing parking lot, portions of the restaurant's outdoor dining area, and planters. Public access signs are posted throughout the section of the accessway along the edge of the parking lot and the existing stairway south of the dining area. Portions of the existing stairway are located outside of the site's recorded legal description of the vertical easement boundaries. The section of the accessway along the eastern property boundary line of the residential property at 27348 PCH contains a brick stairway, a wooden stairway, a concrete seawall, and a 24-inch-diameter storm drain encased within the concrete seawall. The public is currently using this site for public beach access. Other nearby existing public beach accessways are approximately 0.21 mile east and 0.07 mile west of the site.

The Seacliff accessway is located at 27420-2728 PCH. The accessway consists of a walkway screened by trees on the eastern side and a high wall along the westerly edge. The walkway terminates in a stairway that takes visitors down a steep cliff. The inland side consists of a short stairway to connect the walkway to PCH, and a parking area for two cars.

Descriptions of the beach parcel and access easement at Escondido Creek are found above in the "Project Summary" section.

Grantee Qualifications: Founded in 1985, the MRCA is a local public agency created by a joint powers agreement with the SMMC, the Conejo Recreation and Park District, and the Rancho Simi Recreation and Park District. The MRCA's mission is to complement the work of these, and other, agencies in protecting land and providing public access in Los Angeles County and Ventura County. The MRCA has acquired and manages over 75,000 acres of parkland. The MRCA has extensive experience working with various federal, state, and local agencies to protect sensitive habitat and provide public access and recreational opportunities for all within Malibu, the Los Angeles River Parkway and the 156,000-acre Santa Monica Mountains National Recreation Area. The MRCA can provide in-house operational and management activities such as ranger patrols, park, trail and accessway maintenance, and fire protection, which ensures that the facilities it manages can be well protected for the long-term under the MRCA's management.

Project History: The Coastal Commission established the Malibu Beach Comprehensive Access account from in-lieu fees obtained via permits for development at Escondido Beach in 1980. Since that time, the in-lieu fees have been transferred to the Conservancy's Coastal Trust Fund and held in an interest-bearing account known as the Malibu Beach Access Fund.

In 1996, the Conservancy and the Coastal Commission recognized the need to provide funding support for Escondido coastal access and entered into a Memorandum of Understanding for the expenditure of funds from the Malibu Beach Access Fund to develop, operate and maintain Escondido Beach access through a grant to MRCA (Exhibit 3).

The Conservancy accepted five public access easements at Escondido Beach. Two of these easements (27348 Pacific Coast Highway and 27400 Pacific Coast Highway, Malibu, CA) were accepted in 1996, while the remaining three easements (a lateral, vertical, and a parking

easement at 27420 and 27428 Pacific Coast Highway) were accepted in 2001. All five of these easements were assigned to the MRCA by the Conservancy on March 21, 2018. Under the 2018 agreement, MRCA holds and operates these easements.

PROJECT FINANCING

Coastal Conservancy	\$131,000
Project Total	\$131,000

The source of Conservancy funds will be the Malibu Beach Access account in the Coastal Trust Fund. These funds can only be spent on operation, maintenance, and development of coastal accessways at Escondido Beach in Malibu. The expenditure of these funds is governed by an MOU between the Conservancy and the Coastal Commission (Exhibit 3). The proposed project is consistent with the 1996 MOU because it will be used to operate and maintain accessways at Escondido Beach.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project will be undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Sections 31400-31410), regarding public access to and enjoyment of coastal resources. Public Resources Code, Section 31400 states that it is the Legislature’s intent that the Conservancy play a principal role in the implementation of a system of public accessways to and along the state’s coastline.

Section 31400.3 provides that the Conservancy may provide assistance as required to aid public agencies to establish a system of public coastal accessways, and related functions necessary to meet the objectives of Chapter 9 of Division of the Public Resources Code. The proposed project will further these goals by supporting operations and maintenance of existing beach accessways in Malibu.

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

Consistent with **Goal 16, Objective C** of the Conservancy’s 2018-2022 Strategic Plan, the proposed project will increase access for Californians by supporting MRCA, an organization that facilitates coastal access for all, and by reducing barriers to coastal access that would be presented by accessways that are not properly maintained.

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 maintain public coastal accessways, implementing the public access and recreation policies of the Coastal Act.
4. **Support of the public:** The project is supported by the California Coastal Commission, National Park Service, California Department of Parks and Recreation, Jenny Price of the Los Angeles Urban Rangers and “Our Malibu Coast” mobile application, and Community Nature Connection (Exhibit 4).
5. **Location:** The proposed project would be located within the coastal zone of the City of Malibu, County of Los Angeles.
6. **Need:** Without Conservancy funding, the MRCA will have difficulty operating and maintaining existing accessways.
7. **Greater-than-local interest:** Malibu has one of the most heavily visited coastlines in California, with millions of visitors annually. During peak summer months, the huge state and county beaches are filled, and beachgoers use accessways with no visitor-serving facilities, such as the Escondido Beach accessways, in order to enjoy less crowded beaches.
8. **Sea level rise vulnerability:** The existing Escondido Coastal Accessways were analyzed with respect to any future improvements and for operation/management. The study determined that in the years 2000-2030 the projected SLR was minimal at the accessways on Escondido Beach. The projected SLR at Escondido Beach is 1.79 inches by 2030. Any planning for accessway enhancement will consider a range of sea level rise scenarios for the years 2050 and 2100 in order to assess project vulnerability and, to the extent feasible, will reduce expected risks and increase resiliency to sea level rise. These assessments will be completed in accordance with the most recent Sea-level Rise Guidance from the Ocean Protection Council.

Additional Criteria

9. **Urgency:** Demand for public beach access in the project area has been steadily escalating with increased population, and is especially important during the coronavirus pandemic when outdoor recreation provides a safe and popular way for the public to reduce stress and exercise. Intensive use of the limited existing accessways is leading to accessway degradation and overcrowding, increasing the need for accessway maintenance.

10. **Conflict resolution:** Maintaining safe public accessways will reduce conflicts due to overcrowding and illegal parking. Assisting the Coastal Commission in its efforts to enforce the Coastal Act to eliminate encroachments will resolve decades-long land-use conflicts.
11. **Readiness:** MRCA is ready to implement the project immediately.
12. **Realization of prior Conservancy goals:** See “Project History” above.
13. **Cooperation:** The project involves collaboration with State Parks, the National Park Service, the Santa Monica Mountains Conservancy, Community Nature Connection, and the Los Angeles Urban Rangers, working together to promote and protect public access to coastal open space in the project vicinity.
14. **Minimization of greenhouse gas emissions:** Project design and operations and maintenance will seek to avoid or minimize greenhouse gas emissions to the extent feasible and consistent with the project objectives.

CEQA COMPLIANCE:

The operation and maintenance of the Escondido accessway sites are categorically exempt under the California Environmental Quality Act (CEQA) pursuant to 14 CCR section 15301, which exempts operation and maintenance of existing facilities involving negligible or no expansion of existing or former use. Further, replacements of signs or portable restrooms placed generally in the same location for public use are exempt under Section 15311. In addition, planning activities to support enforcement activities of the Coastal Commission is categorically exempt under section 15306 because it consists of research and collection of information that does not result in a serious or major disturbance to an environmental resource. The project is also statutorily exempt under 14 Cal. Code of Regulations Section 15262 in that the proposed project may involve the preparation of design drawings and technical studies, which would only involve planning studies and feasibility analyses for future actions that have not yet been approved, adopted, or funded. Environmental factors will be considered in the studies undertaken pursuant to this authorization.

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