

COASTAL CONSERVANCY

Staff Recommendation  
September 23, 2021

**Lechuza Beach Public Access Improvements**

Project No. 21-047-01  
Project Manager: Emely Lopez

**RECOMMENDED ACTION:** Authorization to disburse up to \$495,000 to the Mountains Recreation and Conservation Authority to prepare final engineering designs and construction specifications, and prepare and submit permit applications needed to: 1) update and repair existing public beach access amenities, including two beach stairways, and to 2) install new Americans with Disabilities Act compliant public access amenities, including a restroom, at Lechuza Beach in the City of Malibu.

**LOCATION:** City of Malibu, Los Angeles County

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EXHIBITS

- Exhibit 1: [Project Location Map](#)
  - Exhibit 2: [Site Maps](#)
  - Exhibit 3: [Site Photos](#)
  - Exhibit 4: [Final Negative Declaration for the Lechuza Beach Public Access Improvements Project](#)
  - Exhibit 5: [Project Letters](#)
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**RESOLUTION AND FINDINGS**

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed four hundred ninety-five thousand dollars (\$495,000) to the Mountains Recreation and Conservation Authority to prepare final engineering designs and construction specifications, and prepare and submit permit applications, to update and repair existing public beach access amenities.

Before 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:

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1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. Evidence that the grantee has entered into agreements that will enable the grantee to implement, operate, and maintain the improvements to be designed by this project.
4. In addition, to the extent appropriate, the Mountains Recreation and Conservation Authority shall incorporate the guidelines of the Conservancy's 'Standards and Recommendations for Accessway Location and Development'.

Findings:

Based on the accompanying staff recommendation 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 system of public accessways.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Conservancy has independently reviewed and considered the Final Negative Declaration for the Lechuza Beach Public Access Improvements Project adopted by the Mountains Recreation and Conservation Authority on April 26, 2019, pursuant to the California Environmental Quality Act ("CEQA") attached to the accompanying staff recommendation as Exhibit 4. The Conservancy finds that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.

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## **STAFF RECOMMENDATION**

### **PROJECT SUMMARY:**

Staff recommends the Conservancy authorize a \$495,000 grant to the Mountains Recreation and Conservation Authority (MRCA) to finalize engineering design and construction specifications, and to prepare and submit permit applications to enhance existing beach access and create new amenities that are compliant with the Americans with Disabilities Act (ADA) at Lechuza Beach in the City of Malibu. The project proposes to enhance the beachgoing experience and enjoyment of coastal recreation for people with disabilities and inland residents in the greater Los Angeles region.

In 2001 and 2002, the MRCA acquired approximately 0.25 miles of beach and three access easements that led to the establishment of Lechuza Beach in Malibu, with additional property donations and funding provided by the Coastal Conservancy. Public access was the sole purpose of these property acquisitions, and now, Lechuza Beach is visited by Malibu locals, California residents, and tourists. This site provides a secluded area for coastal recreation given that the beach is tucked away in front of Broad Beach Road and an affluent neighborhood, away from Highway One's traffic noise. The beach provides exquisite scenic views, a wide sandy beach,

and rock formations for beachgoers to sunbathe, swim, or picnic. Lechuza Beach has become a popular site, and visitation often reaches capacity during the summer peak season, estimated at approximately 250-300 beach users on a summer weekend. Some beachgoers travel great distances to reach this beach, some from park-poor inland areas in the greater Los Angeles region. However, there currently are no beach amenities to serve the number of visitors besides property management signs and trash cans. This project aims to address the usage necessities by completing the designs and permits necessary to enable MRCA to improve deteriorating access stairs and to install new ADA compliant amenities to enhance beachgoers' experience and enjoyment on the coast, specifically for people with disabilities and inland Los Angeles residents.

The improvements to be designed and permitted as part of the project include updating entry gates with keypads and renovating two stairways that are deteriorating. The gate's keypads are for MRCA, Malibu Encinal Homeowners Association (MEHOA), and vehicles displaying disabled parking placards to access the beach easily. Additionally, two wood staircases, located at West Sea Level Drive and Bunnie Lane, will be repaired as they are deteriorated from moisture, sunlight, and natural weather. The stairways repairs will offer safer conditions for all visitors to access the beach. In addition, the project will complete engineering design and constructions specifications for new amenities.

The new amenities include an ADA accessible loading zone, parking spaces, scenic viewpoint, and a restroom. All new amenities would be located inland of Lechuza Beach. ADA compliant parking spaces will be managed with an online reservation, guaranteeing a parking space for persons with disabilities traveling to Lechuza. It will also control the vehicles coming in and out of the beach with the secure keypad. People with reservations will enter their code to access the ADA parking spaces.

Additionally, a new ADA accessible loading zone will be constructed for vehicles with a valid handicapped placard. The loading zone will be inside the beach's gates and will be available for online reservation for drop off and pick up. The loading zone will serve as many cars as it can accommodate during the day. There are no hour limitations on the ADA parking or loading zone reservations. Beach visitors without physical limitations have ample public parking space on Broad Beach Road, which is an old section of Pacific Coast Highway. A new ADA compliant restroom, with a leach field and septic tank, will be constructed to address the beach usage necessities during summer peak season for people with disabilities and anyone traveling long distances to recreate. The restroom is one of the significant constraints to staying long at the beach, especially for beachgoers who must travel hours to arrive. Beach visitors travel from inland Los Angeles communities, some from park-poor neighborhoods, to enjoy nature and access green space. Providing a restroom will accommodate visitors' basic needs to comfortably recreate at the beach and not be deterred from visiting. Providing basic amenities for inland Los Angeles residents to enjoy a day at a comfortable beach is especially important as climate change results in more extreme heatwave events that are breaking records yearly.

As part of ongoing efforts to provide a safe and enjoyable experience in Malibu, MRCA plans to continue to survey Lechuza Beach visitors during this planning phase. MRCA will also engage with community partners with experience working with communities that have been

historically excluded and consider their comments when finalizing the plans. This is also part of MRCA's coastal equity efforts on the Malibu coast.

MRCA will work with qualified contractors to finalize engineering and construction specifications and obtain a Coastal Development Permit and Conditional Use Permit from the City of Malibu for Lechuza beach's proposed access improvements. This project will be construction ready once all the engineering designs and permits are obtained with this grant.

**Site Description:** MRCA manages Lechuza Beach, a pocket beach that lies in front of the large residential development of luxury homes in Malibu, CA. Lechuza Beach property consists of 1,120 linear feet of shoreline, comprising twenty-one fee title coastal parcels, three fee title inland parcels, one fee pedestrian accessway, and two pedestrian easements (Exhibit 2). The site has a scenic coastal bluff of approximately 50 vertical feet with pathways that lead to the sandy beach with rock formations. The beach is typically wide during the summer. At its western and eastern ends, there are rocky sea points that isolate Lechuza Beach, making it very difficult to walk to adjacent beaches.

There are three public accessways at Lechuza Beach, which are West Sea Level Drive, East Sea Level Drive, and Bunnie Lane. There are two pedestrian metal gates on West and East Sea Level. Fee title to the accessways is privately owned. The public has the right to use the accessways to the beach through two MRCA owned easements connecting to the MRCA-owned coastal parcels. Both West Sea Level Drive and Bunnie Lane lead to a stairway that connects the public access from Broad Beach Road to Lechuza Beach. East Sea Level Drive is a long pedestrian pathway with elevation change that leads to the beach. There are approximately 170 on-street parking spaces on Broad Beach Road located within 500 feet of all three accessways. The streets have a relatively wide right-of-way of 60 feet, permitting minimal interference between on-street parking and the two vehicular travel lanes.

**Grant Applicant Qualifications:** Founded in 1985, the MRCA is a local public agency exercising the joint powers of the SMMC, the Conejo Recreation and Park District, and the Rancho Simi Recreation and Park District pursuant to Section 6500 et seq. of the Government Code. MRCA's mission is to complement the work of these and other agencies in protecting land and public access in Los Angeles County and Ventura County. MRCA has acquired and manages over 75,000 acres of parkland. MRCA's efforts have been integral to reserving coastal resource areas in the mountains for the public and future generations. The MRCA also has extensive experience working with various federal, state, and local agencies to protect sensitive habitat and provide public recreational opportunities for all.

The MRCA currently manages other beach access sites throughout Malibu and will permanently manage this project site. The MRCA employs its 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 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. The MRCA will ensure that proposed improvements and construction of new amenities at the project site will be well maintained in the long term.

**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 below.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section below.
3. **Promotion and implementation of state plans and policies:** The California Constitution and the California Coastal Act require public access to and along the shoreline to 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 MEHOA, Mujeres de la Tierra, Los Angeles Urban Rangers, Community Nature Connection, Surfrider, Heal the Bay, Happy Trails for Kids, Peace 4 Kids, Southeast Asian Community Alliance, Latino Outdoors, Los Angeles County Board of Supervisors, Santa Monica Mountains Conservancy, California State Parks, California Coastal Commission, and the State Lands Commission.
5. **Location:** See the "Project Summary".
6. **Need:** MRCA would not be able to move forward without the Conservancy's funds at this time. Without the Conservancy's support, MRCA loses valuable momentum to provide public access to beach amenities for visitors who have been historically excluded.
7. **Greater-than-local interest:** Malibu's coastline stretches for 21 miles, a significant component of Los Angeles County's coast and the longest single coastline under one local jurisdiction in California. Malibu offers the closest beaches for residents of inland communities, especially those in the San Fernando and Conejo Valleys. Additionally, millions 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. Coastal engineering analysis and structural analysis are 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 20 years and can last much longer with appropriate maintenance.

**Additional Criteria**

9. **Resolution of more than one issue:** The project will address beach usage necessities for people with disabilities and people traveling from afar to visit the Malibu coast.

10. **Conflict resolution:** There have been numerous challenges associated with this project, including negotiating a beach management plan with MEHOA, site constraints, and regulatory requirements. In 2007, MRCA submitted a coastal development permit application (CDP App. No. 07-087) to the City of Malibu for the Lechuza Beach Public Access Improvements project. In February 2010, MEHOA commenced litigation alleging several violations by MRCA. MRCA and MEHOA have been negotiating for years with the input from the Attorney General’s Office, City of Malibu, California Coastal Commission, and the Conservancy. They have reached mutually acceptable agreements regarding public improvements for Lechuza Beach and a plan for managing public access, the project parameters, and several legal documents, including a settlement agreement, beach management plan, and easements. With these agreements and a set management plan between MEHOA and MRCA, the project can now move forward.
11. **Readiness:** MRCA has been aiming to implement this project since 2007. They are ready to proceed with the project as soon as funds are available.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$495,000</b>
MRCA	\$229,788
<b>Project Total</b>	<b>\$724,788</b>

The anticipated source of Conservancy funds for the project is the fiscal year 2019/2020 and 2021/2022 appropriation to the Conservancy from the Violation Remediation Account (VRA). The Coastal Act establishes the VRA within the State Coastal Conservancy Fund to hold deposit of funds originating from administrative orders, settlements and judicial actions arising from Coastal Commission enforcement actions (See Public Resources Code Section 30823.) VRA funds must be expended for the purposes of the Coastal Act, and unless otherwise specified the use of those VRA funds is guided by a Memorandum of Understanding between the Coastal Commission and the Conservancy. The MOU specifies that to the extent possible VRA funds shall be expended on projects located in close proximity to the geographic location of the violation at issue. In addition, Coastal Commission staff must approve use of any VRA funds over \$5,000. The Coastal Commission has agreed to the use of VRA funds for this project.

**CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

The proposed project is consistent with Chapter 9 Section 31400.1 of Division 21 of the Public Resources Code, which authorizes grants for the development, operation, or management of public accessways. The project will address Lechuza Beach’s high usage by completing the plans and permits necessary to develop beach amenities that will accommodate people with disabilities and anyone who travels from distant places to enjoy and recreate on the Malibu coast.

**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 enhance coastal opportunities for all Californians, specially benefiting people with disabilities and in-low-income people, by creating ADA compliant beach amenities.

**CEQA COMPLIANCE:**

Staff has independently evaluated the Final Negative Declaration (ND) for the Lechuza Beach Public Access Improvements Project adopted by MRCA on April 26, 2019 and concurs that there is no substantial evidence that the proposed project will have a significant effect on the environment. The ND is attached as Exhibit 4 for review. Staff, therefore, recommends that the Conservancy find that the project has been designed to avoid possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment as that term is defined by 14 Cal. Code Regs. Section 15382.

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