



# MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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## MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: September 6, 2017

SUBJECT: **Agenda Item VI(b): Consideration of resolution authorizing acceptance of a coastal access easement over a portion of the property located at 22548 Pacific Coast Highway, City of Malibu.**

Staff Recommendation: That the Governing Board adopt the attached resolution accepting a coastal access easement over a portion of the property located at 22548 Pacific Coast Highway, City of Malibu.

Background: The dedication of this coastal access easement to the public was a condition of approval by the County of Los Angeles when the subject property was converted into condominiums. This easement has been memorialized on tract maps for the subject property since approval in the early 1970s, which predate both the Coastal act and the incorporation of the City of Malibu.

The easement itself has remained impassable to members of the public since that time due to improvements on the property constructed by the property owners and the homeowners association.

In 2009, Access fo All ("AFA"), a nonprofit organization responsible for maintaining and operating various other coastal access easements along the coast in Malibu, filed suit against the County of Los Angeles, as the easement holder, and the Malibu Outrigger Homeowners Association to open the subject easement ("*Outrigger*" suit). That suit has subsequently been resolved, and the County of Los Angeles is prepared to quitclaim the coastal access easement to the MRCA.

The Governing Board previously adopted a resolution on August 3, 2013 accepting the access easement, subject to fulfilment of certain conditions precedent. The attached resolution would update the previously approved resolution in 2013, and facilitate transfer of the easement to MRCA, subject to staff's due diligence in consultation with Los Angeles County, the California Coastal Commission, and any other local and state agencies, as required.

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Acceptance of this easement would be a significant addition to the MRCA's roster of coastal access easements. The subject easement would provide access to a portion of the beach in Malibu that is underutilized by the public. Since the easement area is currently improved as paved parking area, the existing encroachments could be remedied.

Staff recommends adoption of the attached resolution and acceptance of the access easement, subject to completion of appropriate due diligence by staff.