



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Executive Officer

DATE: March 6, 2019

SUBJECT: **Agenda Item VI(b): Consideration of resolution authorizing entering into an agreement with the California Department of Parks and Recreation for the construction, operation, and maintenance of two beach access stairways at Malibu Pier, City of Malibu.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing entering into an agreement with the California Department of Parks and Recreation for the construction, operation, and maintenance of two beach access stairways at Malibu Pier, City of Malibu.

Background: On December 8, 2016, the California Coastal Commission (CCC) approved Consent Cease and Desist Order CCC-16-CD-04 and Consent Administrative Civil Penalty CCC-16-AP-02 (Consent Orders) requiring the owners of the Malibu Beach Inn Hotel to provide plans and funding to the Mountains Recreation and Conservation Authority (MRCA) for the construction, operation, and maintenance of two beach access stairways at Malibu Pier, located adjacent to the west of the hotel (the Project). The Project consists of one existing stairway adjacent to the pier that is in need of repair and one stairway that will be newly constructed over the rip rap along the pier's public parking lot to connect to the beach below.

On January 4, 2017, the MRCA Governing Board authorized acceptance of the funds provided by the hotel for the Project pursuant to the Consent Orders. Since then, the MRCA has been working with the County Department of Beaches and Harbors, the California Department of Parks and Recreation (State Parks), and the CCC to obtain the necessary entitlements to implement the Project.

The existing stairway is located within land owned by State Parks. The new stairway will be located partially on rip rap owned by State Parks and on the County-owned beach below. The MRCA is working with the County to transfer ownership of the beach to the MRCA. However, an agreement between State Parks and MRCA is needed in order to construct, operate, and maintain both the existing

stairway and a portion of the new stairway on State Park-owned land. Therefore, State Parks and MRCA staff are proposing to incorporate the Project into the existing Cooperative Management Agreement between State Parks, MRCA, the Santa Monica Mountains Conservancy, and the National Park Service as Task Agreement 1. This will ensure efficient operation and management of the stairways following construction. Task Agreement 1 outlines the MRCA's responsibilities in constructing, operating, and maintaining the two beach access stairways at Malibu Pier pursuant to the CCC's Consent Orders.

The County-owned beach transfer to the MRCA and this agreement are the remaining entitlements needed before implementation of the Project can begin. Thus, staff recommends that the Governing Board authorize entering into an agreement with State Parks for this Project as Task Agreement 1 under the Cooperative Management Agreement.