



# MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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## MEMORANDUM

TO: The Governing Board

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

DATE: June 3, 2020

SUBJECT: **Agenda Item VII: Consideration of resolution entering into a grant agreement with the State Coastal Conservancy to fund the construction of new public beach access improvements at Big Rock Beach, Malibu.**

Staff Recommendation: That the Governing Board adopt the attached resolution entering into a grant agreement with the State Coastal Conservancy to fund the construction of new public beach access improvements at Big Rock Beach, Malibu in an amount not to exceed five hundred thousand dollars (\$500,000).

Background: On July 10, 2014, the California Coastal Commission (Commission) approved Coastal Development Permit (CDP) No. 5-84-791-A1 regarding the recombination of two beachfront parcels into one lot, the modification of an existing lateral access easement and recordation of a new lateral access easement, and the dedication of \$400,000 to the Mountains Recreation and Conservation Authority (MRCA) for the planning and construction of public vertical accessway improvements on State of California-owned property at Big Rock Beach in Malibu, just west of Moonshadows restaurant. The property has no street address but is immediately east of the property located at 20516 Pacific Coast Highway, Malibu. At that time, the California Department of Parks and Recreation (CDPR) had jurisdiction of the State property.

On April 6, 2016, the MRCA approved the project and staff filed a Notice of Exemption for the approval of the proposed project pursuant to the California Environmental Quality Act (CEQA) guidelines, 14 California Code of Regulations (CCR) Sections 15301, 15303, 15304, and 15311. Since April 2016, there have been no changes to the proposed project that may result in a possible significant effect on the environment. Therefore, the project remains consistent with the CEQA findings made in the MRCA's April 6, 2016 resolution and staff report.

In May 2016, the MRCA filed a CDP application with the City of Malibu for new public access improvements including a beach access stairway, fencing and gates,

and a coastal overlook at the then CDPR-owned property. The Malibu City Council approved the CDP application in July 2018 pursuant to 14 CCR Section 15303(e) of the CEQA guidelines.

In December 2018, property jurisdiction was transferred to the Santa Monica Mountains Conservancy.

Since CDP approval, MRCA staff has diligently worked to finalize construction plans and obtain building permit entitlements and anticipates completion of this process by this summer.

The cost to construct the proposed improvements is approximately \$750,000. Approximately \$250,000 remains from the initial \$400,000 dedication received from CDP No. 5-84-791-A1 that can be used towards construction. The State Coastal Conservancy (SCC) has agreed to fund the additional \$500,000 needed in order to carry the project through its construction phase.

The SCC grant funding is anticipated to come from the Violation Remediation Account (VRA), a statutorily-established SCC account for deposits of monetary penalties from Coastal Act violations. VRA funding for public access projects is subject to a Memorandum of Agreement between the Commission and the SCC, and the first priority is for use in the coastal area where the violation occurred.

Staff recommends that the Governing Board authorize acceptance of these funds from the State Coastal Conservancy and enter into a grant agreement with the State Coastal Conservancy in order to construct the proposed public access improvements.