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Photos and press kit available at www.coastal.ca.gov

PUBLIC ACCESS RESTORED AT PARADISE COVE BEACH IN MALIBU

Malibu - The California Coastal Commission and the State Lands Commission have resolved a dispute with a Malibu beach-front property owner over public access at Paradise Cove. One month after being contacted by both agencies, Steven Dahlberg, acting on behalf of Paradise Cove Land Company, has ceased charging a \$20 walk-in fee, removed all signs banning surfing, and opened a locked gate at the foot of Paradise Cove pier. The company will continue charging a \$40 parking fee for vehicles.

Both agencies issued separate letters ([Coastal Commission letter](#), [State Lands Commission Letter](#)) to Dahlberg in November, stating the company was in violation of the terms of the state lease for the pier and the Coastal Act. The Coastal Commission's letter referenced their authority to issue fines of up to \$11,250 per day for such violations if not resolved within 30 days. Dahlberg responded before the 30-day deadline, thereby avoiding the potential for fines.

"This is a triumph for public access, and proof that the threat of fines is a very effective enforcement tool," said Coastal Commission Chairman, Steve Kinsey. "We've never seen a violation of this magnitude resolved so quickly. Christmas came early for the coast this year."

Assembly Speaker Toni Atkins, who authored bills granting penalty authority to the State Lands Commission and the Coastal Commission, said the new laws are being used precisely as planned. "I'm pleased that less than six months after the Legislature and the Governor gave the California Coastal Commission real enforcement tools to uphold access laws, the Paradise Cove gate has been opened and misleading signs have come down," said Speaker Atkins. "This shows putting this tool in the Commission's toolbox was the right way to go."

The beach at Paradise Cove is accessible from Pacific Coast Highway by a private road and parking lot owned by Paradise Cove Land Company, which operates a restaurant and a mobile home park at the site. The private property extends to the ambulatory mean high tide line, but the area below the mean high tide line is owned by and accessible to the public. The lease requires free public access to the pier and adjacent public lands, including to the ocean. The owner had been charging access fees and banning the public from bringing surf boards on the public beach. Previously, only residents of the gated community and their guests were allowed to carry surfboards across the sand to the surf break, which are public waters.

The Coastal Act protects public access to state waters and tidelands, and requires a permit for any new development along the coast, including signs. Although the practice of restricting surfing had been ongoing for decades, the Coastal Commission had only received formal complaints over the last year from the public.

An investigation by Coastal staff found several unpermitted signs banning surfing and surf boards, and discovered that the pier, located on public tidelands, was closed off behind a locked gate.

Under California law, structures, such as private piers, located on State tide and submerged lands require a lease from the State Lands Commission. As part of the investigation, Coastal Commission staff confirmed that that the private pier was subject to a state lease. ([State Lands Commission Lease](#))

When contacted by Coastal staff, the State Lands Commission staff determined that the property owner was in violation of its lease, which specifically requires the property owner to provide free public access from Pacific Coast Highway, across the beach to the pier and adjacent public land and water. Both agencies subsequently contacted the property owner by letter, advising that the violations must be resolved to comply with the lease and state law. In response, the owner has agreed to abstain from charging the walk-in fee, remove the “no-surfboards” signs, open the pier, and revise the signage to reflect the free pedestrian access.

State Lands Commission Executive Officer Jennifer Lucchesi said she was pleased with the quick restoration of public access. “This property owner has enjoyed the benefits of their private pier on public property for many years,” said Lucchesi. “In return, they are required by the terms of the lease to provide year-round public access. Commission staff will be monitoring compliance with the lease to ensure continued free public access, especially as the summer season approaches.”

Charles Lester, Executive Director of the Coastal Commission, attributes the quick resolution of this long-standing violation to both agencies’ new ability to issue fines, and hopes that it will be a continuing trend. “The property owner is to be commended for his cooperation in resolving this matter,” said Lester. “It saves everyone time and money to resolve these situations voluntarily, and most importantly, it’s the quickest way to restore the public’s ability to enjoy the beach.”

“We hope this decision sends a strong message that the State Lands Commission and the Coastal Commission are fully committed to protecting beach access for all Californians” said Lucchesi.

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