

**CALENDAR ITEM**

**C89**

A 50

04/26/13

W 26667

S 27

D. Simpkin

**APPROVAL OF A PUBLIC AGENCY PERMIT AND RIGHT-OF-WAY MAPS PURSUANT TO SECTION 101.5 OF THE STREETS AND HIGHWAYS CODE AND THE CALIFORNIA PUBLIC RESOURCES CODE SECTION 6210.3**

**APPLICANT:**

California Department of Transportation

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land adjacent to Pacific Coast Highway at Las Tunas Beach, city of Malibu, Los Angeles County.

**AUTHORIZED USE:**

The use and maintenance of a right-of-way including a concrete groin and the reconstruction and repair of existing rock slope protection.

**PERMIT TERM:**

Continuous use, plus one year, beginning April 26, 2013.

**CONSIDERATION:**

Reasonable value of the right-of-way to be deposited into the State Parks and Recreation Fund.

**OTHER PERTINENT INFORMATION:**

1. The California Department of Transportation (Caltrans) owns or has the right to use the upland.
2. In the 1930's a timber seawall and steel sheet pile groins were constructed at Las Tunas State Beach to protect Pacific Coast Highway (PCH) from wave action. Over time, the groins deteriorated and in 1992 the timber seawall was damaged resulting in the collapse of the shoulder of PCH. Caltrans obtained an Emergency Coastal Development Permit to replace the damaged seawall with rock slope protection (RSP) and fill. In 2006 Caltrans conducted additional repairs of the RSP and fill.

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3. Due to deterioration, Caltrans is now proposing to stabilize the slope and repair the RSP adjacent to PCH. Caltrans will also remove corroded sections of existing drainage pipes and replace with new sections as needed.

4. Section 101.5 of the Streets and Highways Code requires Caltrans to determine the reasonable value of the proposed right-of-way and to deposit such amount in the State Parks and Recreation Fund.

5. **Repair of Rock Slope Protection:** The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. **Existing Cement Groin:** The staff recommends that the Commission find that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

7. This activity involves land identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**FURTHER APPROVALS REQUIRED:**

California Coastal Commission  
United States Army Corps of Engineers  
City of Malibu  
Los Angeles County Department of Beaches and Harbors

CALENDAR ITEM NO. **C89** (CONT'D)

**EXHIBITS:**

- A. Site and Location Map
- B. Section 101.5 Right-of-Way Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**Repair of Rock Slope Protection:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, class 4, Minor Alteration to Land; California Code of Regulations, Title section 2905, subdivision (d)(2).

**Existing Concrete Groin:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

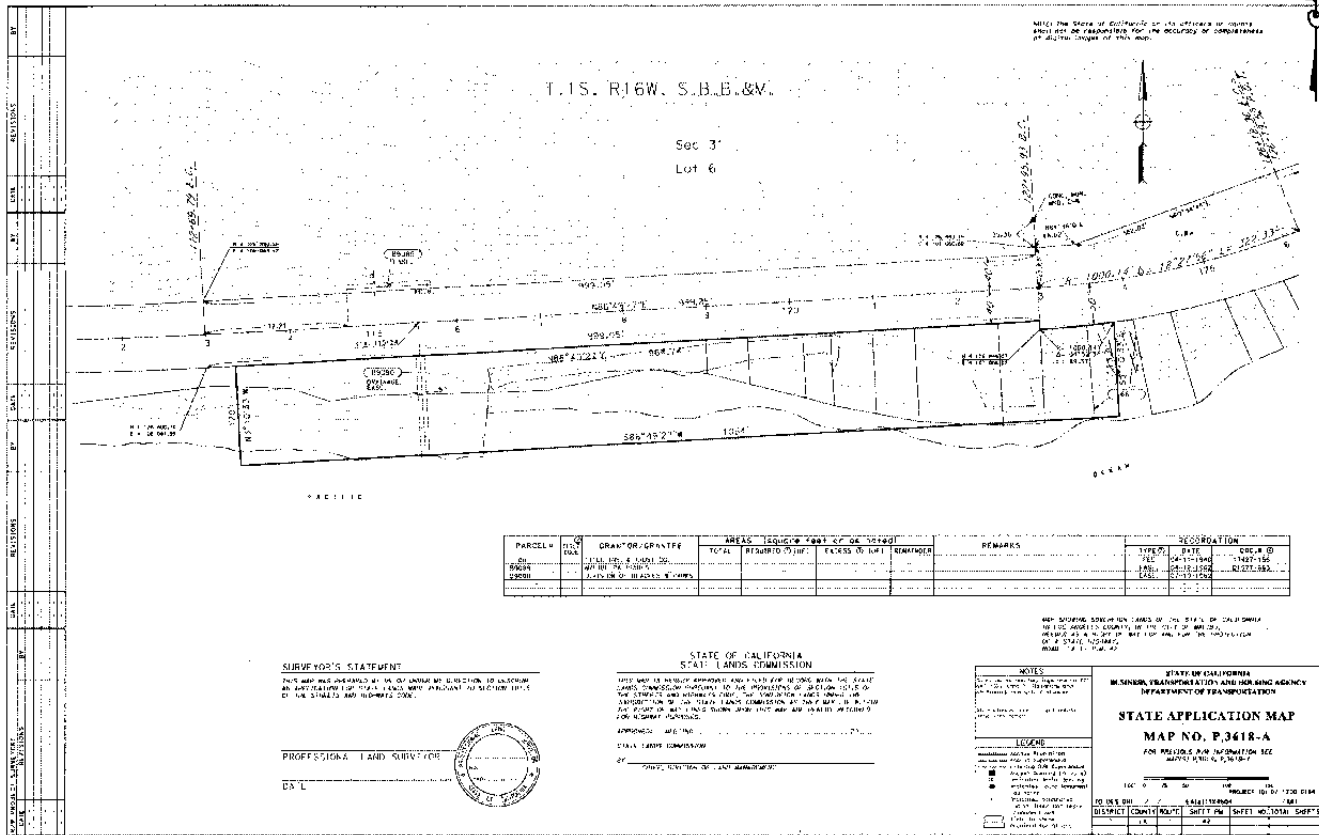
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize a Public Agency Permit to California Department of Transportation and approve a Right-of-Way Map pursuant to section 101.5 of the Streets and Highways Code and as authorized by section 6210.3 of the Public Resources Code, effective April 26, 2013, for continuous use plus one year, of a right-of-way including a concrete groin and the reconstruction and repair of existing rock slope protection as shown on Exhibit A attached and by this reference made a part hereof.

NO SCALE

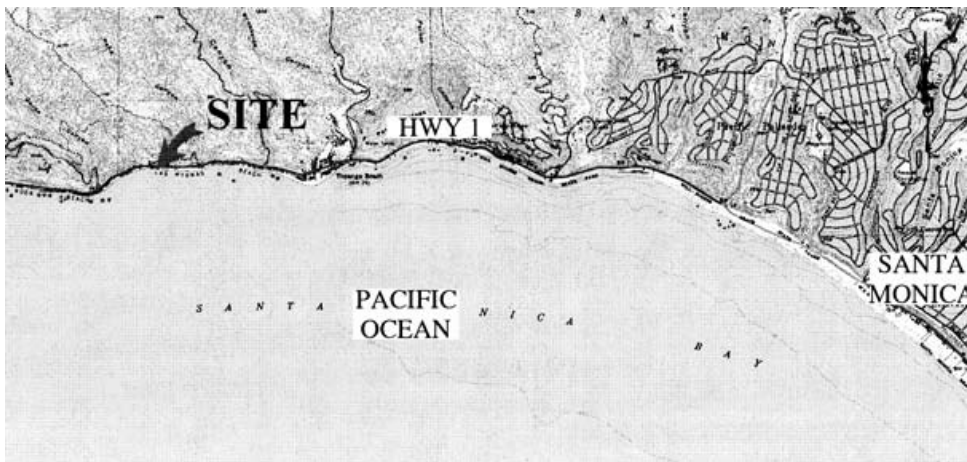
# SITE



## Las Tunas Beach, Malibu

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

# Exhibit A

W 26667  
CALTRANS  
STREET & HIGHWAYS  
CODE SECTION 101.5  
LOS ANGELES COUNTY



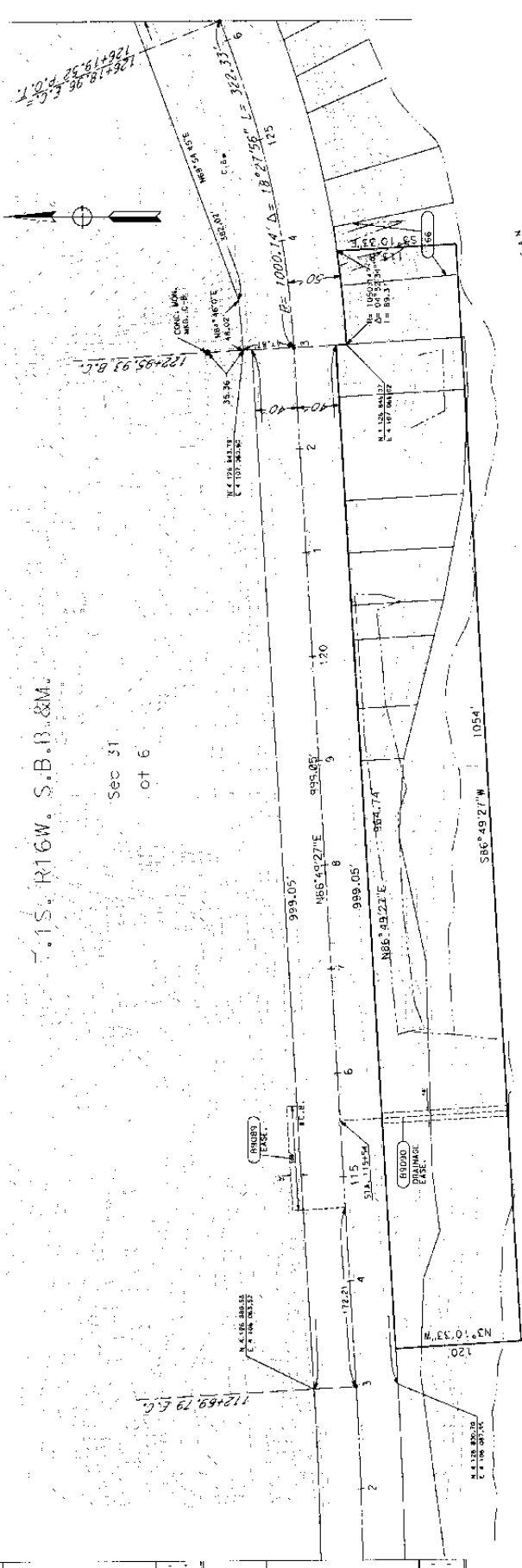
MJF 3/18/13

# EXHIBIT B

T.15, R16W, S.B.3 & M.

Sec 31  
of 6

NOTE: The State of California or its officers or agents do not warrant the accuracy of this map.



PACIFIC OCEAN

PARCEL #	TITLE	OWNER	AREAS (square feet or sq. miles)		REMARKS	REFORMATION	
			TOTAL	REMAINING		TYPE	DATE
66	TITLE INS. & TRUST CO.	MALIBU					
		DIVISION OF REVENUE & TAXES					

MAP SHOWING SPECIFIC LANDS OF THE STATE OF CALIFORNIA IN LOS ANGELES COUNTY, IN THE CITY OF MALIBU, NEEDED AS A RIGHT OF WAY FOR AND FOR THE PROTECTION ROAD - I.A. 11 - P.M. 42

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION TO DESCRIBE AN APPLICATION FOR STATE LANDS MADE PURSUANT TO SECTION 101.5 OF THE SURVEY AND HIGHWAYS CODE.

STATE OF CALIFORNIA  
STATE LANDS COMMISSION

THIS MAP IS HEREBY APPROVED AND FILED FOR RECORD WITH THE STATE LANDS COMMISSION PURSUANT TO THE PROVISIONS OF SECTION 101.5 OF THE SURVEY AND HIGHWAYS CODE. THE STATE LANDS COMMISSION HAS JURISDICTION OF THE STATE LANDS COMMISSION AS THEY MAY LIE WITHIN THE RIGHT OF WAY LINES SHOWN UPON THIS MAP AND HEREBY RESERVED FOR HIGHWAY PURPOSES.

APPROVED: MEETING \_\_\_\_\_ 20  
BY: \_\_\_\_\_  
CHIEF, DIVISION OF LAND MANAGEMENT



PROFESSIONAL SURVEYOR AND SURVEYOR

DATE

STATE OF CALIFORNIA  
BUSINESS TRANSPORTATION AND TRADING AGENCY  
DEPARTMENT OF TRANSPORTATION  
STATE APPLICATION MAP  
MAP NO. P 3618-A  
FOR PROVISION OF INFORMATION 5/7  
MAY(S) P.3618, 2.3618-1

NOTES:  
1. Intersections and boundaries are on CES  
2. All questions are in feet unless  
indicated otherwise.

LEGEND:  
--- indicates boundary  
--- indicates right of way  
--- indicates right of way  
--- indicates right of way  
--- indicates right of way

SCALE: 1" = 50'  
PROJ. 101.07 1200 0 64  
LEG. DESIGN: / / 24151374534534  
DISTRICT COUNTY ROUTE SHEET NO. TOTAL SHEETS  
1 1 A 1 42

DATE	BY	REVISIONS