

**CALIFORNIA STATE LANDS COMMISSION**  
 100 Howe Avenue, Suite 100-South  
 Sacramento, CA 95825-8202



**PAUL D. THAYER**, Executive Officer  
 (916) 574-1800 FAX (916) 574-1810  
 Relay Service From TDD Phone 1-800-735-2929  
 from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-2555  
 Contact FAX: (916) 574-1925

**DEC 22 2008**

File Ref: SD 2008-02-04.1

Marcia Marinello  
 Barsocchini & Associates, Inc.  
 3502 Coast View Drive  
 Malibu, CA 90265

**RECEIVED**  
**SEP 15 2009**

Agenda Item 10 SMMC 3/18/13
-----------------------------------

**PLANNING DIV.**

Dear Ms. Marinello:

**SUBJECT: Coastal Development Project Review for the Proposed Construction of a New Single Family Residence and Associated Structures at 24024 Malibu Road, Malibu, Los Angeles County**

This letter is in response to your request on behalf of your client, the Arya Group Inc., for a determination by the California State Lands Commission (CSLC) as to whether it asserts a sovereign title interest in the property that the subject project will occupy; and further, whether it asserts that the project will intrude into an area that is subject to the public easement in navigable waters, or if applicable, within the ten-foot setback set forth in Section 3.6 Residential Development Standards, Paragraph G, 3 (c), of the City of Malibu's LCP Local Implementation Plan.

The facts pertaining to your client's project, as we understand them, are these:

Your client proposes to construct a new 3,879 square foot, three story, single family residence with attached garage, deck, and new on-site wastewater treatment system at 24024 Malibu Road, in the Amarillo Beach area of Malibu. Based on the submitted Cover Sheet G-001 prepared by Barsocchini & Associates, Inc., and dated February 22, 2007 with revisions dated January 9, 2008, the proposed construction appears to be in conformance with both the building and deck stringlines established by the residences/decks on either side of the subject parcels. This is a well-developed stretch of beach with numerous single family residences/decks both up and down coast.

We do not at this time have sufficient information to determine the boundary of state sovereign lands at this location. Development of information sufficient to make such a determination would be expensive and time-consuming. We do not think such an expenditure of time, effort and money is warranted in this situation, given the limited resources of this agency and the circumstances set forth above. This conclusion is based on the location of the property, the character and history of the adjacent

development, and the minimal potential benefit to the public, even if such an inquiry were to reveal the basis for the assertion of public claims and those claims were to be pursued to an ultimate resolution in the state's favor through litigation or otherwise.

Accordingly, the CSLC presently asserts no claims that the project intrudes onto sovereign lands or that it would lie in an area that is subject to the public easement in navigable waters or that, if applicable, it falls within the LCP's ten-foot setback requirement. This conclusion is without prejudice to any future assertion of state ownership or public rights, should circumstances change, or should additional information come to our attention.

If you have any questions, please contact Kenneth Foster, Public Land Management Specialist, at (916) 574-2555.

Sincerely,

  
Barbara Dugal, Chief  
Land Management Division

Cc: City of Malibu – Planning Dept.  
Barbara Carey – California Coastal Commission  
Kenneth Foster - CSLC