

**COUNTY OF LOS ANGELES BEACH COMMISSION  
MINUTES OF SEPTEMBER 28, 2011**

**COMMISSIONERS PRESENT**

Clare Bronowski, Chair  
Rosi Dagit  
Gary Dimkich  
Walt Dougher  
Jeffrey Jennings  
Catherine McCurdy, Vice Chair  
Kelly McDowell  
Charles Milam  
Wayne Powell  
Don Rohrer  
Jeffrey Sallee  
Andrew Stern

**ABSENCES**

Thomas Barnes  
Ronald Chatman  
Norma Pratt

**STAFF PRESENT**

Fernando Boiteux, Section Captain, Lifeguard Division,  
Los Angeles County Fire Department  
Kenneth Foreman, Acting Division Chief, Facilities and  
Property Maintenance Division  
Catrina Love, Community & Marketing  
Services Division  
Penelope Rodriguez, Community & Marketing  
Services Division  
Cesar Espinosa, Planning Division  
Gene Campbell, Information Technology Section

**GUEST SPEAKERS**

None

**MEETING LOCATION**

Burton W. Chace Park Community Room

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Bronowski called the meeting to order at 9:44 a.m. and asked Commissioner McDowell to lead the Pledge of Allegiance. Commissioners and staff stood and recited the Pledge of Allegiance.

2. **APPROVAL OF MINUTES**

Chair Bronowski had one change for the July minutes. **Chair Bronowski motioned for the minutes to be approved. Commissioner McDowell seconded and the minutes were approved unanimously.**

### 3. OLD BUSINESS

#### A. Reconsideration of the May 25, 2011 Minutes

Ms. Love stated that the minutes from the May 25<sup>th</sup> Beach Commission meeting regarding the Permit Policy, which were approved by the Beach Commission at the June 22<sup>nd</sup> meeting, should be amended. The minutes stated that Camp Operator Patrick Murphy supported the location bid as a tie-breaker. Mr. Murphy's statement was actually that the location bid should be capped or eliminated. Also, the vote to move this matter forward to the Board was reported inaccurately in the minutes. The minutes stated that the vote was six to two in favor when actually it was five to three in favor. The minutes have been corrected. Commissioner Milam asked who were the five in favor and stated that the vote should be listed by name since it was divided. Chair Bronowski stated that people did not identify themselves during the vote and there was no quorum so it didn't matter. Commissioner Milam stated that this was an embarrassment for the Commission. Ms. Love apologized and said in future votes the Commissioners would be identified. Ms. Love asked if there were any questions. There were none. **Chair Bronowski asked for a vote to approve the amended minutes, and the minutes were approved.**

**Yes** - Chair Bronowski, Commissioner McCurdy, Commissioner Dougher, Commissioner McDowell, Commissioner Powell, Commissioner Rohrer, Commissioner Sallee and Commissioner Stern

**Abstentions** - Commissioner Dagit, Commissioner Dimkich, Commissioner Jennings, and Commissioner Milam

### 4. NEW BUSINESS

#### A. Presentation on the Zuma Beach Underpass

Chair Bronowski introduced Mr. Espinosa, DBH Planning Division, who showed the commission a PowerPoint presentation on the Zuma Beach underpass project. The underpass is located near the intersection of Busch Drive and Pacific Coast Highway (PCH) in Malibu and is the main entrance to the parking lot for Zuma Beach. Mr. Espinosa stated that this access road project has been ongoing since 1983 when a concrete roadside levee was constructed to protect the underpass from the creek. Storms have deposited large amounts of sediment within the realigned creek bed causing storm flows to be redirected across a portion of the access road. Therefore, the Department has been continually forced to close the access road during and after storms due to the sediment and flooding. The Department began looking for a long-term solution for this problem. The Department filed a regulatory permit application with the Regional Water Quality Control Board, U.S. Army Corps of Engineers, CA Department of Fish and Game, Caltrans, and the City of Malibu. The application was approved pending a replanting plan. The U.S. Army Corps of Engineers provisionally approved the application, pending the water certification approval, and both the Department of Fish and Game and the City of Malibu approved the application. However, Caltrans denied it because they required a storm water prevention protection plan, which the Department was still developing. The City of Malibu application was appealed by the CA Coastal Commission. Two CA Coastal Commissioners were concerned because of issues registered by the Santa Monica Bay Restoration Commission (SMBRC). Since

then, the project has been on hold. One of their issues raised is an alternative entrance to the parking lot at Zuma Beach and the other is to be less intrusive at the creek site. DBH is negotiating with SMBRC and will reapply for the regulatory permits. The project should restart by January. Mr. Espinosa asked the Commissioners if they had any questions. Commissioner Dougher asked if there was an option to do nothing, and what the cost of the project is. Mr. Espinosa stated there is no new estimate; however, before the issues were raised, the project was going to cost about \$100,000. Commissioner Stern said that intersection was really dangerous. Mr. Espinosa said DBH is very aware of the danger and was trying to expedite this matter. Commissioner Jennings asked why the roadway was being repaved prior to heavy equipment being brought in for the underpass project. Mr. Foreman said the opportunity was there and the weight of the materials being removed would not do any damage. Commissioner Jennings commented that the access road was closed during the heavy use summer, and asked whether there was an impact to parking revenue. Mr. Espinosa said he did not know but would look into it. Commissioner Jennings asked why the determination was made to close the road this year. Mr. Foreman said that this year, there was more water and with people driving so fast, the algae build-up was making it slippery and unsafe. Commissioner Jennings asked what the contemplated alternate route would be if the underpass were eliminated. Mr. Espinosa said that SMBRC was taking the lead on that decision and DBH would support and assist them, but as of now they were looking at Busch Drive as an alternative. Commissioner Jennings said this is a big concern for the people living in Point Dume because the underpass accessway provides an alternate route in case of fire or other disasters, and Mr. Espinosa replied that DBH is aware of those concerns.

Commissioner McDowell raised two questions about the permitting process for the Zuma underpass project. He first asked about the level and status of CEQA compliance for the project, and then asked to which agency the Coastal Commission had appealed the City of Malibu's permit approval decision, based on SMBRC's concerns. Mr. Espinosa replied that at the time of the original scope of the project, the CEQA Categorical Exemption was applied. However at this time, with the revisions to the plan, DBH is looking at what is needed to comply with CEQA. In response to Commissioner McDowell's second question about the Coastal Commission appeal, an unidentified Commissioner stated that the Coastal Commission appeals to itself and that two Coastal Commissioners are needed to make an appeal. Mr. Espinosa added that the two commissioners who submitted the appeal were Sara Wan and Patrick Cruer.

Commissioner Dagit addressed the subject of the traffic feasibility study's assertion that it was necessary to keep the Busch Drive ingress in order to maintain the parking lot kiosk's ability to collect fees. She raised the point that SMBRC had suggested an alternative, where rather than having traffic backed up as people wait to get to the kiosk, the County could switch to a self-pay system where people could drive through, which would then relieve the traffic back-up on Busch Drive. Mr. Espinosa replied that that suggestion could be explored.

Commissioner Dagit also provided an overview of the situation at Zuma Creek. She stated that Zuma Creek has had Southern Steelhead Trout as recently as the 1980s and also has a number of passage barriers throughout. The two first barriers are located just past the in-stream crossing, which is being changed because Fish and Game gave a grant to either remove that crossing or replace it with a bridge to allow the fish in there. The next barrier for the fish is located underneath PCH, which could be managed by removing the sediments and restoring the creek channel. Then upstream of there, there are 18 additional small barriers that are either driveways across the creek or dams that people have built along the creek, located between PCH and the National Park Service land. National Park Service owns the entire upper watershed and one month ago, they put out a Request for Proposals to

examine removing those upper barriers. Commissioner Dagit said that this effort to look into the removal of the passage barriers is one part of the overall effort being coordinated by National Marine Fisheries Service, Fish and Game, National Park Service, and CalTrout to figure out ways to improve fish passage and restore Zuma Creek. An unidentified Commissioner asked whether National Park Service was working with the Coastal Commission on the plan to remove the upstream barriers, and Commissioner Dagit responded that they were not as yet because the RFP to remove those barriers was only recently released and furthermore, since all the barriers are privately owned, the removal process would require negotiating with each one of the private landowners. Mr. Espinosa commented that at this time, DBH has not dealt with any other agencies besides SMBRC.

Another unidentified Commissioner asked whether there were any land use or easement rights, or anything else associated with the homes adjacent to Busch Drive that might be impacted by permitting the Zuma Creek underpass project in the area. He also wanted to know whether these property owners supported or opposed the project. Mr. Espinosa replied that DBH hasn't reached out to the public yet but does plan to solicit their input as part of the process of revising the plans.

Commissioner Dimkich asked Commissioner Dagit whether she thought the limited dredging out of the two bays should be suspended until the complete removal of all the barriers is negotiated. Commissioner Dagit replied that she did not think the dredging should be suspended, because the dredging was necessary to maintain access for the road and that it would also provide passage for the fish further up Zuma creek once the Arizona crossing is removed. Commissioner Dimkich asked Commissioner Dagit whether she was aware of SMBRC's opinion on the barrier removal. Commissioner Dagit replied that she did not have that information because she had looked into this issue with SMBRC well over a year ago and hadn't heard more about it until this recent RFP came out from National Park Service. She then heard from CalTrout that they collaboratively submitted a grant proposal to Fish and Game to remove the Arizona crossing and replace it with a bridge. Mr. Espinosa said that DBH would find out about SMBRC's opinion on the barrier removal plan.

Commissioner Dimkich noted that the property located within the loop of the Zuma underpass is minimally landscaped and asked if there was any interest on the part of DBH to lease it to either the City of Malibu or to a non-profit organization who would undertake the landscaping in a more attractive way once the project is finished. Mr. Foreman said that as soon as the road repavement project is done, DBH would be looking into what could be done to improve the appearance of that loop. Commissioner Dagit suggested that the improvement of that loop could become the site for the mitigation restoration DBH is required to do to offset the removal of riparian vegetation during the clean out underneath the base, and that willows could be an attractive option that is both native and low maintenance. Commissioner Rohrer requested a brief historical review on this issue with the Zuma underpass. Mr. Foreman said according to Division Chief Wayne Schumaker, in the past DBH maintenance staff would routinely go through and remove the sediment material. However, at some point they were told to stop that activity, and that's when the sediment started to build up.

Commissioner Powell noted that with so many regulatory agencies and stakeholders involved in this project, there is a possibility that consensus may not be reached in revising and resubmitting the plans. He asked what the contingency plan was in case such a consensus couldn't be reached. Mr. Espinosa said that the plans have not been revised yet but that DBH is working with SMBRC and is close to an agreement with them. He added that DBH hasn't yet explored contingency plans should the resubmitted applications get denied, but would do so.

Chair Bronowski asked whether there was a possibility of DBH putting up signage earlier and higher up on the hill, alerting drivers on PCH that access to Zuma is on the left, and that the right turn into Zuma is closed. Mr. Foreman said DBH would be closing off the right turn entrance into the underpass, which would force drivers to continue north on PCH and relieve some of the safety concerns raised. Commissioner Dagit wondered about how drivers on PCH would get to the beach, once they drove past the closed underpass entrance on the right. Mr. Espinosa replied that there is a left turn lane on PCH to access Zuma beach. Chair Bronowski reiterated her suggestion for signage up on the hill informing drivers how to access Zuma beach from PCH. Mr. Foreman said he would check with Cal Trans to see if DBH could place some additional signage on the highway to divert people into the left turn lane if they're trying to access the beach. Mr. Espinosa said DBH would make sure to keep everyone updated on this project.

## 5. **STAFF REPORTS**

### A. Ongoing Activities Report

Commissioner Milam asked about the beach use license process; specifically when it would begin, what the timing of the process would be, and what the representation on the review panel is. Mrs. Rodriguez said that the applications are due next week by October 6 and that Chief Deputy Kerry Silverstrom was still working on assembling a panel. Mrs. Silverstrom has inquired with local cities, the Department of Parks & Recreation, Chief Frazer, and former Division Chief Dusty Crane regarding participation on the evaluation committee, but there is no set list yet. Commissioner Milam suggested that there be at least one or two Beach Commissioners on the panel because of the controversy, criticism, and opposing testimonies heard in the public meetings. Mrs. Rodriguez said she'd advise Mrs. Silverstrom about the suggestion.

Ms. Love announced that since the time the beach use policy was first brought before the Beach Commission at the May meeting, the policy had been renamed the "Beach & Harbor Use License Policy" and was approved by the Board on August 23<sup>rd</sup>. Ms. Love also mentioned that the Board approved the Commission's sunset review date in July, and that the Board adopted the amended County code reflecting the Commission's sunset review extension date through December 31, 2014.

### B. Beach and Marina del Rey Special Events

Ms. Love announced that although the annual Discover Marina del Rey event at Burton Chace Park had previously been cut from the 2011-12 DBH budget due to lack of funding, new funding sources have since been identified and the event would be taking place after all on Sunday, October 9, 11 am – 4 pm. In addition to exhibitor booths, inflatables, games and rides, there would also be new composting workshops.

Commissioner Sallee asked if there would be any changes impacting the Beach Commission as a result of the September 27 Board meeting regarding redistricting of the County, and an unidentified Commissioner replied that there would not be.

Commissioner Powell mentioned that he attended one of the summer concerts for the first time along with the mayor of Redondo Beach, and that everyone in his party enjoyed and appreciated the

experience. They also took the WaterBus, where they were seated next to Mrs. Silverstrom, and heard comments from members of the public about keeping the summer concerts available to the public.

### C. Facilities and Property Maintenance Division Report

Mr. Foreman announced that Chief Wayne Schumaker would be officially retiring from the County as of September 29. There would be a retirement party for him the following Thursday at the Marina del Rey Hotel, and arrangements could be made for any Commissioners wanting to attend.

Mr. Foreman also announced that with the end of Labor Day, FPMD staff had switched to the off-summer schedule. Instead of working 5:00 am - 10:30 pm and instead of three shifts, most of the staff is now working the standard two shifts 6:00 am - 2:30 pm, as well as the night shift. In addition, FPMD would be extending employment of the temporary summer workers for a few additional months to compensate for the unfilled personnel vacancies, in order to prepare for the winter storms while also performing many of the weeding, landscaping, and beautification duties that were unaddressed due to the focus on maintaining the restrooms the summer.

Mr. Foreman also mentioned that in the South Bay, the Department of Public Works has started renovating sections of the bicycle trail that need to be repaired or realigned, starting at Manhattan Beach, working to Torrance, and then finishing at Dockweiler. Commissioner Sallee asked whether the bathrooms that are being built in Hermosa Beach were County or City funded, and also whether any other County-funded bathrooms were going to be built. He mentioned that the biking community would like to see bike racks in the front areas of the bathrooms in Hermosa and wanted to know whether there were any bike racks planned to be installed when the concrete is poured. Mr. Foreman said that the Hermosa Beach bathrooms were City funded and that there were no current plans to construct new bathrooms on the County beaches. He then referred the question regarding new bike racks to Ms. Love, who reported that DBH had been working with an organization that was interested in entering into a sponsorship agreement to provide bike racks featuring advertising panels, but that those talks have since fallen through. She stated that DBH would be able to install bike racks along the County beaches as soon as a suitable sponsor was found. Commissioner Sallee mentioned that the Beach Cities Health District and Vitality City might be interested in discussing such an agreement with DBH, and Ms. Love said she would obtain those organizations' contact information at the end of the meeting. She also asked whether DBH had any bike racks currently in storage that could be installed back on the beaches. Mr. Foreman said that there were no unused bike racks in storage. He mentioned that in doing an inventory of current bike racks for the previously mentioned organization, he noticed that many of the current bike racks were old, rusted and poorly designed. He is now trying to note locations for future bike racks that would be beneficial to users of the bike path, but this project would depend on what other projects were going on and what funding could be identified. Commissioner Sallee said that the initial buildings at the south entrance to Redondo Beach Pier, right along the County bike path, would be getting refaced and that the City of Redondo Beach is anticipating funding a 100-150 bike capacity bike rack at that location, with Pete Carmichael leading the project. He added that he'd make sure to forward the contacts of the people who've been asking about the bike racks.

Mr. Foreman reported that FPMD has started replacing the fence at Redondo Beach that's along the slope as of last week, with posts being put up. The new fence will be a little lower than the current fence so that the ocean view is maintained, while still preventing people from trying to go down the

slope to access the beach or the bike path below. The last item Mr. Foreman reported on was the area south of White Point, just before the Point Fermin/ Cabrillo Beach area where a landslide occurred a couple of years ago on the ocean side of Paseo Del Mar. The stress of that previous landslide is now causing the roadway to start sliding as well. The City of L.A. has notified all the utility agencies to close off services to that area, including the sewer line that feeds the County restroom at White Point. Mr. Foreman said the restroom would have to be closed for an undetermined time until the sewer line could be realigned, and he has a meeting with Public Works this afternoon to discuss this very subject. The City of L.A. is monitoring the area on a daily basis to see how much the land is shifting. Based on a discussion with the City's engineer a couple of days ago, the area is shifting roughly 1/8 of an inch every two days, so there is a concern that a heavy portion of that area may be lost during the heavy winter rains.

#### D. Capital Projects Status Report

Chair Bronowski asked whether there was any information on the City of L.A.'s inquiry into the feasibility of taking back the operation and maintenance responsibilities for Venice Beach. Ms. Love replied that updates on this subject would be presented at the next meeting since not much news was available at the recent meeting with the City of L.A. Commissioner Doyle asked whether the City was negotiating with the State or with the County on the operation of Venice Beach, and how extensive would the operation be if they did take it over. Mr. Foreman responded that since the City owns Venice Beach, they don't need to negotiate with the State. He said he thought the City was considering taking back the operation of Venice Beach because it would be lucrative due to the quantity of activity that takes place there. Mr. Foreman stated that DBH's stance is that should the City resume operation of Venice Beach, there would be other City-owned beaches that they should also take over from the County as well, since these other beaches are a drain on the County's budget. The Department is currently in negotiations with the City on this very subject.

#### E. Lifeguard Report

Section Chief Fernando Boiteux of the County Fire Department, responsible for the Northern part of the County, represented Lifeguard Chief Frazer. Mr. Boiteux reported that the Lifeguards had a much busier summer than last year, with an increase in attendance as well as incidents of rescue. Although the Lifeguards faced one of the highest surfs in recent history during August, Mr. Boiteux remarked that the Lifeguards had a very successful summer with no major incidents nor tragedies during the whole season. Mr. Boiteux mentioned that the County Lifeguards won the Lifeguard Nationals for the 27<sup>th</sup> year in a row. At the summer festivities in the South Bay, the Venice crew won the inter-crew competition, and the central section won the taplin. The Australians got third place in Muscle Beach.

Commissioner Milam mentioned that on the prior Sunday, he noticed kelp flies swarming the lifeguard station at 18<sup>th</sup> Street, completely covering the eaves and the overhang.

An unidentified Commissioner asked whether any beach erosion has been noticed due to the high surf, and whether the County beaches were getting smaller. Mr. Boiteux replied that it depends on the location. In the northern part of the County, such as at Malibu, beach erosion has been occurring but

for the past couple weeks, a lot of the sand has returned. In the central part of the County, such as at Santa Monica, Venice, and Will Rogers, there's more sand than ever before.

Commissioner Milam inquired about the status of a restroom structure in either Torrance or Redondo Beach that had had a problem with eroding sand. He wondered whether that restroom had become endangered again due to summer storms and high surf. Mr. Foreman said that the only area of real concern due to the high surf last month was at the lifeguard facility at Culver Blvd. on Dockweiler Beach. A groin extends just in front of that area which caused the high surf to aim waves directly at the facility, and FPMD had to dump sand at that location on a daily basis just to slow the erosion process in order to save the structure. That was the only facility that was a cause of concern due to high surf and erosion.

### **Miscellaneous**

Commissioner McCurdy requested, as a future agenda item, an update on the Dockweiler Youth Center to see how the programs are doing, such as the level of outreach to kids, the success rate of efforts to increase usage of the facility, and the revenue stream generated from renting the property out for events such as weddings. Ms. Love said DBH would have that information at the next meeting.

Commissioner McDowell thanked staff for inviting Commissioners to submit issues about which they would like to have reports. He stated that this was first time this has happened in the 13 years he's been on the Commission. Chair Bronowski said that a commitment was made to hold regular Commission meetings and staff decided to solicit ideas for discussion topics since there weren't many items on the agenda for today's meeting. She also stated that staff was open to scheduling any outside speakers that Commissioners wished to recommend in the future.

Commissioner Dougher asked whether the DBH Director and Chief Deputy Director would be unavailable for meetings in the future. Ms. Love responded that that isn't the case at all and that today just posed a scheduling conflict for them. She stated that they both apologized for not being able to attend and that in the future Mr. Kreimann would try to attend every meeting or have Mrs. Silverstrom attend in his place.

Commissioner Sallee proposed having Vitality City or another organization make a presentation on the Bike Path Master Plan. He also requested a more comprehensive review of the Dockweiler area. Specifically, he mentioned that he's received inquiries about Vista del Mar and the parallel parking that occurs there. He stated that he's heard about previous plans for a parking lot on the east side of the street that were discussed by the 4<sup>th</sup> District and would like to know more about any plans to address the unsafe condition of parallel parking on a road with 40 mph traffic. Commissioner Sallee also proposed obtaining more information on any prior plan to address the vegetation around the embankment to Dockweiler Beach, as well as the recent sinkhole on the street, and what any new plans would be moving forward. Ms. Love said that she's taken note of all the suggestions, including Commissioner Dagit's suggestion to have someone from National Park Service and SMBRC present more information about the fish passage.

Commissioner Powell mentioned that one of the leadership projects at Manhattan Beach provided approximately 40 bike racks, a few of which were in the Pier area near the bike path and now there are a number of community organizations that want to add additional racks. All of the bike racks were

non-advertising and non-revenue generated, which is great, so Commissioner Powell suggested that DBH reach out to the various community groups, such as the South Bay Bicycle Coalition and Vitality City. He also invited all the Commissioners to the City of Manhattan Beach's annual hometown fair this weekend, and the 10K run on Saturday morning.

## **ADJOURNMENT**

**Chair Bronowski adjourned the meeting at 10:55 a.m.**

## **NEXT MEETING DATE AND LOCATION**

The next meeting is scheduled for November 28, 2011, 9:30 a.m. at Burton Chace Park.

Respectfully Submitted,

Cheryl McGee  
Commission Secretary