



Caring for Our Coast

♦ ♦ ♦  
**Gary Jones**  
Director

**Amy M. Caves**  
Chief Deputy Director

**Carol Baker**  
Deputy Director

**LaTayvius R. Alberty**  
Deputy Director

January 21, 2025

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**POINT DUME WHALE WATCH EASEMENT RECORDATION  
AND TRAIL REHABILITATION PROJECT  
APPROVE CAPITAL PROJECT AND BUDGET,  
APPROVE USE OF MEMORANDUM OF UNDERSTANDING  
CAPITAL PROJECT NO. 87886  
(THIRD DISTRICT) (FY 2024-25, 3 VOTES)**

**SUBJECT**

The Department of Beaches and Harbors (DBH) is seeking Board approval of the Point Dume Whale Watch Easement Recordation and Trail Rehabilitation Project with a total project budget of \$450,000, and authorization to deliver the proposed project using a Board-approved as-need consultant, and memorandum of understanding between the Department of Parks and Recreation (DPR) and DBH for use of DPR's Board approved California Conservation Corps Contract.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find the proposed Point Dume Whale Watch Easement Recordation and Trail Rehabilitation Project exempt from the California Environmental Quality Act for the reasons stated herein and reflected in the record of the project.
2. Approve the Point Dume Whale Watch Easement Recordation and Trail Rehabilitation Project, Capital Project No. 87886, with a total project budget of \$450,000.
3. Authorize the Director of Beaches and Harbors or his designee to deliver the proposed project using the DPR Board approved California Conservation Corps. Contract.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will:

- Find that the Point Dume Whale Watch Easement Recordation and Trail Rehabilitation Project (Project) is exempt from the California Environmental Quality Act (CEQA);
- Approve Capital Project No. 87886, including a total project budget of \$450,000.
- Authorize DBH to deliver the proposed project using the Board approved California Conservation Corp through a Memorandum of Understanding agreement with the Department of Parks and Recreation.

### Project Description and Background

The Project is located at 6800 Westward Beach Rd, in the City of Malibu. Prior to development of the Zuma Bay Villas in 1975, the property owner was required by the California Coastal Commission to convey an easement for a whale-watching facility to the County for the use and benefit of the public as a condition of the property owner's Coastal Development Permit. However, a portion of the alignment of the easement was not officially recorded at the time. Therefore, the easement documentation including the alignment, the legal description and record of survey will need to be amended and re-recorded with this Project.

In November of 2018, the Woolsey Fire spread through Malibu, destroying Point Dume's whale watch and trail. Due to the lack of funding, the facility stayed in a state of disrepair, though it remained open to the public with minor regular maintenance.

The Project aims to restore and enhance public access to a coastal bluff, ensuring safe and reliable pathways for visitors to enjoy the scenic shoreline. The Project includes repair of stairs, fencing, handrails, and eroded trail; refurbishment of the trail entrance, replacement of benches, removal of vegetation overgrowth, and installation of signage. This will include the use of durable, weather-resistant materials to withstand the coastal environment, while also prioritizing environmental sensitivity to protect the surrounding ecosystems. Upon completion, the improved trail and stairway will provide a sustainable and accessible route for the community, promoting outdoor recreation and coastal appreciation.

DBH utilized a Board-approved as needed consultant to prepare the needed documentation including surveys, easement documentation and design documents. DBH is seeking approval from the Board to carry out the work using the Board approved California Conservation Corps Contract through a Memorandum of Understanding agreement with DPR.

### **Implementation of Strategic Plan Goals**

Approval of the recommended actions will promote and further Board-directed priorities and their relation to the County Strategic Plan by advancing North Star 2: Foster vibrant and resilient communities, Focus Area Goal D Sustainability: Project will focus on environmental justice by improving and expanding access to recreational opportunities and addressing strategies i. Climate Health by building climate resilient communities, iii. Support thriving ecosystems, habitats, and biodiversity and iv. Environmental Justice facilitating healthy communities and access to clean air, soil, and water. In addition, approval of the recommended actions will further Focus Area Goal E Economic Health: by contracting with the Los Angeles Conservation Corps to deliver the project, this will address strategy i. to strengthen the capacity and partnerships with community-based institutions

and organizations to help serve our communities and strengthen the social fabric within them.

### **FISCAL IMPACT/FINANCING**

The total project cost including Topo and Easement Boundary Survey, Geotechnical Reconnaissance, Repair Recommendations and Cost Estimate, Topo Mapping/Easement Recordation, and Trail Rehabilitation is currently estimated at \$450,000 (See Enclosure A). There is currently \$1,000,000 of appropriation in Capital Project No. 87886, which is funded with Net County Cost funds approved in FY 2022-23 Supplemental Budget.

Preliminary design costs of \$51,000 were funded from DBH's operating budget.

#### Operating Budget Impact

Following completion of the proposed project, DBH does not anticipate any additional one-time, start-up, or ongoing costs as a result of the recommended actions. The maintenance and operational requirements for the proposed project will be met using existing resources from DBH's Operating Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In accordance with the Board's Civic Art Policy, adopted on December 7, 2004 and last amended on August 4, 2020, the proposed project is exempt from the Civic Art Allocation as the Eligible Project Costs are less than \$500,000. This is because the project's design and construction costs are estimated at \$450,000.

At its meeting held on October 23, 2024, the Beach Commission endorsed the Director's recommendation that your Board approve the Capital Project and authorize delivery of the project.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed Project is exempt from CEQA. The project, which includes repair of stairs, fencing, handrails, and eroded trail; refurbishment of trail entrance, replacement of benches, removal of vegetation overgrowth, and installation of signage, is within a class of projects that have been determined not to have a significant effect on the environment and which meets the criteria set forth in 15301(d), 15301(h), of the State CEQA Guidelines ("Guidelines") and Classes 1 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. The project provides for repair and renovation of existing facilities involving negligible or no expansion of an existing use and where replacement features will have the same purpose and capacity.

Additionally, the proposed project will comply with all applicable regulations, is not located in a sensitive environment, and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste sites compiled pursuant to Government Code Section 65962.5, or indications that the project may cause a substantial adverse change in the significance of a historical resource that would make the exemptions inapplicable based on the record of the projects.

Upon your Board's approval of the recommended actions, DBH will file a Notice of Exemption with the County Clerk in accordance with Section 21152 of the California Public Resources Code.

**CONTRACTING PROCESS**

DBH will use the Memorandum of Understanding (MOU) between County of Los Angeles Department of Parks and Recreation and County of Los Angeles Department of Beaches and Harbors for the use of the Conservation Corps Agreements previously approved by the Board on November 26, 2024.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Activities under the proposed project will be completed in close coordination with DBH staff to minimize impacts to the existing beach maintenance operations.

**CONCLUSION**

Please have the Executive Officer of the Board send a copy of the Board letter to the Department of Beaches and Harbors, Planning Division, Coastal Resiliency Section, 13837 Fiji Way, Marina del Rey, CA 90292. Should you have any questions, please contact Warren Ontiveros, Planning Division Chief, at (424) 526-7745 or [WOntiveros@bh.lacounty.gov](mailto:WOntiveros@bh.lacounty.gov).

Respectfully submitted,



GARY JONES

Director

GJ:AC:BRH:cr

Enclosures

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors  
Department of Parks and Recreation

**ENCLOSURE A**  
January 21, 2024

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**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Easement Recordation	02/26/2025
Trail Rehabilitation	05/31/2025

**II. PROJECT BUDGET SUMMARY**

<b>Project Activity</b>	<b>Proposed Budget</b>
Topo and Easement Boundary Survey	\$ 14,052
Geotechnical Reconnaissance	\$ 20,716
Repair Recommendations and Cost Estimate	\$ 16,058
Topo Mapping/Easement Recordation	\$ 60,011
Trail Rehabilitation	\$ 339,163
<b>TOTAL</b>	<b>\$450,000</b>