

Will Rogers State Beach General Plan – Summary of Relevant Provisions

1. The General Plan (GP) for Topanga Beach¹ and Will Rogers State Beach (WRSB), dated August 1986, was prepared by Los Angeles County Beaches & Harbors and approved by resolution of the California State Park and Recreation Commission on November 14, 1986 (Resolution 51-86).
2. Resolution 51-86 explains that:
 - the GP “reflects long range development plans to provide for **optimum use and enjoyment of the unit as well as the protection of its quality**”;
 - amendments to the GP (including limits on concessions and commercial construction) “provide **increased protection of scenic values**,” “assure beach users of **adequate parking and recreational activities**” and “ensure that future development is **consistent with applicable State coastal land use requirements**”;
 - site development plans would be approved by Cal Parks “after such plans have been found **consistent with all requirements of land use control agencies, including the Coastal Commission**”; and
 - the County was requested to take various improvement actions, including “**improving access at Will Rogers . . .**, to proceed promptly with actions to **speed traffic flow on [PCH]**, and to attempt to **alleviate the hazards and congestions at beach entrances** and the **traffic problems** posed by the [then] proposed Occidental Petroleum drilling site.”² *[Emphasis added throughout.]*
3. According to the GP Summary:
 - The State Beaches along the Santa Monica Bay coastline “provide **ocean-oriented recreational opportunities** for tens of millions of residents and visitors to the greater Los Angeles metropolitan region each year.”
 - The improvements being proposed include “an improvement in **accessibility to beach parking areas** and a **net gain in paved parking spaces** (. . . Will Rogers 73 spaces) for beach patrons.”
 - The effort was “based on previous studies which proposed new facilities compatible with the dual objectives of improving **recreational and visitor serving uses** and creating **additional revenue sources**.”
 - “The General Plan emphasizes the provision of **quality coastal recreation opportunities** to the greater Los Angeles area, in conjunction with the protection of any valuable natural and cultural resources present.”
4. The GP section on Resources cautions that “despite a broad beach,” WRSB is “in a zone which merits a **high hazard rating**.” It is subject to flooding, erosion, landslides, earthquakes, rockfalls and slumping, thus “**endangering life and livelihood** along the highway.” “Rockfalls are common, and massive slumps are spectacular and disastrous.” “Development on both sides of the highway [PCH], as well as the highway itself, is threatened by mass movement as well as debris torrents from canyon mouths.” Moreover, “[w]aves are capable of rendering further damage, especially during high tides.”³
5. The GP section on Recreation Resources notes the “substantial demand” for a “wide variety of **ocean and beach oriented recreational activities**,” with over **8 million visitors** to WRSB/Topanga Beach in 1984-85.

¹ The State transferred Topanga Beach to the County of Los Angeles in 1995; WRSB remains a State Beach.

² Due largely to extensive, unrelenting efforts by the Palisades non-profit “No Oil, Inc.” – which resulted in a milestone case on CEQA law, *No Oil, Inc. v. City of Los Angeles* (1974), 13 Cal. 3d 68, and passage of the Proposition O drilling-ban in Los Angeles – proposed oil-drilling at a site **directly across from the WRSB parking lot**, where homeless housing is now proposed, was abandoned by Occidental Petroleum in 1991. *But see PPCC discussion of significant vehicular and pedestrian traffic hazards (including substantial danger to unhoused individuals) should homeless housing be sited at WRSB*, in: <http://pacpalicc.org/wp-content/uploads/2021/06/PPCC-Letter-to-CAO.pdf> (6/10/21 Letter to CAO).

³ In the 6/10/21 Letter to CAO (fn. 2 above), PPCC alerted City officials to these **same substantial, “life-endangering” hazards** (including a massive slumping slide in 1957 that buried alive a Caltrans worker), which are still present at WRSB.

6. The GP also explains that WRSB is classified as a “**state recreation unit**” under the Public Resources Code (now PRC Section 5029.56).⁴

7. The GP’s Declaration of Purpose explicitly states that the **purpose of WRSB** is:

“... to provide **opportunities for the public to see, use, and enjoy for recreational purposes** the sandy beaches, intertidal rocky shorelines, and the associated terrace areas. All **beach recreational activities** which are consistent with the perpetuation of the beaches and related natural and cultural resources are appropriate for these State Beaches.

“The implementation of management policies and the location of construction improvements **shall be accomplished in a manner that enhances public opportunities for ocean beach-oriented recreation** in a high quality environment, provides a visual compatibility with the scenic quality of the units, and preserves natural and/or cultural resources present.”⁵

8. In the Resource Management Policies section, the GP admonishes:

- Geology/Soils: “**Protect the public** from hazardous geologic features such as **landslides and active faults**.”⁶
- Recreation Resources: “**Prohibit fires** within the units. Fire presuppression activities may be performed to minimize the **potential for wildfires**.”⁷

9. In the Allowable Use Intensity section, the GP explains that use “intensity” in the sandy beach areas can be “high, as long as there are adequate provisions for clean-up after use,” and that in areas in or immediately adjacent to parking areas, use intensity can also be “high,” but that the “small size of the units will limit the amount of parking available.”⁸ Further: “In any area where it appears that human use will cause significant erosion or other **damage to the natural environment, use should be light or restricted.**”

10. In the Land Use and Facilities Element, the GP notes:

- “[M]illions of residents and visitors . . . use the existing recreational facilities at these State Beaches every year.”
- “At the project site itself [proposed new concession at WRSB], **uses are limited** to off-street parking, a concession stand with restroom facilities and a lifeguard tower.”
- A total of 141 **additional parking spaces** was added to the WRSB lot in 1984-1985, with 19 more spaces to be added in 1986; County Beaches & Harbors and Cal Parks at the time were also working with Caltrans on replacement of nine spaces that had been removed due to a “highway right-of-way **landward slide mass**.”⁹
- The City was proposing at the time to develop Potrero Canyon (across the highway from WRSB) as a “passive recreational facility,” and that a “**pedestrian overpass across PCH**” was under consideration.

⁴ See PPCC discussion of this and other applicable Public Resources Code provisions in:

<http://pacpalicc.org/wp-content/uploads/2021/07/PPCC-Supp-Letter-State-Agencies-2.pdf> (7/19/21 Letter to State).

⁵ See also the WRSB “Purpose Statement” (referenced in the 7/19/21 Letter to State, fn. 4 above).

⁶ See para. 4 and fn. 3 above; as members of the public, **unhoused individuals are entitled to the same protection**.

⁷ In the 6/10/21 Letter to CAO (fn. 2 above), PPCC alerted City officials to the **serious potential for wildfires and risk to public safety** should homeless housing be sited at WRSB.

⁸ In the context of the GP’s explicit Declaration of Purpose and multiple other provisions, “use” refers to “beach recreational activities” (see para. 7 above) which in turn should not impede “accessibility to beach parking areas” – an express goal of the GP (see para. 3 above).

⁹ Per the GP Summary (para. 3 above), a **net gain of 71 more parking spaces** would be added with the then-proposed improvements.

Now, 36 years later, across from WRSB, the “George Wolfberg Park at Potrero Canyon” is nearing completion (projected to be completed in 2022) and funding for the overpass has been secured.¹⁰

11. As to “Design and Carrying Capacity,” the GP provides tables showing the level of use that meets Cal Parks’ resource management requirements “while providing **recreational opportunities for the public.**” The GP notes that according to lifeguard logs in 1986, the “use intensity” was “in excess of” Cal Parks’ standards. Further, “on typical weekends,” WRSB was “carrying approximately 5.4 times the recommended standards.” As to the ability of the parking lots to accommodate this high level of use, the GP explains that the parking facilities do “not limit the number of people attending these intensely urban recreational facilities. Further, the ability to expand the size of the parking facilities . . . without expansion onto the sandy beach areas, is also extremely limited.”

12. In the Operations Element, the GP explains:

- “Beach and coastal areas owned and/or operated by the County of Los Angeles provide for many uses. In addition to sunning, swimming and scenic enjoyment, other activities include surfing, diving, bike riding along the South Bay Bicycle Trail and dining”
- It is the general function of Los Angeles County Beaches & Harbors to operate the beaches “while providing a **high standard of safety and emergency care in the best interests of the citizens and visitors to Los Angeles County.**”
- At the time, there was an annual deficit of “some \$7.2 million,” with revenues “comprised of 55% from parking fees.” “Beach revenue is currently constrained by an inability to add additional parking facilities,” but revenue was expected “to be generated by **increased visitation attracted by the enhanced visitor facilities and services.**”

13. According to the Environmental Impact Element of the GP:

- One of the proposals of the GP is to provide “**increased opportunities for day use recreation.**”
- WRSB “is a **major recreational area** for the visitors and residents of the greater Los Angeles County area.” Attendance at WRSB/Topanga Beach “exceeded **8.0 million people** during Fiscal Year 1984-1985 . . . Both population and per capita **participation in recreation activities have increased annually** in the past; it is anticipated that **this trend will continue.**”
- “**Traffic:** [PCH] is a heavily-traveled four lane thoroughfare in the project area [now six lanes for much of the WRSB area]; generally motorists must use this highway when traveling within, to, or away from the Malibu/Santa Monica areas . . . According to CALTRANS [in a 1984 study] **portions of [PCH] often operate at volumes well above the optimum carrying capacity** of approximately 1,700 vehicles per hour . . . Between Sunset Blvd. and Topanga Canyon, **peak hour volumes at 5,100 vehicles** were recorded.”

14. Impacts from the then-proposed project (discussed in the Environmental Impact Element):¹¹

¹⁰ This passive recreational park – by City decree now named after the esteemed past PPCC Chair and community leader George Wolfberg – is **expected to draw many more visitors from across the region**, both to the park and to WRSB. In addition, due to the efforts of Senator Ben Allen and Assemblymember Richard Bloom, \$11 million in funding for the overpass – a critical safety measure – was recently approved by the State legislature. Note that the GP also states in the Interpretative Element that Cal Parks at that time had “required” the overpass to the beach as part of then-proposed improvements of an old motel located across from WRSB at the mouth of Potrero Canyon; those improvements never took place and the old motel was demolished many years ago, as part of the park project.

¹¹ The then-proposed project was a new concession (a recreational use). PPCC argues now that impacts from the now-proposed homeless housing (a non-recreational use, arguably requiring a General Plan amendment) would pose **unacceptable risks of injury and result in reduction of public access to the coast and ocean for recreation and enjoyment**; the State (Cal Parks) should therefore deny approval of this use; *at a minimum*, evaluation of all environmental impacts of the proposed use is required (as was the case in 1986 when the new concession was proposed for WRSB).

- Recreation: “The **recreational value . . . will be improved** through the rehabilitation of existing facilities and **construction of new visitor-serving facilities.**”
- Human Community Factors, Public Service and Public Safety: “. . . the project’s **impact on the socio-economy of the immediate area will be minimal.** The county’s **revenues will be increased.**”
- “The project **will not significantly affect fire, paramedic or police services . . .**”
- “There are certain potential **public safety hazards** associated with the use of areas adjacent to the sea cliffs north of PCH. For example, **rockfalls are potential hazards** that could cause personal injury or property damage. **The danger posed by wildfire exists throughout the Santa Monica Mountains region.**”
- Traffic: “[PCH] is a **heavily traveled** thoroughfare currently carrying volumes in excess of its recommended optimum capacity.”
- Beach access: “The proposed project will **improve beach access for users of the State Beach recreational facilities.**”
- Beach patron parking facilities: The then-proposed project would “result in a **net gain in parking facilities for beach patrons.**”
- Land Use: The then-proposed project was “not in conflict” with the land use classification, that is, a State Beach with areas designed to provide “**beach oriented recreational activities.**” “Following project implementation, the units will provide **beach recreation opportunities** for the population of, and visitors to, the Los Angeles County area.”

15. Mitigation Measures: The GP provides for various mitigation measures, including “**fire presuppression work**” and “**strict enforcement of rules** designed to protect natural resources and **promote public enjoyment and safety.**”

16. Increasing/Decreasing Density: The GP “proposes to provide the minimum amount of physical construction necessary to **increase recreational opportunities** at State Beaches in conjunction with preserving the natural environment to the maximum degree feasible.”

17. Alternate Locations: “[A]ll potential sites were considered for each proposed land use. The facilities locations proposed in this General Plan were selected on the basis of availability of adequate land parcels consistent with **maximization of user benefits, increasing revenues and minimization of environmental impacts.**”¹²

18. Short Term Use vs. Long Term Productivity: “The current short-term use of [WRSB] is for **beach-related recreation.** If the property was not in the State Park System, the property would most likely be developed for residential or commercial uses. The short-term uses of the land proposed in the general plan include measures designed to **improve and protect unit resources.** Therefore, these measures will protect the unit’s long-term productivity. The relationship between short-term use and long-term productivity is complementary, one in which the **short-term use retains and expands the environment’s long-term productivity.**”

19. Growth-inducing Impacts: The proposed development “will **improve the quality of recreational opportunities** available to State Beach users. It is not considered growth-inducing.”

20. Effects Not Found to Be Significant: The proposal was found to have **no significant adverse impact** on, among other things, water quality, cultural resources, scenic values, police and fire services, traffic or land use.

*PPCC Executive Committee
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¹² See PPCC discussion of alternate locations for homeless housing in Los Angeles in: <http://pacpalicc.org/wp-content/uploads/2021/07/PPCC-Letter-State-Agencies1.pdf>.