



PACIFIC PALISADES COMMUNITY COUNCIL

July 15, 2021

Hon. Wade Crowfoot, Secretary, California Natural Resources Agency
Via email: wade.crowfoot@resources.ca.gov

Armando Quintero, Director, California Dept. of Parks and Recreation
Via email: armando.quintero@parks.ca.gov

Re: Use of Will Rogers State Beach (WRSB) Parking Lot by the City of Los Angeles for Homeless Housing

Dear Secretary Crowfoot and Director Quintero:

This will supplement Pacific Palisades Community Council's letter to you of July 6, 2021.¹

A. FYOA, PRC Section 5019.53 and Coastal Act, PRC Section 30000, et seq.:

As explained in our prior letter to the Los Angeles City Administrative Officer of June 10, 2021² (6/10/21 Letter):

“1948: The State and the City of Los Angeles entered into a “Fifty Year Operating Agreement” (FYOA), in which the City became a lessee of the State and was given control over operations and maintenance at several beaches, including WRSB. Key FYOA provisions with respect to the use of WRSB:

- the parties declared that it is in ‘the interests of the public’ for the lands to be placed under the City’s jurisdiction ‘**for park playground and recreational uses;**’ and
- the parties agreed that the City shall have the right to use and develop the lands ‘**for the use, enjoyment and protection of the general public,** provided however that such use and development of said lands shall **conform to standards prescribed by any and all State laws applicable to State Beach Parks.**’
[Emphasis added.]”

The terms of the FYOA remain in effect pursuant to the “holdover tenancy” arrangement between the City and Cal Parks, entered into in 1998 (see pp. 4-5 of our 6/10/21 Letter).

Moreover, California Public Resources Code (PRC) Section 5019.53 provides in pertinent part with respect to California state parks:

“Improvements undertaken within state parks shall be for the purpose of making the areas available for public enjoyment and education in a manner consistent with the preservation of natural, scenic, cultural, and ecological values for present and future generations. Improvements may be undertaken to provide for **recreational activities** including, but not limited to, camping, picnicking, sightseeing, nature study, hiking, and horseback riding, so long as those improvements involve no major modification of lands, forests,

¹ <http://pacpalicc.org/wp-content/uploads/2021/07/PPCC-Letter-State-Agencies1.pdf>

² <http://pacpalicc.org/wp-content/uploads/2021/06/PPCC-Letter-to-CAO.pdf>.

or waters. **Improvements that do not directly enhance the public's enjoyment of the natural, scenic, cultural, or ecological values of the resource**, which are attractions in themselves, or which are otherwise available to the public within a reasonable distance outside the park, **shall not be undertaken within state parks.**” [*Emphasis added.*]

It is clear that the use of the WRSB parking lot for homeless housing would violate not only the terms of the governing FYOA, but also PRC Section 5019.53 as well as applicable sections of the Coastal Act, which provide for *maximum public access to the coast and sea* (PRC Sections 30210, 30211). “Protecting public access to the coast for all and recreational opportunities is a core mandate of the Coastal Act” (California Coastal Commission).³

Homeless housing – whether for 3-3 ½ years, or for any length of time – is manifestly not a “park playground” or “recreational use.” It is not a “recreational activity” and clearly does not serve the purpose of “making [WRSB] available for public enjoyment and education,” nor would it preserve the “natural, scenic, cultural and ecological values” of WRSB for “present and future generations” or “directly enhance the public enjoyment of the natural, scenic, cultural or ecological values” of WRSB. Further, placing homeless housing at the parking lot would restrict, rather than preserve or enhance, public access to the natural resource – the coast and sea – and **“maximum access” to WRSB and public trust lands, mandated by the Coastal Act, would unquestionably be blocked.**

B. WRSB Unnecessary for Homeless Housing

As we emphasized in our July 6, 2021 letter, there are **numerous other feasible sites in Los Angeles**, currently under investigation by City Controller Ron Galperin and City Council District 11 community leaders for homeless housing purposes, that *do not involve removing any portion of public recreational spaces from public use or access, especially State beaches or parks*. There is no order or directive requiring WRSB or any public recreational space in Los Angeles to be used for this purpose, and the use would in fact be contrary to the express goals of the presiding judge in the federal *Alliance* lawsuit. The use of WRSB for this purpose is not only unpermitted under the governing documents and applicable law, but it is completely unnecessary and contrary to reason, sound public policy and public safety considerations.

For all of these reasons, Pacific Palisades Community Council again urges you as representatives of the State to deny approval for the unprecedented use of WRSB – as occurred in the case of Francis Beach at Half Moon Bay State Beach last year⁴ – for homeless housing.

Thank you again for your consideration.

Executive Committee, Pacific Palisades Community Council

David Card, Chair

Christina Spitz, Secretary

David Kaplan, Vice-Chair

John Padden, Organization Representative (P.R.I.D.E.)

Richard G. Cohen, Treasurer

Joanna Spak, Elected Representative (Area 1; Castellammare, Paseo Miramar)

cc: additional relevant State officials (on p. 3, following)

³ <https://www.coastal.ca.gov/enforcement/> Securing Coastal Access.

⁴ We have also learned that in prior informal discussions with local agencies, Cal Parks representatives indicated that the State would not support the possible use of an old motel (the Topanga Ranch Motel), located on Topanga State Park land – the inland side of PCH, to the immediate northwest of WRSB and Pacific Palisades, which in turn is part of the larger Topanga park/lagoon restoration project – for a “safe parking” program (homeless *overnight* parking). *A fortiori*, 24/7 homeless housing at WRSB should not be permitted.

Pacific Palisades Community Council
Wade Crowfoot and Armando Quintero
July 15, 2021

cc (via email):

Hon. Gavin Newsom, Governor, State of California (via **Jason Elliott**, Senior Counselor for Housing & Homelessness)

Hon. Ben Allen, State Senator, SD 26

Hon. Henry Stern, State Senator, SD 27

Hon. Richard Bloom, State Assemblymember, AD 50

Jerry West, Angeles District (acting) Superintendent, Cal Parks

Rue Mapp, Chair, State Park and Recreation Commission

Jennifer Lucchesi, Executive Officer, State Lands Commission

Jack Ainsworth, Executive Director, and **Steve Hudson**, District Director, California Coastal Commission;

Sam Schuchat, Executive Director, California State Coastal Conservancy

Joseph T. Edmiston, Executive Director, Mountains, Recreation and Conservation Authority