

The Los Cerritos Wetlands Task Force request that the Long Beach Planning Commission not vote to recommend Item 19-093PL Belmont Beach and Aquatics Center Complex - Revised for the following reasons (also stated by the Long Beach Area Peace Network).

Concerns regarding 19-093PL Belmont Beach and Aquatics Center Complex - Revised Project (text in red type is quoted from 19-093PL)

1. Planning Commission cannot legally hold a Public Hearing on this Agenda Item

- - Item was removed from agenda and public notices were issued to that effect. Public was notified less than 10 days ago that item was put back on to agenda.
- - not sufficient notice to hold this Public Hearing, should be rescheduled

2. BBAC Revised Project is not “complete” and will not be approved by CCC

- - not appropriate to hold a Public Hearing on this item (including the Revised BBAC Project and related permit requests) before the Planning Commission as the Coastal Commission staff informed the City on December 6th that the Revised BBAC Project was not “complete” and that certain conditions (changes) would have to be made before it could be resubmitted for consideration. The Planning Commission should not be asked to recommend the Revised BBAC Project to the City Council because it has already been rejected as incomplete/unacceptable by Coastal Commission staff.
- -LBDS must revise the Project, meet the conditions set by Coastal Commission staff, and have the project considered “complete” by Coastal Commission staff before requesting any public hearing or recommendation on the Revised BBAC Project by the Planning Commission.

3. Revised BBAC needs an EIR

- - revisions are extensive and involve impacts not addressed in the original BBAC EIR
- - additional factors, including policy (CCC Environmental Justice Policy) and environmental changes (new timeline for sea rise, specifically for Peninsula and Belmont Shore), require a new EIR
- - revised project is not “a less-impactful replacement” - as stated in 19-093PL.
- 4. The Revised BBAC Complex and associated documents - 19-093PL as submitted by LBDS to the LB Planning Commission fail to address significant environmental, public access, and public safety factors including:
 - - the ongoing collapse of the shorebird rookery due to the temporary pool and the likelihood of its total destruction with the construction of the BBAC as revised. 19-093PL. falsely states that “the bird species present in the Project area were coexisting with pool and park users, accustomed to human intrusion and noise, and anticipated to be able to reestablish to the relocated trees and adapt to the additional trees installed as a part of the Approved Project.” In fact, a ficus tree next to the

temporary pool which held 100 shorebird nests before the temporary pool was installed has now been abandoned due to the noise from swimmers and sports teams. The negative impacts of the proposed project on the rookery including the removal of existing nesting sites in the park, construction during nesting season, the permanent expansion of an outdoor facility and associated increased public use, have not yet been surveyed nor addressed.

- - 19-093PL. fails to address the existing rookery and nesting sites as significant Biological Resources protected under the Coastal Act, "the Project site was not determined to be a highly functioning movement corridor for wildlife species and no significant high-value nursery habitat sites were identified.....Some of the existing trees on site may be relocated, depending on their condition and potential to survive relocation. These are not significant or protected trees.... bird species would be able to relocate to other hunting and foraging habitats."
- - the effects on adjoining beaches, streets, public and private buildings and parking lots of constructing an 7' high foundation/seawall for the BBAC.
- - lack of public access to shoreline and loss of beach by construction of facility that is not coastal dependent. "Existing public access to the sandy beach of the coastline will be maintained and enhanced by the projectMore people will have access to visit the sandy beach as a result of this project," "the Modified Project would not alter or impede access to the beaches," as stated in 19-093PL, are blatantly false.
- -The overall impacts on the neighborhood, including traffic, parking, noise, air quality are negative and significant. The revised BBAC will not "enhance the character, livability, and appropriate development of the PD-2 plan area and surrounding neighborhood."
- - It is incorrect to refer to project location as being in an "underutilized area." The beach, the Belmont Pier, park, dog park and shopping area currently serve the neighborhood and other LB residents. Repairing the pier and improving public safety in the area would further enhance utilization.
- - BBAC is not a "coastal dependent" facility and should not be built on the beach. Because construction of the BBAC will destroy an existing coastal resource, a shorebird rookery, and t's foundation will both erode the beach and deny public access to the shoreline, it does not have "a coastal-oriented and eco- friendly design," as stated in 19-093PL.

5. The Revised BBAC Complex and associated documents - 19-093PL as submitted by LBDS to the LB Planning Commission fail to address significant environmental justice factors including:

- - lack of consideration of additional sites as required by CCC staff, to include one site outside of the Coastal Zone
- - conflict with the City's Healthy Communities Policy which states that historically underserved communities be prioritize when building new recreational facilities.

- - lack of public outreach and input - only District 3 held community meetings on original EIR, none have been held on revised plans. "Stakeholders" do not represent general public nor are their meetings open to the public. The project did not involve "a comprehensive and iterative planning process that relied heavily on community input" as stated in 19-093PL.
- - prioritizing the interests of the competitive aquatics community and "existing users" over Long Beach residents' health and safety, including equal access to public aquatics facilities for the purpose of learning how to swim and maintaining a healthy lifestyle. 10-093PL states that the Approved Project EIR "ensured the continued operation of a pool facility on the site, pursuant to the needs of the aquatics community," and further promises that, "The increased spectator seating potential for the new facility and nature of competitive events, ranging from local to national levels, will elevate the facility to a regional public amenity, thereby increasing the number of new visitors to the City's coastal zone."
- - misuse of the terms "community," "public amenity," "public necessity," "public convenience," to reference only "existing users" of the Belmont Pool, competitive teams and for profit aquatics programs when stating that the BBAC will provide "enhanced public access," and when stating that the "BBAC project... is in conformance with the public necessity, enhances public convenience and welfare, and is in conformance with good planning practice."
- - The revised BBAC at its proposed location denies equal access and violates the Coastal Act and the Environmental Justice Policy of the CCC. 19-093PL claims that "increased accessibility and recreational nature of the project is thus consistent with Chapter 3 Coastal Act policies." "Local access to the site will be improved through the provision of on-site bicycle amenities and hardscape improvements that better connect the site to existing rights-of-way." However, 19-093PL fails to address the lack of public access to the BBAC, especially by underserved low- income communities and minorities, due its location in the southeast corner of the City in a predominantly affluent and majority white community. Using public transportation from Northwest Long Beach, predominantly low-income minority neighborhoods would involve spending more than an hour taking multiple buses. 19-093PL offers no remedy for these LB residents who do not have a car or cannot ride a bike for a hour. Under the California Coastal Commissions new Environmental Justice Policy the BBAC's proposed fails to provide equal access.
- - 19-093PL claims that, "The Modified Project would also replace the previous pool and recreational facilities in in order to continue meeting the recreational needs of existing and future residents. However no information or studies are provided regarding the degree to which past or present recreational use of Belmont Plaza Pool and temporary pool by community have met/are meeting "the recreational needs of residents," to what degree they failed/are failing to do so, and what alternatives would better meet " the recreational needs of existing and future residents."

6. 19-093PL violates the CCC Environmental Justice Policy 2019 - see excerpts below, especially underlined sections

The California Coastal Commission's commitment to diversity, equality and environmental justice recognizes that equity is at the heart of the Coastal Act, a law

designed to empower the public's full participation in the land-use decision-making process that protects California's coast and ocean commons for the benefit of all the people. In keeping with that visionary mandate, but recognizing that the agency has not always achieved this mission with respect to many marginalized communities throughout California's history, the Commission as an agency is committed to protecting coastal natural resources and providing public access and lower-cost recreation opportunities for everyone. The agency is committed to ensuring that those opportunities not be denied on the basis of background, culture, race, color, religion, national origin, income, ethnic group, age, disability status, sexual orientation, or gender identity. The Commission will use its legal authority to ensure equitable access to clean, healthy, and accessible coastal environments for communities that have been disproportionately overburdened by pollution or with natural resources that have been subjected to permanent damage for the benefit of wealthier communities. Coastal development should be inclusive for all who work, live, and recreate on California's coast and provide equitable benefits for communities that have historically been excluded, marginalized, or harmed by coastal development. The Commission recognizes that all aspects of our mission are best advanced with the participation and leadership of people from diverse backgrounds, cultures, races, color, religions, national origin, ethnic groups, ages, income levels disability status, sexual orientation, and gender identity. The Commission is committed to compliance and enforcement of Government Code Section 11135, as well as consideration of environmental justice principles as defined in Government Code Section 65040.12, consistent with Coastal Act policies, during the planning, decision-making, and implementation of Commission actions, programs, policies, and activities. It is also the California Coastal Commission's goal, consistent with Public Resources Code Section 300136 and Government Code Section 11135, to recruit, build, and maintain a highly qualified, professional staff that reflects our state's diversity. Further, the Commission is committed to compliance with Title VI of the Civil Rights Act of 1964 and its regulations."

This policy uses the terms "disadvantaged," "marginalized" and "underserved" interchangeably; it intends to encompass not only the definitions contemplated by SB 1000,7 but also to include other low-income communities and communities of color that are disproportionately burdened by or less able to prevent, respond, and recover from adverse environmental impacts. The Commission recognizes that all of these communities have assets and are valuable **stakeholders**, and the purpose of this policy is to empower these communities that have been historically excluded from accessing the benefits of coastal development and resources due to discriminatory implementation of local, state, and federal policies and lack of access to the process and decision makers.

Section 30006 of the Coastal Act also states that "the public has a right to fully participate in decisions affecting coastal planning, conservation and development; that achievement of sound coastal conservation and development is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation."

The term “environmental justice” is currently understood to include both substantive and procedural rights, meaning that in addition to the equitable distribution of environmental benefits, underserved communities also deserve equitable access to the process where significant environmental and land use decisions are made.

Taking an environmental justice approach to coastal policy requires a fundamental rethinking of who is connected to the coast, and how wherever low income communities and communities of color are predominantly concentrated in coastal regions, they are frequently disconnected from the coast itself, by both social and physical barriers....Statistics show a startling lack of diversity among those who live on the California coast....Historic inequalities, as well as California’s growing population, changing demographics, socio-economic forces, judicial decisions, and policy choices have and continue to shape development patterns and population shifts that widen the disparity gap.

Meaningful Engagement

The Commission acknowledges the critical need to communicate consistently, clearly, and appropriately with environmental justice groups and underserved communities.

Coastal Access

Where a local government fails to consider environmental justice when evaluating a proposed development that has the potential to adversely or disproportionately affect a historically disadvantaged group’s ability to reach and enjoy the coast, that failure may be the basis for an appeal to the Coastal Commission. Similarly, where a local coastal program includes policies that implement environmental justice principles, a local government’s failure to consider those principles may also be the basis of an appeal to the Coastal Commission.

Local Government

Local governments implement Coastal Act policies at the local level through planning documents certified by the Commission. The Commission will strongly encourage local governments to amend their local coastal programs, port master plans, public works plans and long range development plans to address environmental justice issues. Staff will develop a list of best practices to help local government develop policies that reduce impacts on disadvantaged communities resulting from new development.

Participation in the Process

Achieving the Coastal Act’s mandate for coastal protection depends on full public participation that reflects California’s diversity.

Accountability and Transparency

Creating a measure of accountability is critical to building and maintaining trust and respect with communities who have become skeptical of government’s motives or relevance to their lives. When evaluating projects, programs and activities, Commission staff shall consider, when applicable, whether and how proposed development will positively or negatively affect marginalized communities, and will be fully transparent in that analysis in staff reports and presentations...When warranted by applicable Coastal

Act or LCP policies, analysis will assess meaningful alternatives beyond mitigation measures to re-siting projects with negative environmental health impacts in disadvantaged communities, to minimize or avoid adverse impacts to those communities. If viable alternatives are available, consider those in permitting decisions. ...The Commission will use the powers within its authority to examine the level of inclusive access to public recreation.....in any proposed coastal in any development, as well as be a voice for maximizing these benefits for disadvantaged communities during review of projects.

The Commission's environmental justice policy shall be implemented in a manner that is fully consistent with the standards in, and furthers the goals of, Chapter 3 of the Coastal Act (the agency's legal standard of review), and certified local coastal programs.

Coastal Development and Environmental Justice

1. Encourage and teach staff to incorporate environmental justice issue identification, research and analysis into their work. Develop internal criteria and guidance for early identification of project proposals that could raise environmental justice issues
2. Develop an internal checklist for staff to help analyze the existence of potential environmental justice impacts associated with a proposed project. Have staff identify environmental justice communities in the area and potential impacts of the project on those communities
3. Include an analysis of environmental justice issues in applicable staff reports, and, when appropriate, propose mitigation measures to avoid or fully mitigate identified impacts, in a manner that is fully consistent with Chapter 3 or local coastal program policies.
4. Strongly encourage local governments to amend their local coastal programs to address environmental justice issues. Develop a guidance memo for local governments to assist with the incorporation of environmental justice policies and develop a list of best practices to help reduce disparate impacts on vulnerable communities resulting from new development.

TO: Long Beach Planning Commissioners

12/18/19

FROM: Corliss Lee

RE: Agenda item 1 19-093PL Belmont Pool

Commissioners,

The Belmont Pool project has the very obvious fatal flaw of being sited on the beach in Belmont Shore. Even without the advent of our knowledge of sea level rise, this location had the disadvantage of being near known earthquake faults, in the sand and subject to liquefaction. As a taxpayer and resident of Long Beach, I object to pouring millions of dollars into a project fraught with risk when there are other sites suitable for such an investment. I have yet to hear an explanation as to why this particular location has **exclusively** been chosen – considering no others - for what is supposed to be a pool for the entire community of Long Beach. There is no objection to building a pool. There are serious objections to a location that is likely to be inaccessible before the pool's useful life has terminated.

Members of CARP have documented specific issues with this site and I am in agreement with the letters submitted by Ann Cantrell and Susan Miller.

I also want to comment on the problems specific to cancellation of this meeting, then a hurried reinstatement just 2 days prior to hosting the meeting. It is my understanding that to proceed with the December 19 *Belmont and Aquatic Center* hearing violates State law and CEQA guidelines requirements for 10 days noticing. The change of plans with this project resulted in hundreds of pages of documentation and these were not posted in time to give the public ample time to read and understand the changes. This seems to violate the intention of the Brown Act.

"The California Open Meeting Act is a composition of the Ralph M. Brown Act, which legislates local governments and political subdivisions, and the Bagley-Keene Open Meeting Act, which legislates the executive branch of the state, and the Grunsky-Burton Open Meeting Act, which legislates methods by which public meetings are conducted on the state level. Statutes 54950-54963 of the California Code define the Brown Act and statutes 120-11132 of the California Code define the Bagley-Keene Act. The acts state that:

*In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."*¹

I request that this meeting be delayed and re-noticed to provide 10 days time to review the documentation.

Regards,
Corliss Lee
Secretary, CARP

Distribution:

Dionne Bearden (for distribution to the following)

Richard Lewis (chair)	Erick Verduzco-Vega, Commissioner
Mark Christoffels (vice chair)	Josh LaFarga, Commissioner
Ron Cruz, Commissioner	Jane Templin, Commissioner

¹ https://ballotpedia.org/Open_meetings_notice_requirements

Dionne Bearden

From: Gladys Moreau <[REDACTED]>
Sent: Thursday, December 19, 2019 8:47 AM
To: Scott Kinsey
Cc: Dionne Bearden
Subject: Comment for the Planning Commission 12/19/19 Agenda re: Belmont Beach & Aquatic Center, listed as Agenda Item 1. 19-093PL

Dear Mr. Kinsey,

Please submit this e-mail comment for the Planning Commission 12/19/19 Agenda re: Belmont Beach & Aquatic Center, listed as Agenda Item 1. 19-093PL, and please acknowledge receipt of this message along with its inclusion in the record of the Planning Commission meeting.

I am writing to oppose the recommendations being made on the Planning Commission agenda regarding the Belmont Plaza Pool (Application 1910-05).

Collectively the General Plan amendment, Zoning Code amendment, Zone Change to the "Park" district, a Local Coastal Plan amendment, a Local Coastal Program amendment and a modification to the Site Plan Review on the previously approved pool as well, is simply too much for the public to digest in such a short time since this staff report was published – just under 72 hours ago.

I strongly urge you to postpone your deliberation and decisions until you and the public have ample time to thoroughly consider what all these changes mean individually and collectively.

In addition, I received a copy of the Cancellation Notice for this meeting that was circulated by Dionne Bearden, Planning Bureau Secretary to members of the public on Friday 12/13/19. I strongly believe that the meeting has not been properly noticed and is in violation of Section 30006 of the Coastal Act which provides, in part:

"Section 30006 Legislative findings and declarations; public participation

The Legislature further finds and declares that the public has a right to fully participate in decisions affecting coastal planning, conservation and development; that achievement of sound coastal conservation and development **is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation."**

I would like to remind you that this policy should not be restricted to matters only before the Coastal Commission.

Sincerely,

Gladys A. Moreau

[REDACTED]
Long Beach, CA 90803

Dionne Bearden

Subject: FW: The pool looks amazing!!

From: [REDACTED] >

Sent: Thursday, December 19, 2019 9:44 AM

To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>

Subject: The pool looks amazing!!

Hi Guys:

I am new to Long Beach, [REDACTED].

I LOVE THE NEW POOL PLANS!!! SO EXCITING!!!

GO LONG BEACH!!!

Tom Sheahan
CEO/Founder



[REDACTED]
[REDACTED] /

Dionne Bearden

Subject: FW: Belmont Plaza Pool Project & Southern California Swimming

From: Terry W. Stoddard <[REDACTED]>
Sent: Thursday, December 19, 2019 10:27 AM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Terry W. Stoddard [REDACTED]
Subject: Belmont Plaza Pool Project & Southern California Swimming

Re: Belmont Plaza Pool Project & Southern California Swimming

Scott Kinsey,

Hello, my name is Terry Stoddard. Recently I was elected as General Chair of Southern California Swimming.

My contact information is
Terry W. Stoddard
[REDACTED]

My number one agenda during my term of office is to focus on support of the Belmont Plaza Pool Project in the City of Long Beach.

Please may we talk as soon as possible?

I understand that there is a public hearing tonight. Is there a chance that myself or our Executive Director of Southern California Swimming, Kim O'Shea can meet with you either today, tonight or as soon as is possible after today?

We Are Proud of Our SCS Traditions,
Terry W. Stoddard,
General Chair,
Southern California Swimming
[REDACTED]

Dionne Bearden

Subject: FW: Pool

-----Original Message-----

From: Richard Miller <[REDACTED]>
Sent: Thursday, December 19, 2019 10:56 AM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Pool

It is with great pleasure that I support the "hand work that staff" has done on the pool....I hope this satisfies the "Nay"...sayers... The city staff has gone to great lengths to compromise and please the public...they have taken care of the view, the recreational needs of the public and the competitive aspect and the divers...Well done to the City Staffers!!!!

Yours in Lifesaving...Ret. Chief of Lifeguards, Manager of Marine Bureau....Richard (Dick) Miller

Dionne Bearden

From: SUSAN MILLER [REDACTED]
Sent: Thursday, December 19, 2019 11:35 AM
To: Scott Kinsey; Dionne Bearden
Subject: Planning Commission Dec. 19th Agenda re the Belmont Beach & Aquatic Center

Hello Scott and Dionne,

Please submit this email to be of record for the Dec. 19th, 2019 Planning Commission Meeting regarding the Belmont Beach and Aquatics listed as agenda Item 1. 19-093PL Please acknowledge receipt and inclusion of attached email.

Susan Miller

Dear Planning Commission: Chair Richard Lewis, Vice-Chair Mark Christoffels, and Commissioners Verduzco-Vega, Cruz, La Farga, Perez and Templin,

There are numerous negative issues with the new revised pool plan. There is substantial noise, light, air, traffic and height Negative Impacts. Public outreach needs to be done for this new plan.

1. I applaud more attention being given for family/child recreation. But a roofless facility on a sandy, windswept beach will cause increased maintenance and much downtime of closed pools for breakdowns of moving mechanisms/filters for fountains, splash pads, "bubblers" and a movable pool floor. Due to natural coastal elements of salt, sun and sand permeation, an open air pool will have maintenance issues, breakdowns, closures and thus more costs. A roofless aquatic facility on the beach is poor planning.
2. Hours of operation until 10 PM violates Municipal Code, quality of life and peace & quiet for a predominately residential neighborhood and for the wildlife, bird habitat and marine life. There is no need to have the pool open until 10 PM plus it is cold and windy by that time of night for an outdoor pool. Absolutely intolerable and inconsiderate to have whistles, bull horns, lights and noise at that hour at an outdoor facility.
3. The Aquatic facility height is still unknown. Crucial light pole height detail is completely missing in the plans. Currently, the Belmont Temporary Pool light pole towers are substantially higher than the street lights. With shorter daylight hours especially in the winter, I have to close my blinds in my house by 5:00 PM from the light spill over from the towering light poles. The over-towering height of the Belmont Temporary Pool light poles can be seen in Exhibit E, page 79 of 865.
4. Olympic Diving trials are in June. We have June gloom starting in May through June. Many days, this area has soaked in fog until mid afternoon. The fog horns blast constantly during June gloom and other foggy time periods on the coast, this makes hearing and visibility impossible for outdoor aquatic recreation and especially for swim competitions. These conditions will hamper divers, judges and

spectators. Heavy fog & condensation creates slippery conditions. Visibility and hearing is notable comprised in these conditions. Diving outside with condensation, low visibility and afternoon sea breezes is not rational or safe. Many Cities are removing diving because of lawsuits.

5. Negative traffic impacts include removal of East Olympic Plaza, vacated alleyway by Olympix gym, East Ocean Blvd.turned into a single lane and reduced drop off space loop. Over sized vehicles for beach maintenance include semis hauling earth-movers, bulldozers, dump trucks, trash trucks, John Deere tractor with beach sweeper add to traffic problems. Adequate road access for expediency is paramount for First Responders. Fire trucks, paramedic vehicles and police are a daily occurrence on East Ocean Blvd. near the pool. First responders are called to the Belmont Temporary pool on a regular basis and the need for First Responders triples during swim meets. Delivery trucks for nearby businesses will need to drop off in the loop area or impact traffic on the single lane of East Ocean Blvd. to make deliveries.
6. The attention for ADA and handicap is substantially lacking. Consideration for Handicap/ADA parking ease is compromised. Plans do not show handicap chair lifts, pool ramps, ADA lockers, showers or restroom suitable for handicap in a pool environment.
7. Belmont temporary pool was only approved and built to be a "temporary" pool. Service trucks are regularly seen at the temporary pool for repairs. Leaks with chemical water flowing down the street from the temporary pool have been seen often. Recently, major underground rusty and corroded water pipes were replaced at the temporary pool. Myrtha pools have a limited life expectancy. The Belmont Temporary Myrtha Pool is nearing the end of it's life expectancy.
8. Plans indicate removal of habitat canopy trees and no replacement of the canopy sized mature trees. The City has routinely violated complying with the Coastal agreement to replace trees 1 to 1.
9. The beach as grunion spawning ground will be further decimated by the noise, lights, chemicals and disturbances. The grunion spawning grounds in Belmont Shore have been disturbed by the constant replenishment sand transfer to the Peninsula and the excessively large, uncontrolled dog beach. This Pool project adds more degradation to the wildlife and marine life.
10. An outdoor aquatic center will have water evaporation which requires more water supply usage. California has limited water resources. Droughts and fire have also added to the reduced water availability.
11. The elephant lot downtown Long Beach is a suitable alternative site and with more appropriate infrastructure, more transportation options and more accessible for under served demographics.
12. Bird senses are 200 - 500% more acute than humans. A massive outdoor pool facility will definitely impact the habitat and wildlife negatively, let alone negative impacts to nearby human residences.
13. The noise, lights, chemicals, traffic and trash from the Belmont Temporary pool has had substantial negative impact on the bird habitat and residential neighborhood. The water polo constant whistles and bull horn are ear shattering to humans so birds are definitely negatively impacted. The increase from this human invasion activity has caused abandonment of the birds in the canopy tree nearest the temp pool which was a huge habitat tree prior to the temp pool. The noise from a huge open air aquatic facility can not be muffled by a minimum height glass wall. A glass wall does not provide adequate sound proofing. The bull horns, whistles, blaring music for exercise classes, team cheers, PA systems/DJ/hard music and summer camps have been a huge Noise blight at the open air Belmont temporary pool. Adding an open air facility five times larger than the Belmont temporary pool is substantial Noise.
14. Winds and sand kick up every afternoon. Sand and debris will constantly blow into the pools and the nearby residential neighborhoods. Swim meets have notoriously been sloppy and trash inconsiderate. During swim meets, swim teams erect pop up tents in surrounding pool landscape which adds to the noise/trash factor and disturbs habitat during nesting season.
15. Current underground drainage/sewer systems are small, old and not able to handle existing water issues around the pool, beach parking lot and neighborhood. Massive developments, mass reduction

of available porous ground, elimination of tree root systems to absorb water have changed the drainage needs but underground drainage systems have not been modernized to meet current needs. The Pool plans do not address this issue. This mass concrete facility on a raised concrete platform changes the elevation and will further impact and flood existing lower height nearby homes. The beach parking lot floods during every rain currently so added construction compounds this problem. This plan adding multiple area restrooms, showers, spas and pools puts massive demands on water resource requirements, sewer and drainage in a SLR, high water table area. See video of the Pool area flooding: https://lbpost.com/news/storm-cell-floods-peninsula-belmont-shore-streets-and-businesses/?fbclid=IwAR12tJhul7b5f5XBwouHmeBx4XwMYgBr1lYWfr_JiSLob7DT4LWDbrdxt_8 Also this Video from January 16, 2019 at time code: 40 shows Olympix Fitness flooding: <https://www.youtube.com/watch?v=FNkmXHaXRAY>

16. Vandalism is a huge blight at the Belmont temporary Pool, Belmont Veterans Memorial Pier and surrounding beach area so an open-air, roofless Aquatic Facility will be an open target for vandalism.
17. Zoning should protect historical neighborhoods like Belmont Heights preservation should be a priority. Negative impact from changed sight line views, traffic, parking, light and noise pollution impacts quality of life and peace & quiet for Belmont Heights.
18. The open, roofless pool is in the flight path of Seagulls, pigeons, parrots and other protected bird species. I advocate protecting bird habitats but also conscientious of the fact - birds will find all the nooks and crannies of this outdoor facility intriguing for perching, pecking and pooping. This is a health and sanitation issue to consider.

This is a new plan and needs a new EIR, a new Traffic Study and needs to have public outreach. The Coastal Commission for the second time has given the City a Notice of Incomplete Application on this project. I ask the Planning Commission to send this project back to Staff.

I am protesting the legality of this meeting. Meeting was cancelled on Friday, December 13, 2019 then restored on Monday, December 16, 2019 without the required 10 day notice as per California Open Meeting Act https://ballotpedia.org/California_Open_Meeting_Act Staff reports and exhibits were not provided within 72 hours prior to meeting as deemed by California Open Meeting regulations.

Susan Miller
Board member of CARP
Citizens About Responsible Planning

Dionne Bearden

From: Glennis Dolce <[REDACTED]>
Sent: Thursday, December 19, 2019 11:49 AM
To: Dionne Bearden
Subject: Belmont pool

Dear Decision Makers-

A few points I am sure you have heard before but perhaps a chorus of concerned residents is what you need to hear.

- Building this aquatic center on the sand, in a liquefaction zone, with sea level raise, is an reckless use of public funds.**
- a new EIR is needed**
- the excuse that the Elephant Lot is not a suitable location due to a contract with JW for parking has proven to be nothing more than an excuse**
- why and how can you approve this without approval of the Coastal Commission is concerning**

Please reconsider And oppose this as a reckless move to appease political and Olympic game wishes over common sense and saving residents the pain of spending millions of taxpayer dollars on this.

Thank you.

Glennis Dolce
7th district

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 11:56 AM
To: Dionne Bearden
Subject: FW: Agenda item 1

From: Joni Ricks <joni_ricks@yahoo.com>
Sent: Wednesday, December 18, 2019 10:07 PM
To: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Agenda item 1

Hi Chris:

Quick question. Was I supposed to receive a copy of the Coastal Development Permit application? I was reading through the material for Agenda item 1 and was reading through the section the discussed the "Response to City Council and CCC Concerns " and it refers to the CDP.

Also- Is there a particular place I should come tomorrow or should I just come to the council chambers?

Thanks.

Best,

Joni

"This world is a great sculptor's shop. We are the statues and there's a rumor going around the shop that some of us are someday going to come to life."- C.S. Lewis

Dionne Bearden

Subject: FW: Pool

From: Perry, David [REDACTED]
Sent: Thursday, December 19, 2019 11:56 AM
To: Christopher Koontz <Christopher.Koontz@longbeach.gov>; Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: [REDACTED]
Su

Greetings:

I am long time Waterman/ swimmer, surfer, State Lifeguard, Resident of LB and the revise proposal has my full support.

Sincerely,

David A. Perry, CFP®
LPL Registered Principal
Perry Wealth Management



CA Insurance Lic# 0690776
LPL Financial
12501 Seal Beach Blvd. #255
Seal Beach, CA 90740
Phone: (562) 493-0031
Fax: (562) 321-9775

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Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 12:19 PM
To: Dionne Bearden
Subject: FW: Please Save Belmont Beach Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Jessica Pollack (Payne) [REDACTED]
Sent: Thursday, December 19, 2019 12:17 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Please Save Belmont Beach Pool

The truth is, unless you live by the Belmont Pier, have an interest in an aquatic sport that will use the new pool, or have an interest in other shoreline projects on hold until the pool is done – you really don't care.

Yes, this project is incredibly expensive, but that fact will barely be a blip on the political landscape when you confirm that the Tidelands funds being used for the pool come from oil companies and not tax dollars. Since these funds can't be used in your neighborhood - Who Cares!

Here's why we should care.

If built in one of several cost-cutting configurations being considered, life will be status quo. You might even wander down by the beach one day to take a look once it is finished. But for approximately 4% more, it can be built to NCAA and International swimming and diving competition standards. This project now has an economic impact that reaches throughout the City...how?

While 62 – 78% of the time, this pool will be a beautiful recreational facility, the remaining 22 – 38% it can be used for top-level competition that brings tourist dollars to the City. These tourists will spend money in Long Beach without the City spending any money on advertising. Organizers promote the events to constituents and larger events attract local and national television coverage. If built to top competition standards, the separate deep-water section can be used for fun activities in a safe environment like SCUBA certification, deep water aerobics, synchronized swimming, deep water rescue training, indoor kayak, under water hockey, trick water skiing practice and more.

The influx of competitors and spectators obviously impacts Second Street for food and shopping between events. As Council Member Stacy Mungo pointed out when approving a new eatery, restaurant sales taxes are used for public safety, parks, libraries, streets, and sidewalks throughout the City, not just where they are collected.

Competition visitors stay in Long Beach hotels. They go to Marina Pacifica, Marketplace Long Beach, the Pike, Pine Ave, Shoreline Village, the Aquarium, Queen Mary and more.

For an average event, this amounts to hundreds of room nights and thousands of meals adding to the City's tax revenue and local business income not to mention the thousands of hours of parking meter income in the usually empty beachside parking lots.

A few times a year, these numbers will jump exponentially for major events like PAC12 and NCAA Swimming, Diving and Waterpolo, regional, zone and national championships. Long Beach could even be in the running for prestigious Pre-Olympic playoffs, Olympic Trials, Pan Pacific Games, Gay Games, World University Games and World Championship events.

Reported income from Cities holding these events in recent years reveal that all of this means millions of dollars in additional economic impact for Long Beach every year. For the LA 2028 Olympics, with the right pool, Long Beach can benefit greatly from a correctly built pool.

To gain the economic impact of these events, the pool needs to be built to competitive standards with a minimum 6 foot deep cooler temperature 50 meter competition pool, dryland warm-up area with therapy/hot tub, a separate warmer water diving well with competitive diving tower, and a minimum of 1250 spectator seats. Without all of these things, the pool will be an outrageously expensive lap pool. For less than 4% more, it will still be very expensive, but will bring more than the initial increase in cost in economic impact for many, many years to come.

For Long Beach Residents who work at or own a food, hospitality or retail business that can benefit from increased revenue – **Building the Belmont Aquatics Center right will benefit them!**

For Long Beach Residents who live in a neighborhood that could use upgrades to city amenities – **Building the Belmont Aquatics Center right will benefit them!**

--

Dionne Bearden

Subject: FW: Pool

From: HUBIE KERNS <[REDACTED]>
Sent: Thursday, December 19, 2019 12:19 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Pool

Members of the Long Beach Planning Commission

The pool is badly needed. I support the new pool.

Hubie Kerns
[REDACTED]
[REDACTED]

2

Dionne Bearden

Subject: FW: Belmont pool

From: Howard Burns [REDACTED] >

Sent: Thursday, December 19, 2019 12:19 PM

To: Scott Kinsey <Scott.Kinsey@longbeach.gov>

Subject: Belmont pool

I swam in the Belmont Pool in many competitions and was greatly saddened by it's demise. My sincere hope was that a new pool would be constructed in the same manner but since that is not to be, this outdoor alternative is the best alternative that can be achieved in light of current regulations and protestations. We need everyone to learn to swim and swimming is one of the best exercises for all ages: public facilities like this assist in getting both accomplished. In some cities and counties there are programs that teach all third graders to swim via a large public facility and special school sponsored sessions. Perhaps after construction, this could be done in Long Beach too??

Howard Burns

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 12:39 PM
To: Dionne Bearden
Subject: Fw: Please Save Belmont Beach Pool

#1

From: Jessica Pollack (Payne) [REDACTED]
Sent: Thursday, December 19, 2019 12:16:50 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Please Save Belmont Beach Pool

The truth is, unless you live by the Belmont Pier, have an interest in an aquatic sport that will use the new pool, or have an interest in other shoreline projects on hold until the pool is done – you really don't care.

Yes, this project is incredibly expensive, but that fact will barely be a blip on the political landscape when you confirm that the Tidelands funds being used for the pool come from oil companies and not tax dollars. Since these funds can't be used in your neighborhood - Who Cares!

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Olympic playoffs, Olympic Trials, Pan Pacific Games, Gay Games, World University Games and World Championship events.

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For Long Beach Residents who live in a neighborhood that could use upgrades to city amenities – **Building the Belmont Aquatics Center right will benefit them!**

--



Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 12:39 PM
To: Dionne Bearden
Subject: Fw: Pool

#1

From: HUBIE KERNS [REDACTED]
Sent: Thursday, December 19, 2019 12:18:45 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Pool

Members of the Long Beach Planning Commission

The pool is badly needed. I support the new pool.

Hubie Kerns

[REDACTED]

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 12:41 PM
To: Dionne Bearden
Subject: Fw: Belmont Pool Project

#1

From: [REDACTED]
Sent: Thursday, December 19, 2019 12:37:23 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Belmont Pool Project

Gentlemen, I swam in local meets as well as National Championships, and the '76 Olympic Trials at the old Belmont Pool Facility in the 70's. For the past 30 years I've coached college swimming at the Air Force Academy. The Belmont Pool project that is awaiting approval is near and dear to the entire swimming community in the US and around the world. I'm sure the economic impact of the facility has been amply quantified. Beyond that, the setting of the Belmont facility is unique among the super-pools of today. Many of the thousands of swimmers from across the world remember the city of Long Beach with a great fondness because of your support of aquatic sports. I hope the pool will get built, and soon!

Casey Converse OLY
1976 USA Olympic Swim Team

Dionne Bearden

From: Gordana Kajer [REDACTED]
Sent: Thursday, December 19, 2019 12:56 PM
To: Scott Kinsey
Cc: Dionne Bearden
Subject: Comments for Planning Commission Agenda Item 19-093PL 12-19-19

Dear Mr. Kinsey,

Please submit this e-mail comment for the Planning Commission 12/19/19 Agenda re: Belmont Beach & Aquatic Center, listed as Agenda Item 1. 19-093PL, and please acknowledge receipt of this message along with its' inclusion in the record of the Planning Commission meeting.

I'm not able to attend the Planning Commission meeting tonight as I made other plans after receiving a Cancellation Notice last Friday for this hearing.

I'm writing to oppose the recommendations being made on the Planning Commission agenda regarding the Belmont Plaza Pool (Application 1910-05).

On Friday morning, December 13 I received a copy of the Cancellation Notice for this meeting which was circulated by Dionne Bearden, Planning Bureau Secretary, to members of the public. You simply can't re-instate a Hearing Notice after claiming that the Cancellation Notice was issued in error. Was the error due to a computer glitch, as we're being told? Or perhaps a problem with a quorum of commissioners that was suddenly resolved? Regardless, I believe that you should close this hearing and re-agendize this item with a proper public notice.

There have been no outreach or meetings to review the revised pool project in public, since it was announced in June 2019, to allow residents the opportunity to see changes and to ask questions. I ask that the Planning Commission handle Coastal Act issues related to the Belmont Plaza pool by serving the residents of Long Beach - and not the pool applicant – as is your responsibility and in keeping with Section 30006 of the Coastal Act:

“Section 30006 Legislative findings and declarations; public participation

The Legislature further finds and declares that the public has a right to fully participate in decisions affecting coastal planning, conservation and development; that achievement of sound coastal conservation and development is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation.”

Sincerely,

Gordana Kajer
[REDACTED]

Long Beach CA 90803

GORDANA KAJER
Customs Compliance & Duty Drawback
[REDACTED]

Dionne Bearden

Subject: FW: Belmont Pool Project

From: [REDACTED]

Sent: Thursday, December 19, 2019 12:37 PM

To: Scott Kinsey <Scott.Kinsey@longbeach.gov>

Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>

Subject: Belmont Pool Project

Gentlemen, I swam in local meets as well as National Championships, and the '76 Olympic Trials at the old Belmont Pool Facility in the 70's. For the past 30 years I've coached college swimming at the Air Force Academy. The Belmont Pool project that is awaiting approval is near and dear to the entire swimming community in the US and around the world. I'm sure the economic impact of the facility has been amply quantified. Beyond that, the setting of the Belmont facility is unique among the super-pools of today. Many of the thousands of swimmers from across the world remember the city of Long Beach with a great fondness because of your support of aquatic sports. I hope the pool will get built, and soon!

Casey Converse OLY
1976 USA Olympic Swim Team

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:42 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Rachel Arroyo [REDACTED]
[REDACTED] December 19, 2019 1:18 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Belmont Pool

Dear Scott Kinsey and Christopher Koontz,

I am a parent writing in support of the Belmont Pool rebuild. My daughter Jeri Jeffery is 10 years old. She has been training with McCormick Divers since she was 6 years old. Her little brother Bronson Jeffery is 7 years old and he has trained with McCormick Divers since he was 4 1/2 years old.

My husband and I live in Long Beach and work for the Long Beach Unified School District. To get our children to practice 4 days a week, we take make the commute to Martin Luther King Pool on Lemon Street. Sometimes we step over homeless people sleeping on the sidewalk or even walk past drug transactions. Not the ideal environment, but we do it because our kids love being in the water and they are working on crafting their dive skills. My daughter Jeri has dreams of diving at a University level. The King pool itself only has 1, 1Meter diving board and 1, 3Meter diving board. Our children enjoy the beautiful sport of diving. In order to move forward in their dive careers, they should have the amenities of a dive pool. 2 sets of 1M boards, 2 sets of 3M boards and towers. I want for my kids what existed at the Belmont Pool. It was a state of the are training facility.

As a Long Beach native our family came to enjoyseveral events at the Belmont Pool. My cousin Gavin Arroyo was a 2 time Olympic Water Polo player for the United States. Our family spent many hours as spectators at the Belmont Olympic pool- what a stunning structure it was. We watched swim and water polo games there, the Olympic trials.. Gavin has moved on to coach Water Polo and Long Beach State. We are a water sport family!

Please vote to keep the water sports alive in Long Beach! Rebuild the Belmont Pool :)

Sincerely,

Rachel Arroyo



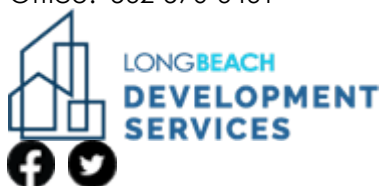
McCormick Divers

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:46 PM
To: Dionne Bearden
Subject: FW: Item 19-093PL

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: [REDACTED]
Sent: Thursday, December 19, 2019 1:30 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: RE: Item 19-093PL

Hi Scott,
I'm sending this to you again, because I didn't do a good job of typing your email address the first time. Sorry
Lucy Johnson

From: [REDACTED]
Sent: Thursday, December 19, 2019 1:08 PM
To: scott.kinsey@longeach.gov
Cc: christopher.koontz@longbeach.gov
Subject: Item 19-093PL

To the members of the Long Beach Planning Commission
c/o Scott Kinsey, Project Planner

This email is to express my support for the staff recommendation on Item #19-093PL that is on the agenda for the Planning Committee agenda this evening. My passion project has been to see the Belmont Plaza Olympic Pool rebuilt as a once-again world-class aquatic facility. While I and many, many others are disappointed that the new facility as originally designed is not feasible at this time, I fully agree with moving the project forward with the new design. The need for pool space in Long Beach for recreation (and, yes, occasional competitions) is too great to delay any longer.

You will undoubtedly hear this evening from the small group of opponents to the project. It seems nothing will satisfy them, and they have been a huge part of the reason for the six-year (so far) delay in getting the replacement aquatic facility moving forward. I hope you will weigh the benefits the project will bring to the residents of Long Beach and our neighbors from surrounding areas against the complaints of a few.

Thank you for taking my support for the staff recommendation into consideration this evening. I look forward to a unanimous vote from the Commission at the conclusion of your deliberations this evening.

Sincerely,

Lucy Johnson

[REDACTED]

[REDACTED]

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:48 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Sam Fandrich [REDACTED]
Sent: Thursday, December 19, 2019 1:36 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont Pool

I support the staff proposal for the new pool.

Sam Fandrich

Dionne Bearden

Subject: FW: STRONG SUPPORT of STAFF RECS for BELMONT POOL

From: Katie Rowe <katieroweh2o@gmail.com>

Sent: Thursday, December 19, 2019 1:39 PM

To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>

Cc: Suzie Price <suzie@suzieaprice.com>; Jack Cunningham <Jack.Cunningham@longbeach.gov>

Subject: STRONG SUPPORT of STAFF RECS for BELMONT POOL

Planning Commission and Ms. Price-

I am STRONGLY in support of staff recommendations for Belmont Pool.

Please expedite this project that will benefits hundreds of thousands in our area. Please don't let a minuscule number of NIMBYS take down a source of pride for our city and state.

thank you,
Katie Rowe
Long Beach CA

Dionne Bearden

From: Ashley Waugh <ashleywaugh.waugh7@gmail.com>
Sent: Thursday, December 19, 2019 1:49 PM
To: Scott Kinsey
Cc: Dionne Bearden
Subject: Planning Commission 12/19/19 Agenda

To: Scott Kinsey, Long Beach Planning Department Cc. Dionne Bearden, Long Beach Planning Bureau Secretary

Dear Mr. Kinsey,

I respectfully ask that you submit my e-mail comments for the Planning Commission 12/19/19 Agenda re: Belmont Beach & Aquatic Center, listed as Agenda Item 1. 19-093PL. I ask that you please acknowledge receipt of this message and that it be included in the record of this Planning Commission meeting.

I strongly oppose the recommendations being made on the Planning Commission agenda regarding the Belmont Plaza Pool (Application 1910-05) agenda item. I have serious concerns about the CEQA process and EIR recommendations for the pool.

I believe a new EIR should be required for this pool and therefore I think that the CEQA recommendation concerning the EIR addendum should be revised.

The CEQA Guidelines allow an Addendum for minor corrections in an EIR BEFORE a vote is taken on the project.

The changes to this project, including the recommended changed circumstances of a Local Coastal Plan Amendment, are clearly not "minor" changes. Neither are the changes to the project, as well as changes to potential alternative projects and sites.

Sincerely,

C. Ashley Waugh
2351/2 Loma Avenue
Long Beach, CA 90803

Dionne Bearden

Subject: FW: Support for New Belmont Pool

From: Kazunori Miyahara <kazumiyahara@gmail.com>

Sent: Thursday, December 19, 2019 1:39 PM

To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>

Subject: Support for New Belmont Pool

To Scott Kinsey and Christopher Koontz,

I support the staff recommendation for our new Belmont Pool.

Thank you,
Kazu Miyahara

Kazunori Miyahara
Director of R&D

Advanced Orthopaedic Solutions
3203 Kashiwa Street
Torrance, CA 90505
Office: (310) 533-9966
Cell: (562) 761-8444

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:50 PM
To: Dionne Bearden
Subject: FW: Belmont

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Ashleigh S. Ferguson <ASFerguson@lbschools.net>
Sent: Thursday, December 19, 2019 1:43 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont

I support the staff recommendation for our new Belmont pool

Ashleigh Ferguson
Millikan high school

Get [Outlook for iOS](#)

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:51 PM
To: Dionne Bearden
Subject: FW: Belmont pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Mike Sosenko <mikesosenko@gmail.com>
Sent: Thursday, December 19, 2019 1:44 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont pool

I support the staff recommendation for our new Belmont Pool

Mike Sosenko

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:51 PM
To: Dionne Bearden
Subject: FW: I support the staff recommendation for our new Belmont Pool!

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Fred Gilbert <sailnfast@yahoo.com>
Sent: Thursday, December 19, 2019 1:45 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: I support the staff recommendation for our new Belmont Pool!

I support the staff recommendation for our new Belmont Pool!

Fred Gilbert
+1 562 607 6626
Long Beach, CA

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:52 PM
To: Dionne Bearden
Subject: FW: I support the staff recommendations for our NEW Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: john@amyandbriannaturals.com <john@amyandbriannaturals.com>
Sent: Thursday, December 19, 2019 1:45 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Cc: Council District 4 <District4@longbeach.gov>
Subject: I support the staff recommendations for our NEW Belmont Pool

Mr. Kinsey
Mr. Koontz

I support the staff recommendations for our NEW Belmont Pool. As an avid Master swimmer I can't stress enough that we need to get the new Belmont Pool built!

Signed by a long time Long Beach resident.
John Gurich
2371 St Joseph Ave
Long Beach, CA 90815

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 1:52 PM
To: Dionne Bearden
Subject: FW: Item 19-093PL

#1

From: lucyjohnson1@gmail.com <lucyjohnson1@gmail.com>
Sent: Thursday, December 19, 2019 1:08 PM
To: scott.kinsey@longeach.gov
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Item 19-093PL

To the members of the Long Beach Planning Commission
c/o Scott Kinsey, Project Planner

This email is to express my support for the staff recommendation on Item #19-093PL that is on the agenda for the Planning Committee agenda this evening. My passion project has been to see the Belmont Plaza Olympic Pool rebuilt as a once-again world-class aquatic facility. While I and many, many others are disappointed that the new facility as originally designed is not feasible at this time, I fully agree with moving the project forward with the new design. The need for pool space in Long Beach for recreation (and, yes, occasional competitions) is too great to delay any longer.

You will undoubtedly hear this evening from the small group of opponents to the project. It seems nothing will satisfy them, and they have been a huge part of the reason for the six-year (so far) delay in getting the replacement aquatic facility moving forward. I hope you will weigh the benefits the project will bring to the residents of Long Beach and our neighbors from surrounding areas against the complaints of a few.

Thank you for taking my support for the staff recommendation into consideration this evening. I look forward to a unanimous vote from the Commission at the conclusion of your deliberations this evening.

Sincerely,

Lucy Johnson
562.431.0052

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 1:52 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

#1

From: Rachel Arroyo <arroyosangels@yahoo.com>
Sent: Thursday, December 19, 2019 1:18 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Belmont Pool

Dear Scott Kinsey and Christopher Koontz,

I am a parent writing in support of the Belmont Pool rebuild. My daughter Jeri Jeffery is 10 years old. She has been training with McCormick Divers since she was 6 years old. Her little brother Bronson Jeffery is 7 years old and he has trained with McCormick Divers since he was 4 1/2 years old.

My husband and I live in Long Beach and work for the Long Beach Unified School District. To get our children to practice 4 days a week, we take make the commute to Martin Luther King Pool on Lemon Street. Sometimes we step over homeless people sleeping on the sidewalk or even walk past drug transactions. Not the ideal environment, but we do it because our kids love being in the water and they are working on crafting their dive skills. My daughter Jeri has dreams of diving at a University level. The King pool itself only has 1, 1Meter diving board and 1, 3Meter diving board. Our children enjoy the beautiful sport of diving. In order to move forward in their dive careers, they should have the amenities of a dive pool. 2 sets of 1M boards, 2 sets of 3M boards and towers. I want for my kids what existed at the Belmont Pool. It was a state of the are training facility.

As a Long Beach native our family came to enjoyseveral events at the Belmont Pool. My cousin Gavin Arroyo was a 2 time Olympic Water Polo player for the United States. Our family spent many hours as spectators at the Belmont Olympic pool- what a stunning structure it was. We watched swim and water polo games there, the Olympic trials.. Gavin has moved on to coach Water Polo and Long Beach State. We are a water sport family!

Please vote to keep the water sports alive in Long Beach! Rebuild the Belmont Pool :)

Sincerely,

Rachel Arroyo
562-787-1170
McCormick Divers

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:53 PM
To: Dionne Bearden
Subject: FW: Fully Support Belmont Pool Project

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Kaia Hedlund <kaiahedlund@msn.com>
Sent: Thursday, December 19, 2019 1:46 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Fully Support Belmont Pool Project

Members of the Long Beach Planning Commission

c/o Scott Kinsey, Project Planner (scott.kinsey@longbeach.gov), and

cc: Christopher Koontz, Planning Bureau Manager (christopher.koontz@longbeach.gov)

I would like to express my 100% support for the Belmont Pool project. I can personally name 100s of persons that support this project and know of thousands of persons young and old that will utilize this facility. I am a resident of Long Beach and a frequent user of the temporary pool. Long Beach and all of Southern California needs this facility.

Thank you for your consideration and support.

Kaia Hedlund
kaiahedlund@msn.com
562-754-2075

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 1:53 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

#1

From: Sam Fandrich <samfandrich@gmail.com>
Sent: Thursday, December 19, 2019 1:36 PM
To: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Belmont Pool

I support the new Belmont Pool plan recommended by staff.

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 1:53 PM
To: Dionne Bearden
Subject: FW: STRONG SUPPORT of STAFF RECS for BELMONT POOL

#1

From: Katie Rowe <katieroweh2o@gmail.com>
Sent: Thursday, December 19, 2019 1:39 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Cc: Suzie Price <suzie@suzieaprice.com>; Jack Cunningham <Jack.Cunningham@longbeach.gov>
Subject: STRONG SUPPORT of STAFF RECS for BELMONT POOL

Planning Commission and Ms. Price-

I am STRONGLY in support of staff recommendations for Belmont Pool.

Please expedite this project that will benefits hundreds of thousands in our area. Please don't let a minuscule number of NIMBYS take down a source of pride for our city and state.

thank you,
Katie Rowe
Long Beach CA

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 1:53 PM
To: Dionne Bearden
Subject: FW: Support for New Belmont Pool

#1

From: Kazunori Miyahara <kazumiyahara@gmail.com>
Sent: Thursday, December 19, 2019 1:39 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Support for New Belmont Pool

To Scott Kinsey and Christopher Koontz,

I support the staff recommendation for our new Belmont Pool.

Thank you,
Kazu Miyahara

Kazunori Miyahara
Director of R&D

Advanced Orthopaedic Solutions
3203 Kashiwa Street
Torrance, CA 90505
Office: (310) 533-9966
Cell: (562) 761-8444

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 1:53 PM
To: Dionne Bearden
Subject: FW: 19-093PL on agenda of Planning Commission Meeting, December 19, 2019
Attachments: LBAPN statement to LB Planning Commission re 19-093PL .pdf; 5-18-0788_2ndIncompleteNotice.pdf; CCC Appeal June 2017 Bochco.pdf; LBAPN response to BBAC FEIR pdf.pdf; letter re temp pool.pdf; op ed #3.pdf; LBPN Pool Resolution 1 pages copy 2.doc; Healthy-Parks-Schools-Communities.pdf

#1

-----Original Message-----

From: Anna Christensen <achris259@yahoo.com>
Sent: Thursday, December 19, 2019 1:26 PM
To: Dionne Bearden <Dionne.Bearden@longbeach.gov>; Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>; LBDS <LBDS@longbeach.gov>; dani.ziff@coastal.ca.gov; dani.ziff@coastal.ca.gov; Jordan Sanchez <jordan.sanchez@coastal.ca.gov>
Cc: Tom Modica <Tom.Modica@longbeach.gov>; Linda Tatum <Linda.Tatum@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>
Subject: 19-093PL on agenda of Planning Commission Meeting, December 19, 2019

To: City of Long Beach Planning Commission: Chair Richard Lewis, Vice-Chair Mark Christoffels, and Commissioners Verduzco-Vega, Cruz, La Farga, Perez and Templin
Re: 19-093PL on agenda of Planning Commission Meeting, December 19, 2019
From: The Long Beach Area Peace Network
From: The Long Beach Area Peace Network (LBAPN)
To: Long Beach Planning Commission and Long Beach Development Services

See attached PDFs for LBAPN's statement and associated documents.

Dionne Bearden

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Cc: Tom Modica <Tom.Modica@longbeach.gov>; Linda Tatum <Linda.Tatum@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>
Subject: 19-093PL on agenda of Planning Commission Meeting, December 19, 2019

To: City of Long Beach Planning Commission: Chair Richard Lewis, Vice-Chair Mark Christoffels, and Commissioners Verduzco-Vega, Cruz, La Farga, Perez and Templin
Re: 19-093PL on agenda of Planning Commission Meeting, December 19, 2019
From: The Long Beach Area Peace Network
From: The Long Beach Area Peace Network (LBAPN)
To: Long Beach Planning Commission and Long Beach Development Services

See attached PDFs for LBAPN's statement and associated documents.

From: The Long Beach Area Peace Network (LBAPN)

To: Long Beach Planning Commission and Long Beach Development Services

Concerns regarding 19-093PL Belmont Beach and Aquatics Center Complex - Revised Project
(text in red type is quoted from 19-093PL)

1. Planning Commission cannot legally hold a Public Hearing on this Agenda Item

- a. Item was removed from agenda and public notices were issued to that effect. Public was notified less than 10 days ago that item was put back on to agenda.
- b. not sufficient notice to hold this Public Hearing, should be rescheduled

2. BBAC Revised Project is not “complete” and will not be approved by CCC

- - not appropriate to hold a Public Hearing on this item (including the Revised BBAC Project and related permit requests) before the Planning Commission as the Coastal Commission staff informed the City on December 6th that the Revised BBAC Project was not “complete” and that certain conditions (changes) would have to be made before it could be resubmitted for consideration. The Planning Commission should not be asked to recommend the Revised BBAC Project to the City Council because it has already been rejected as incomplete/unacceptable by Coastal Commission staff.
- - LBDS must revise the Project, meet the conditions set by Coastal Commission staff, and have the project considered “complete” by Coastal Commission staff before requesting any public hearing or recommendation on the Revised BBAC Project by the Planning Commission.

3. Revised BBAC needs an EIR

- - revisions are extensive and involve impacts not addressed in the original BBAC EIR
- - additional factors, including policy (CCC Environmental Justice Policy) and environmental changes (new timeline for sea rise, specifically for Peninsula and Belmont Shore), require a new EIR
- - revised project is not “a less-impactful replacement” - as stated in 19-093PL.

4. The Revised BBAC Complex and associated documents - 19-093PL as submitted by LBDS to the LB Planning Commission fail to address significant environmental, public access, and public safety factors including:

- - the ongoing collapse of the shorebird rookery due to the temporary pool and the likelihood of its total destruction with the construction of the BBAC as revised. 19-093PL. falsely states that “the bird species present in the Project area were coexisting with pool and park users, accustomed to human intrusion and noise, and anticipated to be able to reestablish to the relocated trees and adapt to the additional trees installed as a part of the Approved Project.” In fact, a ficus tree next

to the temporary pool which held 100 shorebird nests before the temporary pool was installed has now been abandoned due to the noise from swimmers and sports teams. The negative impacts of the proposed project on the rookery including the removal of existing nesting sites in the park, construction during nesting season, the permanent expansion of an outdoor facility and associated increased public use, have not yet been surveyed nor addressed.

- - 19-093PL. fails to address the existing rookery and nesting sites as significant Biological Resources protected under the Coastal Act, “the Project site was not determined to be a highly functioning movement corridor for wildlife species and no significant high-value nursery habitat sites were identified.....Some of the existing trees on site may be relocated, depending on their condition and potential to survive relocation. These are not significant or protected trees.... bird species would be able to relocate to other hunting and foraging habitats.”
- - the effects on adjoining beaches, streets, public and private buildings and parking lots of constructing an 7' high foundation/seawall for the BBAC.
- lack of public access to shoreline and loss of beach by construction of facility that is not coastal dependent. “Existing public access to the sandy beach of the coastline will be maintained and enhanced by the projectMore people will have access to visit the sandy beach as a result of this project,” “the Modified Project would not alter or impede access to the beaches,” as stated in 19-093PL, are blatantly false.
- -The overall impacts on the neighborhood, including traffic, parking, noise, air quality are negative and significant. The revised BBAC will not “enhance the character, livability, and appropriate development of the PD-2 plan area and surrounding neighborhood.”
- It is incorrect to refer to project location as being in an “underutilized area.” The beach, the Belmont Pier, park, dog park and shopping area currently serve the neighborhood and other LB residents. Repairing the pier and improving public safety in the area would further enhance utilization.
- - BBAC is not a “coastal dependent” facility and should not be built on the beach. Because construction of the BBAC will destroy an existing coastal resource, a shorebird rookery, and t’s foundation will both erode the beach and deny public access to the shoreline, it does not have “a coastal-oriented and eco- friendly design,” as stated in 19-093PL.

5. The Revised BBAC Complex and associated documents - 19-093PL as submitted by LBDS to the LB Planning Commission fail to address significant environmental justice factors including:

- - lack of consideration of additional sites as required by CCC staff, to include one site outside of the Coastal Zone
- - conflict with the City's Healthy Communities Policy which states that historically underserved communities be prioritize when building new recreational facilities.

- - lack of public outreach and input - only District 3 held community meetings on original EIR, none have been held on revised plans. "Stakeholders" do not represent general public nor are their meetings open to the public. The project did not involve "a comprehensive and iterative planning process that relied heavily on community input" as stated in 19-093PL.
- - prioritizing the interests of the competitive aquatics community and "existing users" over Long Beach residents' health and safety, including equal access to public aquatics facilities for the purpose of learning how to swim and maintaining a healthy lifestyle. 10-093PL states that the Approved Project EIR "ensured the continued operation of a pool facility on the site, pursuant to the needs of the aquatics community," and further promises that, "The increased spectator seating potential for the new facility and nature of competitive events, ranging from local to national levels, will elevate the facility to a regional public amenity, thereby increasing the number of new visitors to the City's coastal zone."
- - misuse of the terms "community," "public amenity," "public necessity," "public convenience," to reference only "existing users" of the Belmont Pool, competitive teams and for profit aquatics programs when stating that the BBAC will provide "enhanced public access," and when stating that the "BBAC project... is in conformance with the public necessity, enhances public convenience and welfare, and is in conformance with good planning practice."
- The revised BBAC at its proposed location denies equal access and violates the Coastal Act and the Environmental Justice Policy of the CCC. 19-093PL claims that "increased accessibility and recreational nature of the project is thus consistent with Chapter 3 Coastal Act policies." "Local access to the site will be improved through the provision of on-site bicycle amenities and hardscape improvements that better connect the site to existing rights-of-way." However, 19-093PL fails to address the lack of public access to the BBAC, especially by underserved low-income communities and minorities, due its location in the southeast corner of the City in a predominantly affluent and majority white community. Using public transportation from Northwest Long Beach, predominantly low-income minority neighborhoods would involve spending more than an hour taking multiple buses. 19-093PL offers no remedy for these LB residents who do not have a car or cannot ride a bike for a hour. Under the California Coastal Commissions new Environmental Justice Policy the BBAC's proposed fails to provide equal access.
- - 19-093PL claims that, "The Modified Project would also replace the previous pool and recreational facilities in in order to continue meeting the recreational needs of existing and future residents. However no information or studies are provided regarding the degree to which past or present recreational use of Belmont Plaza Pool and temporary pool by community have met/are meeting "the recreational needs of residents," to what degree they failed/are failing to do so, and what alternatives would better meet " the recreational needs of existing and future residents."

6. 19-093PL violates the CCC Environmental Justice Policy 2019 - see exerpts below, especially underlined sections

The California Coastal Commission's commitment to diversity, equality and environmental justice recognizes that equity is at the heart of the Coastal Act, a law designed to empower the public's full participation in the land-use decision-making process that protects California's coast and ocean commons for the benefit of all the people. In keeping with that visionary mandate, but recognizing that the agency has not always achieved this mission with respect to many marginalized communities throughout California's history, the Commission as an agency is committed to protecting coastal natural resources and providing public access and lower-cost recreation opportunities for everyone. The agency is committed to ensuring that those opportunities not be denied on the basis of background, culture, race, color, religion, national origin, income, ethnic group, age, disability status, sexual orientation, or gender identity. The Commission will use its legal authority to ensure equitable access to clean, healthy, and accessible coastal environments for communities that have been disproportionately overburdened by pollution or with natural resources that have been subjected to permanent damage for the benefit of wealthier communities. Coastal development should be inclusive for all who work, live, and recreate on California's coast and provide equitable benefits for communities that have historically been excluded, marginalized, or harmed by coastal development. The Commission recognizes that all aspects of our mission are best advanced with the participation and leadership of people from diverse backgrounds, cultures, races, color, religions, national origin, ethnic groups, ages, income levels disability status, sexual orientation, and gender identity. The Commission is committed to compliance and enforcement of Government Code Section 11135, as well as consideration of environmental justice principles as defined in Government Code Section 65040.12, consistent with Coastal Act policies, during the planning, decision-making, and implementation of Commission actions, programs, policies, and activities. It is also the California Coastal Commission's goal, consistent with Public Resources Code Section 300136 and Government Code Section 11135, to recruit, build, and maintain a highly qualified, professional staff that reflects our state's diversity. Further, the Commission is committed to compliance with Title VI of the Civil Rights Act of 1964 and its regulations."

This policy uses the terms "disadvantaged," "marginalized" and "underserved" interchangeably; it intends to encompass not only the definitions contemplated by SB 1000,7 but also to include other low-income communities and communities of color that are disproportionately burdened by or less able to prevent, respond, and recover from adverse environmental impacts. The Commission recognizes that all of these communities have assets and are valuable stakeholders, and the purpose of this policy is to empower these communities that have been historically excluded from accessing the benefits of coastal development and resources due to discriminatory implementation of local, state, and federal policies and lack of access to the process and decision makers.

Section 30006 of the Coastal Act also states that "the public has a right to fully participate in decisions affecting coastal planning, conservation and development; that achievement of sound coastal conservation

and development is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation.”

The term “environmental justice” is currently understood to include both substantive and procedural rights, meaning that in addition to the equitable distribution of environmental benefits, underserved communities also deserve equitable access to the process where significant environmental and land use decisions are made.

Taking an environmental justice approach to coastal policy requires a fundamental rethinking of who is connected to the coast, and how wherever low income communities and communities of color are predominantly concentrated in coastal regions, they are frequently disconnected from the coast itself, by both social and physical barriers...Statistics show a startling lack of diversity among those who live on the California coast...Historic inequalities, as well as California’s growing population, changing demographics, socio-economic forces, judicial decisions, and policy choices have and continue to shape development patterns and population shifts that widen the disparity gap.

Meaningful Engagement

The Commission acknowledges the critical need to communicate consistently, clearly, and appropriately with environmental justice groups and underserved communities.

Coastal Access

Where a local government fails to consider environmental justice when evaluating a proposed development that has the potential to adversely or disproportionately affect a historically disadvantaged group’s ability to reach and enjoy the coast, that failure may be the basis for an appeal to the Coastal Commission. Similarly, where a local coastal program includes policies that implement environmental justice principles, a local government’s failure to consider those principles may also be the basis of an appeal to the Coastal Commission.

Local Government

Local governments implement Coastal Act policies at the local level through planning documents certified by the Commission. The Commission will strongly encourage local governments to amend their local coastal programs, port master plans, public works plans and long range development plans to address environmental justice issues. Staff will develop a list of best practices to help local government develop policies that reduce impacts on disadvantaged communities resulting from new development.

Participation in the Process

Achieving the Coastal Act’s mandate for coastal protection depends on full public participation that reflects California’s diversity.

Accountability and Transparency

Creating a measure of accountability is critical to building and maintaining trust and respect with communities who have become skeptical of government's motives or relevance to their lives. When evaluating projects, programs and activities, Commission staff shall consider, when applicable, whether and how proposed development will positively or negatively affect marginalized communities, and will be fully transparent in that analysis in staff reports and presentations...When warranted by applicable Coastal Act or LCP policies, analysis will assess meaningful alternatives beyond mitigation measures to re-siting projects with negative environmental health impacts in disadvantaged communities, to minimize or avoid adverse impacts to those communities. If viable alternatives are available, consider those in permitting decisions. ...The Commission will use the powers within its authority to examine the level of inclusive access to public recreation.....in any proposed coastal in any development, as well as be a voice for maximizing these benefits for disadvantaged communities during review of projects.

The Commission's environmental justice policy shall be implemented in a manner that is fully consistent with the standards in, and furthers the goals of, Chapter 3 of the Coastal Act (the agency's legal standard of review), and certified local coastal programs.

Coastal Development and Environmental Justice

1. Encourage and teach staff to incorporate environmental justice issue identification, research and analysis into their work. Develop internal criteria and guidance for early identification of project proposals that could raise environmental justice issues
 2. Develop an internal checklist for staff to help analyze the existence of potential environmental justice impacts associated with a proposed project. Have staff identify environmental justice communities in the area and potential impacts of the project on those communities
 3. Include an analysis of environmental justice issues in applicable staff reports, and, when appropriate, propose mitigation measures to avoid or fully mitigate identified impacts, in a manner that is fully consistent with Chapter 3 or local coastal program policies.
 4. Strongly encourage local governments to amend their local coastal programs to address environmental justice issues. Develop a guidance memo for local governments to assist with the incorporation of environmental justice policies and develop a list of best practices to help reduce disparate impacts on vulnerable communities resulting from new development.
- 7. LBAPN also resubmits our previous comments regarding the original EIR as the revised project has the same failures and more (see attached documents).**
- 8. LBAPN also concurs with statements presented to the LB Planning Commission by CARP and includes these concerns in any appeals we may make in the future.**

16-053PL

March 2, 2017

To: Mark Hungerford, Project Planner, City of Long Beach

From: The Long Beach Area Peace Network

Re: Application Number 1405-01

Project - Belmont Beach and Aquatics Center

Project Location - 4000 E. Olympic Plaza, Long Beach

Project Applicant - City of Long Beach

The Long Beach Area Peace Network opposes the construction and operation of the Belmont Beach and Aquatics Center. We ask that the City of Long Beach Planning Commission deny the following requests from the applicant: approve Environmental Impact Report 01-16 and approve Site Plan Review, Conditional Use Permit, Standards Variance, and Local Coastal Development Permit entitlements in conjunction with the construction and operation of the Belmont Beach and Aquatic Center, an indoor/outdoor pool facility with an adjacent passive park and cafe and restroom buildings at 4000 E. Olympic Plaza) (Application No. 1602-54).

As a social and environmental justice organization, the Long Beach Area Peace Network takes the position that the Belmont Beach and Aquatics Center Project should not move forward based on the following:

1. Violates the California Coastal Act and the City of Long Beach Local Coastal Program

The goals of the Coastal Act are to preserve and expand public access to and along the coast, maximize recreation opportunities consistent with conservation and property rights, protect and restore scenic and visual qualities, and promote public participation in decisions affecting coastal planning, conservation, and development. The Local Coastal Plan of the City of Long Beach must conform to these guidelines.

a) Lack of equal access to facility.

The site of the Belmont Beach and Aquatics Center is in the Southeast corner of Long Beach, in the whitest and wealthiest part of town. Most low income residents and people of color live far from the proposed site. Many, including those from North Long Beach and the Westside, would need to take at least two buses to reach this facility. The project goal that the BBAC serve the “existing community of users” only exacerbates the historical and existing class and race bias as regards both the

location and the operation of Long Beach public parks and recreational facilities (acknowledged by the city's own Healthy Communities Policy).

b) Not intended to maximize public recreational opportunities.

In both its design and its proposed use, the BBAC favors competitive sports - including practicing/training for and holding local, regional, national, and international competitions. Recreational users will not have access to those areas of the facility designed specifically to serve skilled athletes such as the high dive with its own pool and spa. Time and space reserved for competitive sports will reduce that for public recreation and instruction. Private clubs/private business renting pools for instruction (including swimming, diving, and sports training), and additional income generating activities will also reduce access by recreational users.

c) Failure to consider alternative locations that would

1. have less of an impact on park space, public beach, and shorebird nesting sites
2. be less subject to projected sea rise and liquefaction, therefore safer and less expensive
3. be more accessible to the public, especially to low income residents and people color

d) Failure to include the public in the process

1. lack of public input in planning, including bias in the formation of a Stakeholders Advisory Committee

a) members of a fourteen member Stakeholders Advisory Committee were chosen by two people, the 3rd District Council Representative and the City Manager

b) the Stakeholders Advisory Committee, formed to give public input during the design process, failed to represent the community as a whole, primarily because its members were drawn from the 3rd District, from the field of competitive and professional athletics, and from businesses using the Belmont Olympic Pool, including private swim and dive clubs.

c) The Stakeholder Advisory Committee is not representative of Long Beach residents demographically, nor does it represent the aquatics community as a whole. Stakeholder Advisory Committee member Frank Busch, who lives in Colorado Springs, Colorado, is National Team Director for USA Swimming. By their own admission, several committee members operate businesses at the Belmont Olympic Pool site and logically have a direct financial interest in both the design and location of the BBAC. The City Attorney (the attorney for the project applicant) did not find this to be a conflict of interest. Missing are the

voices of Healthy Communities Long Beach, community members from underserved neighborhoods, and consultants from USA Swimming regarding facility development, drowning prevention, and diversity.

2. lack of public disclosure re design process - The public or press did not attend Stakeholder Advisory Committee meetings. Records of discussions and votes by members were not made public and may not have been kept.
3. lack of public outreach - community outreach meetings were held only in the 3rd District, where the BBAC is to be built. Although the project was presented in meetings at City Hall and a survey was taken at several locations, the majority of Long Beach residents, including those in the 3rd District, remain unaware and uninformed about the project, including its size and cost.
4. lack of public dialogue - community meetings in the 3rd District were focused primarily on presenting the design of the proposed structure and were not open forums. At the meeting at Rogers Middle School, attendees were warned by Councilwoman Price that the topic was limited to architecture and that other topics, such as an alternative site choice, would not be addressed.
5. the Final EIR fails to fully acknowledge or address public concerns - the text summarizes only the concerns that (the project applicant has concluded) were most often raised. The applicant's responses to many public comments reveal both a lack of comprehension and an overriding interest in finding that the concerns expressed were irrelevant to the EIR process and need not be addressed (see attachment, *comments pool survey*).

e) Misinformation in document

1. references to "community" by the applicant are intentionally inconsistent and misleading. "Community" may refer to the general public, neighborhood residents and/or businesses, the "aquatics community" (as defined by existing users, professional athletes, sports teams, the Aquatics Capital of America Foundation, or Los Angeles County (regional) competitive aquatic teams.
2. statements that the \$103,2 million BBAC will be or must be funded entirely by Tidelands Funds are incorrect. As of June 30, 2016, construction costs due to inflation began rising by \$4+ million annually, meaning that the \$60 million in Tidelands Funds set aside for the BBAC is actually shrinking. Acknowledging that Tidelands monies would not be able to pay for construction costs, the City Council appropriated monies in the 2017 City Budget to hire a private fundraising consultant to advise the city on how to generate an additional \$40+ million for the project. The bids have gone out.
3. statements that all sites eligible for Tidelands Funds would require the same

measures in response to sea level rise and liquefaction are incorrect. Both statements #1 and #2 were used to reject California Coastal Commission staff's request for further studies related to the BBAC proposal.

4. the claim that BBAC will expand public access because it is a larger "regional" facility is disingenuous and misleading. The applicant's argument that the BBAC is designed to host regional, national, and international competitions is further proof that the facility is intended, not for public recreation, but as a venue for large aquatic competitions and revenue generating events. Today's de facto segregation of competitive aquatics can be traced to the historic exclusion of minorities from public swimming facilities, beaches, and beachfront neighborhoods. Long Beach's celebrated history of aquatics teams and champions is no exception. Additionally, current income disparities translate into an imbalance in the ability of low income residents to afford the lessons, coaches, fees, and transportation required to participate in competitive athletics. In meeting the project goal of serving those "existing users" who are aquatics competitors, the BBAC cannot help but deepen this divide.

2. Violates Federal and Civil Rights Laws

Federal and state laws prohibit both intentional discrimination and **unjustified discriminatory impacts for which there are less discriminatory alternatives.**

The Belmont Beach and Aquatics Center is in violation of federal and state civil rights laws due to its proposed site, planned uses, and likely user population. The failure of the applicant and the EIR to acknowledge and address the concerns of historically and currently marginalized groups, to include them as stakeholders, and to comply with the city's Healthy Communities Policy in regards to building new recreational facilities in underserved communities, are unjustified acts of discrimination. Less discriminatory alternatives in relation to these civil rights violations were not considered by the project developer, although they are a matter of public record, having been proposed by other public agencies and citizens.

As regards a less discriminatory process, the developer must return to the drawing board and include representative individuals and organizations from underserved populations in the design process, in public outreach, and in public comment. A public aquatics facility must first address public safety and health issues.

Underserved populations, especially low income residents of color, are more likely to lack access to swimming lessons, more likely to drown, less likely to have developed the skills or have the income to participate in competitive water sports, and more

likely to suffer from ill health due to lack of access to public recreational facilities. Drowning prevention through swimming lessons and water safety instruction and opportunities for community recreation and exercise are not prioritized in the design, proposed use, or siting of the Belmont Beach and Aquatics Center.

As regards less discriminatory alternative sites the following have been suggested:

Move it: A downtown location would be more accessible to lower income and minority populations and would still qualify for Tidelands Oil Funds. The EIR lacks any serious consideration of options regarding existing downtown city properties.

Split it: Rather than two Olympic-sized pools at a single site, the outdoor Olympic-sized pool and many of the other amenities could be built downtown at Harry Bridges Memorial Park, an alternative site considered but rejected because it is designated for “outdoor” recreation only.

Shrink it: Unlike the \$103.2 million BBAC, a smaller facility could be built exclusively with Tidelands Oil Funds. Past efforts to allocate General Fund and city Measure A monies have been rejected. To appropriate public funds that could be spent outside of the Tidelands would penalize those populations most in need of community pools and other recreational facilities.

Don’t Build It: Instead build smaller community aquatics facilities focused on public use for instruction and recreation throughout the city.

a) Intentional and Disparate Impacts

Title VI of the Civil Rights Act of 1964 and its implementing regulations prohibit both intentional discrimination based on race, color or national origin, and unjustified discriminatory impacts for which there are less discriminatory alternatives, by applicants for or recipients of federal funds, including the City of Long Beach, the project applicant. “No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The regulations that every federal agency has enacted pursuant to Title VI bar criteria or methods of administration by recipients of federal funds that have the effect of subjecting persons to discrimination because of their race, color, or national origin, **or have the effect of defeating or substantially impairing accomplishment of the objectives of a program** with respect to individuals of a particular race, color, or national origin. California law prohibits intentional discrimination and unjustified discriminatory impacts under Government Code section 11135.162. In addition, California law defines environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the

development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” According to the California State Lands Commission, which has jurisdiction over the State’s beaches, the definition of environmental justice “is consistent with the Public Trust Doctrine principle that the management of trust lands is for the benefit of all of the people.” An important purpose of the statutory civil rights schemes is to assure that recipients of public funds not maintain policies or practices that result in racial discrimination.

1. Discriminatory Impacts

There are three prongs to the discriminatory impact inquiry under the Title VI regulations - and, by analogy, under California Government Code section 11135: (1) whether an action by a recipient of federal funding such as the City of Long Beach has a disproportionate impact based on race, ethnicity, or national origin; (2) if so, the recipient bears the burden of proving that any such action is justified by business necessity; and (3) even if the action would otherwise be justified, the action is prohibited if there are less discriminatory alternatives to accomplish the same objective.

2. Intentional Discrimination

To evaluate an intentional discrimination claim, courts consider the following kinds of evidence: (1) the impact of the action, whether it bears more heavily on one racial or ethnic group than another; (2) any history of discrimination; (3) any departures from procedural norms; (4) any departures from substantive norms; and (5) whether the decision maker knows of the harm its decision will cause; and; 6) a pattern or practice of discrimination.

3. Enforcing Civil Rights Protections

Both intentional discrimination and unjustified discriminatory impacts remain unlawful under federal and state law as a matter of simple justice: it is unfair to use public tax dollars to subsidize discrimination. **Elected officials should be increasingly sensitive to, and held accountable for, the impact of their actions on communities of color and other marginalized groups.** The current set aside of \$60+ million in Tidelands Fund monies for the BBAC has already negatively impacted existing beach amenities and aquatics programs and resulted in the reduction of the health and safety of our beaches and waterfront in violation of the Tidelands budget priorities set in 2015. Current capital funding is inadequate to address the deterioration of the Veterans Memorial Pier and other public beach facilities. Nor can the Tidelands operating budget meet the increased need for lifeguards and marine patrol on our beaches, due to increased public use and a growing homeless population.

b) First Amendment Access

Limiting access to the beaches and public recreational facilities violates the First Amendment rights of freedom of association and expression. Limits on access, therefore, must be justified under the highest level of scrutiny.

c) Equal Access to Public Accommodations

All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin.

The topic of equal access under b) and c) to the BBAC by marginalized and underserved populations of Long Beach enjoyed no scrutiny whatsoever. It did not even come up, except in terms of public bus routes.

In conclusion, the Belmont Beach and Aquatics Center is a poster child for class and race privilege. By further entitling the beneficiaries of discriminatory policies and practices at the expense of their long suffering victims, the BBAC exacerbates inequities already on the incline. The City of Long Beach, its public agencies and officials, and the project's boosters have shown incredible callousness towards our most vulnerable residents simply by denying they even exist. Because at risk and underserved communities, primarily the poor and people of color, have been excluded from the design and public comment process for the BBAC, their concerns are not addressed. Accessing their city's "iconic" aquatics facility, rising from the beach of the exclusive neighborhood across town, will be one more struggle to overcome.

The Long Beach Area Peace Network considers to be valid all arguments made and cases cited in the following as they apply to the Belmont Beach and Aquatics Center Project:

1. The Policy Report: Free the Beach! Public Access, Equal Justice, and the California Coast by The Center for Law in the Public Interest and The City Project
2. Healthy Communities Policy, Long Beach California
3. The California Coastal Act, including sections 30270 maximizing public access, and 30212.5 Public Facilities Distribution, and Assembly Bill No. 2616 amending the Coastal Act as follows:

Section 30013, added to the Public Resources Code, to read:

The legislature further finds and declares that in order to advance the principles of environmental justice and equality, subdivision (a) of Section 11135 of Government Code and subdivision € of Section 65040.12 of the Government Code apply to the commission and all public agencies implementing the provisions of this division. As required by Section 11135 of the Government Code, no person in the State of California, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, shall be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination, under any program or activity that is conducted, operated, or administered pursuant to this division, is funded directly by the state for purposes of this division, or receives any financial assistance from the state pursuant to this division.

Section 30107.3, added to the Public Resources Code, to read:

“Environmental Justice” means the fair treatment of people of all races, cultures, and incomes with respect tot the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

4. Written or oral arguments submitted to the Planning Commission prior to or on March 2nd, 2017 by LBAPN members, by Phil Gieson of The Yes We Can Democratic Club, the Audubon Society, El Dorado Chapter, and by Anna Christensen and Ann Cantrell.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
301 E Ocean Blvd, Suite 300
Long Beach, CA 90802
(562) 590-5071

December 6, 2019

City of Long Beach
Attn: Eric Lopez
411 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802

Re: NOTICE OF INCOMPLETE APPLICATION
City of Long Beach; Applicant
Coastal Development Permit Application No. 5-18-0788

Mr. Lopez,

Thank you for the information provided November 26, 2019 in response to the September 7, 2018 Notice of Incomplete Application. However, as discussed in our coordination meeting with City of Long Beach staff on November 19, 2019, additional information is required to identify the scope of the proposed project—construction of the Belmont Beach and Aquatics Center—and potential impacts to coastal resources. Coastal Commission staff have determined that the following information is required in order to file the CDP application pursuant to the Commission's regulations (14 CCR Section 13056):

- I. 100' Radius and Interested Parties.** The revised project plans include a new transformer, trash enclosure, and public restrooms that extend beyond the project limit shown in Revised Attachments 3 and 4. Please update the 100' radius to encompass the additional parcel and expand the project noticing radius accordingly. In addition, the 100-foot radius should not include roads. Thus, please adjust the northwest corner of the delineated project limit and 100' radius at the terminus of Termino Avenue and Allin Street. Any additional stamped and addressed envelopes required as a result of these revisions and the submitted revised interested parties list should be submitted. Please also note that the City should continue to update this Interested Parties list as additional interested parties are identified.
- II. Project Description.** Please clarify the proportion of time that the proposed aquatic center would be available for public use verses unavailable for public use due to events, swim meets, and other exclusive activities. As proposed, would private businesses such as private swim, diving, or SCUBA instruction organizations, be allowed to operate at the aquatic swim center? Please also provide more specificity regarding the proposed fee schedule. Please provide a comparison of current fee schedules for regional, state, and national aquatic facilities of the same size and scope. How much will the existing Long Beach fee schedule described change, compared to the pre-existing Belmont Pool or the temporary pool?
- III. Project Plans.**

- a. *Architectural Plans.* We note that the CDP for the temporary Belmont Pool facility will expire December 19, 2022 (with two possible one-year time extensions). The temporary pool was not designed to be a permanent facility. Are there any required measures to address potential leaking or other structural issues that may arise as the temporary pool nears its anticipated end-of-life? If so, please provide a list of such measures and/or best management practices to ensure the temporary pool may operate on a permanent basis without adversely impacting coastal resources. Please also provide site plans and a clear description of any changes to the temporary pool and associated accessory structures, including, but not limited to, the fencing, ticket booth, showers, and restrooms.
- b. *Landscaping Plan.* Please clarify the Open Space and Green Space calculations identified in the revised project description and plans, which appear to be different than the calculations included in the provided CEQA documents (page 3-25 of the Draft EIR).
- c. *Drainage Plan.* Was the drainage plan (Sheet 28 of the revised project plans) developed taking into consideration potential flooding, pool over-topping, and potential leakage that might result from large storm events and/or seismic activity? If so, please describe the function of the drainage system in such circumstances. If not, please provide a drainage plan that protects water quality in the event of such occurrences.
- d. *Detailed Foundation Plan.* Revised plan Sheets 23 and 24 include some details regarding the proposed foundations. Please clarify the total number of piles proposed and the depth to which they will extend, and provide elevations of each foundation element called out on Sheet 23 that is not included in Sheet 24. Please also depict or describe current groundwater levels and anticipated changes to the water table as sea levels rise during the life of the development. Has an updated geotechnical evaluation been conducted for the revised project? Are there alternatives that would lessen the amount of landform alteration? Please submit a copy of each relevant geotechnical report and foundation plan.
- e. *Lighting Plan.* Please provide elevations of the proposed lighting pole with the maximum height of each structure. Please call out the extent of proposed light output in lumens, foot candles, other standard that can be compared to lights of a similar type (e.g. stadium lights, parking lot lights, street lights, house lights). The Commission has generally required that lighting adjacent to beaches and habitat areas minimize impacts to wildlife and habitat, and avoid light spillover effects. Please describe how the proposed lighting plan minimizes impacts to coastal resources.

IV. Parking and Traffic Details.

- a. *Non-automobile transportation elements.* Please clarify any temporary and/or permanent changes to each existing and proposed bike path, and the number and location of new bike parking spaces proposed. Are there new Electric Vehicle charging stations and designated parking spaces proposed? Are new bus routes proposed to be created?
- b. *Parking analysis.* Please provide calculations showing the net gain in parking availability described by City staff during the November 19, 2019 coordination meeting. Please ensure that the elimination of the parking along Olympic Plaza is taken into consideration along with the identified gain in public parking spaces as a result of parking lot restriping and addition of spaces along Ocean Boulevard, and loss of

parking for the conversion of the temporary pool to a permanent pool. Was the parking analysis that was provided based on a parking utilization study or other data source(s)? If so, please provide the data used.

- c. *Construction impacts.* Will the proposed construction impact access along Ocean Boulevard, at Olympic Plaza, to Belmont Pier, to available public parking areas, or along the existing bike paths? How are such impacts minimized? Please provide a description of any proposed traffic mitigation measures and plans with any proposed signage to ensure that public access to the beach and along the regional bike and pedestrian route remains open, to the greatest extent feasible, during construction.

- V. **Updated Sea Level Rise Analysis.** As depicted in the updated sea level rise analysis, portions of the proposed development, including the open green space areas, the vehicle turnaround area, and the existing temporary pool, would be inundated under the medium-high risk scenario which the consultant analyzed and mapped. Please describe the feasibility of removal of threatened structures and any adaptation measures that would be implemented if/when wave uprush, sea levels, and/or significant flooding approaches the project site. Please also describe how the pool facilities will be accessed if the nearby roads, parking lots, and beach pedestrian and bike path are temporarily or permanently inundated.
- VI. **Updated Alternatives Analysis.** Please provide a more detailed alternatives analysis that, at a minimum, includes an in-depth discussion of the feasibility of alternative project locations including, but not limited to, the Elephant Lot and a location outside the coastal zone closer to the communities that are intended to benefit from the proposed City-wide and Underserved Programming.
- VII. **Updated Biological Surveys.** The biological survey submitted on November 6, 2019 is inadequate because it was conducted outside of nesting season. Please submit a report prepared by a qualified biologist that anticipates potential impacts to bird breeding and nesting in the areas immediately adjacent to the proposed aquatics center based on the trends in the nesting data (sourced from previous biological surveys and reports conducted by the City and local bird monitoring groups) over a time period that includes the construction and operation of the existing temporary pool.
- VIII. **Visual Analysis.** Please compile and submit a visual analysis that includes views of the proposed development from the beach and water and along Ocean Boulevard. Ocean Boulevard is designated as a scenic route in the City's certified LCP, which also requires buildings in this area be located and designed to provide a maximum amount of unobstructed views through their sites to the beach and recreational facilities. As proposed, the transformer, trash enclosure, and restrooms are located in an area that currently contains beach and blue water views. Please address the view impacts of these structures from Ocean Boulevard and Termino Avenue in the visual analysis.

In addition, in response to elements included in the revised plans provided November 6, 2019, which were not included in the plans submitted with the original City-approved CDP/appeal, please respond to the following:

- 1. Please describe how the proposed vehicle entrance and turnaround area is designed to accommodate larger vehicles including buses, firetrucks, and construction equipment. Please clarify whether the area will be used for parking of large vehicles or storage only.

2. Please expand on the ADA access site plan and provide a description of ADA accessibility to and use of the pool facilities.
3. Please depict and describe the proposed function and mechanics of the proposed moveable floor.
4. During the November coordination meeting, the curved retaining wall was described as crossing stairs. Please clarify the function of the sunset lawn and retaining wall/crossing stairs. Please describe how deep below grade the retaining wall will be constructed.
5. Please provide a written description of the Utilities Plan. Please highlight new utilities or utility extensions, any changes to sewer system capacity, and proposed placement of any new utility-related structures (like the proposed fire hydrant).
6. General Recommendation 4 of the City's certified General Strand Policies requires a definite priority listing of capital improvements be made for long-term capital development of beach facilities. Please describe how the proposed project affects the City's capital improvement priorities. Please also provide the priority list.

Finally, we understand a hearing notice has been sent out for Planning Commission action on a number of items relating to the proposed project including a new LCDP and LCP amendment.

- Please clarify whether the proposed LCDP, if approved, would replace the previously approved LCDP (1405-01) or would be supplemental to the City-approved 2017 LCDP for the newly proposed project elements?
- Please also describe any public outreach efforts conducted by the City in visioning the revised project design, preparing the proposed LCP amendment, and involving the public in local processes. Please include any outreach to communities expected to benefit from the proposed City-wide and Underserved Programs.

Upon receipt of the requested materials we will proceed with determining the completeness of your application. Please do not limit your submittal to the above mentioned items. You may submit any information which you feel may help Commission staff gain a clear understanding of the scope of your project.

If you have additional questions, feel free to contact me at (562) 590-5071.

Sincerely,



Dani Ziff
Coastal Program Analyst

SouthCoast@coastal.ca.gov

Subject: Public Comment on December 2017 Agenda Item Thursday 9a - Appeal No. A-5-LOB-17-0064 (City of Long Beach Belmont Temporary Swimming Pool)

The Long Beach Area Peace Network and Anna Christensen, resident of Long Beach

Request that CCC deny or amend an extension of Long Beach Belmont Temporary Swimming Pool

1. Deny permit or limit permit to 2 years or less - 10 years is not “temporary”
 - a) there is no time certain for the construction of a permanent facility at this site. The proposed Belmont Beach and Aquatics Center is in limbo as the project is being legally challenged under both CEQA and the Coastal Act and lacks half of the funding required to begin construction.
 - b) the adverse effects of citing this outdoor public pool in the immediate area of shorebird nesting sites are already clear and will be cumulative over time
2. Deny or limit permit due to the proven inability of the City of Long Beach to prevent threats to shorebird nesting sites from private actors or from public agencies, including from city maintenance crews.
 - a) the failure of the City of Long Beach to follow guidelines regarding the maintenance of trees with shorebird nesting sites in the immediate vicinity of the Temporary Swimming Pool as specifically required by law (reference an agreement with El Dorado Audubon and the California Coastal Commission), see complaint to Coastal Commission staff, October, 2017
 - b) the inability of the City of Long Beach to prevent a movie crew from filming at night in the Los Cerritos Wetlands during nesting season, see complaint to Coastal Commission staff, 2017
3. Deny or limit permit due to the fact that the negative impacts of the Long Beach Belmont Temporary Swimming Pool on shorebird nesting sites will ensure their status as “degraded habitat.”
 - a) “degraded” habitat, consistently cited by developers to minimize the adverse effects of a proposed project, has already been used to deny protection to the nesting sites at the Temporary Pool site

- b) the claim of “degraded” habitat was upheld by the City of Long Beach, in granting a permit for a rooftop entertainment venue, excusing the developer from submitting the EIR as required for a project of this size in this location, and rejecting claims that the project would negatively impact shorebird nesting sites at the site of the Belmont Temporary Swimming Pool.
- c) the City of Long Beach, in arguing its case for the Belmont Beach and Aquatics Center, made the “degraded” argument regarding the nesting sites at the Long Beach Temporary Pool. It goes without saying that further negative impacts will strengthen their case when the project comes before the Coastal Commission.
- d) should the Coastal Commission grant this extension for the Long Beach Belmont Temporary Swimming Pool, it will be complicit in facilitating further degradation of these shorebird nesting sites, thus helping the City of Long Beach to make the case that impact of the Belmont Beach and Aquatic Center Project on shorebirds is minimal.

4. Deny or limit permit due to the fact that current site of the Long Beach Temporary Swimming Pool is arbitrary and does not conform to the requirements of the Coastal Act

- a) the facility does not need to be located on the beach and, in its present location, has an adverse effect on shorebird nesting sites, on residents, and on beach goers (noise, outdoor lighting, traffic, views, parking).
- b) “Equal access” guaranteed under the Coastal Act, has limited value for those who cannot swim, ensuring safe passage to sand only, as to enter the sea is to risk death by drowning. The Coastal Act is being looked to as a way to address a history of racism in California that has denied non-white residents access to beaches, public pools, and the ownership of coastal property. Today, the cost of owning beach property, or even visiting the beach, is prohibitive for low-income people, statistically more likely to be people of color. The Coastal Commission is currently fighting to save low cost motels near the beach. However, to successfully address current environmental racism and classism, the Coastal Commission, must acknowledge and address the discouraging statistics that poor children, especially poor children of color, are not learning to swim, primarily due to the inability to access swimming instruction.
- c) This “temporary” facility is self-contained and moveable and should be relocated to a location (or rotating locations) that would have none of the above negative impacts

while providing a more equitable access to this community resource. In its current location, far from historically underserved neighborhoods lacking public pools, ensures that marginalized populations will continue to be denied access to swimming and water safety lessons.

- 5) Restrict use of the Belmont Temporary Swimming Pool to the general public for the purpose of public recreation and public swimming/water safety instruction. Deny access to private swim clubs, swim and water polo teams (including LBUSD high school teams), and do not allow competitions.
 - a) Although, several Long Beach Unified School District high schools have their own pools, the Belmont Temporary Pool nows host high school team competitions, accompanied by school bands, loudspeakers, and cheering fans. Residents have objected to the negative impacts of these events on both nesting shorebirds and on their own quality of life. They have been told by the Long Beach Parks and Recreation Department, who manages the Temporary Pool, that the department did not have the authority to control or prevent these abuses.
 - b) Over time, use of the Belmont Olympic Pool by private, for-profit sports teams and swimming instructors was encouraged as a source of revenue essential to the maintenance of the facility. The Long Beach Temporary Swimming Pool does not have the capacity to serve the general public, and cannot share time and space with private parties. The Temporary Swimming Pool requires less maintenance than the former Belmont Olympic Pool and the City of Long Beach, which claims to have the resources to maintain the proposed Belmont Beach and Aquatics Center should be able to find public monies to this end.

* refer to comments made by the Long Beach Area Peace Network to the Belmont Beach and Aquatic Center Project (attached)

B. Support for Susan Miller's appeal of the Belmont Temporary Swimming Pool (attached).

Long Beach Area Peace Network, c/o Anna Christensen
259 Termino Ave, Long Beach, 90803
(562) 434 0229, achris259@yahoo.com SouthCoast@coastal.ca.gov

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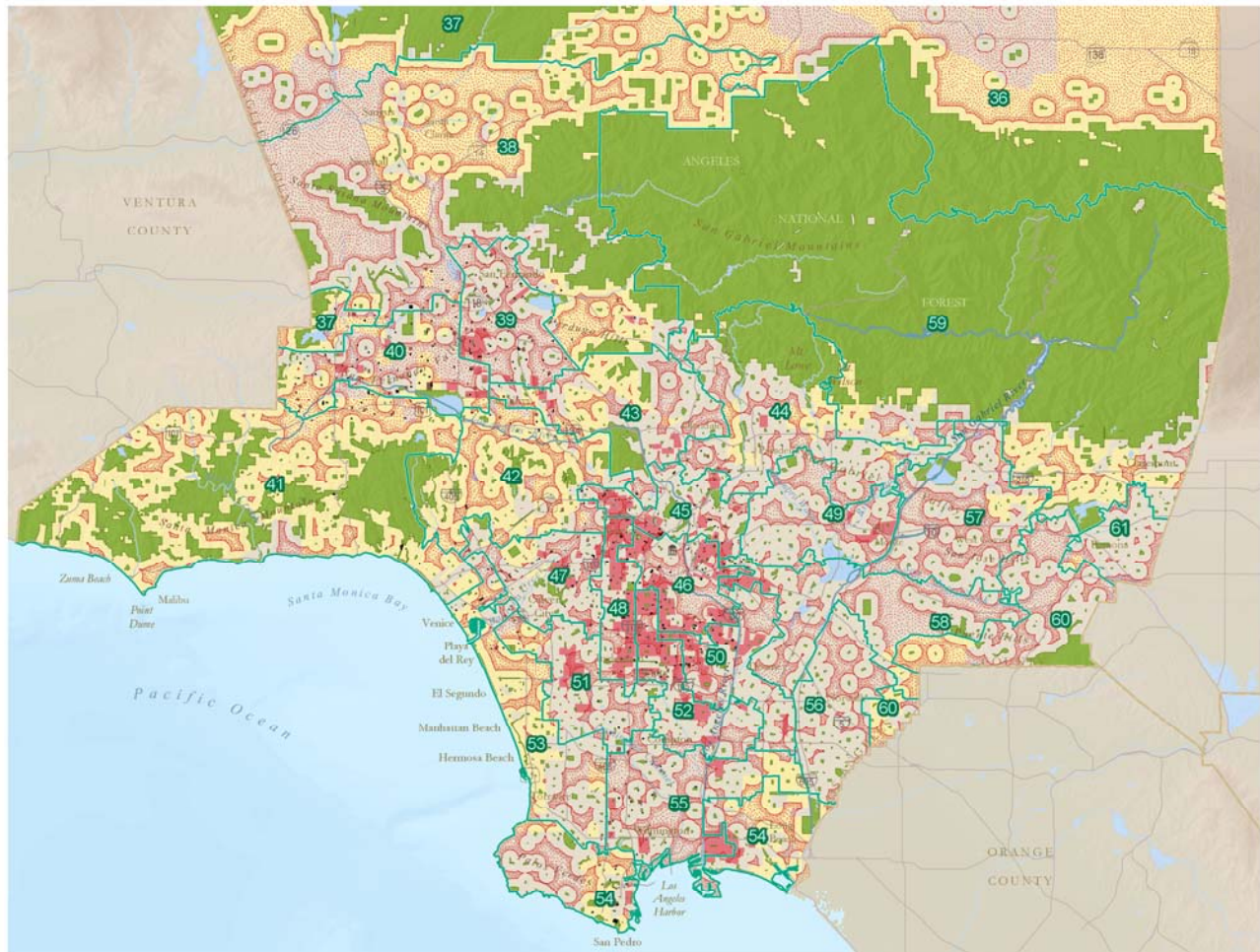
Long Beach Area Peace Network, c/o Anna Christensen
259 Termino Ave, Long Beach, 90803





The
City
Project

Healthy Parks, Schools, and Communities: Mapping Green Access and Equity For the Los Angeles Region



Policy Report

Robert García
Aubrey White
2006



The mission of The City Project is to achieve equal justice, democracy, and livability by influencing the investment of public resources to achieve results that are equitable, enhance human health and the environment, and promote economic vitality for all communities. Focusing on parks and recreation, playgrounds, schools, health, and transit, we help bring people together to define the kind of community where they want to live and raise children. The City Project works with diverse coalitions in strategic campaigns to shape public policy and law, and to serve the needs of the community as defined by the community.

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The City Project is a project of Community Partners,
a 501(c)(3) non-profit organization.
All donations are tax deductible.
www.cityprojectca.org/donate

Healthy Parks, Schools, and Communities:
Mapping Green Access and Equity
for the Los Angeles Region

Robert García and Aubrey White

Abridged Edition 2006

**This version contains text only. Please contact The City Project to obtain a complete version that includes maps discussed in the text.

Healthy Parks, Schools and Communities: Mapping Green Access and Equity for the Los Angeles Region

Robert García and Aubrey White¹

Policy Report 2006

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Preface

This Policy Report *Healthy Parks, Schools, and Communities: Mapping Green Access and Equity for the Los Angeles Region* is a multimedia work consisting of several parts. The parts include this narrative text; an abridged hardcopy set of core maps, charts, and tables; and an unabridged hardcopy set of maps, charts, and tables. The text, core maps, and images are available on the web at www.cityprojectca.org. The text and maps are also available on compact disc.

A version of this Policy Report will appear in a forthcoming symposium on "The 1982 Warren County Protests: Environmental Justice 25 Years Later," in the *Golden Gate Environmental Law Journal*.

Professor Leo Estrada and J. Eric Lomeli of UCLA prepared the park layer for maps 401 to 1100 and for the park acreage statistics using geographic information system (GIS) software. We are grateful for their work. The following is a brief summary of the methods used to create this layer. Natural public spaces were digitized using several sources: Thomas Brothers digital edition, State of California data on parklands, data from Santa Monica Mountains National Recreation Area, and existing digitized data. The maps also include parks in process (e.g., the Los Angeles State Historic Park at the Cornfield and the Rio de Los Angeles State Park at Taylor Yard). The layers include all known local and regional parks, playgrounds, recreation areas/centers, state parklands and beaches, golf courses and country clubs.

Maps and spreadsheets were created by GreenInfo Network using ESRI software. Maps display the Olmsted parks and current parks layers created by Prof. Estrada and Mr. Lomeli, 2000 Census Demographics by block group (factfinder.census.gov), and child obesity statistics from the California Center for Public Health Advocacy.

Acknowledgements

We dedicate this work to the memory of two civil rights heroes, Juanita Tate and Chi Mui.

The City Project gratefully acknowledges the following organizations and individuals. We have also learned tremendously from many individuals whose work we continue to rely on, and cite throughout this Policy Report.

This work is made possible in part by the generous support of the California Endowment, Ford Foundation, John Randolph Haynes and Dora Haynes Foundation, Resources Legacy Fund, Surdna Foundation, Whole Systems Foundation, and the Santa Monica Mountains Conservancy.

UCLA Prof. Judy Baca and SPARC (the Social and Public Art Resources Center) are working with The City Project to produce pilot projects of the Heritage Parkscape along the Los Angeles River, and to restore and extend the Great Wall of Los Angeles. UCLA Prof. Fabian Wagmister and REMAPPING - LA are working with The City Project to produce online editions of the Heritage Parkscape and other materials. USC Prof. Steve Koletty and generations of his students in the Department of Geography have provided invaluable research reports, many of which are cited throughout this Policy Report. Joe Linton, author of *Down by the Los Angeles River* (2005) and now Director of River Projects at The City Project, reviewed the final drafts.

James P. Allen and Eugene Turner inspired the mapping for this Policy Report through their two works, *The Ethnic Quilt: Population Diversity in Southern California* (1997), and *Changing Faces, Changing Places: Mapping Southern Californians* (2002).

The City Project looks forward to our continuing work with the Alianza de los Pueblos del Río, including Anahuak Youth Sports Association, the William C. Velasquez Institute, Mujeres de la Tierra, and REMAPPING - LA.

The City Project is a project of Community Partners. We gratefully acknowledge their support.

I. INTRODUCTION

The City Project supports a collective vision for a comprehensive and coherent web of parks, schools, rivers, beaches, mountains, forests, and transit to trails that promotes human health, a better environment, and economic vitality for all, and reflects the cultural diversity of Los Angeles.² This Policy Report, *Healthy Parks, Schools, and Communities: Mapping Green Access and Equity for the Los Angeles Region*, maps that vision against the reality of access to natural public places³ in Los Angeles, using geographic information system (GIS) and 2000 census data. This Report presents policy and legal analyses to achieve healthy, livable communities for all.

Much of Los Angeles is park poor, and there are unfair park, school, and health disparities based on race, ethnicity, income, poverty, youth, and access to cars. Children of color disproportionately live in communities of concentrated poverty without enough places to play in parks and schools, and neither cars nor an adequate transit system to reach parks and school fields in other neighborhoods. The human health implications of the lack of physical activity are profound. These children disproportionately suffer from obesity, diabetes, and other diseases related to inactivity. This is the first generation in the history of this country in which children will have a lower life expectancy than their parents if present trends continue.

Los Angeles is facing a historic confluence of opportunities to address these concerns. Voters in November 2006 approved \$40 billion statewide in park and clean water, flood control, housing, and transportation bonds that can fund places for physical activity in parks and schools. Mayor Antonio Villaraigosa has vowed to make Los Angeles the greenest big city in America. City Controller Laura Chick has published an audit and blueprint for reform of parks and recreation in Los Angeles. The Los Angeles Unified School District is investing over \$20 billion to construct new public schools and modernize existing ones. Over 80 new parks are proposed along the Los Angeles River. The Integrated Regional Water Management Plan for the Los Angeles region provides opportunities for multiuse projects including parks in flood control basins like the Sepulveda Recreation Center. The Southern California Association of Governments is including green access in its forthcoming regional transportation plan.

Parks and other natural public places are not a luxury. Parks are a democratic commons that bring diverse people together as equals, in a space where they can encounter each other in an open and inviting atmosphere. Parks are important in themselves. They are also an important organizing tool to bring people together to create the kind of community where they want to live and raise children.⁴

Unfair disparities in safe places to play go well beyond Los Angeles. While 87% of non-Hispanic respondents reported that “there are safe places for children to play” in their neighborhood, only 68% of Hispanics, 71% of African Americans, and 81% of Asians agreed, according to the Census Bureau survey “A Child’s Day.”⁵ Almost half (48%) of Hispanic children under 18 in central cities were kept inside as much as possible because their neighborhoods were perceived as dangerous. The same was true for more than 39% of black children, 25% of non-Hispanic white children, and 24% of Asian children.⁶ Non-Hispanic White children and youth were most likely to participate in after school sports, with Hispanic children and children in poverty least likely.⁷ Children involved in sports and extracurricular activities tend to score higher on standardized tests and are less likely to engage in antisocial behavior.⁸

The struggle to maximize public access to public lands while ensuring the fair treatment of people of all colors, cultures, and incomes can transform the Los Angeles region into a more livable, democratic, and just community, and provides a replicable advocacy model for community redevelopment. The values at stake

include: providing children the simple joys of playing in parks and schools; human health; youth development and academic performance; equal justice and democracy; conservation values of clean air, water, and ground, and habitat restoration; economic vitality; spiritual values in protecting people and the earth; and sustainable regional planning.

The struggle that began as an effort to stop warehouses in favor of creating what is now the Los Angeles State Historic Park at the Cornfield in downtown Los Angeles is influencing other movements across the nation. The environmental justice movement is evolving beyond stopping toxics and bad things from happening in communities of color and low income communities, to affirmatively creating public goods including parks and schools. The Urban Park Movement is drawing national and international attention, buoyed by the victories in creating new great urban parks: at the Cornfield, the Río de Los Angeles State Park at Taylor Yard as part of the revitalization of the Los Angeles River, the Baldwin Hills Park in the historic African-American heart of Los Angeles, and Ascot Hills Park in Latino East L.A. A Latino-led environmental movement focused on the revitalization of the Los Angeles River is framing progressive and working class issues with traditional environmental concerns in a seamless narrative, as is a growing urban environmental movement. Traditional environmentalists are sitting up and listening now that people of color are responsible for passing multi-billion dollar resource bonds for parks, clean water, and clean air, and using those funds to create great urban parks in their neighborhoods. The struggle for the Cornfield led to the Latino Environmental Summit in November 2005, and the National Latino Congreso in 2006. The Congreso, the largest gathering of Latino leaders in over a generation, included a day long session on Latinos and the Environment.

The struggle for the Cornfield led to the formation of the Alianza de los Pueblos del Río. The Alianza is working to ensure that the Los Angeles River Revitalization Master Plan promotes democratic participation and equitable results in greening the river with healthy parks, schools, and communities. The Alianza seeks economic, environmental, equitable, and healthy development for all communities for generations to come. The Alianza formed when its leaders decided that the development of the river was a symbolic and literal convergence of a myriad of issues confronting L.A.'s Latino population and other communities of color and low income communities. To be left out of the discussion was to be left high and dry, as the river shifts directions into the future. The Alianza agenda is growing into a comprehensive new platform of urban and Latino environmentalism, or the "browning of the green movement."⁹ Part legal strategy, part organizing principle, this "urban greening *con salsa* movement" has put people--immigrants and poor people, mostly (and many Latinos)--at the center of an issue that traditionally had focused on flora and fauna.¹⁰

This Report analyzes green access and equity for the Los Angeles region. Part II presents a vision for a comprehensive and coherent web of natural public spaces, including parks, school fields, rivers, beaches, mountains, and forests, that will enhance human health and economic vitality for all the people of the Southern California region, with lessons for regions across the country. Part III describes lessons learned from raising funds for parks through resource bonds. Part IV describes great urban park victories in Los Angeles. Part IV also describes struggles to keep public lands public for all in beaches, mountains, and forests. Part V presents original demographic research and analyses of park, school, and health disparities, and related equal access issues. Part VI explores the history and pattern of discriminatory land use, housing patterns, and access to parks, beaches, and forests. Part VII discusses the values at stake in natural public places. Part VIII presents policy and legal justifications for equal access to public lands. Part IX presents principles and recommendations for equitable infrastructure investments in natural public places.

II. A COLLECTIVE VISION

People are greening Los Angeles, driven by a collective vision for a comprehensive and coherent web of parks, schools, rivers, beaches, mountains, forests, and transit to trails that promotes human health, a better environment, and economic vitality for all, and reflects the cultural diversity of Los Angeles.

This vision is inspired in part by the Olmsted Report of 1930. The firm started by the sons of Frederick

Law Olmsted — the man who designed Central Park, invented landscape architecture, and was passionately committed to equal justice through the abolition of slavery—proposed a vision for a green, prosperous, and culturally rich Los Angeles that has yet to be realized. According to the Olmsted Report in words that remain true today:

Continued prosperity will depend on providing needed parks, because, with the growth of a great metropolis here, the absence of parks will make living conditions less and less attractive, less and less wholesome. . . . In so far, therefore, as the people fail to show the understanding, courage, and organizing ability necessary at this crisis, the growth of the Region will tend to strangle itself.¹¹

The City Project has published a digital edition of the Olmsted plan to inspire and guide reform; see Maps 101, 102, and 103.

The Olmsted Report proposed the shared use of parks and schools to make optimal use of land and public resources. The Report recommended the greening of the Los Angeles and San Gabriel Rivers,¹² doubling public beaches, and integrating forests and mountains within the park system.¹³ The Report advocated multiuse projects for park and flood control purposes.¹⁴ The Report envisioned a transportation system for people to reach parks, school fields, rivers, beaches, mountains, and forests.¹⁵ The Report recognized that people in lower income levels often live in less desirable areas, have fewer leisure opportunities, and should receive first consideration in parks and recreation.¹⁶ The Report recognized that a balanced park and recreation system serves diverse needs, including active and passive recreation. The Report recommended creating a regional park authority with power to raise funds to acquire and develop parks and other natural public places.¹⁷ Each of these recommendations remains valid today.

Implementing the Olmsted vision would have made Los Angeles one of the most beautiful and livable regions in the world. Powerful private interests and civic leaders demonstrated a tragic lack of vision and judgment when they killed the Olmsted Report. Politics, bureaucracy, and greed overwhelmed the Report in a triumph of private power over public space and social democracy.¹⁸

A diverse alliance of civil rights, community, environmental, civic, and political leaders is coming together to restore the lost beauty of Los Angeles and a part of the Olmsted vision.

III. PARK BONDS: DIVERSIFYING SUPPORT FOR PARKS AND RECREATION

Recent park and resource bonds provide two important lessons. People of color and low income people make a difference in securing funds for parks, clean water, and clean air. Advocates and activists need to ensure that the benefits and burdens of these infrastructure investments are distributed fairly.

In 2002, California voters passed Proposition 40, at that time the largest resource bond in United States history, which provided \$2.6 billion for parks, clean water and clean air. Prop 40 passed with the support of 77% of Black voters, 74% of Latino voters, 60% of Asian voters, and 56% of non-Hispanic White voters. 75% of voters with an annual family income below \$20,000, and 61% with a high school diploma or less, supported Prop 40 – the highest among any income or education levels.¹⁹ Prop 40 demolished the myth that a healthy environment is a luxury that communities of color and low-income communities cannot afford or are not willing to pay for.

In November 2006, California's Proposition 84, a \$5.4 billion park and water bond, was successful because of massive Latino support. Latino voters provided 85% support for Prop 84, or a margin of 770,000 votes. Prop 84 lost the non-Latino vote by 48% to 52%.²⁰

There are important lessons to be learned from park and resource bonds. Prop 84 demonstrates that

communities of color can propel properly framed environmental initiatives to success even when the white vote is opposed. An equally important lesson is that advocates and activists must ensure that the benefits and burdens of park bonds and other public work investments are distributed fairly. A 2002 study found that the way local park bond funding was distributed exacerbated rather than alleviated unfair disparities in access to parks and recreation in Los Angeles.²¹

Despite their support for environmental public goods, communities of color and low income communities are disproportionately denied environmental benefits, including access to parks and recreation. Surveys in California and Los Angeles County echo the disparities reported in the national survey discussed above.

Most California residents believe there are environmental inequities between more and less affluent communities, according to a survey by the Public Policy Institute of California. 64% of Californians say that poorer communities have less than their fair share of well-maintained parks and recreational facilities. Latinos are far more likely than non-Hispanic Whites (72% to 60%) to say that poorer communities do not receive their fair share of parks and recreational facilities. A majority of residents (58%) agree that compared to wealthier neighborhoods, lower-income and minority neighborhoods have more than their fair share of toxic waste and polluting facilities.²²

According to the 2006 Children's ScoreCard for Los Angeles County, residents in all parts of the county cited the importance of parks and recreation in helping their children grow and thrive.²³ Only 73% and 72% of parents in Central and South Los Angeles reported easy access to safe place to play, compared to 83% and higher in other parts of the county.²⁴

IV. GREAT URBAN PARK VICTORIES

Advocates and activists have created great urban parks in Los Angeles, and are fighting to keep public lands public for all.

A. Great Urban Parks

The Chinatown Yard Alliance helped stop a proposal for warehouses by the city of Los Angeles and wealthy developers in favor of the 32 acre Los Angeles State Historic Park in the heart of Los Angeles. The Los Angeles Times called the victory "a heroic monument" and "a symbol of hope."²⁵ "Nothing like this has ever happened in Chinatown before," the late Chinatown activist Chi Mui said. "We've never had such a victory. And now, every time people walk with their children down to that park, they'll see that great things can happen when folks come together and speak up. We can renew our community one dream at a time."²⁶ The victory in the Cornfield required an administrative complaint on civil rights and environmental grounds before the United States Department of Housing and Urban Development (HUD) to cut off the federal subsidies for the warehouses, and a law suit under state environmental laws. Ultimately, however, the Cornfield will not be a park because of any court order, but because of a creative deal between Alliance members and the developers. The deal was this: if the Alliance could persuade the state to buy the site for the park, the developer would abandon from the warehouse proposal. The Alliance succeeded.

Advocates and activists helped stop a commercial development in favor of the 40 acre Río de Los Angeles State Park at Taylor Yard along the Los Angeles River in Northeast L.A. after trial on state environmental grounds. State park officials initially opposed active recreation at Taylor Yard, but relented in favor of a balanced park in light of community needs. "I am all for preserving rocks and trees and those things, but to me, it seems more important to help the children first," according to Raul Macias, a businessman and founder of the Anahuak Youth Association.²⁷ The balanced park will provide active recreation with soccer fields, courts, a running track, and bike paths, as well as passive recreation, natural parkland, and picnic areas.

A community alliance helped save the Baldwin Hills Park, a 2-square-mile park in the historic heart of African-American Los Angeles that is the largest urban park designed in the U.S. in over a century. Advocates

and activists stopped a power plant there in 2001, stopped a garbage dump in 2003, and saved the Baldwin Hills Conservancy and its budget in 2005 after a governor's commission threatened to eliminate both. "People sometimes think they can do things like this, believing that this community won't have people to speak up for them, but they're wrong," Robert García told the Los Angeles Times. "This is a human rights issue and fundamentally an issue of equal justice."²⁸ Litigation was not required because in each instance public officials listened.

The community celebrated the groundbreaking of the next great urban park at Ascot Hills in East L.A. in November 2005. The largest green space in East L.A. until then was Evergreen Cemetery, which sent a message to children that if they wanted open space, they had to die first. The 140-acre park will provide passive recreation and green space in one of the most park poor areas in the City. The park was established through a creative partnership between the Santa Monica Mountains Conservancy and the City of Los Angeles acting in response to effective community organizing.²⁹

The Heritage Parkscape will link the Los Angeles River, the Los Angeles State Historic Park at the Cornfield, El Río de Los Angeles State Park at Taylor Yard, El Pueblo Historic District, along with 100 other rich cultural, historical, recreational, educational, and environmental resources in the heart of Los Angeles. "They should not be treated as isolated, separate parks but as one continuous parkway system," Robert Garcia told the Daily Breeze. "This is a wonderful opportunity. Los Angeles is hungry for its history."³⁰ The Heritage Parkscape is inspired in part by the Olmsted plan, by the Cornfield Advisory Committee Report calling for linked parks and resources, and by plans for a continuous greenway along the Los Angeles River.³¹ See Map 104. The Heritage Parkscape reflects a frank recognition of the need to build great urban parks by linking smaller, non-contiguous parcels together because few large parcels are left in urban areas. This is the example set by the Gateway National Recreation Area linking the parks of New York Harbor, the Golden Gate National Recreation Area linking natural public places in the Bay Area in Northern California, and the Santa Monica Mountains National Recreation Area in Southern California.³² UCLA Prof. Judy Baca and SPARC (the Social and Public Art Resources Center) are working with The City Project to produce pilot projects of the Heritage Parkscape along the Los Angeles River, and to restore and extend the Great Wall of Los Angeles. UCLA Prof. Fabian Wagmister and REMAPPING - LA are working with The City Project to produce Heritage Parkscape and other materials on the web.

B. Keeping Public Lands Public for All

It is necessary to create public parks, and to keep public lands public for all.

Developers and wealthy property owners sought to block access to public trails in the Canyon Back area of the Santa Monica Mountains, one of the most precious natural resources in Southern California. "This is part of an overall trend by which wealthy enclaves think they can simply take over public parks, public beaches, public trails," Robert García told the Los Angeles Times. "We're not going to allow it."³³ Litigation settled in 2006 keeps the trails open for all.³⁴

A wealthy gated enclave is seeking to cut off public access to trails that have been public for thousands of years in historic Millard Canyon, which begins in the Angeles National Forest and ends at the Arroyo Seco in Altadena, with stream water flowing to the Los Angeles River and the ocean. Property owners have posted "No Trespassing" signs and harass hikers and equestrians on the public trails. The county approved development of the gated enclave on the condition that the trails remain public. A Pasadena Star News editorial has urged the property owners to "live up to the original agreement" and keep public access open to

the trails: “The situation is akin to those who live on the beach, public property, who want to fence it off from that very public owner. That’s just not right.”³⁵ Pending litigation seeks to keep the trails open, and to preserve the rich historical and cultural legacy of Millard Canyon and the beauty of the site for all, whether or not one can afford to live in a secluded gated enclave.

Beachfront property owners up and down the California coast – from Newport Beach to Malibu to Santa Barbara to Hollister Ranch to tiny Trinidad in Northern California -- are trying to cut off public access to public beaches and privatize public places.³⁶

Malibu residents have been particularly aggressive in restricting access to beaches alongside multimillion dollar mansions. In June 2005, private property owners on Broad Beach in Malibu took the utterly astonishing step of bulldozing away the public beach. The beach bulldozing reduced public access, caused significant environmental and habitat destruction, and destroyed the beauty of the beach.³⁷ The California Attorney General sued the Trancas Property Owners Association, which represents property owners along Broad Beach, for violation of the Coastal Act, interference with public access to the beach, and theft (conversion) of beach minerals.³⁸

Private property owners for years posted phony “private beach/no trespassing” signs on Malibu beaches that deterred innocent beach goers, and harassed beachgoers with security thugs on illegal all-terrain vehicles and calls to the county sheriff. The California Coastal Commission in August 2005 ordered an end to the phony signs and illegal vehicles.³⁹

Media mogul David Geffen, joined by the City of Malibu, filed suit to cut off public access to the public beach alongside his beach front mansion. His suit was dismissed six times before he finally gave up and opened a nine-foot path from the highway to the beach.⁴⁰

Not content to cut off public access to the beach, Malibu residents have also tried to cut off public access to public parks and trails in the Santa Monica Mountains along the coast.⁴¹

A property owner in Malibu’s Lechuza Beach recently complained to a state official that she opposes inner city youth coming to Lechuza Beach, after a hearing on improving public access there at which a non-profit representative spoke eloquently about teaching children of color life skills through outdoor activities.⁴²

Today, Malibu is overwhelmingly white and wealthy. Malibu is 89% non-Hispanic white. Nearly 25% of Malibu households have an annual income over \$200,000. The median household annual income is \$102,031. In contrast, Los Angeles County is only 31% non-Hispanic white. Only 4% of households have an annual income of \$200,000 or more. The median household income is \$42,189.⁴³

V. PARK, SCHOOL, AND HEALTH DISPARITIES

In contrast to the positive vision for a regional web of natural public places discussed above, this Part presents the reality of unfair disparities in parks, school, and health.

A. Parks, Schools, and Obesity

Children of Color. Children of color living in poverty with no access to a car suffer from the worst access to parks, school fields, beaches, forests, and other natural public places, and suffer from the highest levels of child obesity. These children and their families and friends do not have access to cars or a decent transit system to take them to parks, schools, and other natural public places. Disproportionately white and wealthy people with fewer children than the county average enjoy the best access to parks, school fields, beaches, trails, mountains, forests, and transportation. In a cruel irony, the people who need the most have the least, while those who need less have the most. *See* Map 401.

The communities with the worst access to parks lie in Central and South Los Angeles, which have the lowest income levels and the highest concentrations of people of color. Fully 93% of households with children in Central Los Angeles and 85% in South Los Angeles fall below 300% of the federal poverty level. The

annual income needed for a family of four to provide for its basic needs was slightly more than \$63,000 in 2005, more than three times the federal poverty level. Income disparities are most notable for Latino families, with 89% below three times the federal poverty level, compared to 34% for non-Hispanic white families.⁴⁴

Acres of Parks per Thousand Residents. There are unfair disparities in access to parks and recreation measured by acres of parks per thousand residents in every political subdivision.⁴⁵ Thus, for example, State Assembly District 10 (Nuñez) in Central Los Angeles has only .51 net acres of urban parks per thousand residents, compared to 282.79 net acres in District 37 (Strickland) in the north part of the county. District 37 has as an astonishing 555 times more net acres of urban parks than District 10. The disparities are even more dramatic if total acres of parks including forests and other large natural public places are included. For example, there are .51 acres of total parks per thousand residents in District 10, and over 3,348 acres in District 27 – 6,566 times more total acres of park space. Districts 37 and 27 in the north county are disproportionately white and wealthy, compared to inner city District 10. *See* Map 401; Chart 401C, and Graph 401N.

Child Obesity. The levels of child obesity are intolerably high even for children in the best neighborhoods -- ranging from 23% to 40% throughout the Los Angeles region -- but children of color suffer first and worst. Children of color disproportionately live in the areas with the highest levels of child obesity and the worst access to parks and schools fields. *See* Map 403. Latino and black children are disproportionately overweight and unfit compared to non-Hispanic white and Asian children.

Overweight and Unfit Children in California⁴⁶

Race/Ethnicity	Overweight	Unfit
Latino	34%	45%
African American	29%	46%
White	20%	34%
Asian	18%	36%

The health implications of the lack of places to play in parks and schools are profound. In California, 73% of fifth, seventh, and ninth graders did not achieve minimum physical fitness standards in 2004. In LAUSD, 87% of students were not physically fit.⁴⁷ Yet in 2006, 51% of school districts in California, including LAUSD, did not enforce statutory physical education requirements.⁴⁸ At LAUSD's South Gate High School, 1,600 children took the state Fitnessgram test and not one passed. Forty schools did not have a single physically fit student. Less than 10% of students were physically fit in nearly one-third of the 605 schools in LAUSD. Only eight schools had student populations that are more than 50% physically fit (see chart on next page).

Percentage of Physically Fit Children in LAUSD Schools⁴⁹

Percentage of Physically Fit Children	Number of Schools in LAUSD
0%	40
1-5%	58
6-10%	96
11-15%	123
16-20%	83
21-25%	75
26-30%	42
31-35%	38
36-40%	22
41-45%	16
46-50%	4
>50%	8

Shared Use of Parks and Schools. The shared use of parks and schools can alleviate the lack of places to play and recreate, while making optimal use of scarce land and public resources. Unfortunately, only 103 out of 605 LAUSD schools have five acres or more of playing fields, and those tend to be located in areas that are disproportionately white and wealthy and have greater access to parks. See Maps 401, 404.⁵⁰ LAUSD provides 71% more play acres for non-Hispanic white students than for Latino students in elementary schools.⁵¹ There were only 30 joint use agreements between LAUSD and the City of Los Angeles Recreation and Parks Department as of April 2006.⁵² The Olmsted Report and the Controller's audit of recreation and parks both call for the shared use of parks and schools.

B. River Revitalization

William Deverell has eloquently described the role of the Los Angeles River in the history of Los Angeles:

Were it not for the Los Angeles River, the city that shares its name would not be where it is today. Were it not for the Los Angeles River, Los Angeles would not be at all. The Los Angeles River has always been at the heart of whichever human community is in the basin: Gabrielino village, Spanish outpost, Mexican pueblo, American city. The river has been asked to play many roles. It has supplied the residents of the city and basin with water to drink and spread amidst their grapes, oranges, and other crops. It has been an instrument by which people could locate themselves on the landscape. It has been a critical dividing line, not only between east and west, north and south, but between races, classes, neighborhoods. . . . [T]he river has also been a place where ideas and beliefs about the past, present, and future of Los Angeles have been raised and contested.⁵³

The Los Angeles River stretches 52 miles and crosses 13 cities, flowing through diverse communities from Canoga Park in the San Fernando Valley through downtown Los Angeles to the ocean in Long Beach. The City of Los Angeles has launched the Los Angeles River Revitalization Master Plan process to guide river revitalization for the next 20 years, focusing on the 32 miles of the river that flow through the city. However, children of color living in poverty without access to a car, and with the worst access to parks and to school fields of five acres or more, disproportionately live along the lower 20 miles of the river that lies within the county, but not within the city. See Map 1001 and Chart 1001C.⁵⁴

The county, city, and other municipalities and agencies need to work together on a regional solution to ensure equitable distribution of the benefits and burdens of revitalizing the river. The County of Los Angeles

adopted a Master Plan for the Los Angeles River in 1996.⁵⁵ The County also published a Master Plan for the San Gabriel River in 2006.⁵⁶ The Integrated Regional Water Management Plan for Greater Los Angeles County (IRWMP) covers the Los Angeles and San Gabriel Rivers. Planning for the full length of the Los Angeles River, the San Gabriel River, and other waterways should be coordinated to achieve compliance with clean water and civil rights laws and social justice concerns.⁵⁷ Communities of color have previously achieved compliance with clean water laws through major litigation against the City of Los Angeles.⁵⁸ The Olmsted Report also called for the greening of the Los Angeles and San Gabriel Rivers, and multiuse projects for parks, schools, and flood control.

Clean water compliance and flood control should be combined with healthy parks, schools, and communities through multipurpose projects. Green spaces in parks and schools can help clean water through natural filtration that can mitigate polluted storm water run-off to the rivers and the ocean. Flood control basins can provide green space for parks and playing fields, like the Sepulveda flood control basin recreation areas along the Los Angeles River do now. Recent state-wide resource bonds provide funding for clean water and flood control projects that can also be used for parks and school fields.

Latino support for community revitalization along the river is growing, and strong, based on recent polling and anecdotal evidence gathered by the William C. Velazquez Institute and the Alianza de los Pueblos del Río. When surveyed about what they would like to see on the river and its banks, Latinos showed significant support for parks and recreation: 48% said parks, 32% schools, 27% open green space, 21% California style trees and plants, and 20% said soccer and baseball fields. Latinos showed little support for “gentrification-oriented development,” with 25% supporting affordable housing and only 2% market rate housing, only 3% tourism-related development, and only 3% condominiums and penthouses.⁵⁹

Latinos viewed revitalization priorities significantly differently than non-Hispanic whites. Latinos favor parks, schools, affordable housing, soccer and baseball fields, and businesses that create jobs by 10 points more than whites, on average. In contrast, whites favored open green space, California style trees and plants, and community gardens by 12 points more than Latinos, on average. Latinos and non-Hispanic whites were united in their opposition to gentrification, however.⁶⁰

The three mile radius along the San Gabriel River is more complex demographically. *See* Map 1101 and Charts 1101C.⁶¹ The San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy has jurisdiction over both rivers and can coordinate revitalization for both.

C. Inequities in Urban Parks, Programs, and Funding

Unfair park, program, and funding disparities are documented by demographic maps of park access in the City of Los Angeles (Map 801, Chart 801C), an audit of the city Recreation and Parks Department, and an academic study showing that the allocation of park bond funds exacerbates park inequities.⁶² Similar reports should be published of other park agencies and of recent resource bonds to see who benefits and who gets left behind by the investment of public funds, and to provide tools for reform.

The audit of recreation and parks by the Los Angeles City Controller documents systemic management failures, echoes the disparities discussed in the present Policy Report, and provides a blueprint for reform. For example, parks provide better programs in wealthy communities, and funding policies exacerbate rather than alleviate inequities. The audit highlights the need for: a strategic plan to improve parks and recreation programs in every neighborhood, and eliminate unfair disparities; standards to measure equity and progress in achieving reform; a community needs assessment now and every five years; a fair system of park financing

and fees; shared use of parks and schools; and improved park safety.⁶³ One of the Controller's major recommendations is that the City "needs to strategically address issues of inequity regarding levels of service provided at parks citywide."⁶⁴

The Controller's audit documents park inequities that city officials have known about for decades. The city of Los Angeles virtually abandoned parks, school construction, and public recreation in the wake of Proposition 13 in 1978, the taxpayers' revolt, which cut funding for local services, including parks and schools. In 1987 the Los Angeles Times reported that "[i]n scores of city parks across Los Angeles -- mostly cramped sites in poor neighborhoods -- fear is high. So pervasive are gangs, drug dealers and drunks, so limited are the programs and facilities, that the sites are known to parents and even some recreation directors as 'dead parks.'" Robin Kramer, then a city council deputy and now the mayor's chief of staff, acknowledged in that article that "there is tremendous under serving" of people in poor neighborhoods by the parks department.⁶⁵ In 1999, then-Mayor Richard Riordan told the Wall Street Journal that poorer communities have been short-changed by funding formulas for parks and recreation. "The way money is spread throughout the city has not been based on need as much as it has been about equally distributing funds" among the 15 council districts, according to the mayor.⁶⁶ Park officials concurred. "It's a pattern we all understand," according to the then-director of planning and development for Recreation and Parks. "The urban areas of Los Angeles have less park facilities than the new areas or outer lying areas, where ordinances require that parks be developed when housing developments go in."⁶⁷ "I think the mayor's sincere in his desire to address these inequities," Robert Garcia told the Wall Street Journal, but "I don't think the city is doing enough."⁶⁸

D. Beaches⁶⁹

An impressive nine in ten Californians say the quality of the beach and ocean is just as important to them personally as for the overall quality of life and economy in the state, according to a survey by the Public Policy Institute of California. Residents say the condition of the coast is very important (61%) or somewhat important (30%) on a personal level, very important (70%) or somewhat important (24%) to the state's quality of life, and very important (63%) or somewhat important (30%) to the economy.⁷⁰ Majorities agree across regions and political parties. "Californians treasure the ocean and the state's beaches," said survey director Mark Baldassare. "These attitudes run deep and wide across political parties, coastal and inland areas, and in the growing Latino population--to ignore them could be politically perilous."⁷¹

Beaches are among California's most valuable public assets. California has the largest ocean economy in the nation, a large portion revolving around the state's beaches. Ocean-related activities in California produced a gross state product (GSP) of \$42.9 billion and provided almost 700,000 jobs and more than \$11.4 billion in wages and salaries in 2000.⁷²

The Olmsted Report called for the doubling of public beach frontage, as shown in Map 102 and Table 102T:

Public control of the ocean shore, especially where there are broad and satisfactory beaches, is one of the prime needs of the Region, chiefly for the use of throngs of people coming from inland. . . . [T]he public holdings should be very materially increased.⁷³

Los Angeles beaches in 2005 are shown in Map 103. Not all beaches have public access, accurate public beach data is not available, and private property owners are trying to cut off public access to public beaches, as discussed above.⁷⁴

While 80% of the 34 million people of California live within an hour of the coast,⁷⁵ low-income communities of color are disproportionately denied the benefit of beach access. Rio de Janeiro, like Los Angeles, is marked by some of the greatest disparities between wealth and poverty in the world. Yet Rio's famous beaches are open to all, rich and poor, black and white. The beach in Rio is the great equalizer. California's world famous beaches must also remain public for all, not the exclusive province of the rich and famous.

People who live along the beach generally are disproportionately non-Hispanic white and wealthy. The non-Hispanic white population ranges from 89% to 58% in beachfront communities. In all coastal communities, the black population was too small to be significant.⁷⁶

Long Beach is the only exception to the rule. There, the non-Hispanic white population of 47% is less than the state and county average, and the median household income is lower. This may be because Long Beach, unlike other coastal communities in Los Angeles, extends far inland and a good portion of the coastline is dedicated to the Port of Long Beach. Moreover, as is true for many port towns, Long Beach has historically been a working class town.⁷⁷

Research suggests that different racial and ethnic groups in Southern California tend to visit different beaches, but conclusive data is not yet available.⁷⁸

E. Forests and Mountains

Diversifying access to and support for the forests is an important part of achieving equal access to natural public places. Los Angeles County has 2,637,286 acres of land, and 807,731 total acres of parks. The total acres of parks includes large public spaces totaling 84,535 acres in the Angeles National Forest, Santa Monica Mountains National Recreation Area, Griffith Park, Elysian Park, and Baldwin Hills Parks.⁷⁹ Fully 25% of all land and 78% of all park space in Los Angeles County is in the Angeles National Forest. The Santa Monica Mountains National Recreation Area has 6% of all park space in the county. The county has 84.93 total acres of parks per thousand residents. Excluding those large public spaces, the county has 8.89 net acres of parks per thousand residents.⁸⁰ The stated averages mask the vast park, school, and health disparities based on race, ethnicity, income, poverty, and access to cars discussed above.

The Angeles National Forest provides far and away the most natural public space in the Los Angeles region, and lies within an hour's drive of most of Los Angeles, but few people of color go there. Recreation is the predominant use of the forests in Southern California.⁸¹ Yet only 1% of the visitors to the forest are black, and only 11% are Hispanic. Zero percent of the visitors to the wilderness areas of the Angeles National Forest are black.

Angeles National Forest Visitors⁸²

Race/Ethnicity	% of Visitors
Non-Hispanic White	79%
Latino	11%
Asian/Pacific Islander	7%
Black	1%
Native American	1%
Other	1%

The reasons for the low visitation rates by people of color include a history and pattern of employment discrimination by the Forest Service against people of color and women in the region, cultural differences in recreation, lack of transit, the privatization of public space, and a history of discriminatory land use and housing policies.⁸³

The Olmsted Report recommended integrate forests and mountains in the regional park system.⁸⁴

F. Transit to Trails

Southern California should develop and implement a strategic plan for a “Transit to Trails” program to take people to parks, beaches, forests, lakes, and other public natural spaces. A Transit to Trails program would serve all the people of the region, but would be particularly useful to the working poor with limited or no access to cars, who are disproportionately people of color and low income.⁸⁵ Transit to Trails would reduce traffic congestion and parking problems, improve air quality, and reduce run-off of polluted water into rivers and the ocean. It would also reduce dependency on the automobile and fossil fuels. Today, there is virtually no good way to reach the four Southern California forests using public transportation.⁸⁶ Transit to beaches is limited, time-consuming, and expensive.⁸⁷ Low cost transit service should link parks like the Cornfield and Taylor Yard as part of the Heritage Parkscape. SCAG has the opportunity to include Transit to Trails in its next Regional Transportation Plan. The Olmsted Report envisioned a transportation system for people to reach natural public places.⁸⁸

G. Cultural Diversity in Parks and Recreation

People are entitled to parks and natural public places that serve the diverse needs of diverse users.⁸⁹

People from different racial and ethnic groups use parks differently, constructing meanings for natural space based on their own values, cultures, histories, and traditions. According to a UCLA study of cultural differences in the use of urban parks, parks are primarily social gathering places for Hispanics. African Americans, more than any other racial group, tend to engage in sports in parks. Non-Hispanic whites tend to value a park solely for its passive qualities—its greenness, landscaping, and natural elements. They tend, as a result, to engage in solitary, self-oriented uses. Asian-American (specifically, Chinese) families were rare in parks studied. This does not mean that Asians do not value parks; this may reflect the failure of the parks to meet the needs of the Asian-American community.⁹⁰ Most studies on leisure and urban recreation have focused on non-Hispanic whites.⁹¹ Other studies have reached similar conclusions about how Hispanics use forests and other natural public places differently.⁹²

Research suggests two potential explanations for differences in ethnic and racial recreation patterns. The *ethnicity hypothesis* posits that participation patterns result from culturally based differences in value systems and leisure socialization. Even when variables such as income, gender, area of residence, and household size are statistically controlled, ethnic and racial differences in participation patterns persist. The *marginality hypothesis* suggests that under-participation of ethnic and racial groups results primarily from limited economic resources and historical and ongoing patterns of discrimination.⁹³ Because people of color often occupy a subordinate position and hold a low station in the status hierarchy, they are less desired as leisure companions, leading to the creation of leisure spaces that are identified as non-Hispanic white or otherwise.⁹⁴

Park and recreation plans, programs, and funding need to serve the diverse interests of diverse users in a balanced park and recreation system that includes, for example, places for physical activity to improve health, active recreation, passive recreation, and wilderness places.

H. Measuring Green Access and Equity

1. Patterns of Racial and Ethnic Disparities

This Policy Report *Healthy Parks, Schools, and Communities* measures access to parks and other natural public places a number of ways. Acres of parks per thousand residents, half-mile access, access to school fields, levels of child obesity – the pattern is the same: people of color suffer first and worst. Non-Hispanic white people enjoy better access to natural public places compared to people of color collectively, and

compared to other individual racial or ethnic groups. The distribution of parks and recreation is not random with respect to race and ethnicity.

This section discusses the relevant comparison pool for assessing disparities in access to natural public places based on race and ethnicity for both policy and legal analyses. The Controller's audit of recreation and parks calls for standards to measure equity and progress in improving parks and recreation in every neighborhood. Disparate impact is relevant to evaluate equal access to public resources including natural public places under federal and state civil rights laws (as discussed below). This section compares two statistical approaches. The first is appropriate and is used in this Policy Report. The second is not appropriate and is discussed here to guard against its use elsewhere.⁹⁵

First, this Policy Report uses county averages to evaluate access to natural public places. Appropriate measures include whether people of color collectively, or an individual racial or ethnic group, in a geographic area exceed county averages, and are disadvantaged in access to natural public places, compared to non-Hispanic whites, the privileged group.

The second approach is inappropriate, but it is used elsewhere and should not be. Majority or supermajority representation in a community is inappropriate to evaluate access to parks and public resources. One academic study, for example, evaluates park and funding disparities using areas in which a racial or ethnic group constitutes a majority (50% to 75% African-American) or supermajority (75% or higher).⁹⁶ Both majority and supermajority measures create too high a statistical hurdle to evaluate equal access to natural public places. Both measures are underinclusive in guarding against discrimination. Both measures can provide evidence of discrimination in extreme cases. However, both measures fail to cover significant cases in which people of color are above the county average in a community, but below 50% of the population. Neither majority nor supermajority representation is justified on policy or legal grounds. Disproportionate population compared to county population averages is an appropriate standard. Majority or supermajority representation is not.

This Report uses disproportionate population compared to county averages to evaluate access to natural public places in the following ways.

Map 308 depicts park access by people of color in block groups that exceed the Los Angeles County average in four categories: no racial or ethnic group exceeds the average, one group exceeds the average, two groups exceed the average, and three groups exceed the average.

Map 307 presents four categories for people of color collectively: the population of people of color is under half the county average (under 34.5%); half the county average to the average (34.5% to 68.9%); over the county average (68.9% to 90.0%), and over 90.0%.

For Latinos, Map 310 presents four similar categories: under half the county average (under 22.3%); half the county average to the average (22.3% to 44.6%); county average up to twice the average (44.6% to 89.2%), and over twice the county average (over 89.2%).

For African Americans, Map 311 presents four slightly different categories: under the county average (under 9.8%), county average to twice the county average (9.8% to 19.6%), twice the county average to three times the county average (19.6% to 29.4%), and over three times the county average (over 29.4%). Map 312 presents similar categories for Asians/Pacific Islanders, and Map 306 for non-Hispanic Whites.

A significantly wider area raises significant concerns about racial and ethnic disparities in access to natural park places using county averages compared to the majority or supermajority standard. The following maps illustrate the difference. Map 309 depicts park access for areas in which each racial or ethnic group constitutes a majority (50 to 75%) or supermajority (75% and higher). These areas for African-Americans in Map 309 are

a fraction of the significantly broader areas in which African-Americans are above the county average in Map 311. The same is true for Asian-Pacific Islanders, as illustrated by comparing Maps 309 and 312. The same is true where one, two, or three communities of color exceed the county average, as illustrated by comparing Maps 309 and 308.

Similar disproportionate population measures of green access and equity are depicted for the city of Los Angeles in Maps 803-806, along the Los Angeles River in Maps 1003-1009, and along the San Gabriel River in Maps 1103-1109.

To reiterate: Policy and legal analyses should use county averages to evaluate access to natural public places. Appropriate measures include whether people of color collectively, or an individual racial or ethnic group, in a geographic area exceeds county averages, and are disadvantaged in access to natural public places compared to non-Hispanic whites. Appropriate measures include whether the parks and recreation adequately serve the people with the greatest needs--children of color living in poverty with no access to a car, for example (Map 401). These measures are relevant to assess discriminatory impacts under civil rights laws, to define equity standards to implement the Controller's audit of recreation and parks, and to determine whether the benefits and burdens of park and resource bonds are distributed fairly.

2. Distance to the Park

There is no "correct" distance to evaluate fair access to parks. The optimal distance depends on the needs of the community, the type of park, and access to cars and transit. Map 402 shows the areas in Los Angeles that lie more than half a mile from the nearest park, but any distance in the abstract can be arbitrary and misleading – half mile or quarter mile access, walking distance, driving distance, etc.

The important concern is not distance alone but whether the park and recreation programs meet the needs of the community. If physical activity is a goal, for example, people can get physically active by walking half a mile or a mile to the park. With the shared use of parks and schools, the relevant distance is to the park or the school, not one or the other. If residents have access to a car or an affordable and reliable transit system, the distance to the park can be greater. Smaller parks and elementary school playgrounds within walking distance can serve the needs of younger children. Larger parks, and playing fields at middle and high schools, can provide places for physical activity and team sports for older children and adults, and can be within driving or busing rather than walking distance. In a high income community with large house lots, and ready access to cars and places like the Santa Monica Mountains, there is no need for a park within a quarter mile. A pocket park within walking distance may not adequately serve the needs of the community if there is no place to play in the park or any other nearby place. Even a large park may not adequately serve the community if the population and use density is so high that demand exceeds available park space.

The Olmsted Report suggested half a mile or more as a rule of thumb for distance to the park depending on the locality and other factors.⁹⁷

One traditional environmental organization, Trust for Public Land, advocates a park within a quarter mile of each residence, and equates walking distance with a quarter mile, but it is difficult to consider this a serious policy proposal. The quarter mile or walking distance standard obscures the important considerations discussed above. Bus stops in Los Angeles are generally more than a quarter mile from most people. It is unrealistic to expect more parks than bus stops.

VI. THE HISTORY OF DISCRIMINATORY ACCESS TO PARKS AND RECREATION

The fact that low-income people of color are disproportionately denied equal access to parks, school fields, beaches, trails, and forests is not an accident of unplanned growth, and not the result of an efficient free market distribution of land, but the result of a continuing history and pattern of discriminatory land use and economic policies and practices. The history of Los Angeles is relevant to understand how the Los Angeles region came

to be the way it is, and how it could be better. Park and recreation resources must be allocated to overcome the legacy of unfair park, school, and health disparities.

The area surrounding the new Los Angeles State Historic Park at the Cornfield illustrates this history. El Pueblo de Los Angeles was founded in 1781 near the Native American Tongva village of Yangna, near the Cornfield. The first settlers, the Pobladores, were Spaniards, Catholic missionaries, Native Americans, and Blacks. Mexicans and Californios further established the city before statehood. Chinese began arriving in 1850 in search of gold but were restricted to working on the railroad and in domestic jobs. They were forced to live on the wrong side of the tracks in Old Chinatown, across "Calle de los Negros" ("Nigger Alley") from the Plaza. The Chinatown massacre of 1871 first brought Los Angeles to national and international attention. In the 1930s, the city forcibly evicted the residents and razed Old Chinatown to build Union Station. New Chinatown was created at the site of the old Mexican-American barrio of Sonoratown, just west of the Cornfield. Mexican-Americans, including U.S. citizens, were deported from the Cornfield during the Great Depression as a result of discrimination and competition for jobs. Japanese who arrived because of the labor shortage caused by the Chinese Exclusion Act settled in Little Tokyo. They were forced into concentration camps at Manzanar and other places during World War II. The area became known as Bronzatown when Blacks arriving from the South to work in the war industry filled the Japanese vacancies. The city destroyed the bucolic Latino community in Chavez Ravine with promises of affordable housing, then sold the land to the Dodgers, who buried the site with 50,000 places for cars to park and no place for children to play.⁹⁸

Despite the prominent role of blacks in early Los Angeles,⁹⁹ black residential and business patterns were restricted in response to discriminatory housing and land use patterns. "Whites only" deed restrictions, housing covenants, mortgage policies subsidized by the federal government, and other racially discriminatory measures dramatically limited access by people of color to housing, parks, schools, playgrounds, swimming pools, beaches, transportation, and other public accommodations.¹⁰⁰

Prof. Ira Katznelson's book *When Affirmative Action Was White* documents how racial inequities were aggravated by economic policies dating back to the Great Depression that had the impact of excluding blacks and increasing income, wealth, and class disparities. A continuing legacy of discriminatory economic policies is that the average black family in the United States holds just 10% of the assets of the average white family.¹⁰¹ In the past, when beachfront prices were lower, for example, people of color were forbidden from buying, renting or even using beachfront property. Today, when beachfront property has skyrocketed in value, people of color often cannot afford to buy or rent beachfront property.

A. Housing Restrictions

Los Angeles pioneered the use of racially restrictive housing covenants. The California Supreme Court sanctioned restrictive covenants in 1919 and California courts continued to uphold them as late as 1947. The Federal Housing Authority not only sanctioned racially restrictive housing covenants, but developed a recommended formula for their inclusion in subdivision contracts.¹⁰² As a result, blacks increasingly became concentrated in South Central Los Angeles, for example, and Chinese in Chinatown, Mexican-Americans in East L.A., and Japanese in Little Tokyo.

The landmark Supreme Court decisions in *Shelley v. Kramer*¹⁰³ in 1948 and *Barrows v. Jackson*¹⁰⁴ in 1951 made racially restrictive housing covenants illegal and unenforceable. Even after those decisions, however, blacks and other people of color were excluded from white neighborhoods.¹⁰⁵ "In the postwar era many individual white homeowners, and virtually all the public and private institutions in the housing market,

did everything possible to prevent African Americans from living outside areas that were already predominantly black.”¹⁰⁶

B. Parks

Though not codified in law, public space in Los Angeles was “tacitly racialized.”¹⁰⁷ For example, blacks were not allowed in the pool in many municipal parks, and in others were allowed to swim only on “International Day,” the day before the pool was cleaned and the water drained. Segregated public pools continued into the 1940s.

There were some places of refuge, however. Lincoln Park in East Los Angeles was a popular destination for black youth from South Central and Latino youth from East Los Angeles, who could take the Pacific Electric railroad to reach one of the few parks where they were not feared, despised, and excluded.¹⁰⁸

C. Beaches

Bruces’ Beach. When Manhattan Beach was incorporated in 1912, the city set aside a two-block area on the ocean for African-Americans. A black couple named Charles and Willa Bruce bought the land and built the only beach resort in the Los Angeles area that allowed blacks. Bruces’ Beach offered bathhouses, outdoor sports, dining, and dancing to African-Americans who craved a share of Southern California’s good life. As the area’s black population increased, so did white opposition to the black beach. Manhattan Beach drove out the black community and closed down Bruces’ Beach in the 1930s. City officials forced black property owners to sell at prices below fair market value through condemnation proceedings. The nearby Peck’s Pier – the only pier that allowed blacks – and the surrounding black neighborhood were destroyed. Black Angelenos were then relegated to the blacks-only section of Santa Monica beach at Pico Boulevard known as the Inkwell. Manhattan Beach in 2006 commemorated the struggle of the Bruce family and the African American community by renaming the park at the historical site as Bruces’ Beach Park.¹⁰⁹

Malibu. At the turn of the century, Malibu consisted of a 13,316-acre rancho along a 25-mile stretch of beaches, mountains and canyons, owned by Frederick H. Rindge and later by his widow May.¹¹⁰ To pay her taxes after her husband’s death, May Rindge began leasing and selling off land parcels to movie celebrities and others.¹¹¹ Parcels carried racially restrictive covenants that prevented people who were not white from using or occupying beach premises except as domestic servants, and even domestics who were not white were prohibited from using the public beach for bathing, fishing, or recreational purposes. A typical covenant reads:

[S]aid land or any part thereof shall not be used or occupied or permitted to be used or occupied by any person not of the white or Caucasian race, except such persons not of the white or Caucasian race as are engaged on said property in the bona fide domestic employment of the owner of said land or those holding under said owner and said employee shall not be permitted upon the beach part of said lands for bathing, fishing or recreational purposes.¹¹²

The demographics of Malibu today reflect its discriminatory history, as discussed above.

D. Mountains

In the 1920s and beyond, racially restrictive covenants prevented people of color from occupying or using property at Lake Arrowhead, the major mountain lake near Los Angeles.¹¹³ The federal government traded away land on the lake for land in the woods. Today private mansions and businesses ring the lake and only the wealthy can live in what is known as “the Beverly Hills of the Mountains.” There is no public access to Lake Arrowhead.¹¹⁴ This is a prologue for the future of natural public places if the privatization of public space continues.

The next Part articulates the values at stake in natural public places.

VII. WHY PARKS AND RECREATION MATTER: THE VALUES AT STAKE

Parks, school fields, beaches, rivers, mountains, forests, and other natural public places are places to have fun. Having fun goes hand-in-hand with other values including human health; youth development and academic performance; conservation values of clean air, water, and land; spiritual values in protecting people and the earth; economic vitality; and sustainable regional planning. Fundamental principles of equal justice and democracy underlie each of these other values.

Fun.

Children have the right to the simple joys of playing in parks and other safe public places. The United States was founded in part for the pursuit of happiness.¹¹⁵ The United Nations recognizes the right to play as a fundamental human right.¹¹⁶

Human Health.

The human health implications of places and policies for physical activity in parks, schools, and other public places are profound.¹¹⁷

If current trends in obesity and inactivity continue, today's youth will be the first generation in this nation's history to face a shorter life expectancy than their parents.¹¹⁸ The epidemic of obesity, inactivity, and related diseases including diabetes is shortening children's lives and destroying the quality of their lives. The obesity and inactivity crisis costs the United States \$117 billion in lost productivity and medical costs.¹¹⁹

Overweight and unfit children face a greater risk of developing lung disease, diabetes, asthma, and cancer.¹²⁰ Type 2 diabetes, formerly known as adult-onset diabetes, now affects millions of overweight and inactive children at younger and younger ages.¹²¹ As a result, children are more likely to suffer long range effects including death, loss of limbs, and blindness.

The crisis of obesity and inactivity is not just the result of individual eating or exercise habits. Children, adolescents, and adults cannot become more physically active and fit if they do not have places to play and be physically active in parks and schools.¹²²

Physical inactivity is more prevalent among women than men, among blacks and Hispanics than whites, among the less affluent than the more affluent, and among older than younger adults.¹²³

The most frequently used facilities for physical activity are informal and include streets, parks, and beaches.¹²⁴ The health costs of urban sprawl should inform land use and planning decisions to create and preserve parks, open space, and walkable neighborhoods with mixed land uses and transit alternatives.¹²⁵ "[A]pplying public health criteria to land-use and urban design decisions could substantially improve the health and quality of life of the American people."¹²⁶

Regular physical activity is associated with enhanced health and reduced risk for all-cause mortality, heart disease, diabetes, hypertension, and cancer.¹²⁷ Physical activity for children and adolescents helps to build and maintain healthy bones, muscles, and joints, and helps prevent or delay the development of high blood pressure.¹²⁸ Natural spaces are also linked to improved mental health. Physical activity relieves depression and anxiety.¹²⁹ Views of nature have been linked to a variety of positive health outcomes in adults and children and can relieve attention deficit disorder.¹³⁰

Youth Development.

Sports and after school activities can promote positive choices and help reduce youth violence, crime, drug abuse, and teen pregnancy.¹³¹ Sports and recreation also build character, pride, self esteem, teamwork, leadership, concentration, dedication, fair play, mutual respect, social skills, and healthier bodies; help keep children in school; help develop academic skills; and increase access to higher education.¹³² Physically fit

students perform better academically.¹³³ Male athletes are four times more likely to be admitted to Ivy League colleges than other males; for female athletes, the advantage is even greater.¹³⁴

In the aftermath of the riots and rebellion following the acquittals of the police for the Rodney King beating in Los Angeles, gang members issued a manifesto calling for peace and listing the shortage of parks and natural space as one of their major concerns.¹³⁵

Active recreation programs prevent gang violence, crime, prostitution, drug abuse, and teen sex. A study by the Los Angeles County District Attorney concluded that young people join gangs for the expected reasons, including the fact that they “have been excluded by distance and discrimination from adult-supervised park programs.”¹³⁶ The study recommends that “alternative activities like recreation” should be part of every gang prevention strategy. Organized sports “fill those idle hours that seduce adolescent boys into trouble At the least, they can keep older gang members busy during prime-time-crime hours At the most, they can keep marginal boys too busy for gangs, or give them an excuse not to join.”¹³⁷

Public Safety.

The best way to ensure that parks are safe is to give people a sense of ownership of their parks. A diversity of people using parks differently at different times of the day and night will help drive away crime and criminals.¹³⁸

Conservation Values.

Parks and natural open spaces promote environmental values including clean air, water, and ground, and habitat protection. Green spaces in parks, schools, and other public places can help clean water through natural filtration. Flood control basins can provide green space for parks and playing fields. Green spaces can help cool urban areas and help reduce global warming.

Spiritual Values in Protecting the Earth and its People.

Social justice and stewardship of the earth motivate spiritual leaders, including Cardinal Roger Mahony, and the Justice and Peace Commission of the Catholic Archdiocese of Los Angeles, to actively support equal access to parks and natural space.¹³⁹ Nobel Peace Prize Laureate Rigoberta Menchú has praised the work of The City Project and Anahuak Youth Sports Association to promote equal access to parks and recreation as a way of saying no to war, no to violence, and giving children hope. “It is very important that our children grow up healthy. The more they run, the happier they are. The more they play together with other children, the better people they will be in the future. Parks and school yards are a place for peace, a place where life-long values are built. Community activism to build parks and schools is a way of saying no to violence, no to war. Peace and hope are part of our children’s education and culture.”¹⁴⁰

In 2004, the Nobel Peace Prize Committee awarded the Peace Prize to the Kenyan woman Wangari Muta Maathai for planting trees and speaking out for women. “In managing our resources and in sustainable development, we plant the seeds of peace,” according to Ms. Maathai.¹⁴¹ The award for Ms. Maathai is an explicit mainstream recognition that there is more at stake in protecting the earth than traditional environmental values. We are fighting for peace and justice in seeking equal access to public resources for all.

Economic Values.

When cities create urban parks, property values rise and the number of businesses and jobs grows, contributing to the state and local economies. For example:

- When Chattanooga, Tennessee, replaced warehouses with an eight-mile greenway, full-time jobs and businesses more than doubled, and property values increased by 127%.
- When San Antonio, Texas, revitalized the San Antonio River, the river park became the most popular attraction in the city’s \$3.5 billion tourist industry.
- After expansion and restoration of the Martin Luther King, Jr. National Historic Site, in Atlanta, Georgia, the African-American “Sweet Auburn” neighborhood experienced a revitalization, with dozens of new homes, 500,000 annual visitors boosting local business, and a decrease in crime.¹⁴²

Advocates and activists need to ensure that these economic benefits are distributed equitably -- for example, through local jobs for local workers and affordable housing to avoid gentrification.

Equal Justice and Democracy.

Fundamental principles of equal justice and democracy underlie each of the values above. The Maps, demographic analyses, and history discussed throughout this Policy Report documents the unfair disparities in access to natural public places based on race, ethnicity, youth, income, poverty, and access to transportation.

As a matter of simple justice, parks, school fields, and other natural public places are a public resource, and the benefits and burdens should be distributed equally. All people are entitled to equal access to parks and recreation. People are entitled to parks and natural public places that serve the diverse needs of diverse users. Public dollars should not be spent in ways that discriminate unfairly against people of color and low income communities. Agencies should provide full and fair information and public participation in planning and investing infrastructure resources. Equal justice and democracy are fundamental values in this society.¹⁴³

Framing the values at stake to appeal to different stakeholders is consistent with Professor George Lakoff's call to frame a progressive movement that defines who progressives are, encompassing strategic campaigns on many different issue areas and programs.¹⁴⁴

The next Part discusses the articulation through law of the values at stake in natural public places.

VIII. LEGAL JUSTIFICATIONS FOR EQUAL ACCESS TO PARKS AND RECREATION

Advocates have creatively combined a variety of legal theories to create new great urban parks and to protect public access to public lands, including state and federal civil rights and environmental laws and First Amendment rights to freedom of association and expression in parks and beaches.¹⁴⁵ Los Angeles faces the opportunity to affirmatively comply with these laws.

Federal and state laws prohibit both intentional discrimination and unjustified discriminatory impacts for which there are less discriminatory alternatives in the provision of public resources, including access to parks and other public lands. An important purpose of the statutory civil rights framework is to ensure that recipients of public funds do not maintain policies or practices that result in racial discrimination.¹⁴⁶

Title VI of the Civil Rights of 1964 and its implementing regulations prohibit both (1) intentional discrimination based on race, color or national origin, and (2) unjustified discriminatory impacts for which there are less discriminatory alternatives, by applicants for or recipients of federal funds, including municipalities such as the city of Los Angeles.¹⁴⁷

California law also prohibits intentional discrimination and unjustified discriminatory impacts by recipients of state funds under Government Code section 11135, which is analogous to Title VI and its regulations.¹⁴⁸ In addition, California law defines environmental justice as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."¹⁴⁹

The California Coastal Commission adopted a local coastal plan requiring Malibu to maximize public access to the beach while ensuring the fair treatment of people of all races, cultures, and incomes in 2002.¹⁵⁰ This was the first time an agency implemented the statutory definition of environmental justice under California law. Commissioner Pedro Nava told the Los Angeles Times he hoped to set a precedent for other communities, ensuring that visitors are not excluded because of their income or race.¹⁵¹ The Commission adopted the provision in response to the advocacy of The City Project on behalf of a diverse alliance.¹⁵²

Then-Secretary Andrew Cuomo of the United States Department of Housing and Urban Development recognized that the principle of equal justice must be implemented through parks and recreation in Los Angeles. Secretary Cuomo withheld federal funding for the proposed warehouses at the site of the Los Angeles

State Historic Park at the Cornfield unless the city of Los Angeles and the developers conducted a “full-blown” assessment of the impact of the proposed development on communities of color and low-income communities, including the park alternative. Secretary Cuomo acted after members of the Chinatown Yard Alliance filed an administrative complaint on the grounds that the warehouse project was the result of discriminatory land use policies that had long deprived communities of color and low-income communities of parks under federal civil rights, environmental justice, and environmental laws.¹⁵³

Unfair park, school, and health disparities in Los Angeles are not just the result of bad management or dumb policies and practices. Compliance with the civil rights laws is necessary to eliminate “business as usual” that perpetuates the pattern and history of park, school, and health disparities. According to the authors of *Rethinking Urban Parks*, “racist ideology and practices underlie the cultural processes and forms of exclusion we describe in urban parks and beaches. We intend this work to be antiracist at its core, and to contribute to a better understanding of how racism, as a system of racial advantage/disadvantage, configures everyday park use and management.”¹⁵⁴

Despite cutbacks in enforcement of civil rights protections in federal courts, it is important to keep in mind that both intentional discrimination and unjustified discriminatory impacts remain unlawful under federal and state law. As a matter of simple justice, it is unfair to use public tax dollars to subsidize discriminatory intent and discriminatory impacts.¹⁵⁵ Recipients of federal and state funds like the City of Los Angeles and park and recreation agencies remain obligated to prohibit both.

The planning and administrative processes are available to achieve compliance with civil rights laws and overcome discriminatory impacts. The California Coastal Commission took such a step when it required Malibu to maximize public access to the beach while ensuring the fair treatment of people of all races, cultures, and incomes.¹⁵⁶ State civil rights and environmental justice protections can be enforced and strengthened, such as California’s Government Code section 11135 and the statutory environmental justice definition. The same kinds of evidence can be as persuasive in the planning process, administrative arena, and court of public opinion, as in a court of law. Similar evidence is relevant to prove both discriminatory intent and discriminatory impact. Known discriminatory impact – whether known in advance or after the fact – continues to be among the most powerful evidence to establish discriminatory intent. Civil rights and environmental impacts can be analyzed together to alleviate unfair disparities in access to parks and recreation and achieve compliance with both bodies of laws.

Elected officials should be increasingly sensitive to, and held accountable for, the impact of their actions on communities of color, especially now that people of color are in the majority in forty-eight out of the 100 largest cities in the country.¹⁵⁷

These are some of the tools that advocates and activists have successfully relied on in creating the great urban parks in Los Angeles, and keeping public lands public for all.

IX. PRINCIPLES AND RECOMMENDATIONS

Natural public places, including parks, school fields, rivers, beaches, forests, mountains, and trails, are a necessary part of any urban infrastructure for healthy, livable communities. We recommend the following principles to ensure that everyone—especially people of color and others in low-income communities—benefits equally from infrastructure investments in natural public places.¹⁵⁸

Principle 1. Infrastructure decisions involving natural public places have widespread impacts on health, housing, development, investment patterns, and quality of life. The process by which those decisions are reached, and the outcomes of those decisions, must be fair and beneficial to all.

Principle 2. Infrastructure investments should be guided by a regional vision for a comprehensive web of communities, parks, schools, beaches, forests, rivers, mountains, and transit to trails to achieve results that are equitable; promote human health, the environment, and economic vitality; and serve diverse community needs.

Principle 3. Infrastructure areas should be planned together in complementary rather than conflicting ways to serve health, education, and human service needs; to fulfill critical governmental and societal responsibilities; and to produce equitable results. For example, green parks can be used as flood control basins and can clean water and mitigate polluted storm water runoff. Shared use of schools and parks can provide places and policies for physical activity and healthy eating to improve health. Transit can provide access to trails.

Principle 4. Budget priorities within infrastructure areas should be thoroughly assessed through an equity lens. For example, there is a need for both active and passive recreation in natural public places. Urban and wilderness park advocates should work together rather than at cross purposes. Schools must develop the body and mind of the child through physical education as well as academics.

Principle 5. Employment and economic benefits associated with building and maintaining infrastructure, including parks, schools, and other natural public places, should be distributed fairly among all communities. Local jobs with livable wages should go first to local residents. Job training should be provided for those who need it to qualify for jobs. There should be a level playing field for small, women, and minority business enterprises. Affordable housing should be provided near parks and schools that are revitalizing neighborhoods, in order to prevent gentrification.

Principle 6. Revenues to support infrastructure improvements, including parks, schools, and other natural public places, should be collected and allocated fairly to distribute the benefits and burdens of these projects. Resources for parks and recreation should be allocated to overcome the continuing pattern and history of unfair park, school, and health disparities.

Principle 7. Infrastructure decision-making should be transparent and include mechanisms for everyone to contribute to the planning and policymaking process. For example, citizenship, voter registration, and get out the vote drives can engage new voters – young people, immigrants, and others -- to elect officials and decide ballot measures. Full environmental impact reports and statements, and health impact assessments, for parks and schools should be required to provide full and fair information and enable effective public participation. Audits and reports on bond funds and park agencies can illuminate inequities and provide blueprints for reform. Community oversight bodies should review infrastructure investments. Litigation is a profoundly democratic means of providing access to justice and the fair distribution of public resources, particularly for traditionally disempowered communities. Public officials and foundations should recognize this and support and fund such litigation. The Cornfield and Taylor Yard would not be parks but for litigation, and those victories spawned the diverse movements that have produced additional public land and resource bond victories.

Principle 8. Standards for measuring equity and progress should be articulated and implemented to hold agencies accountable for building healthy, livable communities for all.

Principle 9. In making infrastructure investments and decisions involving natural public places, recipients of federal and state funds should proactively comply with federal and state laws designed to achieve equal access to public resources, including Title VI of the Civil Rights Act of 1964 and its implementing regulations, California Government Code 11135, and the California statutory definition of environmental justice. Compliance with civil rights and environmental laws should be combined.

Principle 10. Government agencies and the philanthropic community must dedicate resources to enable community based organizations to serve their communities and actively participate in infrastructure planning and investments.

X. CONCLUSION

In 1930, Los Angeles threw away the opportunity to implement a regional vision for parks, playing fields, and beaches for the Los Angeles region. Over 75 years later, Los Angeles has a historic opportunity to restore part of the lost beauty of the region and to achieve equal access to parks and recreation. Billions of dollars of park, school, water, and other infrastructure bonds are available. Various agencies are implementing park, school, and river plans that will shape Los Angeles for generations to come. Applying the principles, recommendations, and laws above to achieve equitable infrastructure investments will create healthy, livable, communities for all.

1. Robert García is Executive Director and Counsel of The City Project in Los Angeles, California, and Aubrey White is Program Director. Amanda Recinos, Associate Director of GreenInfo Network and a GIS specialist, prepared the maps and statistics in this Report. Robert García has been an attorney or advocate in the Cornfield, Taylor Yard, Baldwin Hills, Ascot Hills, Los Angeles River, Canyon Back, Millard, and Malibu, and Bruce's Beach matters discussed below. He served as Chairman of the LAUSD School Bond Citizens' Oversight Committee from 2000 to 2005.

2. Robert García and The City Project have worked and published extensively on equal access to parks, school fields, rivers, beaches, forests, transportation, and related issues at the intersection of equal justice, democracy, and livability. *See generally* Robert García and Erica Flores, *Anatomy of the Urban Park Movement: Equal Justice, Democracy and Livability in Los Angeles* [hereinafter *Urban Parks Movement*], in *THE QUEST FOR ENVIRONMENTAL JUSTICE: HUMAN RIGHTS AND THE POLITICS OF POLLUTION* 145 (Robert Bullard, ed., 2005); Robert García et al., *We Shall Be Moved: Community Activism As a Tool for Reversing the Rollback* [hereinafter *We Shall Be Moved*], in *AWAKENING FROM THE DREAM: PURSUING CIVIL RIGHTS IN A CONSERVATIVE ERA* 329 (Denise C. Morgan et al., eds., 2005); Robert García and Thomas A. Rubin, *Crossroad Blues: The MTA Consent Decree and Just Transportation*, in *RUNNING ON EMPTY: TRANSPORT, SOCIAL EXCLUSION, AND ENVIRONMENTAL JUSTICE* 221 (Karen Lucas, ed., 2004); Robert García and Erica Flores Baltodano, *Free the Beach! Public Access Equal Justice, and the California Coast*, 2 *STANFORD JOURNAL OF CIVIL RIGHTS AND CIVIL LIBERTIES* 142 (2005) [hereinafter *Free the Beach!*]; Robert García and Erica Flores Baltodano, *Healthy Children, Healthy Communities, and Legal Services*, published in a special issue on Environmental Justice for Children in the *Journal of Poverty Law and Policy* by the National Center on Poverty Law and the Clearinghouse Review (May-June 2005) [hereinafter *Healthy Children, Healthy Communities, and Legal Services*]; *Healthy Children, Healthy Communities: Schools, Parks, Recreation, and Sustainable Regional Planning*, 31 *FORDHAM URB. L.J.* 101 (2004) (Symposium on Urban Equity); ROBERT GARCÍA, ERICA S. FLORES, JULIE EHRLICH, *POLICY REPORT, THE CORNFIELD AND THE FLOW OF HISTORY* (2004), available at www.cityprojectca.org/publications/index.html; *See generally* ROBERT GARCÍA, ET AL., *DREAMS OF FIELDS: SOCCER, COMMUNITY, AND EQUAL JUSTICE* 17 (2002); available at www.cityprojectca.org/publications/index.html.

3. This Report will often use the shorthand term "parks and recreation" to refer to parks, school fields, rivers, beaches, forests, and other natural public places.

4. SETHA LOW, DANA TAPLIN, & SUZANNE SCHELD, *RETHINKING URBAN PARKS: PUBLIC SPACE AND CULTURAL DIVERSITY* 210 (2005) (hereinafter *RETHINKING URBAN PARKS*).

5. Jane Lawler Dye and Tailiese Johnson, U.S. Census Bureau, *A Child's Day 2003: Selected Indicators of Child Well-Being Table D29* (Jan. 2007) ("*A Child's Day*"), available at www.census.gov/population/www/socdemo/wellbeing.html.

6. 33% of Hispanic children in suburban areas were kept inside because of perceived dangers, followed by 25% of Blacks and 15% of non-Hispanic Whites. The number of Asian respondents in metropolitan areas outside central cities was not statistically significant. *Id.* at 19-20.

	Safe Place to Play	Kept Inside/Cities Under 18	Kept Inside/Suburbs Under 18
Non-Hispanic White	87%	25%	15%
Hispanic	68%	48%	33%
African American	71%	39%	25%
Asian	81%	24%	N/A

7. Non-Hispanic White children were most likely to participate in sports – 45% of both 6- to 11- and 12- to 17-year-old children, compared to 26% and 42% of Asians; 24% and 35% of blacks; and 21% and 35% of Hispanics. Only 26% of 6- to 17-year-old children in poverty participated in after school sports, compared to 46% living at twice the federal poverty level or higher. *Id.* at 13-14.⁷ (See chart on next page.)

	Sports ages 6-11	Sports ages 12-17
Non-Hispanic White	45%	45%
Hispanic	21%	35%
African American	24%	35%
Asian	26%	42%
Poverty	26%	26%
2X poverty level	46%	46%

8. *Id.* at 13, citing Joseph Mahoney, “School Extracurricular Activity Participation as a Moderator in the Development of Antisocial Patterns,” 71 *Child Development* 502-16 (2000), and National Institute of Child Health and Human Development Early Child Care and Youth Development Research Network (NICHD), “Are Child Developmental Outcomes Related to Before- and After-School Care Arrangements? Results From the NICHD Study of Early Child Care,” 75 *Child Development* 284-95 (2004).

9. Evan George, *Browning the Green Movement*, L.A. ALTERNATIVE, Sept. 15, 2006, available at www.cityprojectca.org and www.laalternative.com/index.php/2006/09/15/browning-the-green-movement.

10. *Id.*

11. Olmsted Brothers & Bartholomew and Associates, *Parks, Playgrounds and Beaches for the Los Angeles Region 1* (1930) [hereinafter OLMSTED REPORT], reprinted in GREG HISE & WILLIAM DEVERELL, *EDEN BY DESIGN* (2000). The City Project's digital edition of the Olmsted vision is available at <http://www.clipi.org/images/g-olmstedlarge.jpg>.

12. See, e.g., OLMSTED REPORT at 129.

13. *Id.* at 85-88, 92-93.

14. *Id.* at 14-16.

15. *Id.* at 13-14, 35-43.

16. *Id.* at 22.

17. *Id.* at 16.

18. See HISE & DEVERELL, *supra*, at 7-56; Mike Davis, *How Eden Lost Its Garden*, in *ECOLOGY OF FEAR* 59-91 (1998).

19. L.A. TIMES, “How Propositions 40 and 45 Fared Among Voters,” Mar. 7, 2002 (statewide exit poll).

20. Exit poll and turnout study by the William C. Velazquez Institute (WCVI), www.wcvi.org/press_room/press_releases/2006/exitpoll_caProp842006.htm.

21. JENNIFER WOLCH, JOHN WILSON & JED FEHRENBACH, *PARKS AND PARK FUNDING IN LOS ANGELES: AN EQUITY MAPPING ANALYSIS* (2002).

22. MARK BALDASARE, PUBLIC POLICY INSTITUTE OF CALIFORNIA STATEWIDE SURVEY: SPECIAL SURVEY ON CALIFORNIANS AND THE ENVIRONMENT vi (June 2002).

23. Los Angeles County Children’s Planning Council, 2006 Children’s ScoreCard (hereafter “ScoreCard”) at 19, citing the Los Angeles County Children’s Planning Council, Los Angeles County Chief Administrative Office and Inter-Agency Operations Group, “Los Angeles County Forum Findings, August 2005.” The ScoreCard appears at www.childrensplanningcouncil.org.

24. ScoreCard at 20.

25. James Ricci, *A Park with No Name (Yet), but Plenty of History*, L.A. TIMES MAGAZINE, July 15, 2001; Jesus Sanchez L.A.’s *Cornfield Row: How Activists Prevailed*, L.A. TIMES, April 20, 2001, at A1. See generally García, *Urban Park Movement*, *supra*; Paul Stanton Kibel, *Los Angeles’ Cornfield: An Old Blueprint for New Greenspace*, 23 *STANFORD ENVIRONMENTAL LAW JOURNAL* 275 (2004).

26. Chi Mui, *Civil Rights Hero*, www.cityprojectca.org/blog/archives/276.

27. Miguel Bustillo, *State, Youth Sports Advocates Clash Over Best Use of Parks*, L.A. TIMES, Dec. 22, 2002.

28. Lisa Richardson, *Fighting This Conservancy Won’t Be a Walk in the Park*, L.A. TIMES, Oct. 22, 2004.

29. Miguel Bustillo, *Former Foes Unite behind a Proposal to Turn Old Reservoir Site into Park*, L.A. TIMES, Jan. 15, 2004.

30. Gordon Smith, *Refurbishing L.A.’s Soul*, DAILY BREEZE, Dec. 6, 2006, at A1.

31. ROBERT GARCÍA, ERICA S. FLORES, JULIE EHRLICH, POLICY REPORT, *THE CORNFIELD AND THE FLOW OF HISTORY* (2004), available at www.cityprojectca.org/publications/index.html; Cornfield State Park Advisory Committee, *Recommendations Report: A Unified Vision for Cornfield State Park*, Appendix I: Cultural, Historical, and Recreational Links (2003), available at www.parks.ca.gov/pages/21299/files/recommendationsreport.pdf.

32. *RETHINKING URBAN PARKS*, *supra*, at 203-04.

33. Jessica Garrison, *Hikers, Homeowners Are at Odds Over Trails*, L.A. TIMES, May 10, 2006.

34. Jessica Garrison, *Developers and Hikers Settle Access Dispute*, L.A. TIMES, July 26, 2006.

The suits involving Canyon Back and Millard relied on laws providing that trails that were public for five years before 1972 are to remain public. See *Gion v. City of Santa Cruz*, 2 Cal. 3d 29, 38 (1970); *Friends of the Trails v. Blasius*, 78 Cal. App. 4th 810, 820-822 (2000). Park agencies should publish inventories of such trails to avoid evidentiary problems as time goes by.

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35. Editorial, *Settle La Vina Access Issue*, PASADENA STAR NEWS, Nov. 21, 2005. See Louis Sahagun, *Canyon Neighbors Gird for Another Legal Battle*, L.A. TIMES, Jan. 18, 2005.
 36. See generally García, *Free the Beach!*, *supra*.
 37. The beach bulldozing drew international attention. Kenneth R. Weiss and Amand Covarrubias, *Battle over Broad Beach Takes New Turn, With Earthmoving Equipment*, L.A. TIMES, June 9, 2005, at B3; Jamie Wilson, *Bulldozer Tactics by Malibu's Super-rich*, THE GUARDIAN (LONDON), June 10, 2005, at 17.
 38. *Cal. Coastal Comm'n v. Trancas Property Owners Association*, Case No. SC 086150 (Ca. Superior Court L.A. County July 6, 2005). The matter remained scheduled for trial on liability and fines of up to \$15,000 a day as of January 2007.
 39. See Letter from Robert García, et al., to California Coastal Commission re: *Commission Cease & Desist Order No. CCC-05-CD-9 (Trancas Property Owners Association, Malibu)* (Aug. 8, 2005) (on file with The City Project); Sara Lin, *Public's Use of Beach Is Affirmed: Malibu homeowners group must forgo signs and security guards, coastal panel says*, L.A. TIMES, Aug. 15, 2005, at B1.
 40. Kenneth R. Weiss, *Mogul Yields Beach Access to Public*, L.A. TIMES, April 15, 2005; Kenneth R. Weiss, *Geffen to Reimburse \$300,000*, L.A. TIMES, April 16, 2005. The City of Malibu dropped out of the suit earlier.
 41. Daryl Kelley, *Visitors to Park Are Told Not to Take a Hike*, L.A. TIMES, Aug. 19, 2005 at B1.
 42. Telephone conversation with agency official, June 16, 2005.
 43. U.S. Census 2000 data available at www.factfinder.census.gov and compiled by Greeninfo Network for The City Project.
 44. ScoreCard at 8.
 45. See Maps 401-903 and accompanying Charts and Graphs.
 46. California Center for Public Health Advocacy, *An Epidemic: Overweight and Unfit Children in California Assembly Districts* (Dec. 2002).
 47. Cal Dep't. of Ed. website, at www.cde.ca.gov/ta/tg/pf/index.asp; Cara Mia DiMassa, *Here's the Skinny: Most Students Aren't*, L.A. TIMES, Nov. 25, 2004.
 48. California Center for Public Health Advocacy, Press Release (June 6, 2006), on file with The City Project.
 49. García, *Healthy Children, Healthy Communities, and Legal Services*, *supra*, at 57.
 50. Obtaining information about which schools have five acres or more of field space is difficult. It took years for LAUSD to produce the information to The City Project, and LAUSD does not guarantee its accuracy. USC students researching other school districts in Los Angeles County (there are 80) were not readily able to obtain such information from the districts, and were forced to locate and measure school fields using web satellite images and field checks. They found that school districts with five acres or more of school fields are in disproportionately white and wealthy areas, except for Compton, but those schoolyards were generally in worse condition and had less green space. Amelia Canright, Tyler Claxton, Yukai Hong, Christina Jackson, University of Southern California Geography Department, *Disparity in Recreational Space Throughout School Districts of Los Angeles County* (2006) (on file with The City Project).
 51. Testimony and Powerpoint presentation by Michael Strumwasser, an attorney for LAUSD, before the LAUSD Citizens' School Bond Oversight Committee, November 17, 2004.
 52. Juliet Howland, Francine Young, Jon Erdsieck, Bunny Tucker, University of Southern California Geography Department, *Access to Recreational Space: Joint Use Agreements in the Los Angeles Unified School District* (2006) (on file with The City Project).
 53. WILLIAM DEVERELL, *WHITWASHED ADOBE* 93 (2004). Major works about the Los Angeles River include JOE LINTON, *DOWN BY THE LOS ANGELES RIVER* (2005); BLAKE GUMPRECHT, *THE LOS ANGELES RIVER: ITS LIFE, DEATH, AND POSSIBLE REBIRTH* (1999); LEWIS MACADAMS, *THE RIVER: BOOKS ONE, TWO, & THREE* (2005); and D.J. WALDIE, *WHERE WE ARE NOW: NOTES FROM LOS ANGELES* (2004).
 54. See also Maps 1002-1010. For example, within three miles of the river *outside* the City, 60% of the population is Hispanic, 10% is black, 43% of children live in poverty, and the median household income is \$34,751. Within three miles of the river *within* the City, 49% of the population is Hispanic, 5% is black, 35% of children live in poverty, and the median household income is \$41,681. Total acres of parks per thousand residents is higher within than outside the City (8.3 versus 5.6), while net acres are about the same (5.4 versus 5.6) within and outside the City.
 55. The County's Los Angeles River Plan is available at http://ladpw.org/wmd/watershed/LA/LA_River_Plan.cfm.
 56. The County's San Gabriel River Plan is available at <http://ladpw.org/wmd/watershed/sg/mp>.
 57. State and federal clean water laws, CEQA, and NEPA provide the framework for environmental restoration,

revitalization and development along the Los Angeles and San Gabriel Rivers. *See, e.g.*, Federal Water Pollution Control Act, 33 U.S.C. §1313(a) et seq.; Porter-Cologne Act, Cal. Water Code §13000 et seq.; National Environmental Policy Act (NEPA), 42 U.S.C. § 4321; California Environmental Quality Act (CEQA), Cal. Pub. Resources Code, § 21000 et seq.). Civil rights laws are discussed below.

58. The Baldwin Hills Estates Homeowners' Association, Inc., Baldwin Hills Village Garden Homes Association, United Homeowners Association, Village Green Owners Association, and Concerned Citizens of South Central Los Angeles filed a complaint in intervention against the city of Los Angeles in 2001, alleging that sewage spills and nuisance odors violated the Clean Water Act, 33 U.S.C. § 1311(a), and/or the terms and conditions of National Pollution Discharge Elimination System ("NPDES") permits. Plaintiffs represented residents in Baldwin Hills, Crenshaw, Leimert Park, and South Central Los Angeles, which are disproportionately communities of color or low income communities. After conceding liability for certain spills, the city agreed to invest over \$2 billion to eliminate or mitigate the odors in 2004 as part of an agreement settling a broader clean water suit by the United States, the State of California, the California Water Quality Control Board, and Santa Monica Baykeeper. *See* Settlement Agreement and Final Order, Civil Actions No. 01-191-RSWL and 98-9039-RSWL (2004).

59. Phone survey by the William C. Velazquez Institute, September 2006, available at http://www.wcvi.org/latino_voter_research/polls/ca/2006/lariverpoll_91106.html.

60. *Id.*

61. *See also* Maps 1102-1110, Chart 1201C. There is a higher percentage of Hispanics and Asian/Pacific Islanders compared to the county as a whole. A higher percentage of people live in poverty. The percentage of people with a high school education or less is greater. However, the median household income is higher, and a higher percentage have access to a car.

62. WOLCH, PARKS AND PARK FUNDING IN LOS ANGELES, *supra*.

63. The audit of Recreation and Parks is available in three parts at www.cityprojectca.org/blog/wp-content/fiscalmanagementCityParks11102005_01.pdf; www.cityprojectca.org/blog/wp-content/RecreationandCommunityServicesAudit.pdf; and www.cityprojectca.org/blog/wp-content/MaintanceAudit01092006.pdf.

64. Performance Audit of Recreation and Community Services in the Department of Recreation and Parks, Jan. 6, 2006, at 10, available at www.cityprojectca.org/blog/wp-content/RecreationandCommunityServicesAudit.pdf.

65. David Johnston, *Dead Parks*, L.A. TIMES, Sept. 3, 1987.

66. Shirley Leung, *Riordan Seeks More Funds for Urban Core*, WALL STREET JOURNAL, April 28, 1999.

67. Jocelyn Stewart, *Officials Resort to Creativity to Meet Need for Parks*, LOS ANGELES TIMES, June 15, 1998. *Accord*, Shirley Leung, *Riordan Seeks More Funds for Urban Core*, WALL STREET JOURNAL, April 28, 1999.

68. *Id.*

69. For a comprehensive study of equal access to public beaches, *see generally* García, *Free the Beach!*, *supra*.

70. Mark Baldassare, *Special Survey on Californians and the Environment: Ignoring Environmental, Coastal Concerns Could Be Perilous for California Politicos in 2006 Election Year* (Feb. 23, 2006) (on file with The City Project).

71. *Id.*

72. National Ocean Economics Program, *California's Ocean Economy*, Report to the Resources Agency, State of California 1 (July 2005).

73. *Id.* at 7.

74. The Coastal Commission has published a guide only for public beaches along Broad Beach in Malibu. The Commission should publish a similarly detailed guide to all public beaches in Los Angeles County and the state. The guide is available at www.cityprojectca.org/pdf/broadbeachaccess.pdf. On beach access, *see generally* Olena Horcajo, Jennifer McCard, Brian Selogie, & Ryan Terwilliger, University of Southern California Geography Department, *Taking Back the Beach: An Evaluation of Beach Access Issues Along the Los Angeles County Coastline* (2006), on file with The City Project and forthcoming at www.cityprojectca.org.

75. Timothy Egan, *Owners of Malibu Mansions Cry, "This Sand Is My Sand,"* N.Y. TIMES, Aug. 25, 2002, p. 1.

76. Demographics of Coastal Communities in Los Angeles County

Community	Total Population	Non-Hispanic White	Latino	Asian	Median Household Income
Malibu	18,528	85%	6%	3%	\$102,052
Pacific Palisades	17,143	89%	4%	5%	\$125,711
Santa Monica	54,341	74%	12%	6%	\$50,435
Venice (Ocean Park)	24,639	61%	24%	3%	\$48,101
Marina del Rey	14,837	80%	6%	7%	\$74,444
Playa del Rey	16,830	70%	11%	8%	\$67,651
El Segundo	15,970	78%	10%	7%	\$61,385
Manhattan Beach	29,017	86%	5%	5%	\$102,739
Hermosa Beach	18,442	85%	7%	4%	\$81,883
Redondo Beach	27,107	77%	10%	8%	\$61,142
Torrance	11,026	80%	7%	10%	\$72,920
Palos Verdes Estates	13,340	76%	3%	17%	\$123,996
Rancho Palos Verdes	21,525	64%	4%	25%	\$104,552
Rolling Hills	1,871	77%	5%	14%	\$200,001
L.A. Harbor	34,878	58%	28%	4%	\$51,482
Long Beach	100,920	47%	31%	9%	\$41,587
L.A. County (for comparison)	9,519,338	49%	45%	12%	\$42,289
California (for comparison)	33,871,648	60%	32%	11%	\$47,493

Scott Anderson & Mike Godfrey, University of Southern California Geography Department, *Coastal Demographic: Los Angeles Pilot Project 1-2* (2003) (on file with The City Project). The study analyzed beach communities from Malibu to Long Beach using 2000 census tracts within approximately one mile from the coast. The household income is an average of the median household incomes within one community as defined by the study. The tracts containing Los Angeles International Airport and Long Beach Harbor were omitted because they contained negligible data.

77. John H. M. Laslett, *Historical Perspectives: Immigration and the Rise of a Distinctive Urban Region, 1900-1970*, in *ETHNIC LOS ANGELES 54* (Roger Waldiner and Mehdi Bozorgmehr eds., 1996).

78. Garcia, *Free the Beach!*, *supra*, at 197-98.

79. Chart 701C.

80. *Id.* Six to ten acres has been the National Recreation and Park Association standard. See GEORGE FOGG, PARK, RECREATION AND LEISURE FACILITIES SITE PLANNING GUIDELINES (Alexandria, VA: National Recreation and Park Association, 2005); JAMES D. MERTES & JAMES R. HALL, PARK, RECREATION, OPEN SPACE AND GREENWAY GUIDELINES (Alexandria, VA: National Recreation and Park Association, 1995).

81. United States Department of Agriculture, Forest Service, Draft Environmental Impact Statement for Revised Land Management Plans for the Angeles, Cleveland, Los Padres, and San Bernardino National Forests (May 2004) at 3-58 (“DEIS”), on file with The City Project.

82. Race/Ethnicity of Visitors to the Angeles National Forest (2000 Survey). Source: U.S. Forest Service, www.losangelesalmanac.com/topics/Parks/pa07.htm.

83. See generally Robert Garcia, Notice of Appeal of Final Environmental Impact Statement and Land Management Plans for Four Forests of Southern California (July 20, 2006), on file with The City Project.

84. The Report recognized the need to incorporate the Angeles National Forest, the San Gabriel and San Bernardino Mountains, and other outlying areas, including Catalina Island, to serve the recreation and open space needs of Los Angeles

County. *Id.* at 85-88, 92-93.

85. See generally Robert García and Thomas A. Rubin, *Cross Road Blues: Transportation Justice and the MTA Consent Decree*, chapter in Karen Lucas, ed., *Running on Empty: Transport, Social Exclusion and Environmental Justice* 221-56 (2004).

86. Ron Frescas, Chris Martin, and Christine Steenken, University of Southern California Geography Department, *Public Transportation to Local National Forests* (2004), available at cityprojectca.org/publications/transportation.html.

87. Mike Agrimis, et al., University of Southern California Geography Department, *Equity and Beach Access in Los Angeles* (2003) (on file with The City Project). The study identified departure points in heavily Latino, African-American, and low-income communities.

88. OLMSTED REPORT at 13-14, 35-43.

89. See generally ROBERT GARCÍA, ET AL., POLICY REPORT, DREAMS OF FIELDS: SOCCER, COMMUNITY, AND EQUAL JUSTICE 17 (2002), available at www.cityprojectca.org/publications/index.html.

90. Anastasia Loukaitou-Sideris, *Urban Form and Social Context: Cultural Differentiation in the Uses of Urban Parks* [hereinafter *Urban Form and Social Context*], 14 J. PLANNING & ED. & RESEARCH 89, 100-02 (1995). See also Anastasia Loukaitou-Sideris & Orit Stieglitz, *Children in Los Angeles Parks: A Study of Equity, Quality, and Children Satisfaction with Neighborhood Parks*, 73 (4) TOWN PLANNING REV. 1-6 (2002).

91. Loukaitou-Sideris, *Urban Form and Social Context*, *supra*, at 92-96.

92. See generally ALISON H. DEMING & LAURET E. SAVOY, ED., THE COLORS OF NATURE: CULTURE, IDENTITY, AND THE NATURAL WORLD (2002); RETHINKING URBAN PARKS, *supra*, at 40-43; Deborah J. Chavez, *Mexican-American Outdoor Recreation: Home, Community & Natural Environment*, proceedings paper, Hawaii International Conference on Social Sciences 5, 41-43 (2003); Deborah J. Chavez, *Adaptive Management in Outdoor Recreation: Serving Hispanics in Southern California*, 17 (3) WEST. J. APPLIED FORESTRY 132 (July 2002); Deborah S. Carr & Deborah J. Chavez, *A Qualitative Approach to Understanding Recreation Experiences: Central American Recreation in the National Forests of Southern California in CULTURE, CONFLICT, AND COMMUNICATION IN THE WILDLAND-URBAN INTERFACE* 181, 184-94 (A.W. Ewert, D.J. Chavez, A.W. Magill eds., 1993); Patrick T. Tierney, et al., USDA, Forest Service, Pacific Southwest Research Station, *Cultural Diversity of Los Angeles County Residents Using Undeveloped Natural Areas* 5 (1998).

93. See generally RETHINKING URBAN PARKS, *supra*, at 40-43; *Mexican-American Outdoor Recreation*, *supra*, at 2.

94. See Regina Austin, *"Not Just for the Fun of It!": Governmental Restraints on Black Leisure, Social Inequality, and the Privatization of Public Space*, 71 S. CAL. L. REV. 667, 694, 711-12 (1998).

95. On the use of statistical evidence to show adverse disparate impact under civil rights laws, see, e.g., *Hazelwood School Dist. v. U.S.*, 433 U.S. 299, 306-13 and note 14 (1977).

96. WOLCH, PARKS AND PARK FUNDING IN LOS ANGELES, *supra*.

97. OLMSTED REPORT, *supra*, at 47-58.

98. The Heritage Parkscape will commemorate this history. See generally ROBERT GARCÍA, ERICA S. FLORES, JULIE EHRLICH, POLICY REPORT, THE CORNFIELD AND THE FLOW OF HISTORY (2004), available at www.cityprojectca.org/publications/index.html. See also WILLIAM ESTRADA, SACRED AND CONTESTED SPACE: THE LOS ANGELES PLAZA (Ph. D. dissertation 2003), on file with The City Project.

99. The original Pobladores included blacks and mulattos. A black man, Francisco Reyes, served as alcalde (mayor) of El Pueblo in 1793, almost two hundred years before Tom Bradley, the first black man elected mayor under statehood. Jean Bruce Poole & Tevvy Ball, *El Pueblo: the Historic Heart of Los Angeles* 11 (2002). The last Mexican governor of California before statehood, Pio Pico, was born of African, Native American, and European ancestry under a Spanish flag. *Id.* at 30-31. Biddy Mason, a prominent citizen and philanthropist of early Los Angeles, was born a slave in Mississippi. She gained her freedom in Los Angeles through a federal court order in 1856, just before the United States Supreme Court held in the *Dred Scott* case that slaves were chattel entitled to no constitutional protections because blacks had "no rights which the white man was bound to respect." *Scott v. Sandford*, 60 U.S. 393, 407 (1857). She helped found the First African Methodist Episcopal Church, one of the major African American churches in Los Angeles today. Dolores Hayden, *The Power of Place: Urban Landscapes as Public History* 168-87 (1997).

100. See generally DOUGLAS FLAMMING, BOUND FOR FREEDOM: BLACKS IN LOS ANGELES IN JIM CROW AMERICA 271-75, 303, 414 n.38 (2005); JOSH SIDES, L.A. CITY LIMITS: AFRICAN AMERICAN LOS ANGELES FROM THE GREAT DEPRESSION TO THE PRESENT 101 (2003); MIKE DAVIS, CITY OF QUARTZ 160-64 (1990); Davis, *supra*, at 59-91; California Department of Parks and Recreation, FIVE VIEWS: AN ETHNIC SITES SURVEY FOR CALIFORNIA 68-69 (1988). Professor Lawrence Culver has written a detailed analysis of the history of race and recreation in *The Garden and the Grid: A History of Race, Recreation, and Parks in the City and County of Los Angeles* (forthcoming 2007).

101. See generally IRA KATZNELSON, WHEN AFFIRMATIVE ACTION WAS WHITE (2005).

102. For example, the Federal Housing Administration Manual of 1938 states: "If a neighborhood is to retain stability, it is necessary that properties shall continue to be occupied by the same racial classes. A change in social or racial occupancy generally contributes to instability and a decline in values." See also Robert Liberty, "Abolishing Exclusionary Zoning: A Natural Policy Alliance for Environmentalists and Affordable Housing Advocates," 30 Boston College Environmental Affairs Law Review 581 (2003); DAVIS, CITY OF QUARTZ, *supra*, at 160-64; Davis, *supra*, at 59-91.

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103. 334 U.S. 1 (1948).
 104. 346 U.S. 249 (1953).
 105. JOSH SIDES, L.A. CITY LIMITS: AFRICAN AMERICAN LOS ANGELES FROM THE GREAT DEPRESSION TO THE PRESENT 101 (2003).
 106. *Id.* at 108.
 107. *Id.* at 21.
 108. *Id.*
 109. See García, *Free the Beach!*, *supra*, at 163-67, and authorities cited; Lisa McDivitt, A Park by Any Other Name, *Easy Reader* (July 13, 2006); Cecilia Rasmussen, L.A. Then And Now: Resort Was An Oasis For Blacks Until Racism Drove Them Out, *L.A. Times*, July 21, 2002; Letter from Robert García to Manhattan Beach Mayor and City Council re: New Bruces' Beach Plaque to Celebrate Proud Legacy of Black Los Angeles (Dec. 5, 2006), on file with The City Project).
 110. LEONARD PITT & DALE PITT, LOS ANGELES A TO Z: AN ENCYCLOPEDIA OF THE CITY AND COUNTY 313 (1997).
 111. *Id.* at 313-14.
 112. Malibu property restrictions recorded 1945 (on file with The City Project).
 113. Stan Bellamy, *My Mountain, My People Vol. I: Arrowhead!* 188 (2000).
 114. John W. Robinson, *The San Bernardinos* 127-32 (1989).
 115. U.S. Declaration of Independence. See also Cal. Const., art. I, § 1.
 116. *Declaration of the Rights of the Child*, Proclaimed by General Assembly resolution 1386 (XIV) of 20 November 1959, Principle 7; *United Nations' Convention on the Right of the Child*, General Assembly resolution 44/25 of 20 November 1989, Article 31.
 117. See generally García, *Healthy Children, Healthy Communities and Legal Service Providers*, *supra*, and authorities cited; RICHARD LOUV, LAST CHILD IN THE WOODS (2005).
 118. Eloisa Gonzalez, MD, MPH, L.A. County Dept. of Public Health, testimony Jan. 21, 2004, LAUSD Citizens' School Bond Oversight Committee. See generally Editorial, *The Schools Go Flabby*, L.A. TIMES, May 22, 2004; Jennifer Radcliffe, *Going to War against the Epidemic of Childhood Obesity*, L.A. DAILY NEWS, Jan. 27, 2004; Cara Mia DiMassa, *Campus Crowding Can Make PE a Challenge*, L.A. TIMES, Nov. 19, 2003.
 119. U.S. DEPT. HEALTH & HUMAN SERVICES, THE SURGEON GENERAL'S CALL TO ACTION TO PREVENT AND DECREASE OVERWEIGHT AND OBESITY 9-10 (2001).
 120. GOLD COAST COLLABORATIVE, A HEALTH CRISIS IN PARADISE 18 (Sept. 2003).
 121. *Id.* at 3.
 122. See U.S. Dept. of Health and Human Services and U.S. Department of Education, *Promoting Better Health for Young People Through Physical Activity and Sports*, available online at <http://www.cdc.gov/nccdphp/dash/presphysactrpt> (Fall 2001).
 123. U.S. DEPT. OF HEALTH AND HUMAN SERVICES, PHYSICAL ACTIVITY AND HEALTH: A REPORT OF THE SURGEON GENERAL [hereinafter SURGEON GENERAL, PHYSICAL ACTIVITY] 200 (1996); Patricia Barnes, *Physical Activity Among Adults: United States, 2000*, Advance Data, No. 333, U.S. Dept. Health and Human Services (May 14, 2003); POLICY LINK, REGIONAL DEVELOPMENT AND PHYSICAL ACTIVITY: ISSUES AND STRATEGIES FOR PROMOTING HEALTH EQUITY 9-12 (Nov. 2002) [hereinafter HEALTH EQUITY].
 124. B. Giles-Corti, et al. *The relative influence of individual, social and physical environment determinants of physical activity*, 54 SOC. SCI. & MED. 1793 (2002).
 125. See Richard J. Jackson, MD, MPH & Chris Kochtitzky, MSP, *Creating a Healthy Environment: The Impact of the Built Environment on Public Health*, SPRAWL WATCH CLEARINGHOUSE MONOGRAPH SERIES, PUBLIC HEALTH/LAND USE MONOGRAPH 5, available at <http://www.sprawlwatch.org/Jackson>; HEALTH EQUITY, *supra*, at 15.
 126. Jackson, *supra*, at 5.
 127. SURGEON GENERAL, PHYSICAL ACTIVITY, *supra*, at 7, 85-87, 90-91, 102-03, 110-12, 127-30, 135.
 128. U.S. Dept. of Health and Human Services and U.S. Department of Education, *Promoting Better Health for Young People Through Physical Activity and Sports* 7 (Fall 2001), at <http://www.cdc.gov/nccdphp/dash/presphysactrpt>.
 129. A. Faber Taylor, et al., *Coping with ADD: The surprising connection to green play settings*, ENV'T & BEHAVIOR 33, 54-77 (2001); A. Faber Taylor, et al., *Views of Nature and Self-Discipline: Evidence from Inner City Children*, J. ENV'T. PSYCH. (2001); SURGEON GENERAL, PHYSICAL ACTIVITY, *supra* note 133, at 135-36, 141.
 130. F. E. Kuo, *Coping with Poverty: Impacts of Environment and Attention in the Inner City*, 33 ENV'T. & BEHAVIOR, 5-34 (2001); C. M. Tennesen et al., *Views to Nature: Effects on Attention*, 15 J. ENV'T. PSYCH. 77-85 (1995); R. Kaplan, *Nature at the*

Doorstep: Residential Satisfaction with Nearby Environment, 2 *Journal of Architectural and Planning Research*, 115-27 (1985).

131. See Russell R. Pate et al., *Sports Participation and Health-Related Behaviors Among US Youth*, ARCHIVES PEDIATRICS & ADOLESCENT MED. (Sept. 2000); see also U.S. Dep't. of Health and Human Services, *Physical Activity Fundamental to Preventing Disease* [hereinafter *Physical Activity Fundamental*] 9 (June 20, 2002); *Gangs, Crime and Violence in Los Angeles: Findings and Proposals from the District Attorney's Office* (1992).

132. *Id.* See Loukaitou-Sideris & Stieglitz, *Children in Los Angeles Parks*, at 1-6.

133. Ca. Dep't of Ed., Press Release, Dec. 10, 2002.

134. WILLIAM G. BOWEN & SARAH A. LEVIN, ET AL., RECLAIMING THE GAME: COLLEGE SPORTS AND EDUCATIONAL VALUES (2003).

135. Loukaitou-Sideris & Stieglitz, *Children in Los Angeles Parks*, *supra*, at 1-6.

136. *Gangs, Crime and Violence in Los Angeles: Findings and Proposals from the District Attorney's Office* (1992).

137. *Id.*

138. See Loukaitou-Sideris, *Urban Form and Social Context*, *supra*, at 89-102; Jane Jacobs, *The Death and Life of Great American Cities* 89-111 (1992).

139. Julia Romano, *A Controversial Woman of Peace*, SANTA MONICA BAY WEEK, Nov. 21, 2002. According to the United States Catholic Conference, for example, Catholics show their respect for the Creator through stewardship and care for the earth as a requirement of their faith. United States Catholic Conference, Inc., Washington D.C. (1999). The United Nations has published an interfaith book of reflection for action. See LIBBY BASSETT, ET AL., EARTH AND FAITH (2000).

140. See video of Ms. Menchu at <http://cityprojectca.org/ourwork/menchutum.html>.

141. Patrick E. Tyler, *Kenyan Environmentalist Wins Nobel Prize for Peace*, N.Y. TIMES, Oct. 8, 2004.

142. See, e.g., Steve Lerner & William Poole, *The Economic Benefits of Parks and Open Spaces* 12, 13, 17, 20, 26 (1999).

143. See generally García, *Urban Parks Movement*, *supra*; García, *Free the Beach!*, *supra*; RETHINKING URBAN PARKS, *supra*, at 1-18; GARCÍA, *DREAMS OF FIELDS*, *supra*, at 17; Regina Austin, "Not Just for the Fun of It!: Governmental Restraints on Black Leisure, Social Inequality, and the Privatization of Public Space," 71 S. CAL. L. REV. 667, 711-12 (1998).

144. Professor Lakoff identifies six types of progressives with shared values: (1) socio-economic: issues are a matter of money and class; (2) identity politics: our group deserves its share now; (3) environmentalists: respect for the earth and a healthy future; (4) civil libertarians: freedoms are threatened and have to be protected; (5) spiritual progressives: religion and spirituality nurture us and are central to a fulfilling life; (6) anti-authoritarians: we have to fight the illegitimate use of authority. See GEORGE LAKOFF, DON'T THINK OF AN ELEPHANT! KNOW YOUR VALUES AND FRAME THE DEBATE (2004); GEORGE LAKOFF, MORAL POLITICS: HOW LIBERALS AND CONSERVATIVES THINK (2002).

145. *Leydon v. Town of Greenwich*, 257 Conn. 318 (2001). Environmental laws generally are cited in footnotes 34, 57, and 58 above. The policy and legal justifications for coastal access, including the public trust doctrine, the California Constitution, Cal. Const. Article X, Section 4, and the California Coastal Act, Cal. Pub. Resources Code § 30001.5(c), are comprehensively explored in García, *Free the Beach!*, *supra*.

146. *Guardians Ass'n v. Civil Service Comm'n*, 463 U.S. 582, 629 (1983) (Justice Marshall, concurring in part and dissenting in part).

147. 42 U.S.C. § 2000d (2004). Cf. 43 C.F.R. 7.30 (nondiscrimination statement for recipients of federal funds from the Department of Interior, which has jurisdiction over National Parks and other public lands). See also Executive Order 12,898 on Environmental Justice (Feb. 11, 1994). The Equal Protection Clause of the Fourteenth Amendment to the United States Constitution also prohibits intentional discrimination. See also Section 1983 of the Civil Rights Act of 1871.

148. See Cal Gov. Code § 11135 *et seq.*; 22 CCR § 9810.

149. Cal. Gov. Code § 65040.12.

150. Local Coastal Plan, *supra*, at 9.

151. Seema Mehta, *Land-Use Plan OK'd for Malibu*, L.A. TIMES, Sept. 14, 2002.

152. See Letter to California Coastal Commission from Robert García, et al., regarding Equal Access to California's Beaches (Sept. 12, 2002).

153. Letter from Office of the Secretary, United States Department of Housing and Urban Development, to Los Angeles Deputy Mayor Rocky Delgadillo Re: City of Los Angeles – Section 108 Application – Cornfields B-99-MC-06-0523, Sep. 25, 2000, on file with The City Project.

154. RETHINKING URBAN PARKS, *supra*, at X.

155. See, e.g., *Alexander v. Sandoval*, 532 U.S. 275 (2001); *Gonzaga Univ. v. Doe*, 536 U.S. 273 (2002).

156. Local Coastal Program, *supra*.

157. Brookings Institution, *Racial Change in the Nation's Largest Cities: Evidence from the 2000 Census* (2001).

158. These principles are adapted from the work on equitable strategies for infrastructure investment by PolicyLink and others. See, e.g., Victor Rubin, *Safety, Growth, and Equity: Infrastructure Policies that Promote Opportunity and Inclusion* 3 (PolicyLink 2006), www.policylink.org/pdfs/Safety_Growth_Equity.pdf. PolicyLink cites the struggle for the Cornfield as example of equity principles guiding urban park development. *Id.* at 11.



APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT

Received at Commission
Meeting

JUN 08 2017

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

From: _____

Coastal Commissioners: Bochco

200 Oceangate, Suite 1000

Long Beach, CA 90802

(562) 590-5071

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Long Beach
2. Brief description of development being appealed: Construction and operation of the Belmont Beach and Aquatic Center, an indoor/outdoor pool facility with adjacent café and restroom buildings.
3. Development's location (street address, assessor's parcel no., cross street, etc.):
4000 E. Olympic Plaza, City of Long Beach, Los Angeles County.
4. Description of decision being appealed:
 - a. Approval; no special conditions: _____
 - b. Approval with special conditions: XX
 - c. Denial: _____

NOTE: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-5-LOB-17-0032

DATE FILED: June 9, 2017

DISTRICT: South Coast

5. Decision being appealed was made by (check one):
- a. Planning Director/Zoning Administrator: _____
 - b. City Council/Board of Supervisors: X
 - c. Planning Commission: _____
 - d. Other: _____
6. Date of local government's decision: May 16, 2017
7. Local government's file number: 1405-01

SECTION III.

Identification of Other Interested Persons

Give the names and addresses of the following parties.
(Use additional paper as necessary.)

1. Name and mailing address of permit applicant:
 City of Long Beach
 333 West Ocean Boulevard, 13th Floor
 Long Beach, CA 90802
2. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.
 - a. _____

 - b. _____

 - c. _____

SECTION IV. Reasons Supporting This Appeal

The proposed project, as approved by the City, raises several substantial issues in regards to consistency with the certified LCP and the public access and recreation policies of the Coastal Act.

The approved 125,500 sq. ft. swimming pool complex, café, and 55,745 sq. ft. park on a 5.8-acre beachfront site in the Belmont Shore area of Long Beach constitutes new development that is not coastal dependent and would result in potential adverse impacts to existing public access and recreation opportunities in conflict with the public access and recreation policies of both the certified LCP and the Coastal Act. In addition, the project does not comply with the height restrictions for new development in the area and would result in potential adverse impacts to public views and visual resources in conflict with the policies and provisions of the City's LCP.

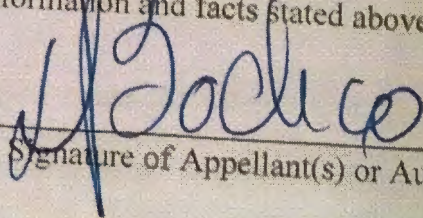
The primary issue raised by the project is that although the beach is currently wide enough that the structure would most likely be safe from wave action in the immediate future, given sea level rise, the new pool facility is expected to be directly subject to wave action and shoreline erosion during the structure's expected life. The project appears to be designed to likely ensure the structure's stability (from an engineering perspective) once the area of the beach where the seaward portion of the structure is located becomes inundated due to sea level rise; however, this would be achieved by utilizing a substantial foundation that would both extend not only below the expected scour level of the beach but would also be built up relatively high in elevation. This foundation itself would act effectively as a seawall in that it would fix the back of the beach (no landward migration of the sandy beach would be possible because the structure would "fix" the back of the beach and; thus, the seaward portion of the structure would eventually be expected to be located in the water with little or no sandy beach seaward of the pool facility) which, in the long run, could adversely impact public access along the beach inconsistent with the public access/recreation policies of the City's certified LCP, as well as the Coastal Act.

Commission staff has previously informed the City in multiple meeting, phone calls, and letters that the City should more fully evaluate relocating the facility to an area that would not be affected by sea level rise/wave action for the expected life of the development, consistent with the public access/recreation policies of the City's LCP and the Coastal Act, the Commission's Sea Level Rise Guidance Document, and with Section 30235 of the Coastal Act which the Commission interprets to mean that new development should be sited and designed to not require shoreline protective devices (or in the case, where the structure itself has been designed in a manner that the structure itself would effectively function as a shoreline protective device with the same potential impacts to the beach and public access).

In addition, the height of the 78 ft. high structure significantly exceeds the 25 ft. height limit for development on site pursuant to the City's LCP; thus, as approved by the City, the project would be inconsistent with the height limits for new development in this area and would result in potential adverse effects to visual resources along the coast inconsistent with the visual resource protection policies of the City's certified LCP.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

6/8/2017

Date

Signature of Appellant(s) or Authorized Agent

Date

Revised op-ed #3 with all links

Op-Ed: **#SwimmingOhSoWhite** - Belmont Pool Project is a Racial Justice Issue

By Anna Christensen, Guest Contributor

Calling for health equity, the Healthy Communities Policy of the City of Long Beach http://www.lbds.info/planning/healthy_communities_policy.asp acknowledges that “where a person lives has the greatest impact on their long-term health.” The \$103.7 million question is: does the Belmont Plaza Pool Revitalization Project prioritize health equity? Short answer - absolutely not. The city plans to build two Olympic-sized pools with amenities on the former site of the 3rd District's Belmont Plaza Olympic Pool. There are only two other public swimming pools in Long Beach, neither of which is Olympic-sized. The city has failed to build public pools in six of its nine city council districts, including the 9th District, which has both a high poverty rate and the city's largest African American population.

Why does this matter? A 2010 University of Memphis study found that 70% of African American children and nearly 60% of Hispanic children have low or no swimming ability, compared to 40% of white children. Noting that “swimming skills can be lifesaving,” the Centers for Disease Control and Prevention reported in 2010 that black youths ages 10-12 are ten times more likely to drown in pools than their white peers. American Indian, Asian American, and Hispanic youth are also more at risk.*1 Evidence supports a relationship between fewer opportunities to take swimming lessons and higher minority drowning rates. <http://scholarworks.bgsu.edu/ijare/vol4/iss1/3/> Nevertheless, the Belmont Pool Revitalization Project, which would more than double the size of the demolished facility, is to be located in the 3rd District, one of the city's whitest, wealthiest and least densely populated.*2 Simply put, keeping the city's best and largest pools in the 3rd District continues a long history of denying minority youth access to life-saving skills.

The well-documented legacy of segregated beaches, pools, and real estate in Southern California has galvanized environmental justice advocates. “Social norms of inclusion and exclusion operate in public spaces, including places of recreation....leading to the creation of leisure spaces that are identified as non-Hispanic, white or otherwise. Though not codified in law, public space in Los Angeles was “tacitly racialized” and there were many obstacles to the amenities of public life including beaches, swimming pools and parks. For example, blacks were not allowed in the pool in many municipal parks, and in other parks were allowed to swim only on ‘International Day,’ the day before the pool was cleaned.” <http://www.cityprojectca.org/ourwork/documents/StanfordFreetheBeach.pdf>. This same policy was known as “Mexican Day” where Latinos were the ones being discriminated against. Segregated public pools continued into the 1940s. In the 2014 Journal of Sport and Social Issues Dr. Jeff Wiltse writes, “Past discrimination casts a long shadow” due to limited access to swimming facilities and lessons “swimming never became integral to black Americans' recreation and sports culture and was not passed down from generation to generation as commonly occurred with whites.”

Is there a disconnect in how Long Beach sees itself? On the one hand, the Long Beach Community Action Partnership prioritizes needs such as food, housing, security and health; gathers statistics on racial and economic inequalities; and asks, “What can be done to overcome the ethnic disparities in Long Beach?”*5 On the other, local boosters join the chorus of the

competitive swimming community in proclaiming that the “Aquatic Capital of America.”* needs an iconic facility, equal to those our more affluent neighbors to the south.*4 Dan Arritt of ESPN notes that Wilson High School “keeps cranking out Olympians” because “when you spend your childhood just a five-minute drive from an aquatics complex as famed and friendly as Belmont Plaza Olympic Pool in Long Beach, California, chances are you strapped on swim goggles even before you slid on your first backpack.... Bringing the pool back in state-of-the art form should help keep Wilson's Olympic pipeline flowing. After all, there's no shortage of youngsters willing to make that five-minute trek.” http://espn.go.com/olympics/story/_/id/17165846/how-california-high-school-cranking-olympians-1952

It would appear that advocates for a bigger and better aquatics center, never considered challenging the status quo. At the first city council meeting on the project the majority of public speakers demanded only that a high dive be included. Our professional aquatics community is very much at home in the affluent neighborhood of Belmont Shore - four private swim clubs and one dive club operate out of the Belmont Pool.*6 Although recreational users claim that these private clubs limit public access, the city argues that revenue from these businesses is needed to maintain the facility.

Clearly the current project violates the city's own Healthy Communities Policy which recommends “prioritizing health equity,” especially in neighborhoods with historic barriers to “health, wellness, and safety.” However there is no mention of the Healthy Communities Policy in the Belmont Pool Draft EIR http://www.lbds.info/planning/environmental_planning/environmental_reports.asp nor are the city's demographics re minority and low-income populations referenced when considering public access to the facility. From its conception, and continuing through a “de facto” review process, certain constituencies are valued over others. The subtext of “community” is skewed to mean primarily members of the existing “aquatics community.” Both the site choice and the focus on competitive swim programs now appear to have been foregone conclusions, with validation provided by a Stakeholders Advisory Committee dominated by local aquatics professionals*7 Community meetings were held only in the 3rd District where citizen comments objecting to the project noting bias and lack of public input were dismissed.

One conflict apparent in the Draft EIR is that the stated project objective to “better meet the needs of the local community, region and state's recreational and competitive swimmers” is at odds with project objectives seeking “to locate the pool in an area that serves existing users” and to redevelop “the City owned site of the former Belmont Pool.” Another conflict is that funding the project with monies from Tidelands Operating Funds precludes construction in seven council districts.*8 Even assuming this funding restriction, one or both of the proposed Olympic-sized pools could be built downtown, providing the 2nd District with a much needed facility while also reducing the travel time for residents in other underserved districts. A downtown site would be more suitable for large competitions and more profitable, which would be helpful considering falling oil revenues have reduced available Tidelands Operating Funds to less than half of the estimated total cost of the pool expansion. *9

Could our elected leaders be blind to such a blatant display of excess and privilege? Or, because they want to be liked, do they simply look the other way? Will our newly elected 2nd District

council member, an activist and healthy communities advocate, work to locate at least one of the two proposed Olympic-sized pools in her district? Will residents of the other seven districts be invited to comment on the project, now in need of additional monies that could just as well be spent in their neighborhoods? One can only speculate as to how the general public would choose to spend its \$103.7 million. But certainly recreational teaching pools must be within walking distance or a single short bus ride, if our children are to be water safe.

As it stands, the Belmont Plaza Pool Revitalization Project favors the most entitled at the expense of the most vulnerable, thus privilege becomes prophecy. While Long Beach may want to become an aquatic capital, we must first be a healthy city where every resident can acquire life saving habits and skills. Instead of merely serving “existing users,” we must identify and reverse inequities, building swimming pools, parks, and playgrounds where they are most needed. The real future of aquatics includes growing champions in those communities denied an equal opportunity to compete and gain a life-saving skill - one that ensures that an increasingly diverse public will survive their dip in the pool and in the Pacific.

Anna Christensen was born in 1945 in Long Beach, where she also raised her children. An artist, she taught art at Lynwood High School for 19 years before retiring. For most of her life, she has been an activist, primarily for Native American rights and against militarism.

*1 file:///localhost/Users/mac/Desktop/untitled%20folder/Racial_Ethnic%20Disparities%20in%20Fatal%20Unintentional%20Drowning%20Among%20Persons%20Aged%20%E2%89%A429%20Years%20%E2%80%94%20United%20States,%201999%E2%80%932010.html#socialMediaContainer

*2 <http://www.longbeach.gov/ti/gis-maps-and-data/map-catalog/>

*3 Past and present slogans for Long Beach include: The International City, the Queen City, the Gateway to the Pacific, Opposites Attract, the Most on the Coast, Iowa by the Sea, The Queen of the Beaches

*4 “The City of Irvine operates year-round municipal programs in unique aquatic facilities. The world renowned William Woollett Jr. Aquatics Center provides a “world class” venue for local, regional and national competitive events and features two 50 meter pools and a 25 yard instruction pool. The Northwood Aquatics Center features a 50 meter pool. Aquatics activities include a combination of instructional, educational, recreational and competitive programs offered by the City and a number of local nonprofit aquatic organizations. The City’s Learn To Swim program is one of the largest municipal swimming programs in Southern California.” <http://www.cityofirvine.org/aquatics-centers>

*5 In Long Beach the median family income for Whites is almost twice that of African Americans and over twice that of Latino families. Only 10% of the Whites live below the poverty line compared to over a quarter of the African Americans and Latinos. In addition, for children under 18, only 9% of the Whites live in poverty compared to about a third of the African American and Latino children. <http://www.rethinklongbeach.org/resources/Ethnic+Disparities+in+Long+Beach.pdf>

*6 Shore Aquatics, Viking Aquatics, Beach Swim Club, Masters Swim Club, McCormick Divers

***7 Stakeholders Advisory Committee: Name /Affiliation / Background Interests Represented**

Frank Busch USA Swimming • Competitive swimming • Swimming skill development

John McMullen, Sr. Long Beach Resident • All stakeholders

Steve Foley USA Diving • Competitive diving • Diving skill development

Shawn Oatey Long Beach Resident • All stakeholders

Kathy Heddy Drum Long Beach Swimming Olympian • Competitive swimmers • Private swimming organizations renting pool

Kaia Hedlund Long Beach Resident • Competitive aquatics programs

Ryan Bailey Long Beach Water Polo Olympian • Water polo players • Private water polo organizations renting pool

Susan Miller Belmont Shore Residents Association • Resident interests

Raquel Bartlow Long Beach Competitive Diver • Divers • Private diving organizations renting pool

Dede Rossi Belmont Shore Business Association • Local business interests

John Norris Long Beach Resident • Recreational swimmers

Dick Miller Aquatics Capital of America • Aquatics Capital of America stakeholders

Lucy Johnson Long Beach Resident • Competitive aquatics programs

George Chapjian Parks, Recreation and Marine • Public Recreation Users

***8 \$103.1 Million Belmont Pool Project Swims Ahead With City Council ...**

www.gazettes.comwww.lbbj.com/manage/uploads/lbbj.../UnderstandingTidelands



*** This is a pdf, not a link**

***9 www.presstelegram.com/.../long-beach-forced-to-rethink-spending-due-to-falling-oil**

Everybody in the Pool Resolution, Long Beach Area Peace Network

Recognizing both the health and safety benefits of swimming instruction and community aquatics facilities, and the need to address ongoing issues of health equity, the Long Beach Area Peace Network recommends that the City of Long Beach:

1. Ensure equal access to public pools and swimming instruction for all residents in accordance with the goals of the Healthy Communities Policy of the City of Long Beach
2. Build and maintain a community pool in every city council district
3. Raise community awareness as to the health and safety benefits of swimming, water sports, and lifeguard training
4. Increase diversity and city-wide participation in public aquatics programs for youth including swimming lessons, water sports, sailing and boating, Jr. Lifeguarding, and aquatics day camps

We take this position because a significant number of children are not learning to swim and, as a consequence, drowning is a leading cause of accidental death among young people. Evidence supports a relationship between fewer opportunities to take swimming lessons and higher minority drowning rates. USA Swimming reports that 70% of African American children and nearly 60% of Hispanic children have low or no swimming ability, compared to 40% of white children. Noting that “swimming skills can be lifesaving,” the Centers for Disease Control and Prevention reported in 2010 that black youths ages 10-12 are ten times more likely to drown in pools than their white peers. American Indian, Asian American, and Hispanic youth are also more at risk. Long Beach, a majority-minority city, has no public pools in six of its nine districts.

We researched the modern history of swimming regarding public access to beaches and swimming pools and recognize that issues of diversity and equal opportunity must be addressed through public policy. We also reviewed best practices regarding drowning prevention and public health. Community pools and swimming instruction ensure equal access to lifesaving skills and lifelong health for all residents. If you build it, they will come and learn to swim, and some will love it so much they will become champions, or lifeguards, or surfers. So everybody in the pool!

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:53 PM
To: Dionne Bearden
Subject: FW: Belmont Pool Plan

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Denise Wilder <[REDACTED]>
Sent: Thursday, December 19, 2019 1:49 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Belmont Pool Plan

Dear Mr. Kinsey and Mr. Koontz,

I support the staff recommendations for our new Belmont pool.

Sincerely,

Denise Wilder

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 1:54 PM
To: Dionne Bearden
Subject: FW: Belmont pool

#1

From: Ashleigh S. Ferguson <ASFerguson@lbschools.net>
Sent: Thursday, December 19, 2019 1:44 PM
To: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Belmont pool

I support the staff recommendation for our new Belmont pool

Ashleigh Ferguson
Millikan high school

Get [Outlook for iOS](#)

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 1:57 PM
To: Dionne Bearden
Cc: Christopher Koontz
Subject: FW: Update on Request that LB Area Group and LCW Task Force object to revised Belmont Beach and Aquatics Center - before LB Planning Commission today

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Anna Christensen <[REDACTED]>
Sent: Thursday, December 19, 2019 1:49 PM
To: gabrielle@workwithweeks.com; Carlos Ovalle <[REDACTED].com>
[REDACTED] <[REDACTED].com>; Karen Harper <[REDACTED]@cs.com>;
Charles Moore <[REDACTED]> VIRGINIA BICKFORD <[REDACTED]>
Subject: Update on Request that LB Area Group and LCW Task Force object to revised Belmont Beach and Aquatics Center - before LB Planning Commission today

So far, Ann C and Rebecca R have responded asking that the LCW Task Force sign the statement. I hope that, following Carlos's suggestion, a majority of our LB Area Group board can be contacted. If not, Gabrielle, please do email Scott Kinsey (scott.kinsey@longbeach.gov), and also the Planning Commission (dionne.bearden@longbeach.gov) before 4:30 with Brown Act and Coastal Commission concerns (City was notified by Coastal Commission staff that project was not "complete" and would not be reviewed until certain conditions were met. See attached letter. Thanks, Anna C

On Thursday, December 19, 2019, 11:02:06 AM PST, Carlos Ovalle <[REDACTED]> wrote:

Pardon my ignorance on these matters but can't we vote by email or phone? As stated in another email, I'm fully in support of presenting Anna's statement to the Planning Commission today.

Best,

Carlos Ovalle, Architect, LEED AP
C25390
310-989-0917 (C)

CONFIDENTIALITY NOTE: This e-mail, and any attachment to it, contains privileged and/or confidential information intended only for the use of the intended recipient of this e-mail. If the reader of this e-mail is not the intended recipient, you are hereby notified that reading, using, or disseminating this e-mail, or any attachment to it, is strictly prohibited. If you have received this e-mail in error, please immediately notify the sender by return e-mail and then delete the original and any copies of this e-mail, and any attachments to it, from your system. Thank you.

On Thu, Dec 19, 2019 at 10:58 AM gabrielle@workwithweeks.com <gabrielle@workwithweeks.com> wrote:

I just happened to see this email. Often I don't check it in the middle of the day. We can't get a vote for our EXCOM to do an emergency approval for this afternoon. Most are at work or college during the day.

Luckily Robert Fox was around and I talked with him. He said he's sticking to the violations of the brown act and of the Coastal Commission. I can email Scott Kinsey my concerns as LBAG chair about violating those, which exists so people have a chance to know what development details they are pushing through, days before Christmas.

Gabrielle

----- Original message-----

From: Rebecca Robles

Date: Thu, Dec 19, 2019 09:04

To: Christensen George;

Cc: Gabrielle Weeks;Coby Skye;Ann Cantrell;Karen Harper;Charles Moore;VIRGINIA BICKFORD;

Subject:Re: Request that LB Area Group and LCW Task Force object to revised Belmont Beach and Aquatics Center - before LB Planning Commission today

I agree. Rebecca

On Thu, Dec 19, 2019, 06:57 Anna Christensen [REDACTED] > wrote:

Dear All, I realize this is short notice but some of you are already aware of the many problems with the Belmont Pool Project, even as revised (topless version). Both CARP and LBAPN (Long Beach Area Peace Network) are going to be at the LB Planning Commission later today (5pm) to file objections. We understand that it is best (perhaps essential) that in order to have legal standing as the project moves forward objections should be made to the Planning Commission. I will forward both CARP's and LBAPN's statements when they are complete. In the meantime can you let me know if you would support submitting the following statement to the Planning Commission today.

The Long Beach Area Group of the Sierra Club and the Los Cerritos Wetlands Task Force request that the Long Beach Planning Commission not vote to recommend Item 19-093PL Belmont Beach and Aquatics Center Complex - Revised for the following reasons:

1. Planning Commission cannot legally hold a Public Hearing on this Agenda Item

- a. Item was removed from agenda and public notices were issued to that effect. Public was notified less than 10 days ago that item was put back on to agenda.
- b. not sufficient notice to hold this Public Hearing, should be rescheduled

2. BBAC Revised Project is not "complete" and will not be approved by CCC

- not appropriate to hold a Public Hearing on this item (including the Revised BBAC Project and related permit requests) before the Planning Commission as the Coastal Commission staff informed the City on December 6th that the Revised BBAC Project was not "complete" and that certain conditions (changes) would have to be made before it could be resubmitted for consideration. The Planning Commission should not be asked to recommend the Revised BBAC Project to the City Council because it has already been rejected as incomplete/unacceptable by Coastal Commission staff.

- LBDS must revise the Project, meet the conditions set by Coastal Commission staff, and have the project considered "complete" by Coastal Commission staff before requesting any public hearing or recommendation on the Revised BBAC Project by the Planning Commission.

3. Revised BBAC needs a new EIR

- revisions are extensive and involve impacts not addressed in the original BBAC EIR
- additional factors, including policy (CCC Environmental Justice Policy) and environmental changes (new timeline for sea rise, specifically for Peninsula and Belmont Shore), require a new EIR

4. Revised BBAC fails to address significant environmental and environmental justice factors including:

- the ongoing collapse of the shorebird rookery due to the temporary pool and the likelihood of its total destruction with the construction of the BBAC as revised
- the effects on adjoining beaches, streets, public and private buildings and parking lots of constructing an 7' high

foundation/seawall for the BBAC

- the consideration of additional sites as required by CCC staff, to include one site outside of the Coastal Zone
- the conflict with the City's Healthy Communities Policy which states that new recreational facilities be built in historically underserved communities.
- the lack of public outreach and input - only District 3 held community meetings on original EIR, none have been held on revised plans. "Stakeholders" do not represent general public.
- lack of public access to facility by majority of residents from low-income/minority neighborhoods lacking community pools in Long Beach (there are only 2 city pools, not 3 as stated in 19-093PL)

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:04 PM
To: Dionne Bearden
Subject: FW: I support the staff recommendation for our new Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: [REDACTED]
Sent: Thursday, December 19, 2019 1:52 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: I support the staff recommendation for our new Belmont Pool

I support the staff recommendation for our new Belmont Pool

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:04 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: J.D. Crans <[REDACTED]>
Sent: Thursday, December 19, 2019 1:54 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Belmont Pool

I support the staff recommendation for our new Belmont Pool!

I have a son that uses this pool for swim and waterpolo as a member of Long Beach Shore Aquatics!

I support the new pool and can't wait for another 25m by 50m pool to be built. The community needs another 50m by 25m pool! Long Beach is the water/beach capital of the US! Please also mention that you are a member of Long Beach Shore Aquatics.

As a former resident I greatly see the benefit to this new pool.

Thank you for your support!

Jonathan D. Crans -
[REDACTED]

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:05 PM
To: Dionne Bearden
Subject: FW: Support for pool project

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: kimstephens [REDACTED]
Sent: Thursday, December 19, 2019 1:57 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Support for pool project

Hello,

Our family is in support of the Belmont pool. It is sorely needed in our community and has been missed since it's closure.

Kim Stephens

Sent from my Sprint Samsung Galaxy S8+.

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:05 PM
To: Dionne Bearden
Subject: FW: Members of the Long Beach Planning Commission

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Sarah Sheldon [REDACTED]
Sent: Thursday, December 19, 2019 1:57 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Members of the Long Beach Planning Commission

I fully support the staff recommendation for our new Belmont Pool!! Long Beach is the aquatic capital of the world and majority of my success as a division 1 water polo player at UCLA (as well as my success at Long Beach Wilson) is owed to the Belmont Plaza Olympic Pool! It is so important we keep building our aquatic program in Long Beach and the Belmont is key in doing so.

Best,
Sarah Sheldon
Wilson High School c/o 2015
UCLA c/o 2019

--

Best,
Sarah Sheldon

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:06 PM
To: Dionne Bearden
Subject: FW: Support for Belmont pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461

-----Original Message-----

From: Sami Smith [REDACTED]
Sent: Thursday, December 19, 2019 1:57 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: Support for Belmont pool

Hello Scott and Christopher,

I support the staff recommendation for repairs to the Belmont pool. It means so much to our community and history in the aquatic world! Please don't let us down.

Thank you,

Samantha Smith

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:06 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461

-----Original Message-----

From: John McMullen <[REDACTED]>
Sent: Thursday, December 19, 2019 1:58 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont Pool

To Planning Commission Members,

Please vote to support City Staff recommendations to build the Belmont Pool Complex.

Thank you for your consideration,

John McMullen
[REDACTED]
Long Beach CA 90803

John W McMullen
[REDACTED]
[REDACTED]

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:07 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Wilfred Diaz <[REDACTED]>
Sent: Thursday, December 19, 2019 1:58 PM
To: Christopher Koontz <Christopher.Koontz@longbeach.gov>; Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont Pool

Hello,

I support staff recommendation for a new Belmont pool.

Thank you,

Wilfred Diaz

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:07 PM
To: Dionne Bearden
Subject: FW: Belmont Pool Support

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Scott Meyer <[REDACTED]>
Sent: Thursday, December 19, 2019 1:59 PM
To: Christopher Koontz <Christopher.Koontz@longbeach.gov>; Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont Pool Support

I support the staff recommendation for our new Belmont Pool. Please shut down the irresponsible and insane opposition and get the pool built – finally.

Thank you.

Scott Meyer
Naples Resident

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:08 PM
To: Dionne Bearden
Subject: FW: "I support the staff recommendation for our new Belmont Pool"

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: The Muro Family <[REDACTED]>
Sent: Thursday, December 19, 2019 2:01 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; christoher.koontz@longbeach.gov
Subject: "I support the staff recommendation for our new Belmont Pool"

"I support the staff recommendation for our new Belmont Pool. Aurelio Muro

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:08 PM
To: Dionne Bearden
Subject: FW: I support Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Kelly Morris <k2morris@lbcc.edu>
Sent: Thursday, December 19, 2019 2:02 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Re: I support Belmont Pool

Hello all,

I support the staff recommendation for the decisions to rebuild Belmont Pool.

Kelly Morris, MS
LBCC Professor Kinesiology
Cypress College Professor Kinesiology
LBMMC Physical Therapy
Life time Long Beach resident and Aquatics participant

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:09 PM
To: Dionne Bearden
Subject: FW: I support the proposal for the new Belmont pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461

-----Original Message-----

From: Michael Tran <[REDACTED]>
Sent: Thursday, December 19, 2019 2:05 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: christopher.kootz@longbeach.gov
Subject: I support the proposal for the new Belmont pool

I'm a Long Beach resident and support the proposal for the new Belmont Pool. Thank you.

Michael Tran

Sent from my iPhone

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:09 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: John Ostrowski <ostrowsk@usc.edu>
Sent: Thursday, December 19, 2019 2:07 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont Pool

Mr. Kinsey,

We support the staff recommendation for our new Belmont Pool

John and Jane Ostrowski

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:09 PM
To: Dionne Bearden
Subject: FW: I support the staff recommendation for our new Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Sean Morris [REDACTED]
Sent: Thursday, December 19, 2019 2:07 PM
To: Christopher Koontz <Christopher.Koontz@longbeach.gov>; Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: I support the staff recommendation for our new Belmont Pool

I support the staff recommendation for our new Belmont Pool

--

Thank you,

Sean Morris
[REDACTED]

Dionne Bearden

Subject: FW: Belmont POOL

From: DEBBY MCCORMICK <[REDACTED]>
Sent: Thursday, December 19, 2019 2:09 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont POOL

This email is to express my support for the staff recommendation on Item #19-093PL that is on the agenda for the Planning Committee agenda [this evening](#). My passion project has been to see the Belmont Plaza Olympic Pool rebuilt as a once-again world-class aquatic facility. While I and many, many others are disappointed that the new facility as originally designed is not feasible at this time, I fully agree with moving the project forward with the new design. The need for pool space in Long Beach for recreation (and, yes, occasional competitions) is too great to delay any longer.

You will undoubtedly hear [this evening](#) from the small group of opponents to the project. It seems nothing will satisfy them, and they have been a huge part of the reason for the six-year (so far) delay in getting the replacement aquatic facility moving forward. I hope you will weigh the benefits the project will bring to the residents of Long Beach and our neighbors from surrounding areas against the complaints of a few.

Thank you for taking my support for the staff recommendation into consideration [this evening](#). I look forward to a unanimous vote from the Commission at the conclusion of your deliberations [this evening](#).

Sincerely,

Debby McCormick

www.mccormickdivers.com

"Making a Splash since 1968"

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:10 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: grpenilla [REDACTED]
Sent: Thursday, December 19, 2019 2:10 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont Pool

Dear Mr. Kinsey.

I support the staff recommendation for our new Belmont Pool.

Respectfully,

Gustavo Penilla

Sent from my Verizon, Samsung Galaxy smartphone

Dionne Bearden

From: [REDACTED]
Sent: Thursday, December 19, 2019 2:15 PM
To: Scott Kinsey; Dionne Bearden
Subject: Belmont Beach & Aquatic Center

Hello Scott / Dionne

I read in the Press Telegram about the new Belmont Beach & Aquatic Center

<https://www.presstelegram.com/2019/12/17/new-belmont-beach-and-aquatics-center-design-to-go-before-planning-commission-thursday-dec-19/?fbclid=iwar2lafncjald6qqiyy7xlzzvfy8jm7dmzks7kuo1olubc-xxb4rsiaqrjhy>

With new design, I see that the initial investment is ~\$85 M but I do not see how the operating revenues compare to long term operating costs. Has the City revised its "Business Case"? Are their organizations, ie. aquatic capital of the america, swimming clubs, athletics clubs, etc. which have come forward to commitment to revenues?

Thanks

Jim

The Los Cerritos Wetlands Task Force request that the Long Beach Planning Commission not vote to recommend Item 19-093PL Belmont Beach and Aquatics Center Complex - Revised for the following reasons (also stated by the Long Beach Area Peace Network).

Concerns regarding 19-093PL Belmont Beach and Aquatics Center Complex - Revised Project (text in red type is quoted from 19-093PL)

1. Planning Commission cannot legally hold a Public Hearing on this Agenda Item

- - Item was removed from agenda and public notices were issued to that effect. Public was notified less than 10 days ago that item was put back on to agenda.
- - not sufficient notice to hold this Public Hearing, should be rescheduled

2. BBAC Revised Project is not “complete” and will not be approved by CCC

- - not appropriate to hold a Public Hearing on this item (including the Revised BBAC Project and related permit requests) before the Planning Commission as the Coastal Commission staff informed the City on December 6th that the Revised BBAC Project was not “complete” and that certain conditions (changes) would have to be made before it could be resubmitted for consideration. The Planning Commission should not be asked to recommend the Revised BBAC Project to the City Council because it has already been rejected as incomplete/unacceptable by Coastal Commission staff.
- -LBDS must revise the Project, meet the conditions set by Coastal Commission staff, and have the project considered “complete” by Coastal Commission staff before requesting any public hearing or recommendation on the Revised BBAC Project by the Planning Commission.

3. Revised BBAC needs an EIR

- - revisions are extensive and involve impacts not addressed in the original BBAC EIR
 - - additional factors, including policy (CCC Environmental Justice Policy) and environmental changes (new timeline for sea rise, specifically for Peninsula and Belmont Shore), require a new EIR
 - - revised project is not “a less-impactful replacement” - as stated in 19-093PL.
4. The Revised BBAC Complex and associated documents - 19-093PL as submitted by LBDS to the LB Planning Commission fail to address significant environmental, public access, and public safety factors including:
- - the ongoing collapse of the shorebird rookery due to the temporary pool and the likelihood of its total destruction with the construction of the BBAC as revised. 19-093PL. falsely states that “the bird species present in the Project area were coexisting with pool and park users, accustomed to human intrusion and noise, and anticipated to be able to reestablish to the relocated trees and adapt to the additional trees installed as a part of the Approved Project.” In fact, a ficus tree next to the

temporary pool which held 100 shorebird nests before the temporary pool was installed has now been abandoned due to the noise from swimmers and sports teams. The negative impacts of the proposed project on the rookery including the removal of existing nesting sites in the park, construction during nesting season, the permanent expansion of an outdoor facility and associated increased public use, have not yet been surveyed nor addressed.

- - 19-093PL. fails to address the existing rookery and nesting sites as significant Biological Resources protected under the Coastal Act, “the Project site was not determined to be a highly functioning movement corridor for wildlife species and no significant high-value nursery habitat sites were identified.....Some of the existing trees on site may be relocated, depending on their condition and potential to survive relocation. These are not significant or protected trees.... bird species would be able to relocate to other hunting and foraging habitats.”
- - the effects on adjoining beaches, streets, public and private buildings and parking lots of constructing an 7' high foundation/seawall for the BBAC.
- - lack of public access to shoreline and loss of beach by construction of facility that is not coastal dependent. “Existing public access to the sandy beach of the coastline will be maintained and enhanced by the projectMore people will have access to visit the sandy beach as a result of this project,” “the Modified Project would not alter or impede access to the beaches,” as stated in 19-093PL, are blatantly false.
- -The overall impacts on the neighborhood, including traffic, parking, noise, air quality are negative and significant. The revised BBAC will not “enhance the character, livability, and appropriate development of the PD-2 plan area and surrounding neighborhood.”
- - It is incorrect to refer to project location as being in an “underutilized area.” The beach, the Belmont Pier, park, dog park and shopping area currently serve the neighborhood and other LB residents. Repairing the pier and improving public safety in the area would further enhance utilization.
- - BBAC is not a “coastal dependent” facility and should not be built on the beach. Because construction of the BBAC will destroy an existing coastal resource, a shorebird rookery, and t’s foundation will both erode the beach and deny public access to the shoreline, it does not have “a coastal-oriented and eco- friendly design,” as stated in 19-093PL.

5. The Revised BBAC Complex and associated documents - 19-093PL as submitted by LBDS to the LB Planning Commission fail to address significant environmental justice factors including:

- - lack of consideration of additional sites as required by CCC staff, to include one site outside of the Coastal Zone
- - conflict with the City's Healthy Communities Policy which states that historically underserved communities be prioritize when building new recreational facilities.

- - lack of public outreach and input - only District 3 held community meetings on original EIR, none have been held on revised plans. "Stakeholders" do not represent general public nor are their meetings open to the public. The project did not involve "a comprehensive and iterative planning process that relied heavily on community input" as stated in 19-093PL.
- - prioritizing the interests of the competitive aquatics community and "existing users" over Long Beach residents' health and safety, including equal access to public aquatics facilities for the purpose of learning how to swim and maintaining a healthy lifestyle. 10-093PL states that the Approved Project EIR "ensured the continued operation of a pool facility on the site, pursuant to the needs of the aquatics community," and further promises that, "The increased spectator seating potential for the new facility and nature of competitive events, ranging from local to national levels, will elevate the facility to a regional public amenity, thereby increasing the number of new visitors to the City's coastal zone."
- - misuse of the terms "community," "public amenity," "public necessity," "public convenience," to reference only "existing users" of the Belmont Pool, competitive teams and for profit aquatics programs when stating that the BBAC will provide "enhanced public access," and when stating that the "BBAC project... is in conformance with the public necessity, enhances public convenience and welfare, and is in conformance with good planning practice."
- - The revised BBAC at its proposed location denies equal access and violates the Coastal Act and the Environmental Justice Policy of the CCC. 19-093PL claims that "increased accessibility and recreational nature of the project is thus consistent with Chapter 3 Coastal Act policies." "Local access to the site will be improved through the provision of on-site bicycle amenities and hardscape improvements that better connect the site to existing rights-of-way." However, 19-093PL fails to address the lack of public access to the BBAC, especially by underserved low- income communities and minorities, due its location in the southeast corner of the City in a predominantly affluent and majority white community. Using public transportation from Northwest Long Beach, predominantly low-income minority neighborhoods would involve spending more than an hour taking multiple buses. 19-093PL offers no remedy for these LB residents who do not have a car or cannot ride a bike for a hour. Under the California Coastal Commissions new Environmental Justice Policy the BBAC's proposed fails to provide equal access.
- - 19-093PL claims that, "The Modified Project would also replace the previous pool and recreational facilities in in order to continue meeting the recreational needs of existing and future residents. However no information or studies are provided regarding the degree to which past or present recreational use of Belmont Plaza Pool and temporary pool by community have met/are meeting "the recreational needs of residents," to what degree they failed/are failing to do so, and what alternatives would better meet " the recreational needs of existing and future residents."

6. 19-093PL violates the CCC Environmental Justice Policy 2019 - see excerpts below, especially underlined sections

The California Coastal Commission's commitment to diversity, equality and environmental justice recognizes that equity is at the heart of the Coastal Act, a law

designed to empower the public's full participation in the land-use decision-making process that protects California's coast and ocean commons for the benefit of all the people. In keeping with that visionary mandate, but recognizing that the agency has not always achieved this mission with respect to many marginalized communities throughout California's history, the Commission as an agency is committed to protecting coastal natural resources and providing public access and lower-cost recreation opportunities for everyone. The agency is committed to ensuring that those opportunities not be denied on the basis of background, culture, race, color, religion, national origin, income, ethnic group, age, disability status, sexual orientation, or gender identity. The Commission will use its legal authority to ensure equitable access to clean, healthy, and accessible coastal environments for communities that have been disproportionately overburdened by pollution or with natural resources that have been subjected to permanent damage for the benefit of wealthier communities. Coastal development should be inclusive for all who work, live, and recreate on California's coast and provide equitable benefits for communities that have historically been excluded, marginalized, or harmed by coastal development. The Commission recognizes that all aspects of our mission are best advanced with the participation and leadership of people from diverse backgrounds, cultures, races, color, religions, national origin, ethnic groups, ages, income levels disability status, sexual orientation, and gender identity. The Commission is committed to compliance and enforcement of Government Code Section 11135, as well as consideration of environmental justice principles as defined in Government Code Section 65040.12, consistent with Coastal Act policies, during the planning, decision-making, and implementation of Commission actions, programs, policies, and activities. It is also the California Coastal Commission's goal, consistent with Public Resources Code Section 300136 and Government Code Section 11135, to recruit, build, and maintain a highly qualified, professional staff that reflects our state's diversity. Further, the Commission is committed to compliance with Title VI of the Civil Rights Act of 1964 and its regulations."

This policy uses the terms "disadvantaged," "marginalized" and "underserved" interchangeably; it intends to encompass not only the definitions contemplated by SB 1000,7 but also to include other low-income communities and communities of color that are disproportionately burdened by or less able to prevent, respond, and recover from adverse environmental impacts. The Commission recognizes that all of these communities have assets and are valuable **stakeholders**, and the purpose of this policy is to empower these communities that have been historically excluded from accessing the benefits of coastal development and resources due to discriminatory implementation of local, state, and federal policies and lack of access to the process and decision makers.

Section 30006 of the Coastal Act also states that "the public has a right to fully participate in decisions affecting coastal planning, conservation and development; that achievement of sound coastal conservation and development is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation."

The term “environmental justice” is currently understood to include both substantive and procedural rights, meaning that in addition to the equitable distribution of environmental benefits, underserved communities also deserve equitable access to the process where significant environmental and land use decisions are made.

Taking an environmental justice approach to coastal policy requires a fundamental rethinking of who is connected to the coast, and how wherever low income communities and communities of color are predominantly concentrated in coastal regions, they are frequently disconnected from the coast itself, by both social and physical barriers....Statistics show a startling lack of diversity among those who live on the California coast....Historic inequalities, as well as California’s growing population, changing demographics, socio-economic forces, judicial decisions, and policy choices have and continue to shape development patterns and population shifts that widen the disparity gap.

Meaningful Engagement

The Commission acknowledges the critical need to communicate consistently, clearly, and appropriately with environmental justice groups and underserved communities.

Coastal Access

Where a local government fails to consider environmental justice when evaluating a proposed development that has the potential to adversely or disproportionately affect a historically disadvantaged group’s ability to reach and enjoy the coast, that failure may be the basis for an appeal to the Coastal Commission. Similarly, where a local coastal program includes policies that implement environmental justice principles, a local government’s failure to consider those principles may also be the basis of an appeal to the Coastal Commission.

Local Government

Local governments implement Coastal Act policies at the local level through planning documents certified by the Commission. The Commission will strongly encourage local governments to amend their local coastal programs, port master plans, public works plans and long range development plans to address environmental justice issues. Staff will develop a list of best practices to help local government develop policies that reduce impacts on disadvantaged communities resulting from new development.

Participation in the Process

Achieving the Coastal Act’s mandate for coastal protection depends on full public participation that reflects California’s diversity.

Accountability and Transparency

Creating a measure of accountability is critical to building and maintaining trust and respect with communities who have become skeptical of government’s motives or relevance to their lives. When evaluating projects, programs and activities, Commission staff shall consider, when applicable, whether and how proposed development will positively or negatively affect marginalized communities, and will be fully transparent in that analysis in staff reports and presentations...When warranted by applicable Coastal

Act or LCP policies, analysis will assess meaningful alternatives beyond mitigation measures to re-siting projects with negative environmental health impacts in disadvantaged communities, to minimize or avoid adverse impacts to those communities. If viable alternatives are available, consider those in permitting decisions. ...The Commission will use the powers within its authority to examine the level of inclusive access to public recreation.....in any proposed coastal in any development, as well as be a voice for maximizing these benefits for disadvantaged communities during review of projects.

The Commission's environmental justice policy shall be implemented in a manner that is fully consistent with the standards in, and furthers the goals of, Chapter 3 of the Coastal Act (the agency's legal standard of review), and certified local coastal programs.

Coastal Development and Environmental Justice

1. Encourage and teach staff to incorporate environmental justice issue identification, research and analysis into their work. Develop internal criteria and guidance for early identification of project proposals that could raise environmental justice issues
2. Develop an internal checklist for staff to help analyze the existence of potential environmental justice impacts associated with a proposed project. Have staff identify environmental justice communities in the area and potential impacts of the project on those communities
3. Include an analysis of environmental justice issues in applicable staff reports, and, when appropriate, propose mitigation measures to avoid or fully mitigate identified impacts, in a manner that is fully consistent with Chapter 3 or local coastal program policies.
4. Strongly encourage local governments to amend their local coastal programs to address environmental justice issues. Develop a guidance memo for local governments to assist with the incorporation of environmental justice policies and develop a list of best practices to help reduce disparate impacts on vulnerable communities resulting from new development.

Dionne Bearden

From: Gabrielle Weeks [REDACTED]
Sent: Thursday, December 19, 2019 2:40 PM
To: Dionne Bearden; Scott Kinsey
Cc: Melinda Cotton
Subject: Postpone your decision until Brown Act can be followed and Coastal Commission concerns addressed

Dear Planning Commission,

As Chair of the Long Beach Area Group of Sierra Club I ask you to postpone your agenda item approving the latest incarnation of the Belmont Pool. None of our members knew that the after you canceled it, you uncanceled. That's why the voters created the Brown Act decades ago, so the community has a chance to read read the materials, the staff reports and to arrange with work and babysitters to be able to attend.

When I was informed that you planned to make a decision today I looked at the agenda and I do not see answers to the concerns Coastal Commission brought up December 6. If I've missed those could I trouble you to email me? I'd especially like to know your answer to their statement that your project is several yards into the tide zone. If you haven't yet figured out how you'll deal with the coastal commission questions, wouldn't it make sense to do that before having a commission approve something the Coastal Commission found inadequate?

Thank you,
Gabrielle Weeks

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 2:47 PM
To: Dionne Bearden
Subject: Fw: I support the updated design for the Belmont Pool

#1

From: Shawn Oatey [REDACTED]
Sent: Thursday, December 19, 2019 2:18:59 PM
To: cott.kinsey@longbeach.gov <cott.kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Cc: Suzie Price <Suzie.Price@longbeach.gov>
Subject: I support the updated design for the Belmont Pool

Members of the Long Beach Planning Commission,

Please know that there is an entire community here in Long Beach (many of us who grew up here) that support the new updated design for the Belmont Pool facility. Help us rebuild the pool complex and bring a needed resource back to Long Beach!

Thank you,

-Shawn Oatey

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 2:48 PM
To: Dionne Bearden
Subject: Fw: I support the staff recommendation for our new Belmont Pool

#1

From: Samantha Diaz [REDACTED]
Sent: Thursday, December 19, 2019 2:23:43 PM
To: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: I support the staff recommendation for our new Belmont Pool

I support the staff recommendation for our new Belmont Pool
- Samantha Diaz



Dionne Bearden

From: Birgit De La Torre <[REDACTED]>
Sent: Thursday, December 19, 2019 2:49 PM
To: Dionne Bearden; "cece > > lynch.cecelia"@gmail.com
Subject: Belmont pool redesign

Please, pass this email on to the commissioners.

Dear Planning Commissioner,

I am a property owner within 500 yards of the Belmont Plaza and a swimmer's parent, which perhaps should make me a supporter of this project. However, I am also a citizen of Long Beach, who wants the best for all of our citizens, especially our children.

The city is pushing to rush through a project that is ill-advised on many levels. The location is quite inaccessible to most children in Long Beach, in fact the city could not have chosen a more remote location.

Second, the location is not good from an environmental perspective, the least of which is the predicted sea level rise at the location.

Last, but certainly not least, the process city staff has chosen to follow for the revised project is highly suspect. Most, if any of the coastal commission's questions have not been answered. The supporting documentation for the revisions was not available to the public until three days ago. The claim that a supplemental EIR is not needed makes no sense, since leaving the roof of the pools would generate a lot more noise and generate much higher energy costs, among other concerns.

In my assessment the city continues to force a round object into a square box, incurring expenses that would not arise at a different pool location. If there is a space in the downtown area, which thanks to the mayor has seen an emphasis on public transportation, it should be the preferred choice. Downtown is much more accessible to more of Long Beach residents, who don't own a car and a pool just fits with the environment of hotels, convention center, and sports arena.

Please, defer your recommendation to the council to a time when all the facts are in and the public had a reasonable amount of time to review the revisions.

Sincerely,

Birgit De La Torre

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 2:59 PM
To: Dionne Bearden
Subject: FW: I support the staff recommendation for our new Belmont Pool.

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461

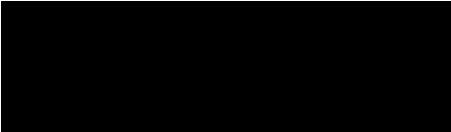


From: Mona Merlo <mmerlo@lbschools.net>
Sent: Thursday, December 19, 2019 2:13 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: I support the staff recommendation for our new Belmont Pool.

Please add my name to the list in favor of the pool.

Mona Merlo
Principal

Sato Academy of Math & Science

A large black rectangular redaction box covers the bottom portion of the email body.

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 3:00 PM
To: Dionne Bearden
Subject: FW: I support the staff recommendation for our new Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: dhancocklb [REDACTED]
Sent: Thursday, December 19, 2019 2:16 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: I support the staff recommendation for our new Belmont Pool

I support the staff recommendation for our new Belmont Pool

David Hancock

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 3:01 PM
To: Dionne Bearden
Subject: FW: I support the staff recommendation for our new Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Samantha Diaz [REDACTED]
Sent: Thursday, December 19, 2019 2:23 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: I support the staff recommendation for our new Belmont Pool

I support the staff recommendation for our new Belmont Pool
Samantha Diaz



Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 3:03 PM
To: Dionne Bearden
Subject: FW: Belmont pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: [REDACTED]
Sent: Thursday, December 19, 2019 2:27 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont pool

I support the staff recommendation for our new Belmont Pool!!!!

Kendall Crichton

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 3:04 PM
To: Dionne Bearden
Subject: Fw: Belmont Pool re-design Dec 19 2019

From: Mary [REDACTED]

To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>; Ziff, Dani@Coastal <dani.ziff@coastal.ca.gov>
Subject: Belmont Pool re-design Dec 19 2019

*from the desk of Mary Parsell
El Dorado Audubon*

December 19, 2019

Members of the Long Beach Planning Commission
c/o Scott Kinsey, Project Planner (scott.kinsey@longbeach.gov), and
cc: Christopher Koontz, Planning Bureau Manager (christopher.koontz@longbeach.gov)
cc: Dani Ziff, CCC

RE: Belmont Pool

Dear members of the Long Beach Planning Commission:

I have not had time to properly review that documents for the revised Belmont Pool.

I support the CCC staff in their questions about sea level rise and other coastal law matters.

I am a user of the original Belmont Plaza Pool.

I am also a life-time user of beaches on the California coast, I am concerned with open space and birds and other wildlife who use the ocean and beaches of the coast.

As an advocate of "bird space building design" which is one of the major concerns the National Audubon Society and the local chapter, El Dorado Audubon, the new project appears to address those concerns. I reserve the right on behalf of El Dorado Audubon to address these and other issues as the project goes through the proper channels.

Thank you.

Contact information: [REDACTED]

Dionne Bearden

From: [REDACTED]
Sent: Thursday, December 19, 2019 11:26 AM
To: Dionne Bearden
Subject: 12/19/19 Item 2 remarks
Attachments: 12.19.19 Agenda.pdf; 5-18-0788_2ndIncompleteNotice.pdf; susan's pool comments.docx

Please forward these remarks to the Planning Commissioners.

Thank you,
Ann Cantrell
CARP

Dear Decision Makers:

Citizens About Responsible Planning respectfully request that this December 19, 2019 hearing be rescheduled until the public has a chance to better review the new plans. The letter of application has not been approved by Coastal Commission staff and all their many questions about this revised project must be answered.

On Friday, Dec. 13, 2019, I and many others received an e-mail stating that the Nov. 19 Planning Commission had been canceled. (see attachment 12.19.19). On Monday, Dec. 16, I received an e-mail from Scott Kinsey stating that the meeting had been canceled for lack of a quorum, but was now back on. We contend that once a meeting is canceled, the Brown Act requires a ten day re-noticing period.

We are also protesting the lack of availability of the staff report and exhibits for the 7 issues for the required 72 hours prior to the meeting. The changes that have been made from the original design, including the removal of the pool building and roof, the change in site location, the loss of a public park and the addition of lights and noise to the neighborhood, require days, not hours of study.

Your staff report states that changes have been made to the original pool plan as requested by the Coastal Commission, yet the CCC staff has sent back the City's application letter not once but twice and still have many questions. (See attachment 5-18-0788 2nd incomplete notice).

Along with the CCC staff, we would like clarification of whether the proposed LCDP would replace the previously approved LCDP (1405-01) or would be supplemental to the City-approved 2017 LCDP for the newly proposed project?

The CC staff also asked for any public outreach efforts conducted by the City in visioning the revised design, preparing the LCP amendment, including any outreach to the communities in the City-wide and Underserved Programs. As far as we are aware, there has been no public outreach on the new plans, except with a small, private group of pool proponents.

You are being asked to approve an LCP Amendment to establish the Belmont Beach and Aquatics Center (Modified Project) as a new subarea – PD-2, Subarea 5. Subarea 5 would include the Modified Project complex on an expanded site that was the former location of the Belmont Olympic Plaza Pool; allow a height limit up to **60 ft** (the height of the former Belmont Pool building, which was built before the Coastal Act); and **would exempt new, rebuilt, or remodeled public facilities from a requirement to provide additional parking, notwithstanding the requirements of Municipal Code Chapter 21.41.**

The current allowed height for structures in the Coastal Zone is **36 feet**. The shade structure is 48 ft, 10 inches high, with the support columns being approximately 60 ft high from the Plinth level and 67 ft high above grade. The dive tower is 40 ft high above Plinth level and 47 ft high above grade. These will affect views of the ocean on a designated scenic route.

If the city doesn't like the required height or parking requirements, they just change the Local Coastal Amendment! Please vote no.

Other CCC staff requests include:

1. Notification of Interested Parties within new 100" radius

2. Clarified Project Description, including time the pools would be available for Public use.
3. Measures to prevent leaking and other structural issues at Temporary Pool.
4. Clarification of Landscaping Plan
5. Drainage Plan to prevent flooding
6. Detailed Foundation Plan, including number of piling and groundwater levels
7. Lighting Plan for all lights, including light pole height, and how light will impact coastal resources
8. Parking and Traffic Details, including the elimination of Parking on Olympic Plaza
9. Construction Impacts, including public access to the beach
10. Updated Sea Level Rise Analysis As depicted in the updated sea level portion of the proposed development, the open green space the turnabout area and the existing temporary pool would be inundated under medium high risk scenario
11. Updated Alternatives Analysis, including the Elephant lot and a location closer to communities that are intended to benefit from the City-Wide and Underserved Programming
12. Updated Biological Surveys done during breeding season
13. Visual Analysis that includes view of the proposed development from the beach and Ocean Blvd., which is designated as a scenic route in the certified LCP
14. Describe how the proposed vehicle entrance and turnaround will accommodate large vehicles such as buses, emergency and construction vehicles
15. Function and mechanics of the moveable floor
16. Function and description of the retaining wall
17. Written description of Utilities Plan
18. City's General Strand Policies—provide priority list

In addition to the CCC's list, CARP also has many questions. (See Susan Miller's attached comments).

Our main objection remains: **Building this aquatic center on the sand, in a liquefaction zone, with sea level raise, is an reckless use of public funds.**

This is a completely changed project and must have a new EIR. Better yet, would be a different location.

From the very beginning, we have urged the City to build this center at the Elephant Lot/Convention Center Parking Lot. As this location has been offered for many other projects such as George Lucas Star War Museum, the 2028 Olympic Sports Park, luxury condos and the Anaheim Angels, it is obvious that the excuse that this is leased to the Jehovah Witnesses is no longer valid.

Quit trying to force a square peg into a round hole. Find another location. And put the roof back on the pool! We never opposed a roof, we opposed the chosen plastic material, extreme height and size. If these pools are to be used for water polo and meets they must be covered to muffle the noise. Heating outdoor pools requires a lot of expensive energy. Most people find outdoor pools unusable in winter, even when heated, because of eventually having to get out. And as Susan has mentioned, without a roof, the pools on the beach will be full of blowing sand, trash and bird poop.

With more central location, all of the mitigation could be avoided. Those in North and West Long Beach would have easier access; the park with its mature trees, grass and ADA sidewalks could remain; Olympic Plaza could provide additional needed parking places and visitors would have access and views of the ocean.

In conclusion, if you do decide to vote on this project today, please vote no.

Ann Cantrell
Citizens About Responsible Planning

**CITY OF LONG BEACH
PLANNING COMMISSION
AGENDA**

**THURSDAY, DECEMBER 19, 2019
411 W. OCEAN BOULEVARD
CIVIC CHAMBERS, 5:00 PM**

Richard Lewis, Chair
Mark Christoffels, Vice Chair
Erick Verduzco-Vega, Commissioner



Ron Cruz, Commissioner
Josh LaFarga, Commissioner
Jane Templin, Commissioner

NOTICE OF CANCELLATION

The regularly scheduled Planning Commission public hearing for Thursday, December 19, 2019 has been cancelled. The next regularly scheduled meeting will be held on Thursday, January 2, 2020 at 5:00 p.m.

NOTE:

If oral language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 24 business hours prior to the Charter Commission meeting.

Kung nais ang interpretasyon ng sinasalitang wika para sa mga taong hindi nagsasalita ng Ingles o kung nais ang isang natatanging tulong ayon sa Americans with Disabilities Act, mangyaring isagawa ang iyong hiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 24 oras ng negosyo bago ang pagpupulong ng Charter Commission.

Si desea interpretación oral en otro idioma para personas que no hablan inglés o si desea una adaptación especial en conformidad con la Ley de Estadounidenses con Discapacidades, haga su solicitud por teléfono a la Oficina de la Secretaría Municipal al (562) 570-6101, 24 horas hábiles antes de la reunión de la comisión de estatutos.

បើមានការចង់បានឲ្យមានការបកប្រែភាសាផ្ទាល់មាត់ឲ្យអ្នកមិនចេះនិយាយអង់គ្លេស ឬបើមានការចង់បានឲ្យមានដំណោះស្រាយពិសេសដោយយោងតាមមាត្រាច្បាប់ស្តីពី ជនពិការអាមេរិកាំង សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅទៅការិយាល័យស្ម័គ្រចិត្ត ក្នុងតាមរយៈលេខ (562) 570-6101 (24 ម៉ោងធ្វើការមុននឹងចាប់ផ្តើមបើកកិច្ចប្រជុំ គណៈកម្មការធម្មនុញ្ញ)។

If written language translation of the Commission agenda and minutes for non-English speaking persons is desired, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the Commission meeting.

Kung nais ang pagsasalin ng nakasulat na wika ng agenda ng Komisyon at ang minutes para sa mga taong hindi nagsasalita ng Ingles, mangyaring isagawa ang iyong hiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras ng negosyo bago ang pagpupulong ng Commission.

Si desea obtener la traducción escrita en otro idioma de la agenda y actas de la comisión para personas que no hablan inglés, haga su solicitud por teléfono a la Oficina de la Secretaría Municipal al (562) 570-6101, 72 horas hábiles antes de la reunión de la comisión.

បើមានការចង់បានឲ្យមានការបកប្រែឯកសារស្តីពីរបៀបរា: និងកំណត់ហេតុឲ្យ
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CALIFORNIA COASTAL COMMISSION

South Coast Area Office
301 E Ocean Blvd, Suite 300
Long Beach, CA 90802
(562) 590-5071

December 6, 2019

City of Long Beach
Attn: Eric Lopez
411 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802

Re: NOTICE OF INCOMPLETE APPLICATION
City of Long Beach; Applicant
Coastal Development Permit Application No. 5-18-0788

Mr. Lopez,

Thank you for the information provided November 26, 2019 in response to the September 7, 2018 Notice of Incomplete Application. However, as discussed in our coordination meeting with City of Long Beach staff on November 19, 2019, additional information is required to identify the scope of the proposed project—construction of the Belmont Beach and Aquatics Center—and potential impacts to coastal resources. Coastal Commission staff have determined that the following information is required in order to file the CDP application pursuant to the Commission's regulations (14 CCR Section 13056):

- I. 100' Radius and Interested Parties.** The revised project plans include a new transformer, trash enclosure, and public restrooms that extend beyond the project limit shown in Revised Attachments 3 and 4. Please update the 100' radius to encompass the additional parcel and expand the project noticing radius accordingly. In addition, the 100-foot radius should not include roads. Thus, please adjust the northwest corner of the delineated project limit and 100' radius at the terminus of Termino Avenue and Allin Street. Any additional stamped and addressed envelopes required as a result of these revisions and the submitted revised interested parties list should be submitted. Please also note that the City should continue to update this Interested Parties list as additional interested parties are identified.
- II. Project Description.** Please clarify the proportion of time that the proposed aquatic center would be available for public use verses unavailable for public use due to events, swim meets, and other exclusive activities. As proposed, would private businesses such as private swim, diving, or SCUBA instruction organizations, be allowed to operate at the aquatic swim center? Please also provide more specificity regarding the proposed fee schedule. Please provide a comparison of current fee schedules for regional, state, and national aquatic facilities of the same size and scope. How much will the existing Long Beach fee schedule described change, compared to the pre-existing Belmont Pool or the temporary pool?
- III. Project Plans.**

- a. *Architectural Plans.* We note that the CDP for the temporary Belmont Pool facility will expire December 19, 2022 (with two possible one-year time extensions). The temporary pool was not designed to be a permanent facility. Are there any required measures to address potential leaking or other structural issues that may arise as the temporary pool nears its anticipated end-of-life? If so, please provide a list of such measures and/or best management practices to ensure the temporary pool may operate on a permanent basis without adversely impacting coastal resources. Please also provide site plans and a clear description of any changes to the temporary pool and associated accessory structures, including, but not limited to, the fencing, ticket booth, showers, and restrooms.
- b. *Landscaping Plan.* Please clarify the Open Space and Green Space calculations identified in the revised project description and plans, which appear to be different than the calculations included in the provided CEQA documents (page 3-25 of the Draft EIR).
- c. *Drainage Plan.* Was the drainage plan (Sheet 28 of the revised project plans) developed taking into consideration potential flooding, pool over-topping, and potential leakage that might result from large storm events and/or seismic activity? If so, please describe the function of the drainage system in such circumstances. If not, please provide a drainage plan that protects water quality in the event of such occurrences.
- d. *Detailed Foundation Plan.* Revised plan Sheets 23 and 24 include some details regarding the proposed foundations. Please clarify the total number of piles proposed and the depth to which they will extend, and provide elevations of each foundation element called out on Sheet 23 that is not included in Sheet 24. Please also depict or describe current groundwater levels and anticipated changes to the water table as sea levels rise during the life of the development. Has an updated geotechnical evaluation been conducted for the revised project? Are there alternatives that would lessen the amount of landform alteration? Please submit a copy of each relevant geotechnical report and foundation plan.
- e. *Lighting Plan.* Please provide elevations of the proposed lighting pole with the maximum height of each structure. Please call out the extent of proposed light output in lumens, foot candles, other standard that can be compared to lights of a similar type (e.g. stadium lights, parking lot lights, street lights, house lights). The Commission has generally required that lighting adjacent to beaches and habitat areas minimize impacts to wildlife and habitat, and avoid light spillover effects. Please describe how the proposed lighting plan minimizes impacts to coastal resources.

IV. Parking and Traffic Details.

- a. *Non-automobile transportation elements.* Please clarify any temporary and/or permanent changes to each existing and proposed bike path, and the number and location of new bike parking spaces proposed. Are there new Electric Vehicle charging stations and designated parking spaces proposed? Are new bus routes proposed to be created?
- b. *Parking analysis.* Please provide calculations showing the net gain in parking availability described by City staff during the November 19, 2019 coordination meeting. Please ensure that the elimination of the parking along Olympic Plaza is taken into consideration along with the identified gain in public parking spaces as a result of parking lot restriping and addition of spaces along Ocean Boulevard, and loss of

parking for the conversion of the temporary pool to a permanent pool. Was the parking analysis that was provided based on a parking utilization study or other data source(s)? If so, please provide the data used.

- c. *Construction impacts.* Will the proposed construction impact access along Ocean Boulevard, at Olympic Plaza, to Belmont Pier, to available public parking areas, or along the existing bike paths? How are such impacts minimized? Please provide a description of any proposed traffic mitigation measures and plans with any proposed signage to ensure that public access to the beach and along the regional bike and pedestrian route remains open, to the greatest extent feasible, during construction.

- V. **Updated Sea Level Rise Analysis.** As depicted in the updated sea level rise analysis, portions of the proposed development, including the open green space areas, the vehicle turnaround area, and the existing temporary pool, would be inundated under the medium-high risk scenario which the consultant analyzed and mapped. Please describe the feasibility of removal of threatened structures and any adaptation measures that would be implemented if/when wave uprush, sea levels, and/or significant flooding approaches the project site. Please also describe how the pool facilities will be accessed if the nearby roads, parking lots, and beach pedestrian and bike path are temporarily or permanently inundated.
- VI. **Updated Alternatives Analysis.** Please provide a more detailed alternatives analysis that, at a minimum, includes an in-depth discussion of the feasibility of alternative project locations including, but not limited to, the Elephant Lot and a location outside the coastal zone closer to the communities that are intended to benefit from the proposed City-wide and Underserved Programming.
- VII. **Updated Biological Surveys.** The biological survey submitted on November 6, 2019 is inadequate because it was conducted outside of nesting season. Please submit a report prepared by a qualified biologist that anticipates potential impacts to bird breeding and nesting in the areas immediately adjacent to the proposed aquatics center based on the trends in the nesting data (sourced from previous biological surveys and reports conducted by the City and local bird monitoring groups) over a time period that includes the construction and operation of the existing temporary pool.
- VIII. **Visual Analysis.** Please compile and submit a visual analysis that includes views of the proposed development from the beach and water and along Ocean Boulevard. Ocean Boulevard is designated as a scenic route in the City's certified LCP, which also requires buildings in this area be located and designed to provide a maximum amount of unobstructed views through their sites to the beach and recreational facilities. As proposed, the transformer, trash enclosure, and restrooms are located in an area that currently contains beach and blue water views. Please address the view impacts of these structures from Ocean Boulevard and Termino Avenue in the visual analysis.

In addition, in response to elements included in the revised plans provided November 6, 2019, which were not included in the plans submitted with the original City-approved CDP/appeal, please respond to the following:

- 1. Please describe how the proposed vehicle entrance and turnaround area is designed to accommodate larger vehicles including buses, firetrucks, and construction equipment. Please clarify whether the area will be used for parking of large vehicles or storage only.

2. Please expand on the ADA access site plan and provide a description of ADA accessibility to and use of the pool facilities.
3. Please depict and describe the proposed function and mechanics of the proposed moveable floor.
4. During the November coordination meeting, the curved retaining wall was described as crossing stairs. Please clarify the function of the sunset lawn and retaining wall/crossing stairs. Please describe how deep below grade the retaining wall will be constructed.
5. Please provide a written description of the Utilities Plan. Please highlight new utilities or utility extensions, any changes to sewer system capacity, and proposed placement of any new utility-related structures (like the proposed fire hydrant).
6. General Recommendation 4 of the City's certified General Strand Policies requires a definite priority listing of capital improvements be made for long-term capital development of beach facilities. Please describe how the proposed project affects the City's capital improvement priorities. Please also provide the priority list.

Finally, we understand a hearing notice has been sent out for Planning Commission action on a number of items relating to the proposed project including a new LCDP and LCP amendment.

- Please clarify whether the proposed LCDP, if approved, would replace the previously approved LCDP (1405-01) or would be supplemental to the City-approved 2017 LCDP for the newly proposed project elements?
- Please also describe any public outreach efforts conducted by the City in visioning the revised project design, preparing the proposed LCP amendment, and involving the public in local processes. Please include any outreach to communities expected to benefit from the proposed City-wide and Underserved Programs.

Upon receipt of the requested materials we will proceed with determining the completeness of your application. Please do not limit your submittal to the above mentioned items. You may submit any information which you feel may help Commission staff gain a clear understanding of the scope of your project.

If you have additional questions, feel free to contact me at (562) 590-5071.

Sincerely,



Dani Ziff
Coastal Program Analyst

Dear Planning Commission: Chair Richard Lewis, Vice-Chair Mark Christoffels, and Commissioners Verduzco-Vega, Cruz, La Farga, Perez and Templin,

There are numerous negative issues with the new revised pool plan. There is substantial noise, light, air, traffic and height Negative Impacts. Public outreach needs to be done for this new plan.

1. I applaud more attention being given for family/child recreation. But a roofless facility on a sandy, windswept beach will cause increased maintenance and much downtime of closed pools for breakdowns of moving mechanisms/filters for fountains, splash pads, "bubblers" and a movable pool floor. Due to natural coastal elements of salt, sun and sand permeation, an open air pool will have maintenance issues, breakdowns, closures and thus more costs. A roofless aquatic facility on the beach is poor planning.
2. Hours of operation until 10 PM violates Municipal Code, quality of life and peace & quiet for a predominately residential neighborhood and for the wildlife, bird habitat and marine life. There is no need to have the pool open until 10 PM plus it is cold and windy by that time of night for an outdoor pool. Absolutely intolerable and inconsiderate to have whistles, bull horns, lights and noise at that hour at an outdoor facility.
3. The Aquatic facility height is still unknown. Crucial light pole height detail is completely missing in the plans. Currently, the Belmont Temporary Pool light pole towers are substantially higher than the street lights. With shorter daylight hours especially in the winter, I have to close my blinds in my house by 5:00 PM from the light spill over from the towering light poles. The over-towering height of

the Belmont Temporary Pool light poles can be seen in Exhibit E, page 79 of 865.

4. Olympic Diving trials are in June. We have June gloom starting in May through June. Many days, this area has soaked in fog until mid afternoon. The fog horns blast constantly during June gloom and other foggy time periods on the coast, this makes hearing and visibility impossible for outdoor aquatic recreation and especially for swim competitions. These conditions will hamper divers, judges and spectators. Heavy fog & condensation creates slippery conditions. Visibility and hearing is notable comprised in these conditions. Diving outside with condensation, low visibility and afternoon sea breezes is not rational or safe. Many Cities are removing diving because of lawsuits.
5. Negative traffic impacts include removal of East Olympic Plaza, vacated alleyway by Olympix gym, East Ocean Blvd." road diet and reduced drop off space loop. Over sized vehicles for beach maintenance include semis hauling earth-movers, bulldozers, dump trucks, trash trucks, John Deere tractor with beach sweeper add to traffic problems. Adequate road access for expediency is paramount for First Responders. Fire trucks, paramedic vehicles and police are a daily occurrence on East Ocean Blvd. near the pool. First responders are called to the Belmont Temporary pool on a regular basis and the need for First Responders triples during swim meets. Delivery trucks for nearby businesses will need to drop off in the loop area or impact traffic on the single lane of East Ocean Blvd. to make deliveries.
6. The attention for ADA and handicap is substantially lacking. Consideration for Handicap/ADA parking ease is compromised. Plans do not show handicap chair lifts, pool ramps, ADA lockers, showers or restroom suitable for handicap in a pool environment.
7. Belmont temporary pool was only approved and built to be a "temporary" pool. Service trucks are regularly seen at the temporary pool for repairs. Leaks with chemical water

flowing down the street from the temporary pool have been seen often. Recently, major underground rusty and corroded water pipes were replaced at the temporary pool. Myrtha pools have a limited life expectancy. The Belmont Temporary Myrtha Pool is nearing the end of its life expectancy.

8. Plans indicate removal of habitat canopy trees and no replacement of the canopy sized mature trees. The City has routinely violated complying with the Coastal agreement to replace trees 1 to 1.
9. The beach as grunion spawning ground will be further decimated by the noise, lights, chemicals and disturbances. The grunion spawning grounds in Belmont Shore have been disturbed by the constant replenishment sand transfer to the Peninsula and the excessively large, uncontrolled dog beach. This Pool project adds more degradation to the wildlife and marine life.
10. California has limited water resources. Droughts and fire added to water availability. Constructing a massive aquatic facility is irresponsible. Especially an outdoor aquatic center will have water evaporation which requires more water supply usage.
11. The elephant lot downtown Long Beach is a suitable alternative site and with more appropriate infrastructure, more transportation options and more accessible for under-served demographics.
12. Bird senses are 200 - 500% more acute than humans. A massive outdoor pool facility will definitely impact the habitat and wildlife negatively, let alone negative impacts to nearby human residences.
13. The noise, lights, chemicals, traffic and trash from the Belmont Temporary pool has had substantial negative impact on the bird habitat and residential neighborhood. The water polo constant whistles and bull horn are ear shattering to humans so birds are definitely negatively impacted. The increase from this human invasion activity has caused abandonment of the birds in the canopy tree nearest the temp pool which was a huge habitat tree prior to the temp pool. The noise from a huge open air aquatic

facility can not be muffled by a minimum height glass wall. A glass wall does not provide adequate sound proofing. The bull horns, whistles, blaring music for exercise classes, team cheers, PA systems/DJ/hard music and summer camps have been a huge Noise blight at the open air Belmont temporary pool. Adding an open air facility five times larger than the Belmont temporary pool is substantial Noise.

14. Winds and sand kick up every afternoon. Sand and debris will constantly blow into the pools and the nearby residential neighborhoods. Swim meets have notoriously been sloppy and trash inconsiderate. During swim meets, swim teams erect pop up tents in surrounding pool landscape which adds to the noise/trash factor and disturbs habitat during nesting season.
15. Current underground drainage/sewer systems are small, old and not able to handle existing water issues around the pool, beach parking lot and neighborhood. Massive developments, mass reduction of available porous ground, elimination of tree root systems to absorb water have changed the drainage needs but underground drainage systems have not been modernized to meet current needs. The Pool plans do not address this issue. This mass concrete facility on a raised concrete platform changes the elevation and will further impact and flood existing lower height nearby homes. The beach parking lot floods during every rain currently so added construction compounds this problem. This plan adding multiple area restrooms, showers, spas and pools puts massive demands on water resource requirements, sewer and drainage in a SLR, high water table area. See video of the Pool area flooding: https://lbpost.com/news/storm-cell-floods-peninsula-belmont-shore-streets-and-businesses/?fbclid=IwAR12tJhuI7b5f5XBwouHmeBx4XwMYqBr1IYWfr_JiSLob7DT4LWDbrdxt_8 Also this Video from January 16, 2019 at time code: 40 shows Olympix Fitness flooding: <https://www.youtube.com/watch?v=FNkmXHaxRAY>
16. Vandalism is a huge blight at the Belmont temporary Pool, Belmont Veterans Memorial Pier and surrounding beach area so

an open-air, roofless Aquatic Facility will be an open target for vandalism.

17. Zoning should protect historical neighborhoods like Belmont Heights preservation should be a priority. Out of character heights for BBAC also negatively impairs quality and peace & quiet for Belmont Heights. Negative impact from blocked views, traffic, parking, light and noise pollution.
18. The open, roofless pool is in the flight path of Seagulls, pigeons, parrots and other protected bird species. I advocate protecting bird habitats but also conscientious of the fact - birds will find all the nooks and crannies of this outdoor facility intriguing for perching, pecking and pooping. This is a health and sanitation issue to consider.

This is a new plan and needs a new EIR, a new Traffic Study and needs to have public outreach. The Coastal Commission for the second time has given the City a Notice of Incomplete Application on this project. I ask the Planning Commission to send this project back to Staff.

I am protesting the legality of this meeting. Meeting was cancelled on Friday, December 13, 2019 then restored on Monday, December 16, 2019 without the required 10 day notice as per California Open Meeting Act https://ballotpedia.org/California_Open_Meeting_Act Staff reports and exhibits were not provided within 72 hours prior to meeting as deemed by California Open Meeting regulations.

Susan Miller
Board member of CARP
Citizens About Responsible Planning

12/9/2019

Dear Planning Commission: Chair Richard Lewis, Vice-Chair Mark Christoffels, and Commissioners Verduzco-Vega, Cruz, La Farga, Perez and Templin,

This letter has been emailed to be of record for the Dec. 19th, 2019 Planning Commission Meeting regarding the Belmont Beach and Aquatics listed as agenda Item 1. 19-093PL .

Please acknowledge receipt and inclusion this letter.

This is the first opportunity I've had to study any of the proposed Belmont Pool projects so in a sense I have fresh eyes and observations to provide.

I am unable to attend tonight's meeting due to the sudden cancellation and rescheduling of tonight's hearing. I must request great latitude in my ability to appeal all actions based on mine and other peoples input given the extremely short review period (< 3 days) and considerable change in the center's design.

It is disturbing that the City of Long Beach would find it appropriate to release documents 3 days later than normal so close to holiday celebrations .

I am preparing the holiday decorations, shopping and food for 3 households-my own, my 90 year old Mother and 90 year old Father -in Law. I am under an extremely short time deadline so please be patient when reading this. I will provide supporting documents if I choose to appeal the decision of the Planning Commission.

Today the proposed Belmont Beach and Aquatic Center project package drifts from describing the original Belmont Pool Plaza built in 1968 (prior to the CA Coastal Act), the existing site with only a temporary pool, the proposed plastic domed Belmont Aquatic Center and now another configuration the Belmont Beach and Aquatic Center.

If the City of Long Beach chose to retro fit the Belmont Plaza Pool and maintain its existing footprint then some comparisons are appropriate. What exists is CCC an approved temporary pool. The EIR addendum describes the domed pool complex as the "approved project" and then compares the latest rendition as having less impact. It is pretty obvious that the domed pool complex will never be approved by the California Coastal Commission.

The project being proposed is the loss of coastal open space/ beach publically accessible park in order to construct a much larger noncoastal dependent aquatic center. The expansion of the existing use has been now moved north of the beach in retreat of expected flooding and increased wave action due to climate change.

Here are my comments, suggestions and objections to this project process, approval, land use/zoning changes and the addendum to the EIR.

The proposed Belmont Beach and Aquatic Center must consider these codes and laws-

MAXIMUM OPPORTUNITYS TO PARTICIPATE

Cal. Pub. Res. Code §30503.

During the preparation, approval, certification, and amendment of any local coastal program, the public, as well as all affected governmental agencies, including special districts, shall be **provided maximum opportunities to participate.**

Comment- The public process of this center focused predominately on input from organized and competitive swimming who were called stakeholders. The dive pool and expansion of the complex happened in 2016 due to intense lobbying those involved in Olympic swimming, competitive swim teams, diving professionals and businesses reliant on the funds associated with these activities.

The website [www. BelmontPool.com](http://www.BelmontPool.com) has not been updated to show today's proposed center or the date of this hearing. The website only contained the previously proposed domed project.

The City hampered public input on this hearing by scheduling, then formally cancelling the meeting (due to a lack of quorum) then it was back on the schedule. The hearing documents became available less than 3 days prior.

The EIR alternatives to this project location excluded the Elephant Lot downtown and other locations within Long Beach. The City claimed that the pool complex had to be within the Tidelands area to obtaining funding yet even now years later the money to build this project is short by 30 to 40 million.

If the City believes that they can raise this money then perhaps it would better to move the entire complex to the westside of Long Beach where the need is so much greater and the project can be built for less than a 1/3 of the cost.

I find it extremely offensive that the City's has tried to balance the obvious white and well to do demographics of the swimming and diving community by suddenly proposing to create new programs and increase busing people of color/ disadvantaged children into the wealthy 3rd District.

Downtown's Elephant Lot is a much better choice-close to many forms of public transportation and near to neighborhoods that qualify under the California Coastal Commission Environmental Justice Policy. The City is replacing a public park with a for \$\$ fee facility. The City should open the public process for alternative locations to not only a selective task force, swimming & diving stake holders & the International Olympics Committeebut to the whole of Long Beach.

2028 LA OLYMPICS- WE SHOULD NEVER BE PLANNING OUR CITIES AROUND 3 WEEK EVENTS

“We should never be planning our cities around three-week events” No Boston Olympics: How and Why Smart Cities Are Passing on the Torch Chris Dempsey

Comment-

The City of Long Beach has been in negotiations with the City of Los Angeles and International Olympics Committee IOC. In fact the IOC is directing the design of the Belmont Beach and Aquatic center.

“The Olympics organizing committee told us it wouldn't even be considered (for diving competition) unless it was outside,” Price said. “I know there were reasons for wanting it inside, but that was the primary reason the building was so high, and that was a real sticking point.”

There would be room to add temporary seating for 10,000 spectators should the city convince Olympic organizers to bring diving to Long Beach. Several other 2028 Olympic events already are slated to take place here.” Grunnon Gazette December 6 2019

It is a well-known fact that the IOC requires strict confidentiality agreement that both the City of Los Angeles and City of Long Beach would have to sign.

Here is an example of one IOC confidentiality agreement clause-

87. Confidentiality

Each of the parties hereto undertake to keep confidential all data, documents and information provided

to such party by any other party in connection with the negotiation, execution and performance of this

Contract, subject to the following terms and conditions:

- i. each of the parties shall have the right to publicly disclose the present Contract (including the Host City Contract Detailed Obligations referred to in Sections 6 and 69 above) or otherwise communicate its content to third parties;
- ii. each of the parties shall have the right to disclose any data, documents and information referred to in, or otherwise related to, this Contract (a) to the extent that such disclosure is necessary for financial, legal or governmental proceedings, and (b) after notifying the other Parties in writing, in a timely manner, of such intended disclosure and providing details in relation to the concerned financial, legal or governmental proceedings; and
- iii. each of the parties shall have the right to make a limited disclosure of any data, documents and information referred to in, or otherwise related to, this Contract, on a need-to-know basis, to its affiliates, licensees, suppliers, contractors or other persons, where necessary to enable it to exercise its rights hereunder and provided that all such persons or entities to whom disclosure is made agree in writing to respect this Section 87.

The very nature of the IOC's Confidentiality goes directly against the Coastal Commissions directive to provide maximum public participation. In fact much of these negotiations are shielded from the California Public Records Act. I've been told that the City has been also discussing Olympic changes to the Pier Complex without public participation.

As the quote I've included above says "WE SHOULD NEVER BE PLANNING OUR CITIES AROUND 3 WEEK EVENTS "nor should we be developing our coastal resources for a select few involved in competitive swimming. Specifically why is a professional level diving pool designed to Olympic level competition being included in a publically paid for project? A diving pool requires specialized equipment and a dark bottom and is a safety hazard which is detrimental to public use.

3. DARK-COLORED BOTTOM

When divers flip and rotate, they can lose their bearings without a color contrast between the pool water and the natatorium ceiling or sky. It is recommended by USA Diving that the bottom of the dive pool be a dark color — typically dark blue or black — and the walls white.

There may be issues with local health departments, as most codes require a white bottom so that a lifeguard can detect a person lying on the bottom. Most health departments will grant a variance on this regulation if the dive pool is used only for dive training and competition and is classified as a special-use pool.

Source- How to design a World Class Diving Facility

<https://www.athleticbusiness.com/aquatic/how-to-design-a-world-class-diving-venue.html>

I do not even know why the City keeps misstating the possibility of the Belmont Beach and Aquatic Center's participating in the 2028 Olympics since the site has already been chosen at the Dedeaux Field at USC . I am mystified by the Mayor's insistence that somehow the Pier is an important development project as "viewing platform" for the proposed Olympic sailing events.

MAXIMUM ACCESS

Section 30210 Access; recreational opportunities; posting

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Comment- The proposed Belmont Beach and Aquatic Center does not provide maximum access-the primary design of this facility is focused on competitive swimming /diving. A public park with access to the beach will be developed.

The project EIR should be revised to consider the Elephant Lot as a project site.

Coastal Views Exhibit C Views of the ocean will be improved as compared to the previous pool facility, because of a reduction in overall building massing. The PD's goals of preserving area view corridors, including the specified Termino Avenue and Bennett Avenue view corridors providing ocean views from vantage points north of the project site, will be met with the proposed project.

Comment-

The bleacher sun awnings or coverings exceed the current zoning and LCP 60 ft tall. There has been no study of the coastal scenic view impact. In addition the City's own municipal code requires sight poles in place for the public to determine its impact. Saying that the view impact is less than a now non-existent structure is meaningless. The EIR should be revised. The homeowners whose ocean views may be impacted should have an opportunity to weigh in on this project. The EIR should not consider the demolished Belmont Plaza Pool view impact as the only thing there is a temporary pool.

Traffic/Parking- Environmental Impact Report 01-16 (the Belmont Pool Revitalization Project EIR, BPRP EIR) was prepared for the previous version of this project, and EIR Addendum 03-19 was prepared for this revision to the project. Within the document potential project-related traffic and transit-related impacts were analyzed. The analysis found that normal operational traffic generated by the project is not expected to conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the area circulation system. A study of 10 area intersections found that all study area intersections will operate at a Level of Service (LOS) that is considered acceptable by the City of Long Beach (LOS "D" or better).

Comment-

In the addendum EIR the City added 2 additional intersections 2nd/PCH and 2nd/Studebaker to EIR Addendum Traffic analysis. The City should revise this analysis to include Ximeno/ 7th and Park/7th as these to residential streets serve as an route into the Pier and Pool area and prior projects EIR have stated that both intersections will function at an LOS F in the near future. The City should provide updated traffic analysis on the functioning of Ocean Blvd after the lane was removed along with the change to the pickup/drop off sight at the Granada Parking lot for the new facility.

The parking analysis takes credit for the additional parking spaces created by the elimination of one lane of Ocean. The addition of the new gym nearby has created further parking impacts which have resulted in the Pier Lot being used for adjacent commercial uses. A Pier/Pool parking management plan should be in place before any project approvals are granted. Refer to problems with Marina Drive parking situation.

Sound-

Comment

The addendum EIR analyzed crowd noise rather than the impact of announcement speakers.

Comment- The City claims that they can control the impact of speakers, however the sound will carry for nearly a mile. I can attest to this fact as I hear both the Wilson High football games and speed boat announcements within my own home. The new outdoor facility is planned to be used 7 days a week until 10 pm with an unlimited number of special events. The City should demonstrate exactly how they plan on mitigating the noise emitting from the facility.

Birds- The new tall glass wind screens around the entire perimeter of the project seem to me a hazard to bird life. The addendum EIR should have analyzed this impact.

The Coastal Commission has an incomplete application for this project. Please vote No on all proposed actions.

Regards, Kerrie Aley



Dionne Bearden

From: Kerrie Aley <[REDACTED]>
Sent: Thursday, December 19, 2019 6:54 PM
To: Dionne Bearden
Subject: Urgent : Belmont Park and Aquatic Center Public Hearing Input
Attachments: Belmont Park Aquatic Center.pdf

For tonight's hearing Belmont Park Aquatic Center

----- Forwarded message -----

From: Kerrie Aley <[REDACTED]>
Date: Thu, Dec 19, 2019 at 6:46 PM
Subject: Belmont Park and Aquatic Center Public Hearing Input
To: Linda Tatum <Linda.Tatum@longbeach.gov>, CityAttorney <CityAttorney@longbeach.gov>, Council District 3 <District3@longbeach.gov>, Jack Cunningham <Jack.Cunningham@longbeach.gov>, Scott Kinsey <Scott.Kinsey@longbeach.gov>, cityclerk <cityclerk@longbeach.gov>

Please find attached my public comments on tonight's Planning Commission hearing on the Belmont Park and Aquatic Center Hearing.

Thanks Kerrie Aley

Dionne Bearden

Subject: FW: Belmont Pool re-design Dec 19 2019

From: Mary Parsell [REDACTED]
Sent: Thursday, December 19, 2019 2:56 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>; Ziff, Dani@Coastal <dani.ziff@coastal.ca.gov>
Subject: Belmont Pool re-design Dec 19 2019

*from the desk of Mary Parsell
El Dorado Audubon*

December 19, 2019

Members of the Long Beach Planning Commission

c/o Scott Kinsey, Project Planner (scott.kinsey@longbeach.gov), and

cc: Christopher Koontz, Planning Bureau Manager (christopher.koontz@longbeach.gov)

cc: Dani Ziff, CCC

RE: Belmont Pool

Dear members of the Long Beach Planning Commission:

I have not had time to properly review that documents for the revised Belmont Pool.

I support the CCC staff in their questions about sea level rise and other coastal law matters.

I am a user of the original Belmont Plaza Pool.

I am also a life-time user of beaches on the California coast, I am concerned with open space and birds and other wildlife who use the ocean and beaches of the coast.

As an advocate of "bird space building design" which is one of the major concerns the National Audubon Society and the local chapter, El Dorado Audubon, the new project appears to address those concerns. I reserve the right on behalf of El Dorado Audubon to address these and other issues as the project goes through the proper channels.

Thank you.

Contact information: [REDACTED]

Dionne Bearden

Subject: FW: I support the staff recommendation for our new Belmont Pool !! - Janice Bennett

From: Janice Browning <[REDACTED]>

Sent: Thursday, December 19, 2019 3:08 PM

To: Christopher Koontz <Christopher.Koontz@longbeach.gov>; Scott Kinsey <Scott.Kinsey@longbeach.gov>

Subject: I support the staff recommendation for our new Belmont Pool !! - Janice Bennett

PLEASE BRING BACK THE POOL! So many future Long Beach Olympians are ready to be trained!

Graciously,

Janice Bennett



4401 E Anaheim Street
Long Beach, CA 90804
O: (562) 424 – 0404

<http://www.tomstire.com>

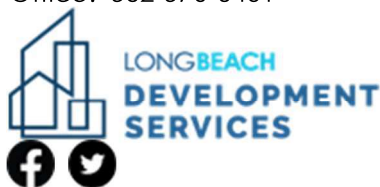
Dionne Bearden

Subject: FW: REVISED Belmont Pool re-design Dec 19 2019

From: Scott Kinsey
Sent: Thursday, December 19, 2019 3:20 PM
To: Dionne Bearden <Dionne.Bearden@longbeach.gov>
Subject: FW: REVISED Belmont Pool re-design Dec 19 2019

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Mary Parsell [REDACTED]
Sent: Thursday, December 19, 2019 3:20 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Ziff, Dani@Coastal <dani.ziff@coastal.ca.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: REVISED Belmont Pool re-design Dec 19 2019

From: Mary Parsell
Sent: Thursday, December 19, 2019 2:55 PM
To: scott.kinsey@longbeach.gov <scott.kinsey@longbeach.gov>
Cc: Christopher.Koontz@longbeach.gov <christopher.koontz@longbeach.gov>; Ziff, Dani@Coastal <dani.ziff@coastal.ca.gov>
Subject: Belmont Pool re-design Dec 19 2019

from the desk of Mary Parsell
El Dorado Audubon
RESIVED

December 19, 2019

Members of the Long Beach Planning Commission

c/o Scott Kinsey, Project Planner (scott.kinsey@longbeach.gov), and

cc: Christopher Koontz, Planning Bureau Manager
(christopher.koontz@longbeach.gov)

cc: Dani Ziff, CCC

RE: Belmont Pool Support CCC concerns re Section VII of letter
Updated Biological Survey needed during nesting and also bird friendly building design

Dear members of the Long Beach Planning Commission:

I support the CCC staff in their questions about sea level rise and other coastal law matters
AND
Section VII of letter from CCC "Updated Biological Survey"

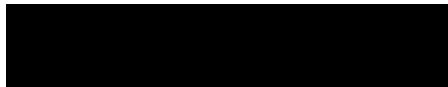
I am a user of the original Belmont Plaza Pool.

I am also a life-time user of beaches on the California coast, I am concerned with open space
and birds and other wildlife who use the ocean and beaches of the coast.

As an advocate of "bird space building design" which is one of the major concerns the National
Audubon Society and the local chapter, El Dorado Audubon, the new project appears to
address those concerns. I reserve the right on behalf of El Dorado Audubon to address these
and other issues as the project goes through the proper channels.

Thank you.

Contact information:



Dionne Bearden

From: Audrey Mabie [REDACTED]
Sent: Thursday, December 19, 2019 3:40 PM
To: Scott Kinsey
Cc: Dionne Bearden
Subject: Belmont Pool

Dear Mr. Kinsey,

I respectfully ask that you submit my e-mail comments for the Planning Commission 12/19/19 Agenda re: Belmont Beach & Aquatic Center, listed as Agenda Item 1. 19-093PL. I ask that you please acknowledge receipt of this message and that it be included in the record of this Planning Commission meeting.

I strongly oppose the recommendations being made on the Planning Commission agenda regarding the Belmont Plaza Pool (Application 1910-05) agenda item.

I believe it is vitally important that the public be given more time to adequately consider all the moving parts of this revised pool project. There have been no public meetings for anyone since the revised pool was announced in June 2019, except for the select "Pool Stakeholders Committee" specially invited by city staff to a private meeting to discuss and see the revised pool design.

I think you will agree that any member of the public should be given the same opportunity to understand the scope, scale and size of the new project. Accordingly, I ask that you postpone all the recommendations being made by the Planning Department at this meeting and request that you schedule a series of public workshops throughout Long Beach to conduct outreach about revised pool project. I believe that residents outside of the 3rd District should be given equal opportunity to review the impacts of this project. After all, this pool is not limited for use to only residents of the 3rd District of Long Beach. Or is it?

Sincerely,

Audrey Mabie
2nd District, Long Beach Constituent
[REDACTED]
Long Beach 90814

Dionne Bearden

Subject: FW: Support for new Belmont Pool

From: Jose Villa [REDACTED]

Sent: Thursday, December 19, 2019 3:42 PM

To: Scott Kinsey <Scott.Kinsey@longbeach.gov>

Cc: Christopher Koontz <Christopher.Koontz@longbeach.gov>

Subject: Support for new Belmont Pool

c/o Scott Kinsey, Project Planner

cc: Christopher Koontz, Planning Bureau Manager

I support the staff recommendation for our new Belmont Pool

Jose Villa
Long Beach resident

Dionne Bearden

From: Joe Weinstein [REDACTED]
Sent: Thursday, December 19, 2019 3:43 PM
To: Dionne Bearden
Cc: [REDACTED]
Subject: !ADDENDUM to CARP's Letter for Planning Commission Re: today's agenda Item 1 (Belmont Aquatic Center)

Importance: High

Dear Dionne,

In regards Item 1 (proposed recommendations re Belmont Aquatic Center project), Citizens About Responsible Planning (CARP) has a concern which should be considered by Planning Commissioners, additional to those noted in Ann Cantrell's letter on our behalf.

The proposed re-zoning away from Park will require designation of site(s) for timely fulfillment of the city's Parks in Perpetuity policy, which requires two-for-one replacement of park areas. The proposal is accordingly incomplete because no such sites are noted.

Sincerely,

Joseph M. (Joe) Weinstein
President, Citizens About Responsible Planning
4000 Linden Ave., Long Beach CA 90807
562-492-6531

From: anngadfly@aol.com <[REDACTED]>
Sent: Thursday, December 19, 2019 11:51 AM
To: Dionne.Bearden@longbeach.gov <Dionne.Bearden@longbeach.gov>
Subject: Correction

Dear Dionne,
These remarks are not for Item 2, but Item 1, the Belmont Aquatic Center. Please correct.
Gratefully,
Ann Cantrell

-----Original Message-----

From: anngadfly <[REDACTED]>
To: Dionne.Bearden <Dionne.Bearden@longbeach.gov>

Sent: Thu, Dec 19, 2019 11:26 am
Subject: 12/19/19 Item 2 remarks

Please forward these remarks to the Planning Commissioners.
Thank you,
Ann Cantrell
CARP

Dear Decision Makers:

Citizens About Responsible Planning respectfully request that this December 19, 2019 hearing be rescheduled until the public has a chance to better review the new plans. The letter of application has not been approved by Coastal Commission staff and all their many questions about this revised project must be answered.

On Friday, Dec. 13, 2019, I and many others received an e-mail stating that the Nov. 19 Planning Commission had been canceled. (see attachment 12.19.19). On Monday, Dec. 16, I received an e-mail from Scott Kinsey stating that the meeting had been canceled for lack of a quorum, but was now back on. We contend that once a meeting is canceled, the Brown Act requires a ten day re-noticing period.

We are also protesting the lack of availability of the staff report and exhibits for the 7 issues for the required 72 hours prior to the meeting. The changes that have been made from the original design, including the removal of the pool building and roof, the change in site location, the loss of a public park and the addition of lights and noise to the neighborhood, require days, not hours of study.

Your staff report states that changes have been made to the original pool plan as requested by the Coastal Commission, yet the CCC staff has sent back the City's application letter not once but twice and still have many questions. (See attachment 5-18-0788 2nd incomplete notice).

Along with the CCC staff, we would like clarification of whether the proposed LCDP would replace the previously approved LCDP (1405-01) or would be supplemental to the City-approved 2017 LCDP for the newly proposed project?

The CC staff also asked for any public outreach efforts conducted by the City in visioning the revised design, preparing the LCP amendment, including any outreach to the communities in the City-wide and Underserved Programs. As far as we are aware, there has been no public outreach on the new plans, except with a small, private group of pool proponents.

You are being asked to approve an LCP Amendment to establish the Belmont Beach and Aquatics Center (Modified Project) as a new subarea – PD-2, Subarea 5. Subarea 5 would include the Modified Project complex on an expanded site that was the former location of the Belmont Olympic Plaza Pool; allow a height limit up to **60 ft** (the height of the former Belmont Pool building, which was built before the Coastal Act); and **would exempt new, rebuilt, or remodeled public facilities from a requirement to provide additional parking, notwithstanding the requirements of Municipal Code Chapter 21.41.**

The current allowed height for structures in the Coastal Zone is **36** feet. The shade structure is 48 ft, 10 inches high, with the support columns being approximately 60 ft high from the Plinth level and 67 ft high above grade. The dive tower is 40 ft high above Plinth level and 47 ft high above grade. These will affect views of the ocean on a designated scenic route.

If the city doesn't like the required height or parking requirements, they just change the Local Coastal Amendment! Please vote no.

Other CCC staff requests include:

1. Notification of Interested Parties within new 100" radius
2. Clarified Project Description, including time the pools would be available for Public use.
3. Measures to prevent leaking and other structural issues at Temporary Pool.
4. Clarification of Landscaping Plan
5. Drainage Plan to prevent flooding
6. Detailed Foundation Plan, including number of piling and groundwater levels
7. Lighting Plan for all lights, including light pole height, and how light will impact coastal resources
8. Parking and Traffic Details, including the elimination of Parking on Olympic Plaza
9. Construction Impacts, including public access to the beach
10. Updated Sea Level Rise Analysis As depicted in the updated sea level portion of the proposed development, the open green space the turnabout area and the existing temporary pool would be inundated under medium high risk scenario

11. Updated Alternatives Analysis, including the Elephant lot and a location closer to communities that are intended to benefit from the City-Wide and Underserved Programming
12. Updated Biological Surveys done during breeding season
13. Visual Analysis that includes view of the proposed development from the beach and Ocean Blvd., which is designated as a scenic route in the certified LCP
14. Describe how the proposed vehicle entrance and turnaround will accommodate large vehicles such as buses, emergency and construction vehicles
15. Function and mechanics of the moveable floor
16. Function and description of the retaining wall
17. Written description of Utilities Plan
18. City's General Strand Policies—provide priority list

In addition to the CCC's list, CARP also has many questions. (See Susan Miller's attached comments).

Our main objection remains: **Building this aquatic center on the sand, in a liquefaction zone, with sea level raise, is an reckless use of public funds.**

This is a completely changed project and must have a new EIR. Better yet, would be a different location.

From the very beginning, we have urged the City to build this center at the Elephant Lot/Convention Center Parking Lot. As this location has been offered for many other projects such as George Lucas Star War Museum, the 2028 Olympic Sports Park, luxury condos and the Anaheim Angels, it is obvious that the excuse that this is leased to the Jehovah Witnesses is no longer valid.

Quit trying to force a square peg into a round hole. Find another location. And put the roof back on the pool! We never opposed a roof, we opposed the chosen plastic material, extreme height and size. If these pools are to be used for water polo and meets they must be covered to muffle the noise. Heating outdoor pools requires a lot of expensive energy. Most people find outdoor pools unusable in winter, even when heated, because of eventually having to get out. And as Susan has mentioned, without a roof, the pools on the beach will be full of blowing sand, trash and bird poop.

With more central location, all of the mitigation could be avoided. Those in North and West Long Beach would have easier access; the park with its mature trees, grass and ADA sidewalks could remain; Olympic Plaza could provide additional needed parking places and visitors would have access and views of the ocean.

In conclusion, if you do decide to vote on this project today, please vote no.

Ann Cantrell
Citizens About Responsible Planning

Dionne Bearden

From: Anne Proffit [REDACTED]
Sent: Thursday, December 19, 2019 3:50 PM
To: Dionne Bearden
Subject: this evening's meeting

To the Planning Commission:

I am in total agreement with the letter you received from CARP.

It is a dereliction of duty for you to make these proposals without approval from the CCC, which is not in hand. It's irresponsible, will cost more money - we don't have - in the long term and your decision to exclude public comment is completely undemocratic.

Of course with Mr Koontz and Ms Tatum in charge, I expected nothing else.

Please remember who you really owe fealty to: the people of this city. Not the out-of-town developers, not the IOC or anyone else. This entire project is stupid. We have a pool - it's called the Pacific Ocean.

Anne Proffit
[REDACTED]

Dionne Bearden

Subject: FW: I support the updated design for the Belmont Pool

----- Forwarded Message -----

From: Shawn Oatey <[REDACTED]>
To: cott.kinsey@longbeach.gov <cott.kinsey@longbeach.gov>; christopher.koontz@longbeach.gov <christopher.koontz@longbeach.gov>
Cc: Suzie Price <suzie.price@longbeach.gov>
Sent: Thursday, December 19, 2019, 02:18:59 PM PST
Subject: I support the updated design for the Belmont Pool

Members of the Long Beach Planning Commission,

Please know that there is an entire community here in Long Beach (many of us who grew up here) that support the new updated design for the Belmont Pool facility. Help us rebuild the pool complex and bring a needed resource back to Long Beach!

Thank you,

-Shawn Oatey

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 4:00 PM
To: Dionne Bearden
Subject: FW: Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461

-----Original Message-----

From: Jeff Gillott [REDACTED]
Sent: Thursday, December 19, 2019 3:59 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont Pool

Mr. Kinsey,

I support the staff recommendation for our new Belmont Pool! I grew up using the Belmont Plaza Olympic Pool as a recreational swimmer and competitor. My two daughters are now using the pool as competitive swimmers and water polo players. Please build this pool for them, and all the citizens of Long Beach.

Thank you,

Jeff Gillott
[REDACTED]

Sent from my iPhone

Dionne Bearden

From: Regina Taylor <[REDACTED]>
Sent: Thursday, December 19, 2019 4:20 PM
To: Dionne Bearden
Subject: Item 2 Proposed Belmont Pool and Aquatic Center Dec 19

Earlier today a letter written by Ann Cantrell on behalf of Citizens About Responsible Planning was submitted requesting rescheduling the meeting until the public has a chance to review the new plans, and review answers to questions raised by Coastal Commission.

I wish to add my support to this request and reiterate my opposition to the pool being built in the suggested location, for all of the reasons stated in the CARP letter, not least of which is the construction of a pool in a liquefaction zone subject to sea level rise (which defies common sense).

Please furnish my comments of support of CARP's letter to Planning Commissioners.

Thank you
Regina Taylor
[REDACTED]

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 4:23 PM
To: Dionne Bearden
Subject: FW: I support the staff recommendation for our new Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Eric Berg [REDACTED]
Sent: Thursday, December 19, 2019 4:22 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: I support the staff recommendation for our new Belmont Pool

Eric Berg
Long Beach Wilson High School
Wilson Boys Swimming

Dionne Bearden

From: Christopher Koontz
Sent: Thursday, December 19, 2019 5:09 PM
To: Dionne Bearden
Subject: Fw: I support the Belmont Pool

From: Patsee Ober <[REDACTED]>
Sent: Thursday, December 19, 2019 5:01:37 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Subject: I support the Belmont Pool

I support the staff recommendation for our new Belmont Pool

Patsee Ober

Dionne Bearden

From: Scott Kinsey
Sent: Thursday, December 19, 2019 6:40 PM
To: Dionne Bearden
Subject: FW: Belmont pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Jacqueline De Luca <[REDACTED]>
Sent: Thursday, December 19, 2019 5:18 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont pool

I support the staff recommendation for our new Belmont Pool
Jacqueline Frank De Luca

Sent from my iPhone

Dionne Bearden

From: Scott Kinsey
Sent: Friday, December 20, 2019 7:47 AM
To: Dionne Bearden
Subject: FW: Belmont Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461

-----Original Message-----

From: Charles Lynch <[REDACTED]>
Sent: Thursday, December 19, 2019 6:52 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Belmont Pool

I support the staff recommendation for the Belmont Pool.

Sent from my iPhone

Dionne Bearden

From: Scott Kinsey
Sent: Friday, December 20, 2019 8:43 AM
To: Dionne Bearden
Subject: FW: New Belmont pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Pam Lazzarotto [REDACTED]
Sent: Friday, December 20, 2019 8:33 AM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: New Belmont pool

"I support the staff recommendation for our new Belmont Pool"

Pam Lazzarotto
[REDACTED]

Dionne Bearden

From: Scott Kinsey
Sent: Friday, December 20, 2019 9:51 AM
To: Dionne Bearden
Subject: FW: Pool

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461

-----Original Message-----

From: holly lazzerini <[REDACTED]>
Sent: Friday, December 20, 2019 9:24 AM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Pool

I support the staff recommendations for our Belmont pool Holly Lazzerini

Dionne Bearden

From: Scott Kinsey
Sent: Friday, December 20, 2019 10:53 AM
To: [REDACTED]
Cc: Dionne Bearden; Christopher Koontz; Tom Modica; Linda Tatum
Subject: RE: 19-093PL on agenda of Planning Commission Meeting, December 19, 2019

Ms. Christensen,

Your comments and supporting materials were received yesterday and became part of the public record as soon as received. Additionally, you provided verbal testimony at the hearing. All comments and materials received for Planning Commission will be sent to the City Council.

Thank you for your comments.

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Anna Christensen <a[REDACTED]>
Sent: Friday, December 20, 2019 9:58 AM
To: Dionne Bearden <Dionne.Bearden@longbeach.gov>; Scott Kinsey <Scott.Kinsey@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>; Tom Modica <Tom.Modica@longbeach.gov>; Linda Tatum <Linda.Tatum@longbeach.gov>
Cc: SUSAN MILLER <a[REDACTED]>; Ann Cantrell <a[REDACTED]>; Gabrielle Weeks <a[REDACTED]>
Subject: Fw: 19-093PL on agenda of Planning Commission Meeting, December 19, 2019

Susan Miller has informed me that because Dionne was out of the office yesterday afternoon the attachments (public comments and background info) may not have been relayed to the Planning Commissioners or entered into the public record. With such a large staff, I find this excuse unacceptable. At the Planning Commission meeting last night, the public was told that communications sent in after 3pm were not distributed to Planning Commission members. Because LBDS has consistently had a 5pm deadline, I assumed that emails sent before 5pm would be entered into the public record. However, given Susan's email, I am resending the email and expect that the information will be forwarded to the Planning Commissioners and also become part of the public record on this agenda item that will be forwarded to the LB City Council. Please confirm that you have received this request, documented and posted this info, and will send it to City Council members. Anna Christensen, LBAPN/Sierra Club

----- Forwarded Message -----

From: Anna Christensen <a[REDACTED]>

To: Dionne Bearden <dionne.bearden@longbeach.gov>; Scott Kinsey <scott.kinsey@longbeach.gov>; Christopher Koontz <christopher.koontz@longbeach.gov>; LBDS <lbs@longbeach.gov>; "dani.ziff@coastal.ca.gov" <dani.ziff@coastal.ca.gov>; "dani.ziff@coastal.ca.gov" <dani.ziff@coastal.ca.gov>; Jordan Sanchez <jordan.sanchez@coastal.ca.gov>

Cc: Tom Modica <tom.modica@longbeach.gov>; Linda Tatum <linda.tatum@longbeach.gov>; City of Long Beach <mayor@longbeach.gov>; First District Council Office <district1@longbeach.gov>; Council District 2 <district2@longbeach.gov>; City of Long Beach <district3@longbeach.gov>

Sent: Thursday, December 19, 2019, 1:25:36 PM PST

Subject: 19-093PL on agenda of Planning Commission Meeting, December 19, 2019

To: City of Long Beach Planning Commission: Chair Richard Lewis, Vice-Chair Mark Christoffels, and Commissioners Verduzco-Vega, Cruz, La Farga, Perez and Templin
Re: 19-093PL on agenda of Planning Commission Meeting, December 19, 2019
From: The Long Beach Area Peace Network
From: The Long Beach Area Peace Network (LBAPN)
To: Long Beach Planning Commission and Long Beach Development Services

See attached PDFs for LBAPN's statement and associated documents.



Long Beach Chapter

April 26, 2017

To: Long Beach Mayor and City Council

Subject:

Appeals of Belmont Beach and Aquatic Center EIR Planning Commission Approvals

On behalf of the Surfrider Foundation Long Beach Chapter, I am writing this letter expressing our opposition against the current plans for the Belmont Beach and Aquatics Center (BBAC) development and our support for the pending appeals of the Environmental Impact Report (EIR) and Coastal Development Permit (CDP).

While we are not opposed to development of an aquatic center and public pool in Long Beach, we very much oppose the site chosen for the project based on the fact that:

- the alternative site analysis was overly restricted and inadequate;
- the proposed facility would violate important Coastal Act policies and;
- the public was not adequately informed of the size and scope of the project.

We strongly encourage the City Council to uphold the appeals, reverse approvals of the EIR and CDP, and direct staff to reinitiate an analysis of alternative sites for the facility.

The Alternative Site Analysis Is Inadequate

The California Environmental Quality Act requires an EIR to include a reasonable range of alternatives for a proposed project. However the project EIR, and associated CDP, was based on a fundamental premise that sites for the BBAC in Long Beach must be within the area eligible for "Tidelands Funds." This narrow and unsupported limit on alternative sites prohibited consideration of a superior alternative.

The currently budgeted tidelands funds for the BBAC is approximately \$60 million. The most recently estimated construction cost of the project is approximately \$103 million. The construction estimate shortfall of \$43 million remains unfunded and additional tidelands funding will not be available for years due to decreased oil revenues and other unfunded capital projects relying on tidelands funds. Unfunded tidelands funds capital projects in FY2017 total over \$350 million.

Therefore, the rationale for limiting the alternative sites analyses was flawed for two interconnected reasons. First, the location chosen as the preferred site is exposed to hazardous conditions, including seismic activity and projected sea-level rise inundation. The construction requirements for buildings on sites exposed to these hazardous conditions adds significant costs to the development that could be avoided in other sites at higher elevations and farther from the shoreline. Second, because of these additional costs associated with the location chosen as the preferred site, there is not enough Tidelands Funds available to complete the project without additional funding from other sources. Ironically, if the eligibility of a site is that the facility can be paid for with tideland funds, this site fails the test. Therefore, the analysis was based on a limitation that the facility site be eligible for a specific funding source, and that specific funding source cannot pay for the project because of the hazardous conditions of the location chosen as the preferred site.

Compounding the overly limited scope of potential alternative sites, inadequate analyses and ironic conclusion, evidence shows that an aquatic center with similar, if not superior, public benefits, could be built with the additional funding (approximately \$43 million) necessary for building in a hazardous area. That is, it is likely a more thorough analysis would show that all the purposes of the aquatic center could be better achieved at alternative sites with the \$43 million needed to make up the funding shortfall at the site chosen. This preferred alternative would not only fulfill the basic objectives of the proposed project, but would also leave the approximate \$60 million in the tidelands fund for other coastal dependent projects that are already in the City's list of needed tidelands projects.

Further adding to the irony of the Planning Commission decision on the preferred site, adapting to rising sea level will present numerous challenges in Long Beach and require significant investments in the future. In fact, several of the projects in the list for future tidelands fund appropriations are needed to address hazards from rising sea levels. Building the aquatic center at the proposed location just adds one more development to the list that will need to be moved or protected in the future - and it will use funds that would otherwise be available for those reasonably foreseeable adaptation projects. By building an aquatic center out of harm's way the City could actually save tidelands funds for already urgent needs without further burdening the tidelands funds to protect the current BBAC.

The Planning Commission has chosen not to review a reasonable range of alternatives without giving an adequate reason for the overly-limited scope of eligible sites. While there are additional significant flaws in the EIR, the wholly inadequate analyses of alternative sites, and identification of a superior site, is reason to reverse the Planning Commission's certification of the EIR and approval of the CDP.

CDP Violates Coastal Act Policies

The proposed Belmont Pool violates at least three important Coastal Act policies:

- Prohibition of development in hazard zones and use of "protective devices" for new development¹;
- Protection of coastal views²; and
- Payment of mitigation for loss of sand from littoral system and loss of public recreation area.

CEQA mandates that the EIR identify and fully analyze these important Coastal Act policies. Further, given the project will require a CDP from the Coastal Commission under their "retained jurisdiction" over portions of the site, it is irresponsible for the City to propose a public project that is inconsistent with Coastal Act policies.

Protective Device

The proposed development includes a seven-foot high pedestal ("plinth") foundation. It is clear in the project documentation that this structural "protective device" is specifically designed to address "flooding" from foreseeable sea level rise, and the project itself was necessitated by "geologic instability" from known risks of seismic activity. Yet the EIR discussion of foreseeable flooding from sea level rise fails to identify, much less thoroughly analyze, the Coastal Act policies prohibiting the proposed protective device. This failure in and of itself is cause for reversing the Planning Commission certification of the EIR and issuance of the CDP.

Coastal Views

Further, the seven-foot pedestal foundation, and the unnecessarily large footprint of the project, is a violation of the Coastal Act policy to "site and design" a facility to protect

1 Coastal Act section 30253 (a) and (b): New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

2 Coastal Act section 30251: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

views “to and along the ocean and scenic coastal areas.” First, an aquatic center is not a “coastal dependent use³.” Further, the EIR unnecessarily limited the proposed development to areas in the coastal zone when the public benefits could easily be provided outside the coastal zone. Finally, by choosing a site that is in harm’s way from foreseeable future flooding, the design included building elevations that impair coastal views – views that the public is now able to fully enjoy. And as explained below, the City deliberately limited the scope of the “story poles” and failed to fully illustrate the project’s impairment of coastal views.

The flawed installation of a single “story pole”, and the EIR discussion of impaired coastal views fails to thoroughly analyze the Coastal Act policies mandating the City to “site and design” an aquatic center to protect those coastal views. This failure in and of itself is cause for reversing the Planning Commission certification of the EIR and issuance of the CDP.

Mitigation

The Coastal Commission requires CDP applicants to pay a mitigation fee to offset loss of public sand from the coastal littoral system and loss of public recreation area due to development of a seawall⁴. As the foundation of the BBAC is functionally a seawall and it will eventually entrap sand that, through normal beach erosion processes, would have contributed to the beach, and it will cover a publicly owned beach that is free to use by the public, it follows that compensatory mitigation should be paid for this taking of public resources. To date, no mitigation fee has been calculated, assessed, or paid by the applicant.

Public Outreach and Education Was Inadequate

We are aware of at least two issues that intentionally undermined public awareness of the scope of impacts from the proposed project prior to the Draft EIR deadline for comments: the inadequate single “story pole” and inadequate outreach to nearby residents.

3 Coastal Act Section 30001.5 (d). The Legislature further finds and declares that the basic goals of the state for the coastal zone are to: (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.

4 California Coastal Commission. Report on InLieu Fee Beach Sand Mitigation Program: San Diego County. September 1997. Available at <https://www.coastal.ca.gov/pgd/sand1.html>

First

A City ordinance requires the installation of “story poles” (i.e., multiple poles) to represent the “full extent” of the physical scope of the proposed project in order to inform the public of potential impairment of existing views.⁵ The single pole that was ultimately installed failed to meet these reasonable requirements to illustrate the full extent of the visual impairments, and consequently undermined CEQA intent to fully inform the public and decision-makers of the adverse impacts.

The proposed project will be a significantly larger footprint and significantly taller than the height variances for the area. Nonetheless, the single pole only recorded two heights: the former building (60 feet) and the highest point of the new building (78 feet). The Planning Commission chose to ignore the height variances from current zoning height requirements based on the current building code and LCP⁶ and deliberately avoided a pole that recorded the legal height variances required for the construction of this project - 48 feet to 53 feet.

Further, the width and depth of the proposed structure were not, and cannot, be represented by a single pole. In fact, the scale and mass of the new project covers over 75% of the building site and impairs views from numerous directions that a single story pole does not adequately represent. Therefore, the single pole completely undermined the requirement in the City ordinance to illustrate the “full extent” of the visual impacts.

Second

The City must give notice to property owners of potential adverse impacts to existing views. Only four views (Figure 4.1.1 from the EIR) were identified and analyzed with photo-shopped images used in comparison with the former pool building. The City failed to identify adverse impacts to views and ignored Coastal Act protections for views for a restored beach, now the current site of the former pool building. And the City failed to consider the views from the residential properties west of the proposed site, and failed to give those residents proper notice.

Arguably, these public outreach efforts should be available to better inform public comments on the draft EIR. But the single story pole was installed after the close of public comment on the draft EIR.

⁵ City of Long Beach Municipal Code: 21.21.302.5(b): Building height variance applicants shall erect story poles which accurately represent the full extent of the proposed structure to the satisfaction of the Director of Development Services, including decks and eaves, at least fourteen (14) calendar days prior to the first public hearing and remain in place through the end of the appeal period.

⁶ LCP requires a maximum height of 25 feet and 30 feet in the two land use zones over which the project spans.

The City failed to both represent the full extent of the visual impacts with the flawed single story pole, and failed to inform the public of the adverse impacts in a manner that allowed full public comment. Consequently the CEQA process and resulting EIR are inadequate.

CONCLUSION

In conclusion, the EIR was inadequate both procedurally and substantively. The Planning Commission certification must be reversed by the City Council.

Further, the CDP violates several Coastal Act policies. Because the structure will be built on land regulated by those Coastal Act policies, the CDP is inadequate and must be vacated by the City Council.

We look forward to working with the City of Long Beach, on correcting the current planning flaws of the project and assisting in finding a project location that satisfies the needs of the community and stays within the law. Feel free to contact me any time to discuss this letter or any topic associated with the project.

Sincerely,

Heidi Schaible
Chairwoman
Surfrider Foundation, Long Beach Chapter
P.O. Box 14627, Long Beach, CA 90853
E-mail: chair@lbsurfrider.org; web: www.lbsurfrider.org
phone: 949-929-8743

Cc:

Long Beach Mayor Robert Garcia;

Long Beach Councilpersons Lena Gonzalez, Jeannine Pearce, Suzie Price, Daryl Supernaw, Stacy Mungo, Dee Andrews, Roberto Uranga, Al Austin, and Rex Richardson;

Long Beach City Manager Pat West

Dionne Bearden

From: Bill Hickman <[REDACTED]>
Sent: Thursday, December 19, 2019 3:12 PM
To: Scott Kinsey; Dionne Bearden
Subject: Surfrider Foundation Belmont Beach and Aquatic Center Comments
Attachments: Surfrider Belmont Pool Comments 12-19-19.pdf; Surfrider Belmont Pool Comments 04-26-17.docx

Dear Mr. Kinsey,

We ask that you submit this e-mail comment for the Planning Commission 12/19/19 Agenda re: Belmont Beach & Aquatic Center, listed as Agenda Item 1. 19-093PL. Please acknowledge receipt of this message and attachment (letter dated 4/26/17) along with its' inclusion in the record of the Planning Commission meeting.

To the attention of the Long Beach Planning Commission:

I am writing on behalf of Surfrider Foundation Long Beach Chapter concerning the modified Belmont Pool proposal on your December 19, 2019 agenda - Belmont Plaza Pool (Application 1910-05).

We object to both the adoption of a Local Coastal Development Permit (LCDP) as well as acceptance of an Addendum to the Environmental Impact Report (EIR). We object to the proposed site for the same reasons we objected to the previous LCDP. Our letter of 4/26/17 is attached.

The use of a "plinth" foundation violates the prohibition on "protective devices." Quoting from our previous letter:

"CEQA mandates that the EIR identify and fully analyze these important Coastal Act policies. Further, given the project will require a CDP from the Coastal Commission under their "retained jurisdiction" over portions of the site, it is irresponsible for the City to propose a public project that is inconsistent with Coastal Act policies.

Protective Device

The proposed development includes a seven-foot high pedestal ("plinth") foundation. It is clear in the project documentation that this structural "protective device" is specifically designed to address "flooding" from foreseeable sea level rise, and the project itself was necessitated by "geologic instability" from known risks of seismic activity. Yet the EIR discussion of foreseeable flooding from sea level rise fails to identify, much less thoroughly analyze, the Coastal Act policies prohibiting the proposed protective device. This failure in and of itself is cause for reversing the Planning Commission certification of the EIR and issuance of the CDP."

Further, it is our understanding that, since the approval of the LCDP in 2017, it has become apparent that the "Elephant Lot" as an alternative site would both accommodate the proposed pool and negate the need for protective devices, contrary to the findings supporting that previous LCDP approval. The documents being currently considered inadequately document this alternative and should not be accepted.

Finally, an Addendum to the previous EIR cannot be used for a modified project where an alternative that would minimize significant impacts is now available. In this case, the City must prepare a Supplemental EIR or

Subsequent EIR to fully inform the public of the changed circumstances. *See: Guidelines for Implementation of CEQA, Section 15162(2) and 15162(3)(c).*

We respectfully request the Planning Commission reject the City staff recommendation until both these issues are adequately resolved.

Sincerely,
Bill Hickman

Bill Hickman | Southern California Regional Manager | [Surfrider Foundation](#)



To:
Hearing Officer C/O Scott Kinsey, Long Beach Planning Department
(scott.kinsey@longbeach.gov)

Cc:
Hearing Officer C/O Dionne Bearsden, Long Beach Planning Bureau Secretary
(Dionne.Bearden@longbeach.gov)

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We respectfully request the Planning Commission reject the City staff recommendation until both these issues are adequately resolved.

Sincerely,

A handwritten signature in black ink that reads "Bill Hickman". The signature is written in a cursive, flowing style.

Bill Hickman
Surfrider Foundation
Southern California Regional Manager

Dionne Bearden

From: Scott Kinsey
Sent: Friday, December 20, 2019 2:21 PM
To: Dionne Bearden
Subject: FW: I support the STAFF RECOMMENDATION FOR THE BELMONT POOL!

Scott Kinsey, AICP
Planner V

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6461



From: Hank Wise [REDACTED]
Sent: Friday, December 20, 2019 2:20 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: I support the STAFF RECOMMENDATION FOR THE BELMONT POOL!

Please move forward ASAP with the new pool design!

--

Hank Wise
www.swimfocus.org

swim focus is the home of
excellent aquatic experiences!