

The CSPNC first officially notified POLA of their interest in Knoll Hill on Feb 13, 2007¹.

POLA's March 12th response² was that:

"I (Knatz) have no objections to the temporary use of the site for ball fields," I (Knatz) do not have a Knoll Hill plan appropriately vetted for them to consider, however, please know that any future development plans for Knoll Hill would involve community collaboration and a complete review by the Commissioners. It is collaboration from all concerned which will determine the best use of this property.

Your letter does come at an optimum time. I will be writing to all the neighborhood council presidents to arrange a meeting to discuss how the Port can work more closely with all the neighborhood councils. The use of Knoll Hill is one example of many issues of mutual interest we can collaborate on in the future."

On May 23, 2007, CSPNC adopted a resolution³ in opposition to "any privatization of the Hill, any regrading, any road widening, ...and asked that CSPNC be included in any discussion of proposed uses or improvements, and have the opportunity to review and comment on all plans." This was tendered to the Port. *Was this properly read and filed into the record? Did the Port ever meet with CSPNC to discuss short and long-term land use for Knoll Hill in a collaborative manner?*

On August 14, 2007, CSPNC adopted a resolution to officially protest⁴ the PORT's announcement that they were moving forward with the little league development on Knoll Hill, on several grounds:

1. The Los Angeles City Charter mandates that NC's be given advance notice of significant land use development proposals and the opportunity to advise the City of their concerns. *Does POLA consider themselves to be an agency of the City, subject to the City Charter?*
2. The development of a four-acre plus ball fields, with the investment in road widening, removal of mature trees, grading, large parking lots, ...accessory buildings, without any plan to relocate the little league at the end of the quoted 3 year period... cannot be considered temporary. *Does POLA have a solid plan to relocate the little league in 3 years? Would a reasonable person consider the investment of over \$200,000 in a little league park as a short-term land use*
3. CEQA has not been appropriately applied. This development does not qualify for a Categorical Exemption. *Does POLA recall being asked for CEQA documentation in order that this could be reviewed by the community?*

The August 14th protest letter also included a Public Records Act request by the CSPNC (served to POLA on August 15, 2007), in order that the appropriateness and legitimacy of their actions could be reviewed. On August 28, 2007, POLA wrote to CSPNC stating that an extension of time would be required due to "the vast amount of record informaion you have requested," estimated at an additional 10 days.

On the morning of September 11th, prior to that night's Stakeholder Meeting, CSPNC Boardmember Sue Castillo visited Diana Henderson at POLA Headquarters, was granted a few mintutes of discussion with Ms. Henderson in the lobby of the building, and asked for an update on the Public Records Act request. When Ms. Henderson responded that there was nothing to report (no estimated delivery date), Ms. Castillo asked to at least be given a copy of the CEQA filing for the little league development on Knoll Hill, on the basis of the public nature of this document. Ms. Henderson responded that she had no idea how to accommodate this request, and offered no suggestion as to how the CSPNC could acquire this document.

On September 12th, following the Stakeholder Meeting where POLA representatives Molly Campbell and Bent Christensen were subjected to repeated expressions of CSPNC displeasure on this state of affairs, CSPNC finally received notice that the Public Records Act response material could be picked up at POLA Headquarters (subject to a \$3.37 copying fee).

The material received included a Categorical Exemption filed on August 8, 2007 with the Los Angeles County Clerk. Per Section 21167 of CEQA:

"An action or proceeding alleging that a public agency has improperly determined whether a project may have a significant effect on the environment shall be commenced within 30 days from the date of filing of the notice."

Also,

"An action or proceeding alleging that a public agency has improperly determined that a project is not subject to this division ...shall be commenced within 35 days from the date of filing..."

POLA withheld the requested material until Sept 12, 2007, which is 35 days after the date of filing. This seems a quite deliberate scheme to invalidate any claim against their filing.

The basis of categorical exemption claimed is Article III, Class 4 (2 & 10) and Class 11 (3) of the Los Angeles City CEQA Guidelines. The project is described as "the temporary use of an existing parking area for a special event." The project overview

states that "LAHD is providing the site to the little league group until permanent facilities can be secured."

Looking at the exemption clauses claimed in detail:

Class 4: Minor Alterations to Land

Class 4 consists of minor public or private alterations to the condition of land, water and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agricultural purposes:

2) Grading on land with a slope of fifteen percent (15%) or more, and/or involving grading in excess of 20,000 cubic yards.

This City exemption class is an anomaly which does not exist in State Law. And, who determined that the mature trees to be removed on this site are not scenic?

10) Grading and/or paving of existing rights of way for parking where zoning laws permit such use, street access exists, and the project does not significantly impact local drainage patterns, cultural resources, or trees.

(This is a minor part of the parking lot, only.)

Class II. Accessory Structures

Class II consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities.

3) Game courts, play equipment, drinking fountains, restrooms, fences, walks, visual screens, or single tennis courts constructed in residential areas.

Note the definition above... "accessory to EXISTING ...facilities." There is nothing existing about this!

Nothing in the above addresses the widening of the roadbed, the significant change in land use, traffic volumes, and the controversial nature of this project to the community, all of which make this project ineligible for a Categorical Exemption.

I expect the community to demand the statutory period of review time, now that this document has been disclosed, to consider the facts.