

HEALTH, EDUCATION, NEIGHBORHOODS, PARKS, ARTS, AND RIVER COMMITTEE

MEMBERS: COUNCILMEMBER DAVID E. RYU, CHAIR  
COUNCILMEMBER MITCH O'FARRELL  
COUNCILMEMBER CURREN D. PRICE, JR.

CEQA APPEAL – LAKE HOLLYWOOD & UPPER VISTA

Wednesday May 22, 2019 approximately 1:00 P.M. or thereafter  
Room 1060 City Hall 200 North Spring Street

Dear Hollywoodlanders:

It has become abundantly clear that the City of Los Angeles is willing to sacrifice the safety, peace, and right to the peaceful enjoyment of our neighborhood as collateral damage in their major goal to build tourism in Los Angeles. Since 2011 The Committee to Save the Hollywoodland Specific Plan, has pushed the City to properly consider the adverse impacts we are all bearing in an Environmental Impact Report.

The City for the first time has condescended to hear our appeal of their serial development of areas contiguous to Hollywoodland as the place for the world to come and view and be photographed with the sign. According to our attorney Doug Carstens, this is the first, and perhaps only time we will be able to make our voices heard on this matter.

Finally, after all this time, we have our chance to speak out. It is imperative that we get a strong turnout of Hollywoodlanders to this Committee Hearing. Doug Carstens has advised that when this goes to City Council they will likely limit input if they allow public comments at all.

Our attorney Doug Carstens will be coming as well.

Let's pack the house!

Best regards

Crosby Doe  
The Committee to Save the Hollywoodland Specific Plan

From: Doug Carstens <dpc@cbcearthlaw.com>  
Date: May 7, 2019 at 9:56:14 AM PDT  
To: Crosby Doe <crosby@crosbydoe.com>  
Subject: FW: NOTICE TO APPELLANT(S), AND INTERESTED PARTIES (CEQA) Appeal - Lake Hollywood and Upper Vista

From: Eric (Roderico) Villanueva <eric.villanueva@lacity.org>  
Sent: Tuesday, May 7, 2019 8:59 AM  
To: Doug Carstens <DPC@cbcearthlaw.com>  
Cc: Justin Orenstein <justin.orenstein@lacity.org>; Timothy McWilliams <tim.mcwilliams@lacity.org>; Mike Dundas <mike.dundas@lacity.org>; Darrell Powell <Darrell.Powell@lacity.org>  
Subject: NOTICE TO APPELLANT(S), AND INTERESTED PARTIES (CEQA) Appeal - Lake Hollywood and Upper Vista

To All Interested Parties,

You are hereby notified that the Health, Education, Neighborhoods, Parks, Arts and River Committee of the Los Angeles City Council will hold a public hearing on Wednesday, May 22, 2019, at approximately 1:00 p.m. or soon thereafter in Room 1060, City Hall, 200 North Spring Street, Los Angeles, CA 90012, to consider the Board of Recreation and Parks Commissioners (Board) report dated May 3, 2019, and appeal filed by Mr. Douglas Carstens on behalf of the Committee to Save the Hollywoodland Specific Plan, relative to the California Environmental Quality Act (CEQA) determination for the Lake Hollywood and Upper Vista Outdoor Improvements, Project PRJ21233, Board Report 19-039..

If you are unable to appear at this meeting, you may submit your comments in writing. Written comments may be addressed to the City Clerk, Room 395, City Hall, 200 North Spring Street, Los Angeles, CA 90012. In addition, you may wish to view the contents of Council file No. 19-0305 by visiting: <http://www.lacouncilfile.com>.

Please be advised that the matter is going to be tentatively scheduled before the full Los Angeles City Council on Friday, May 31, 2019, at approximately 10:00 a.m. or soon thereafter in Room 340, City Hall, 200 North Spring Street, Los Angeles, CA 90012. Both the Health, Education, Neighborhoods, Parks, Arts and River Committee and the City Council reserves the right to continue this matter to a later date, subject to any time limit constraints.

# HOLLYWOODLAND HOMEOWNERS ASSOCIATION

March 16, 2019

The Honorable Councilmember Mike Bonin  
City Hall  
200 N. Spring St. #475  
Los Angeles, CA 90012

Dear Councilmember Bonin,

Hollywoodland homeowners understand that Griffith Park is an asset to the whole City, and up until the previous Councilmember of Council District 4 commenced the development of a View Site for the world's tourists to view the Hollywood Sign, without environmental review or apparent consideration of the significant negative impacts to the contiguous neighborhoods, all visitors were welcome.

We are writing you today because we fear our Councilman may not be informing you of the critical safety, nuisance, mobility, and potential legal liabilities to the City the ongoing development of this International Tourist Destination is fostering. The Dixon Study approved by Council has made some mitigation suggestions, but the Significant Impacts to contiguous neighborhoods have not been adequately addressed within this study, and it is no substitute for an Environmental Impact Report.

The continuing piecemeal development of this International Tourist Destination is in violation of State Law.

The Hollywoodland Homeowner's Association strongly supports the attached appeal of the Committee to Save the Hollywoodland Specific Plan of a yet another action by the Board of Recreation and Park Commissioners to develop the Hollywoodland area as a tourist attraction. The unregulated situation in the Hollywoodland area has grown to be unbearable and we ask your help in granting this appeal to undertake proper environmental review to address the impacts of implementation of recommendations in the Dixon Report. Please urge Councilmember Ryu to schedule a hearing of the appeal as soon as possible and ensure the Hollywoodland community is protected.

Yours sincerely,

Tara Stephenson Fong, President

The Hollywoodland Homeowner's Association  
2800 Beachwood Drive  
Hollywood, California 90068

HOLLYWOODLAND  
HOMEOWNERS ASSOCIATION

# HOLLYWOODLAND

## HOMEOWNERS ASSOCIATION

March 16, 2019

The Honorable Councilman David Ryu  
Los Angeles City Hall  
200 N. Spring Street, Room 425  
Los Angeles, CA 90012

Dear Councilmember Ryu,

The Hollywoodland Homeowner's Association strongly supports the attached appeal of the Committee to Save the Hollywoodland Specific Plan of a yet another action by the Board of Recreation and Park Commissioners to develop the Hollywoodland area as a tourist attraction. The unregulated situation in the Hollywoodland area has grown to be unbearable and we ask your help in granting this appeal to undertake proper environmental review to address the impacts of implementation of recommendations in the Dixon Report. Please schedule a hearing of the appeal as soon as possible and ensure the Hollywoodland community is protected.

Yours sincerely,

Tara Stephenson Fong, President

The Hollywoodland Homeowner's Association  
2800 Beachwood Drive  
Hollywood, California 90068



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**Douglas Carstens**  
Email Address:  
[dpc@cbcearthlaw.com](mailto:dpc@cbcearthlaw.com)  
Direct Dial:  
310-798-2400 Ext. 1

March 1, 2019

*Via Federal Express*

Ms. Holly L. Wolcott, City Clerk  
200 N. Spring Street, Room 360  
Los Angeles, CA 90012

Board of Commissioners  
Los Angeles City Recreation and Parks Department  
221 N. Figueroa St. Suite 1510  
Los Angeles, CA 90012

Re: Appeal of Approval of Lake Hollywood and Upper Vista Outdoor  
Improvements, Project PRJ21233, Board number 19-039 approved on  
February 20, 2019; Public Resources Code § 21151 subd. (c)

Dear Clerk and Honorable Commissioners:

On behalf of Committee to Save the Hollywoodland Specific Plan ("Appellant"), we hereby appeal the February 20, 2019 decision of the Board of Commissioners of the Los Angeles City Recreation and Parks Department to adopt a categorical exemption for approval of Lake Hollywood and Upper Vista Outdoor Improvements, Project PRJ21233, Board number 19-039 ("Project"). When viewed in proper perspective as one of a series of actions changing mobility and access in the area to promote a series of Hollywood Sign viewsites, this Project requires environmental review that addresses the cumulative impacts created or knowingly allowed by the City in this area without sufficient study or mitigation. The access and public health hazards created by uncontrolled usage of the area, which is a high fire hazard zone, must be analyzed and mitigated before further actions such as this Project are taken.

Section 21151 of the Public Resources Code provides, "If a nonelected decisionmaking body of a local lead agency certifies an environmental impact report... that certification ... may be appealed to the agency's elected decisionmaking body, if any." As the Board of Commissioners is not an elected decisionmaking body, its determinations under the California Environmental Quality Act (CEQA) are appealable to the City's elected decisionmaking body, the City Council. Appellants live near and recreate in Griffith Park and have a vested interest in ensuring proper environmental

Ms. Holly L. Wolcott, City Clerk  
March 1, 2019  
Page 2

review is conducted to address park access and use. Appellant respectfully urges the City Council to deny approval of the Project until an environmental impact report (EIR) has been prepared that adequately discloses and mitigates the impacts of the Project in conjunction with all other actions the City has taken to promote use of the Lake Hollywood Overlook and nearby view pad at the intersection of Mulholland Highway and Canyon Lake Drive.

While the Project authorizes landscaping and irrigation changes, it is one in a series of actions that are part of a larger project of developing an international tourist destination (i.e., a viewsite to view the Hollywood Sign) across the street from Hollywoodland and residential property owners that are significantly impacted without undertaking prior environmental review or obtaining proper permits. The Project also contemplates additional Dixon Report recommendations including fencing and an ancillary structure though it was amended to not include them at this time. There is nothing to prevent their being incorporated into the Project at a later date. This is additional evidence of piecemealing the overall project.

We have written to the City about these as early as September 9, 2011 objecting to the implementation of such strategies at the Mulholland Highway/Canyon Lake Drive view pad without environmental review. Again, on December 17, 2015, we pointed out the nuisance conditions that were being created by the City's continuing actions to promote access for viewsites without controlling it sufficiently including congestion and unsupervised usage of areas in a high fire hazard zone prone to wildfires. With the Spring 2017 Dixon Resources Unlimited study of strategies that affect access, safety, and mobility around the Park, the City's actions are now placed in a context of a single overall project, which the City is implementing piece by piece with such approvals as the Project at issue in this appeal. We objected to use of this Dixon Report to guide further approvals without environmental review. (Enclosure 3.)

Cumulatively, the Project's impacts along with similar projects nearby could have significant adverse impacts on access and hazards in the area that have not been adequately considered or mitigated. A project that creates cumulative impacts is one of the designated exceptions to the categorical exemptions provided in CEQA Guidelines sections 15301, 15303, and 15304, cited by the City's approval of this Project. Specifically, the Guidelines state:

All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(Guidelines section 15300.2 subd. (b).)

The Project has been improperly piecemealed as review of accessibility improvements, and their likely environmental impacts, have been omitted from the

Ms. Holly L. Wolcott, City Clerk  
March 1, 2019  
Page 3

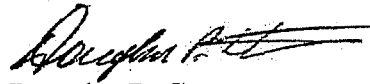
analysis and indeed have never been undertaken for this area.

Considering its likely environmental cost when properly viewed in perspective with the cumulative impacts of other similar projects, Appellant believes the Project is unnecessary, and certainly can await proper environmental review. While Appellant supports access to the Park, that access must be controlled in a way so as to not create burdens and hazards to the surrounding area as described in our December 17, 2015 letter.

The Committee to Save the Hollywoodland Specific Plan looks forward to scheduling the hearing on this appeal. Appellants hereby incorporate into this appeal the letters submitted to the City and its representatives by us on September 9, 2011 (Enclosure 1), December 17, 2015 (Enclosure 2), the April 25, 2018 (Enclosure 3), and February 19, 2019 by Crosby Doe (Enclosure 4).

Thank you for your consideration of this matter.

Sincerely,



Douglas P. Carstens

Enclosures:

1. September 9, 2011 Letter to Councilmember Tom LaBonge
2. December 17, 2015 Letter to City Attorney Michael Feuer
3. April 25, 2018 Letter to Councilmember David Ryu
4. February 19, 2019 Letter of Crosby Doe to Recreation and Park Commissioners

**Enclosure 1**



**CHATTEN-BROWN & CARSTENS**

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FACSIMILE: (310) 314-8050

E-MAIL:

DPC@CBCEARTHLAW.COM

September 9, 2011

*Via Email [councilmember.labonge@lacity.org](mailto:councilmember.labonge@lacity.org)*

*Original to Follow via US Mail*

Councilmember Tom LaBonge

Los Angeles City Hall

200 N. Spring Street

Room 480

Los Angeles, CA 90012

Mailstop: #206

Re: Objection to Clearing for Hollywood Sign Viewing Area, Mulholland Highway at Canyon Lake Drive and Public Records Act Request for Documents

Dear Councilmember LaBonge,

This office represents the *Committee to Save the Hollywoodland Specific Plan* (Committee), which seeks to preserve the quality of life in the Hollywoodland community. The Committee is concerned that your office is establishing a Hollywood Sign viewing area at the intersection of Mulholland Highway and Canyon Lake Drive, without undergoing the necessary administrative and environmental review, and within the jurisdiction of Department of Recreation and Parks. This would be an unsupervised tourist destination surrounded by R1 neighborhoods accessed by narrow, winding substandard streets with frequent narrow, blind curves, that sits in a fire zone in the Hollywood Hills.

On the morning of September 1, 2011, community residents noticed a group of people performing manual labor on the side of Mulholland Highway, near its intersection with Canyon Lake Drive. The workers, who identified themselves as members of your staff, were engaged in clearing and leveling the dirt on the north side of Mulholland Highway. In response to questions from residents, they stated that they were "making it beautiful for the tourists." These clearing and leveling activities created a new viewing area for tourists that had not previously existed. To the best of our knowledge, no environmental review was conducted prior to the implementation of the project. Since this viewing area was created without environmental review, the activities of your staff violated the California Environmental Quality Act ("CEQA," Pub. Res. Code Section

Committee to Save the Hollywoodland Specific Plan

September 9, 2011

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21000 et seq).

The creation of a tourist viewing area is a "project" within the meaning of CEQA. CEQA defines "project" in several ways, one of which is defined as an activity undertaken by a public agency "which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..." (Pub. Res. Code §21065.) The definition of "project" is "extremely broad" under CEQA. (*Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1188-1189.) A "project" is any activity by an agency which may cause either a direct or reasonably foreseeable indirect physical change in the environment, and encompasses "the whole of an action." (Pub. Res. Code §21065(a); Guidelines § 15378(a).) In this case, the clearing of a viewing area has effectively designated a site for viewing the Hollywood Sign. The designation of this site will lead to significant traffic congestion, and cause blockages of the emergency access.

The CEQA Guidelines (14 Cal Code Regs. Section 15000 et seq) define "approval" of a project as "the decision by a public agency which commits the agency to a definite course of action in regard to a project..." (Guidelines §15352 subd. (a).) Thus, the clearing of the area will commit the City to the designation of a scenic overlook. Unfortunately, significant traffic and safety impacts could result, as they have resulted from even temporary installation of signage.

CEQA contains exemptions to the requirement for environmental review for certain projects, but none of those exemptions are applicable here. Unlike the definitions of "project" and "approval," which are expansive, the application of exemptions to CEQA is narrow. "Exemption categories are not to be expanded beyond the reasonable scope of their statutory language." (*Mountain Lion Foundation v. Fish and Game Commission* (1997) 16 Cal.4th 105, 125.) The CEQA Guidelines at Section 15061 subd. (b)(3) contain the so-called "common sense" exemption, exempting project when it can be seen *with certainty* that there is *no possibility* of a significant environmental impact. That provision is inapplicable here because of the demonstrated traffic and safety issues associated with vehicles accessing the area for viewing the Hollywood Sign. Because no environmental review was conducted prior to clearing the viewing site, the clearance of the site violated CEQA and may not be continued.

Recently, an area resident called the police after driving by and seeing almost a hundred people at the park "viewing site"--all unsupervised. He reports seeing the "viewing site" with cars or people standing in the middle of the narrowest of roads that make up a series of blind curves. Emergency equipment for any incident in the neighborhood will have trouble assisting as they try to travel on the gridlocked streets.

Committee to Save the Hollywoodland Specific Plan  
September 9, 2011  
Page 3

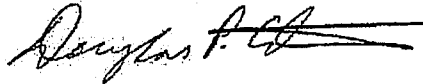
You recently were given a petition with over 400 signatures from residents in this area stating they are against the establishment of this tourist "viewing site". This petition was also given to The Hollywood Chamber of Commerce and The Hollywood Sign Trust. Their response was to immediately remove any references to these "viewing sites" in the neighborhood from their web site and instruct their employees to immediately stop promoting these sites because they could see the tremendous damage it was doing to the area, and more importantly, they are aware of their potential liability in the event of problems. It is dangerous to continue to make this site a tourist destination, especially at this time when the resources of the City including police and fire are stretched so thin.

We would like to know what approval process was used to take the action of clearing the area and the other recent actions your office staff has taken to establish this site for viewing the Hollywood Sign. Therefore, pursuant to the Public Records Act, we request copies of landscaping plans for the area and any correspondence your office has had with other City entities such as the Department of Public Works and Department of Parks and Recreation in regards to establishing or clearing this site, including but not limited to any notices to the public and residents in the area.

Please also inform us of any future environmental reviews or hearings related to this viewing area pursuant to Public Resources Code section 21092.2.

Thank you for your consideration.

Sincerely,



Douglas Carstens

Cc: City Attorney  
Planning Department  
Department of Recreation and Parks

Enclosure 2

**CHATTEN-BROWN & CARSTENS LLP**

2200 PACIFIC COAST HIGHWAY

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HERMOSA BEACH, CALIFORNIA 90254

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E-mail:

[DFC@CBCEARTHLAW.COM](mailto:DFC@CBCEARTHLAW.COM)

December 17, 2015

Mr. Michael Feuer,  
City Attorney  
Terry Kaufmann-Macias  
Managing Assistant City Attorney  
City of Los Angeles  
800 City Hall East  
200 N. Main Street  
Los Angeles, CA 90012

Re: Request for Enforcement of Laws to Prevent Public Nuisance in Area of  
Hollywood Sign

Dear Mr. Feuer and Ms. Kaufmann-Macias,

On behalf of the Committee to Save the Hollywoodland Specific Plan, we write to request your enforcement of laws (Los Angeles Municipal Code and California Vehicle Code) to resolve a continuing public nuisance in the area of the intersection of Canyon Lake and Mulholland Highway below the Hollywood Sign and to prevent its recurrence in the future. The City has created, contributed to, or purposefully allowed conditions to exist that endanger public safety and the integrity of property in the area and may well affect property values. Specifically, by creating and encouraging a Hollywood Sign viewsite at this location, the City has created conditions which foreseeably will lead to or aggravate injury to people and damage to property during a fire which could occur in this designated high fire hazard area. To avoid liability for such conditions, and to protect public safety, we ask that the City Attorney seek an injunction against the continuance of the public nuisance conditions in the area.

As you are aware, a public nuisance is the unreasonable, unwarranted, or unlawful use of property so as to interfere with the rights of others that affects an entire community or neighborhood or a considerable number of persons. (Civ. Code § 3480; *People ex. Rel. Gallo v. Acuna* (1997) 14 Cal.4<sup>th</sup> 1090, 1104.) Liability for nuisance does not hinge upon whether the defendant owns, possesses, or controls the property; rather the critical question is whether the defendant created or assisted in the creation of the nuisance. (*City of Modesto Redevelopment Agency v. Superior Court* (2004) 119 Cal.App.4<sup>th</sup> 28.) The City has created or assisted in the creation of the nuisance conditions at the intersection of Canyon Lake and Mulholland Highway.

We wrote to your predecessor on October 19, 2011 to object to hazardous conditions that were being created by the City by posting of signage in the Hollywoodland area directing traffic to a "Hollywood Sign Scenic View." Around that time, Sarajane Schwartz, President of the Hollywoodland Homeowners Association wrote an email to your predecessor that objected to the City's designating a viewing site of the Hollywood Sign on Canyon Lake Drive and was incorrectly told "that there is an official vista at the site where brush clearance occurred."

City Attorney Michael Feuer  
December 17, 2015  
Page 3

noted the Police and Fire Departments could not control the existing hazards to the lives and properties of individuals in the area, the situation in the area around the Canyon Lake Drive view site is similarly out of control.

The City is thus on notice that it will be legally liable for loss of life and damage to property resulting from conditions presently existing at the Canyon Lake Drive view site. In the event of a fire resulting from these conditions, or exacerbated by them, the City would be liable-wholly or partially- for injuries to people and damage to property that might occur. It is our understanding that the City has had to pay millions of dollars in damages for fire in Mandeville Canyon so such a possibility should not be lightly disregarded.

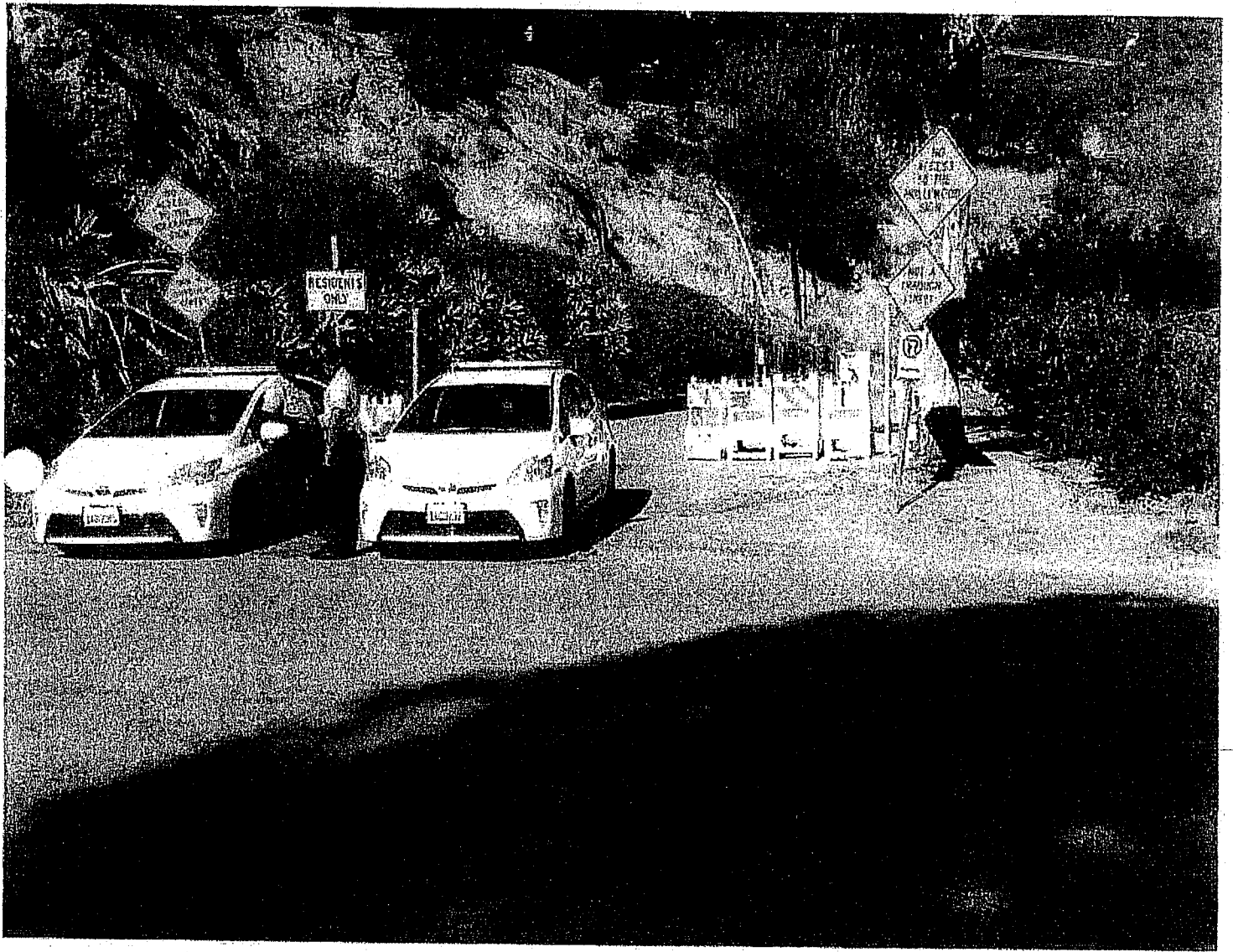
The General Manager of the City's Department of Recreation and Parks accurately reported to the Board of Recreation and Park Commissioners on November 7, 2001 the following:

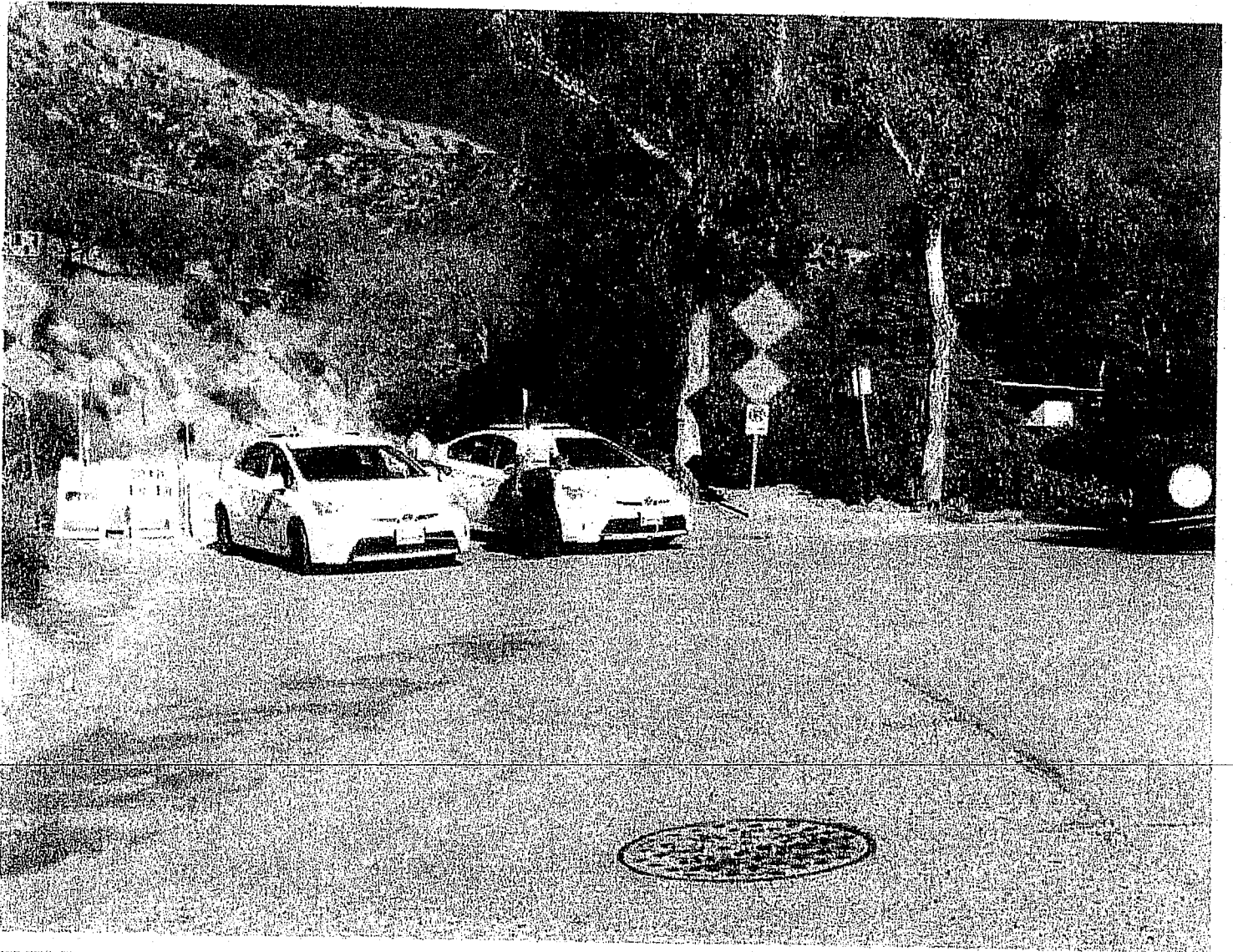
Mounted on a sheer hillside, in an environmentally sensitive area that is also a Mountain Fire District, the [Hollywood] Sign and its environs likewise need the exercise of prudent judgement as to the particulars of authorized activity in the area. The section of Griffith Park where the Sign stands is adjacent to several residential neighborhoods. By its nature the Sign is a visible attraction, but *the Department has a responsibility as a good neighbor to limit collateral activities that could compound negative community impact or jeopardize public safety.*

(November 7, 2001 Report of General Manager to Board of Recreation and Park Commissioners, no. 01-437, emphasis added.) Thus, City representatives have noted the City's responsibility for collateral activities related to viewing the Hollywood Sign, and the City's responsibility for avoiding negative community impacts or dangers to public safety. *Rather than limiting such activities, the City has chosen to extend and encourage them.*

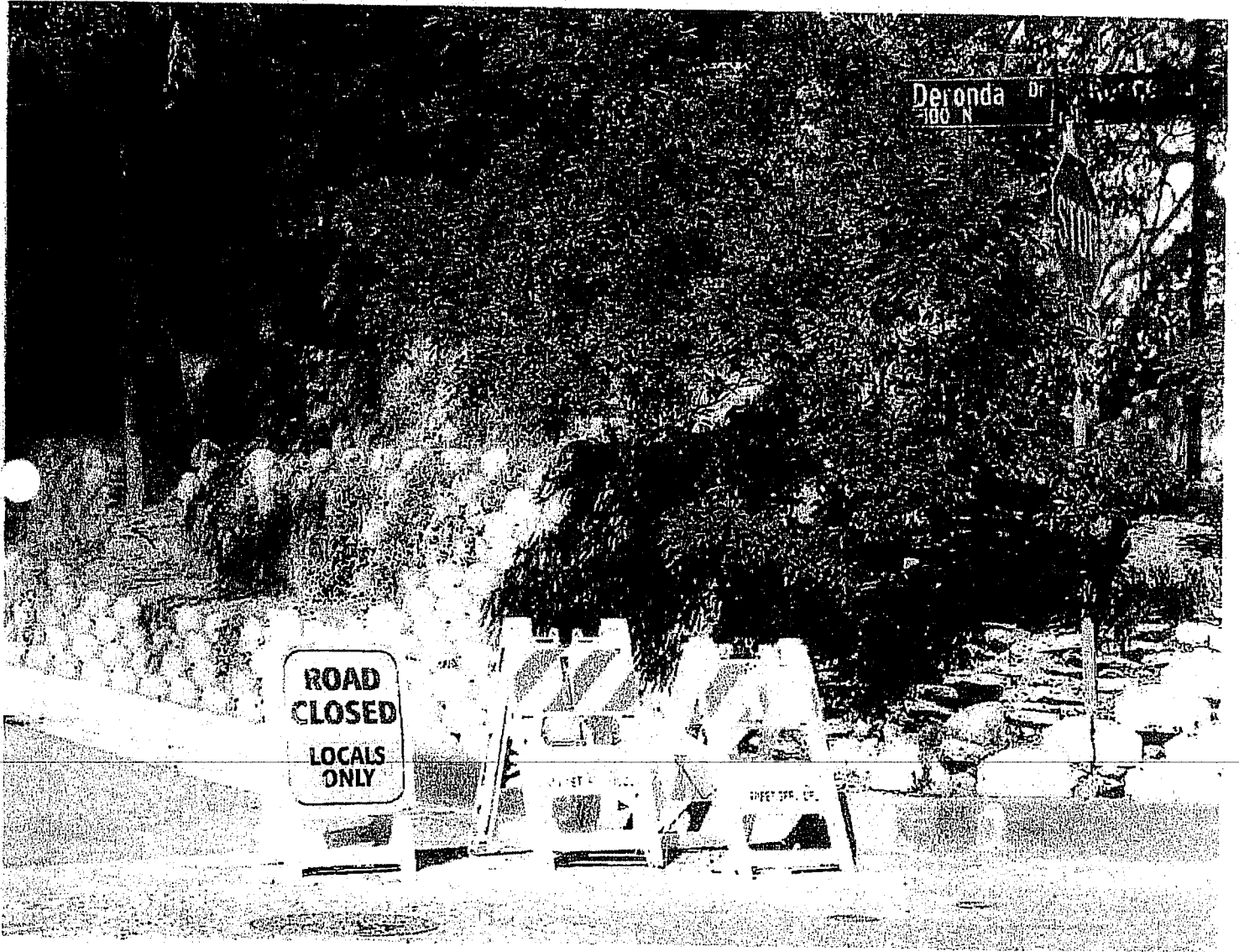
Aside from the damages that have occurred already and could occur in the future, the Canyon Lake Drive viewsite conditions constitute a public nuisance within the meaning of Civil Code section 3480 and Los Angeles Municipal Code section 11.00(m). It is your duty to bring a civil action to abate the public nuisance by means of an injunction. The City has created or contributed to the public nuisance conditions in the area as identified in the list of actions above. It therefore is likely the City would be held liable wholly or in part for anything untoward that occurs. In view of the fact that representatives of city agencies, including police and fire departments, cannot and have not enforced the laws effectively in the area of the Canyon Lake Drive viewsite, it is incumbent on your office to file an action for injunctive relief to abate the conditions or risk future judgments or damages against the City resulting from these known conditions.

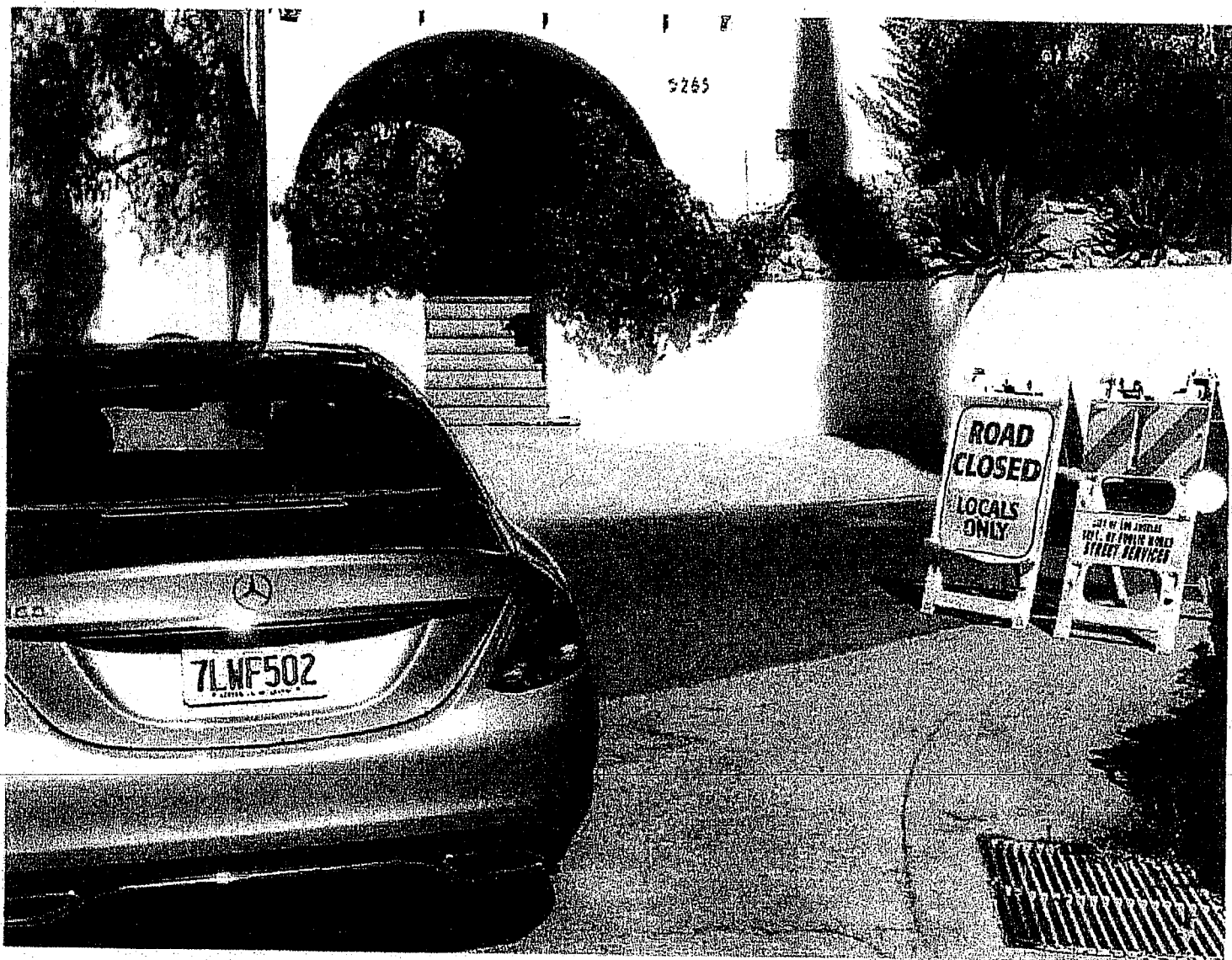
We hope that you will not procrastinate but will rather recognize the City's duty to maintain and regulate conditions at the Canyon Lake Drive viewsite for the protection of life and property. The actions you take to remedy the situation will put the public on notice that your office will enforce the rule of law and not tolerate on-going violations of the Municipal Code.

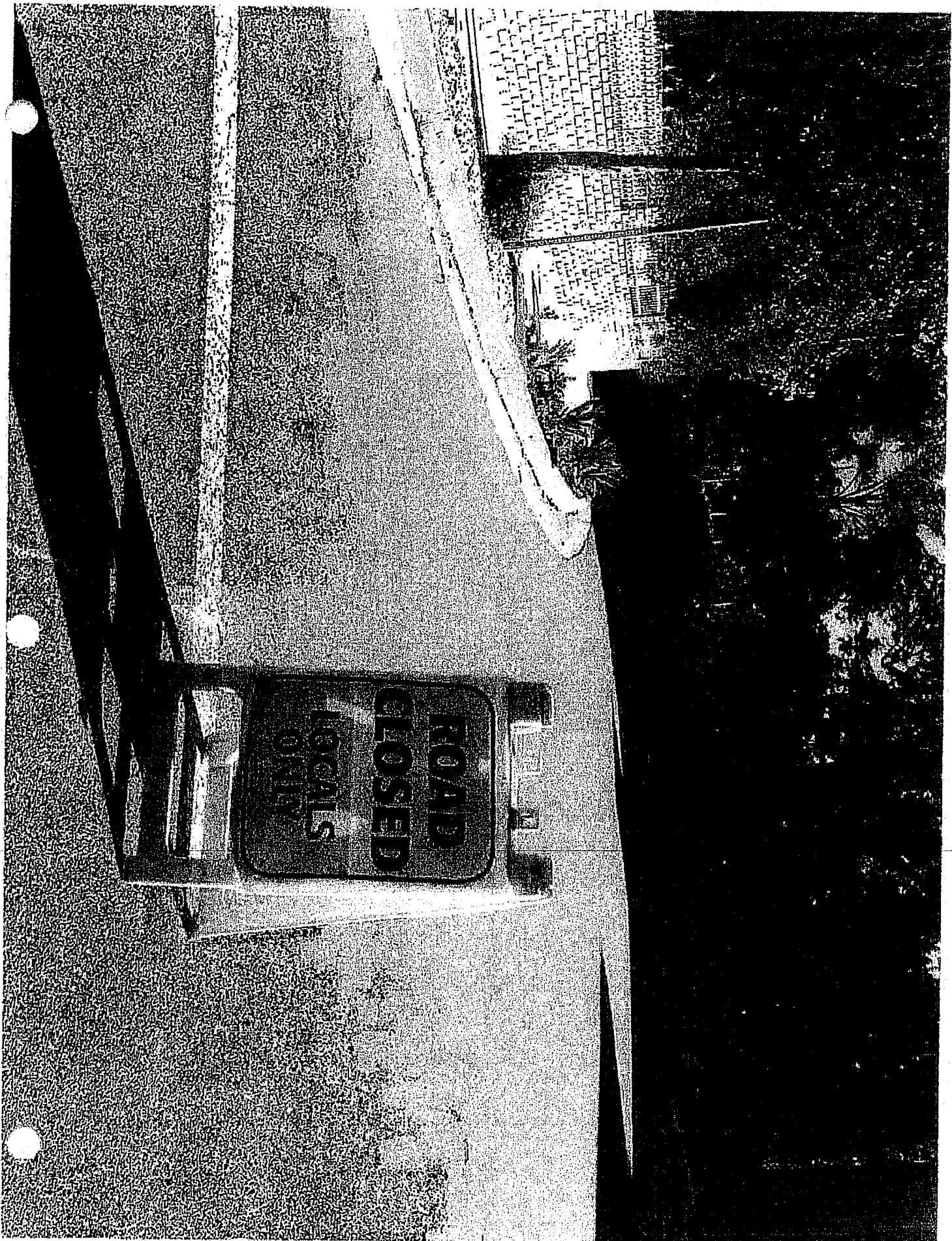






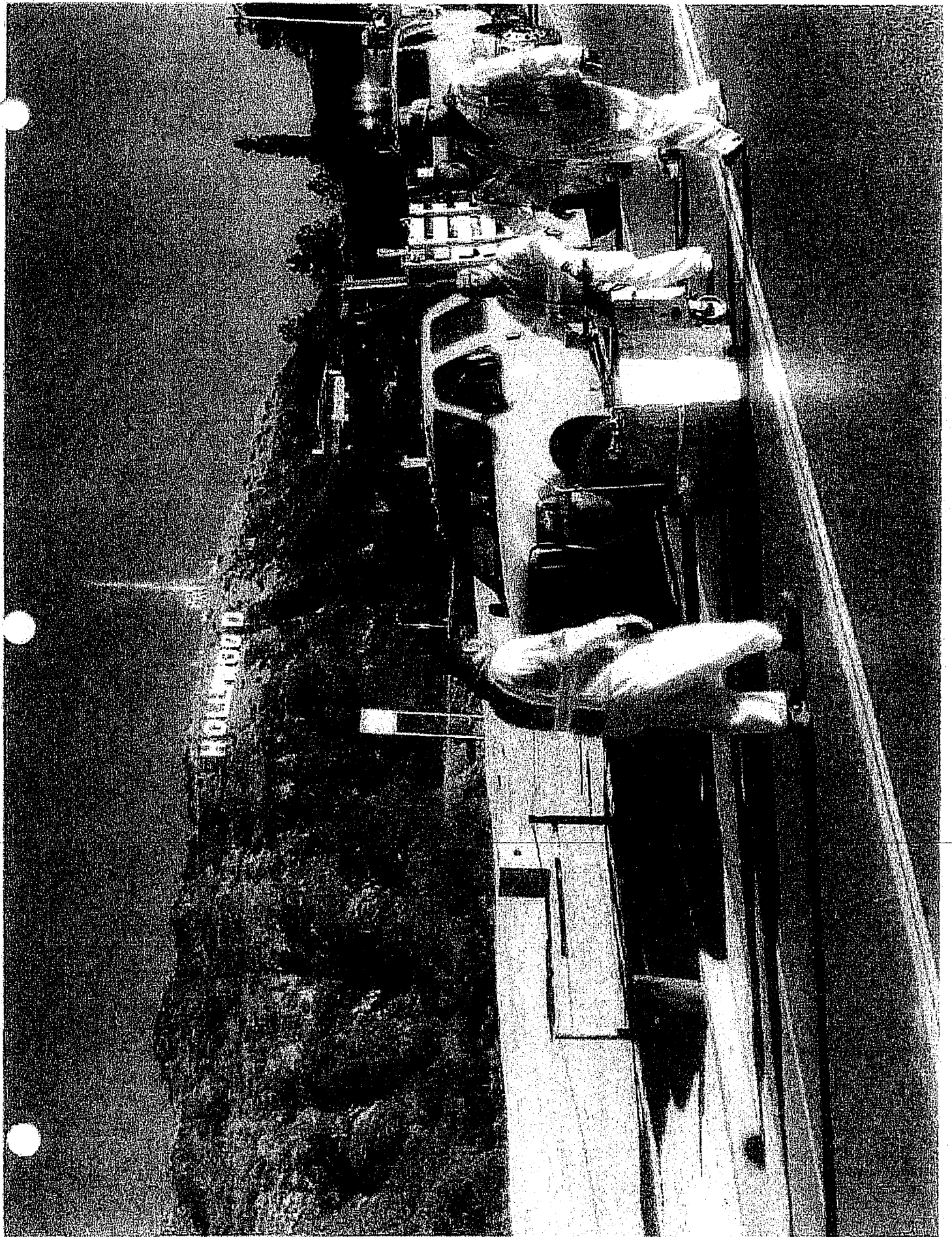


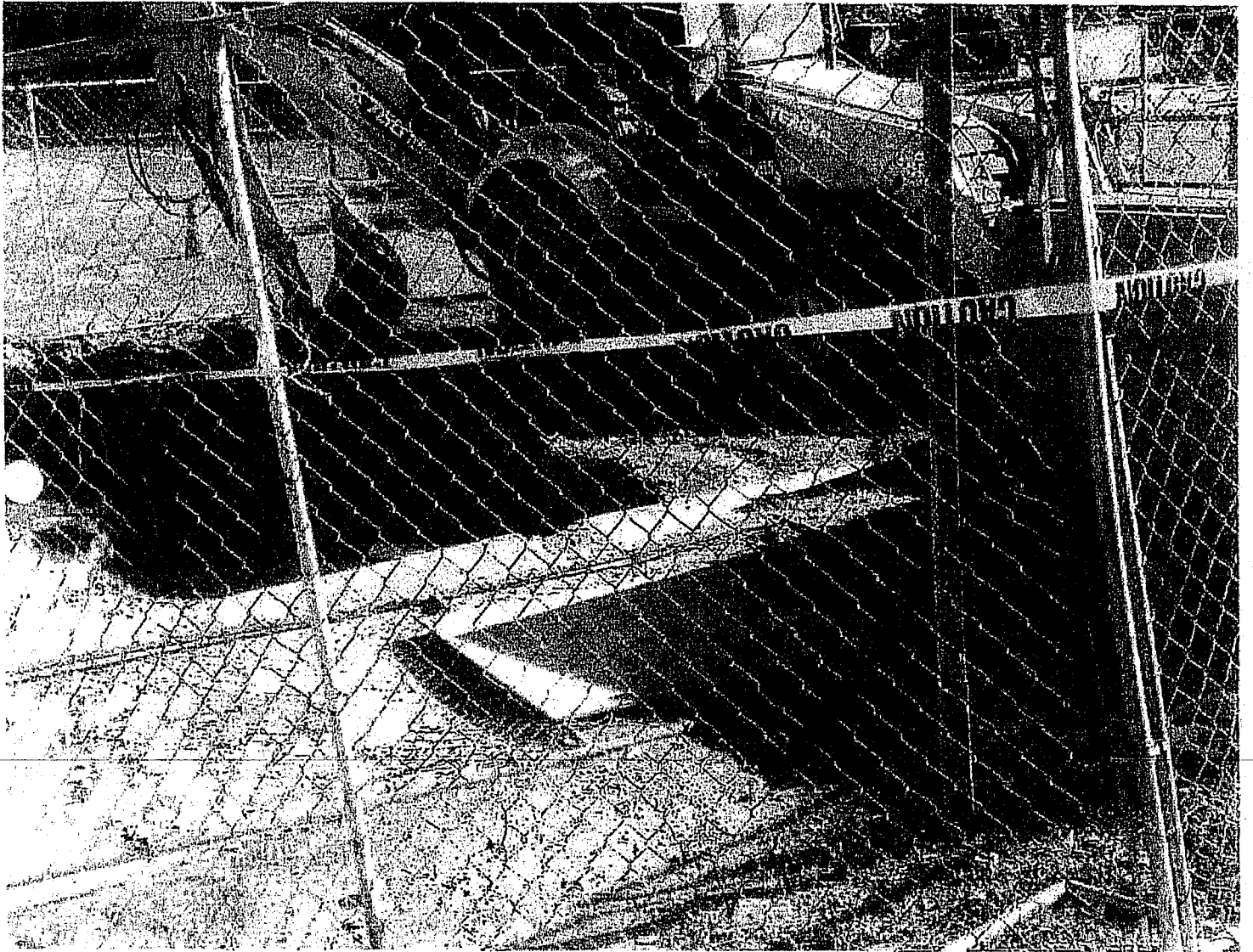


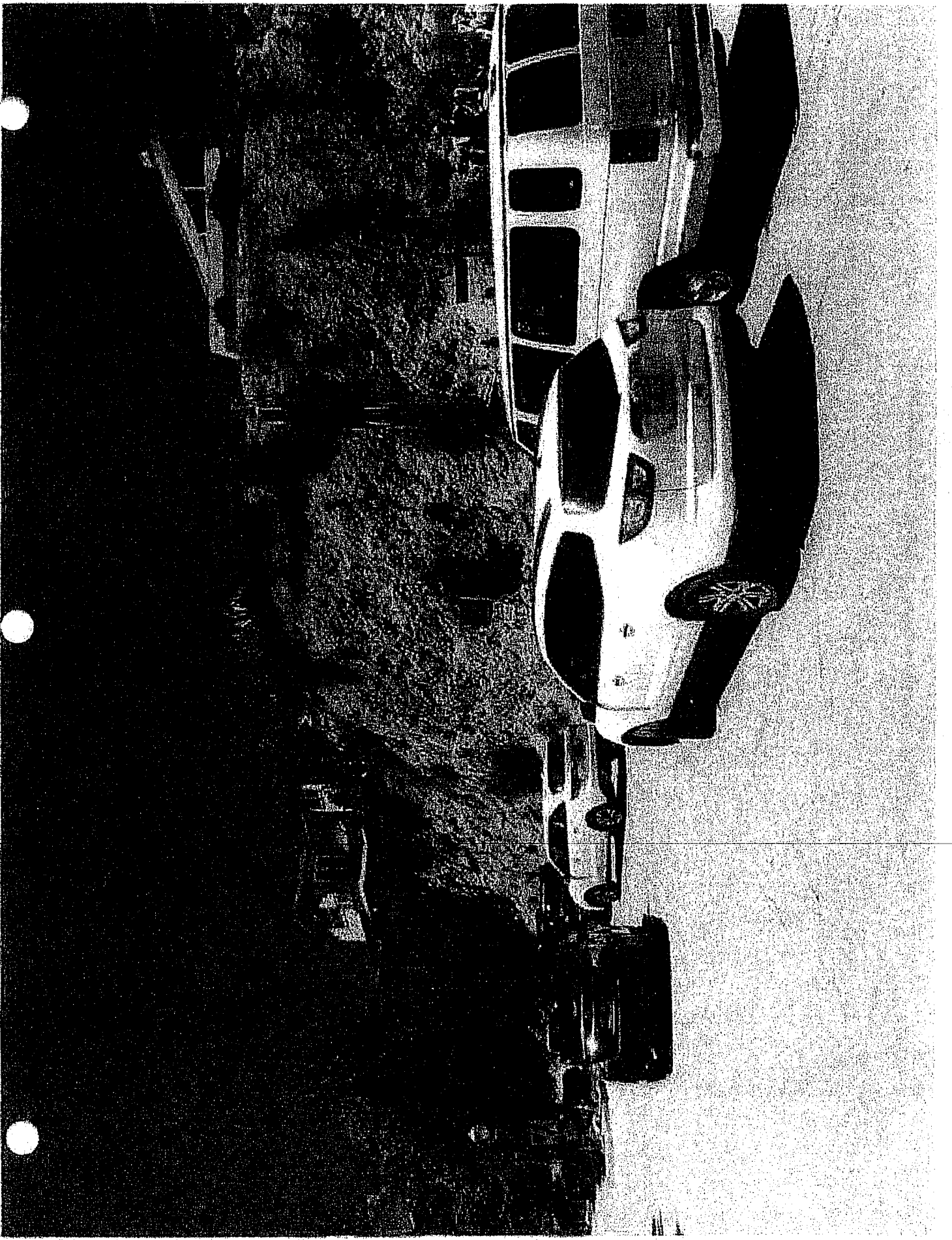


ROAD  
CLOSED  
LOCALS  
ONLY









## Doug Carstens

---

**From:** Crosby Doe  
**Sent:** Monday, June 22, 2015 6:10 AM  
**To:** dpc@cbcearthlaw.com  
**Subject:** FW: Fire set at the Illegal Vista on 6/22/2015 - Request for immediate closure  
**Attachments:** Untitled attachment 00013.txt; image1.JPG

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

**From:** Tony Fisch [<mailto:tony@fischconsulting.com>]  
**Sent:** Monday, June 22, 2015 1:12 AM  
**To:** Joseph Castro; John Vidovich; David Ryu; Julia Duncan; Michael Shull; Kevin Regan; Aram Sahakian; [armand.carranza@lafd.org](mailto:armand.carranza@lafd.org); Mayor Eric Garcetti  
**Cc:** Tracy James; Emily Alpert; Laura Nelson; Christine OBrien; Laura Davis; Fran Reichenbach; Heather Hamza; Heather Repenning; Ryan Carplo; Jacquelyn Lawson; Mayor Garcetti; Gary Baum; Soren Kirk; Linda Doe; Crosby Doe; Phil Shuman; Rio Phior; Lester Kiss; Jeremiah Christopher Wilson; Rose Ware; Sarajane Schwartz  
**Subject:** Fire set at the Illegal Vista on 6/22/2015 - Request for immediate closure

Chief Castro, Chief Vidovich, Chief Carranza, and Mike. It is my understanding by the Hollywoodland resident that called 911 that a visitor/tourist started this fire then video taped it and fled the scene this past Saturday evening. We have heard it required two stations and members from 3 Battalions to control this highly dangerous area under the Hollywood Sign until 1:30 AM Sunday.

We are requesting a detailed report from you on this dangerous incident. We are also requesting the immediate closure of this illegal, unmanageable and highly dangerous parcel located on wild land, Urban interface gifted (park land) in an LAPD IDENTIFIED high hazard fire area. As a reminder this parcel was illegally developed in summer of 2011 by outgoing CM Tom LaBonge and his staff. There is no record of CEQA, or public hearing regarding this parcel.

We have asked for closure and, or restoration and fencing to the curb of this parcel for the past two years. This is the second fire since 2011. Luckily again our community dodged a bullet in that there was no wind.

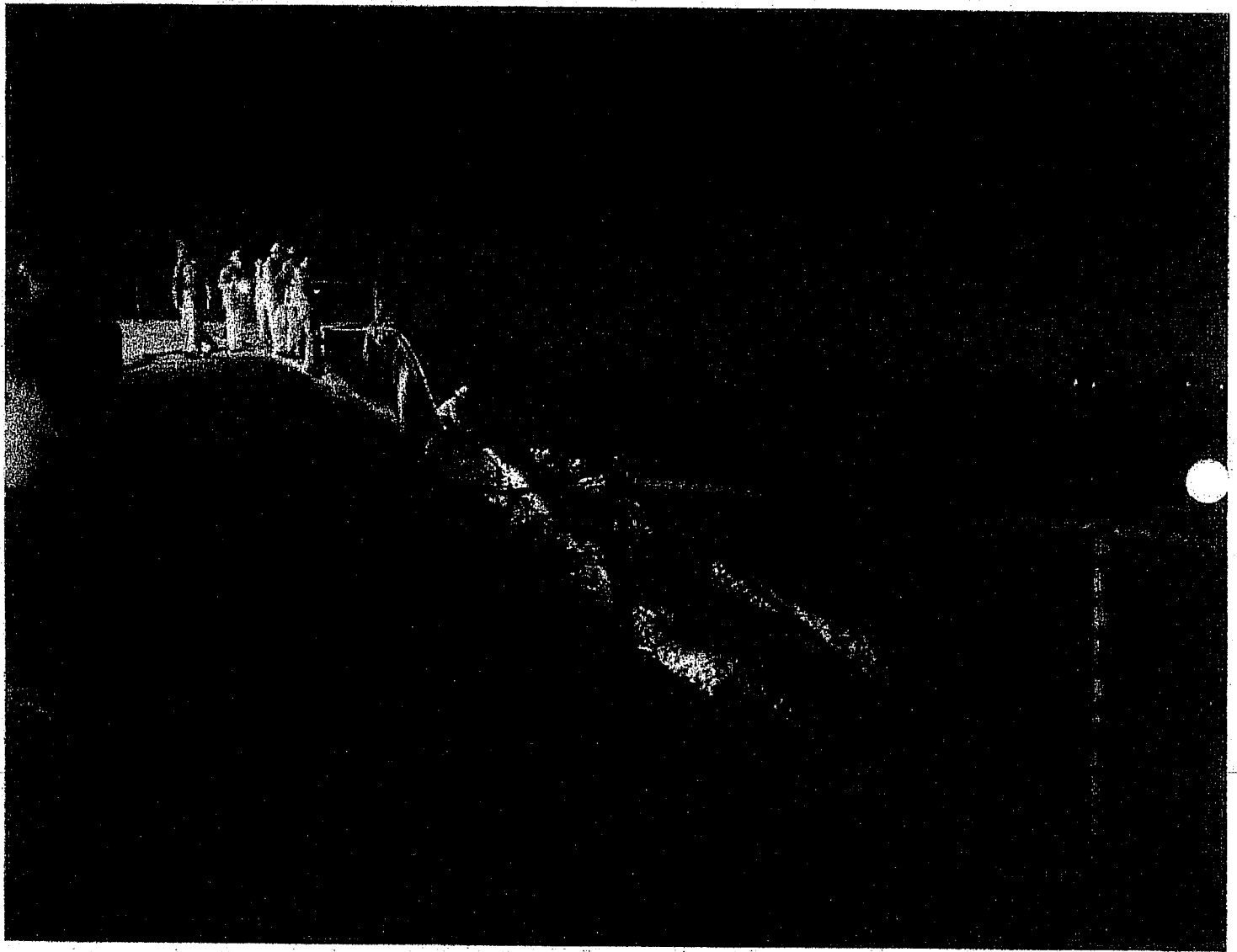
We have pleaded with you to act on this. This is the second day of summer, and should you not respond to our service and closure request, any liability related death, and or property damage should be on each of you personally. Maximum punitive damage will also be sought from the city of Los Angeles.

Acts of this nature are uncontrollable considering lack of resources in each of your departments and each of you knows this. Immediate closure is the easiest, safest and most cost effective solution for the assurance of public safety for the 2200 homes in our area. You are well aware that we recently witnessed a car driving off the road and tumbling into Hollywood

park 100 ft below in the past month. This is no coincidence, this residential area is not Disneyland and it is out of your control, we are at high risk.

Please meet and advise back at your earliest convenience.





**Enclosure 3**



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### Douglas Carstens

Email Address:  
[djc@cbcearthlaw.com](mailto:djc@cbcearthlaw.com)

Direct Phone:  
310-798-2400 Ext. 1

April 25, 2018

Councilmember Ryu  
Los Angeles City Council  
200 N. Spring Street, Rm 425  
Los Angeles, CA 90012

**Re: Opposition to Strategies to Address Hollywood Sign Traffic and Safety Issues In January 2018 Dixon Resources Unlimited Report Without Prior Environmental Impact Review.**

Honorable Councilmember Ryu:

On behalf of the Committee to Save the Hollywoodland Specific Plan, we have reviewed the analysis of parking and circulation issues associated with Griffith Park Hollywood Sign tourism entitled "Comprehensive Strategies Report" dated January 2018 by Dixon Resources Unlimited (Dixon Report) and find it alarmingly inadequate to address serious issues that have been worsening for years. One startling conclusion of the Dixon Report deserves strong emphasis: *"Not only is congestion a nuisance for the residents, but it also inhibits emergency vehicle access and reduces pedestrian safety.* Currently, the best views of the sign are in impacted locations, typically along narrow residential roads." (Report, p. 58, emphasis added.) This report was commissioned by your office so it is incumbent upon you to make sure the Dixon Report is augmented so that it may serve as a proper environmental impact report to address the City's project of promoting Hollywood Sign tourism.

We have repeatedly identified the nuisance impact associated with such tourism promotion including inhibited emergency vehicle access and reduced pedestrian safety in our correspondence with the City over the past several years. On December 17, 2015, we wrote that "the City has created conditions which foreseeably will lead to or aggravate injury to people and damage to property during a fire which could occur in this designated high fire hazard area."

We are gratified that the City's consultant Dixon Resources Unlimited has acknowledged the nuisance conditions that exist. Now, the City must address this recognized nuisance situation, and take responsibility for resolving it. The City must also consider the liability that it risks from allowing the known nuisance situation to continue

with inhibited emergency vehicle access and reductions in pedestrian safety, or in making the situation worse.

**A. Interim Measures Would Either Exacerbate or Only Temporarily Relieve the Issues Identified in the Report.**

For the most part, the Dixon Report proposes strategies that would exacerbate rather than relieve or resolve the existing uncontrolled situation in the area south of Griffith Park. Thus, they are temporary fixes at best, and will contribute to further problems at worst. While enhancing pedestrian safety, improving access to trailheads, expanding transit opportunities, improving traffic flow, improving emergency vehicle access, and increasing parking compliance rates are all necessary, such measures merely treat symptoms of the larger problem, without addressing the cause. As such, while they may be necessary as stopgap measures, they should not be relied upon as a resolution of the underlying issue. The underlying issue, and larger problem that the Dixon Report does not address is that the City is actively promoting Hollywood Sign tourism. Innumerable actions taken by the City indicate that the City has an active program to do so. However, the City has never undertaken a comprehensive environmental review of what such a project entails. The City must prepare an environmental impact report pursuant to the California Environmental Quality Act (CEQA) prior to carrying out any measures identified in the Dixon Report. The continued livability of the residential neighborhoods currently impacted by crowds seeking access to the Hollywood Sign in its current location depends on the City's compliance with California law.

**B. Any Approvals of Measures Identified in the Dixon Report Requires Proper Environmental Review Prior to Approval.**

The actions identified in the Dixon Report are part of a single project undertaken by the City to promote Hollywood Sign tourism. The promotion and regulation of tourist access to the Hollywood Sign is a "project" within the meaning of CEQA. CEQA defines "project" as, among other definitions, an activity undertaken by a public agency "which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..." (Pub. Resources Code §21065.) The definition of "project" is "extremely broad" under CEQA. (*Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1188-1189.) A "project" is any activity by an agency which may cause either a direct or reasonably foreseeable indirect physical change in the environment, and encompasses "the whole of an action." (Pub. Resources Code §21065(a); Guidelines § 15378(a).) In this case, promoting access and viewing areas for the Hollywood Sign will lead to significant traffic congestion and cause blockages of the emergency access.

A project such as the City's promotion of Hollywood Sign tourism may not be piecemealed or segmented into smaller projects that individually have little or no impact

but cumulatively have a considerable impact. "CEQA forbids 'piecemeal' review of the significant environmental impacts of a project." (*Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209, 1222.) Agencies cannot allow "environmental considerations [to] become submerged by chopping a large project into many little ones—each with a minimal potential impact on the environment—which cumulatively may have disastrous consequences. [Citation]." (*Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209, 1222.)

As we have written previously, the City is currently in violation of CEQA and prohibitions against creating a public nuisance for the many actions it has already taken without any environmental review at all. For instance, as we documented in our December 17, 2015 letter to City Attorney Feuer, to promote sign tourism at what is referred to as the Canyon Lake Drive viewsite or "Lake Hollywood Park," City personnel used illegal fill and removed chaparral to create a view pad at Mulholland Highway and Canyon Lake, removed prickly pear cactus to create a dangerous trail along Mulholland Highway, and took other similar actions. These unpermitted, unreviewed actions must be undone to restore the baseline conditions in the area and analyze comprehensively how best to balance protection of residential neighborhoods from adverse impacts with allowing access to the Hollywood Sign. Our December 17, 2015 letter to City Attorney Feuer identified other actions or failures to act by the City:

1. City has put up signage to redirect traffic to an illegally created Canyon Lake Drive viewsite.
2. The City has graded and cleared the Canyon Lake Drive viewsite without prior CEQA review.
3. The City has changed parking controls by painting extensive red curbs, thus prohibiting everyone including neighbors' guests from parking in this residential neighborhood.
4. City traffic officials have illegally blocked public streets, forcing traffic to use the created Canyon Lake Drive viewsite. ... City signage stating "Locals Only" or "Residents Only" has illegally blocked public roads for more than a year. This blockage violates Vehicle Code section 21101 and the principles of public access to public streets set forth by the court in *Citizens Against Gated Enclaves v. Whitley Heights Civic Assn.* (1994) 23 Cal.App.4th 812, 821.
5. The City has restriped the roads in the area.
6. The City has installed rocks for standing on and viewing at the Canyon Lake Drive viewsite.
7. The City has installed what may be a fountain (or possibly a septic system for restrooms) at the Canyon Lake Drive viewsite.
8. The City has allowed, by failing to enforce posted prohibitions against it, continued smoking and loitering at the Canyon Lake Drive viewsite. This happens on an almost daily basis after sunset closing hours of the viewsite. Evidence of this is in the innumerable cigarette butts that are visible. There

Councilmember Ryu  
April 25, 2018  
Page 4

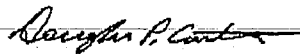
have already been a number of fires in the area.

There was no community input prior to these actions. Prior to any further steps to implement the measures identified in the Dixon Report, the City must release a notice of preparation (NOP) for an environmental impact report for the Hollywood Sign tourism promotion project, analyze the impacts of the project, mitigation measures to avoid or reduce those impacts, and alternatives to the project the City continues to promote with each step it takes. Absent such an EIR, the City will be in legal jeopardy with each step that it takes to implement any recommendation in the Dixon Report. The City's previous purposeful, conscious decisions to promote access and increase Hollywood Sign viewing opportunities without considering the adverse consequences on residential neighbors and the risks to public health and safety created the public nuisance situation that exists today. Each step the City takes without a comprehensive, thoroughly considered and publicly evaluated plan aggravates the intolerable nuisance conditions the City has fomented.

**Conclusion.**

While it is appropriate that the City is addressing parking and access issues to improve circulation around Griffith Park, the City must address access and parking issues around all Griffith Park access points, including Mulholland Highway, Beachwood Drive, and Canyon Lake Drive in a comprehensive, long-term fashion. The time for quick fixes and temporary measures that exacerbate the known nuisance situation in the long run is over. In addition to undertaking a proper, comprehensive environmental review, the City must remedy the past actions it has taken without environmental review that have exacerbated the current nuisance conditions and endangered public safety in the area south of Griffith Park.

Sincerely,



Douglas P. Carstens

Enclosure 4

City of Los Angeles  
Office of the Board of Recreation and Park Commissioners  
Figueroa Plaza  
221 North Figueroa Street, Suite 300  
Los Angeles, CA 90012

RE: 19-039 Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PR)21233  
Project –

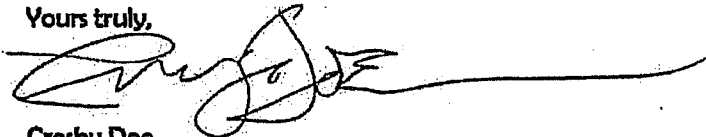
Dear Recreation and Park Commissioners:

I am writing you today in regard to your intention to move forward with Dixon Study recommendations for fencing, planting, and additional project improvements at the two upper viewing pads next to Mulholland Highway which were illegally developed as a part of an International Destination Location to view the Hollywood Sign. Since 2011 the Hollywood View Site project has been, and continues to be incrementally developed in a piecemeal fashion by the City of Los Angeles in an attempt to circumvent CEQA regulations, and environmental review.

The proposed project is not categorially exempt, and if completed the project will push vehicular and pedestrian traffic to the larger view pad at the intersection of Mulholland Highway and Canyon Lake Drive. The City's illegal grading and continuous incremental development of the Mulholland Highway/ Canyon Lake Drive view pad has already caused significant safety, and continuous severe nuisance conditions at this location which major financial and City resources have been unable to mitigate.

The Dixon Study is not a substitute for environmental review required under CEQA, and it fails to address the negative aspects of this proposed project. We recommend that you reject this piecemeal mitigation proposal that may help some neighbors, but will significantly further harm and damage other nearby property owners, and instead require full environmental review of any new project in this area.

Yours truly,



Crosby Doe  
The Committee to Save the Hollywoodland Specific Plan  
3135 Durand Drive  
Los Angeles, CA 90068



**BOARD REPORT**

NO. 19-039

DATE February 20, 2019

C.D. 4

**BOARD OF RECREATION AND PARK COMMISSIONERS**

SUBJECT: GRIFFITH PARK – LAKE HOLLYWOOD AND UPPER VISTA OUTDOOR IMPROVEMENTS (PRJ21233) PROJECT – COMMITMENT OF PARK FEES – CATEGORICAL EXEMPTION FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE III, SECTION 1 CLASS 1(3) [MINOR ALTERATIONS OF EXISTING WALKWAYS] CLASS 3(6) [NEW ACCESSORY STRUCTURES], CLASS 4(3) [NEW TREE PLANTING] AND CLASS 4(12) [MINOR TRENCHING AND BACKFILLING] OF CITY CEQA GUIDELINES AND ARTICLE 19, SECTION 15301(c), 15303(e), 15304(b) AND 15304(f) OF CALIFORNIA STATE CEQA GUIDELINES

AP Diaz	_____	V. Israel	_____
<i>for</i> R. Barajas	<u>CSP</u>	S. Pifa-Cortez	_____
H. Fujita	_____	N. Williams	_____

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

**RECOMMENDATIONS**

1. Approve the scope of work for the Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PRJ21233) Project;
2. Authorize the Department of Recreation and Parks (RAP) staff to commit from the following fund and work order numbers, a maximum of Two Hundred Thousand Dollars (\$200,000.00) in Park Fees, for the Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PRJ21233) Project:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT. NO.</u>	<u>WORK ORDER NO.</u>
Park Fees	302/89/89718H	QZ900160

3. Find that the proposed Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PRJ21233) Project is categorically exempt from the California Environmental Quality Act (CEQA), and direct RAP staff to file a Notice of Exemption (NOE);
4. Authorize the RAP's Chief Accounting Employee to prepare a check to the Los Angeles County Clerk in the amount of Seventy-Five Dollars (\$75.00) for the purpose of filing a Notice of Exemption; and,

BOARD REPORT

PG. 2 NO. 19-039

- 5. Authorize RAP's Chief Accounting Employee to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY

Griffith Park is located at 4730 Crystal Springs Drive in the Hollywood community of the City. This 4,281.73 acre park provides a wide variety of recreational programs and activities, such as train rides, a merry-go-round, hiking trails, and golf courses, for the local community. Approximately 18,155 residents live within a one-half (1/2) mile walking distance of Griffith Park. Due to the facilities, features, and programs, and services it provides, Griffith Park meets the standard for a Regional Park, as defined in the City's Public Recreation Plan.

Lake Hollywood Park is located at 3160 North Canyon Lake Drive within Griffith Park. This 2.42-acre park has a children's play area, picnic table and open lawn. The Lake Hollywood Upper Vista area is located northeast of the Hollywood Reservoir and adjacent to Mulholland Highway.

PROJECT SCOPE

The Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PRJ21233) Project (Project) includes landscaping, irrigation, fencing and other related park improvements along Mulholland Highway. See Attachment 1 for proposed Project concept.

RAP's staff estimates the Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PRJ21233) Project will cost approximately Two Thousand Dollars (\$200,000.00)

Council District 4 is in support of the proposed Project and has provided a Letter of Support. See Attachment 2.

PROJECT FUNDING

Upon approval of this Report, Two Hundred Thousand Dollars (\$200,000.00) in Park Fees can be committed to Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PRJ21233) Project.

These Park Fees were collected within ten (10) miles of Griffith Park, which is the standard distance for the allocation of Park Fees for regional recreational facilities pursuant to Los Angeles Municipal Code Section 12.33 E.3

FUNDING SOURCE MATRIX

Source	Fund/Dept/Acct	Work Order	Amount	Percentage
Park Fees	302/89/89718H	WO# QZ900160	\$200,000.00	100%
<b>Total</b>			\$200,000.00	100%

## BOARD REPORT

PG. 3 NO. 19-039

### PROJECT CONSTRUCTION

RAP staff has determined that sufficient funding has been identified for the Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PRJ21233) Project.

The Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PRJ21233) Project is anticipated to begin construction in March 2019.

### TREES AND SHADE

The proposed Griffith Park – Lake Hollywood and Upper Vista Outdoor Improvements (PRJ21233) Project will include the installation of the following trees:

- 9 Tipuana tipus (15 gallon)
- 11 Schinus molle-California Pepper (15 gallon)
- 53 Agave species (5 gallons)

### ENVIRONMENTAL IMPACT STATEMENT

The proposed Project consists of minor alterations to existing walkways, of the planting of new trees and of the installation of irrigation lines. As such, staff recommends that the Board of Recreation and Park Commissioners (Board) determine that the Project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1(3); 3(6); 4(3) and 4(12) of City CEQA Guidelines and to Article 19, Section 15301(c), 15303(e), 15304(b) and 15304(f) of California State CEQA Guidelines. A Notice of Exemption will be filed with the Los Angeles County Clerk upon Board's approval.

### FISCAL IMPACT STATEMENT

The assessments of the future operations and maintenance costs have yet to be determined and will be addressed in future budget requests.

This Report was prepared by Meghan Luera, Management Analyst, Planning, Maintenance and Construction Branch.

### LIST OF ATTACHMENTS

- 1) Renderings of Proposed Project
- 2) Letter of Support from Council District 4



**LAKE HOLLYWOOD OVERLOOK**

(All trees size are shown at 2/3 mature optimum size)





DAVID E. RYU  
COUNCILMEMBER, FOURTH DISTRICT

December 3, 2018

Dear Board of Recreation and Parks Commissioners,

I am writing to you in support of the planting and fencing of the northern vistas of Griffith Park off of Mulholland Highway which will address safety and congestion issues impacting visitors and residents.

In the spring of 2017, my office commissioned Dixon Resources Unlimited (Dixon) to conduct a study of the western portions the Park to identify strategies to improve access, safety, and mobility around the Park and the Hollywood Sign. In the report, Dixon recommended for the small dirt clearings off of Mulholland Highway to be planted to obscure the view of the Hollywood Sign. The view frequently tempts southbound drivers to stop on the curvy, two-lane road to snap a photo, thus creating congestion and unsafe passing. Fencing was also recommended to prevent cars from jumping the curb and parking on the dirt clearings. The Chief Legislative Analyst found this recommendation to be feasible and it was among the 19 strategies derived from the Comprehensive Strategies Report approved by City Council on October 3, 2018.

This is a commonsense solution which will increase safety and relieve congestion, thus creating a better experience for visitors and residents.

Please do not hesitate to follow up should you have any questions or concerns.

Sincerely,

David E. Ryu  
Councilmember, District Four