



**Chabad Appeal for Temporary Lease Renewal, Temescal Gateway
Park**

To: Board Secretary
Santa Monica Mountains Conservancy
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Introduction:

Chabad of Pacific Palisades (Chabad), a 501(c)3 non-profit social service and education organization, has been using the Temescal Gateway Park for the past 8 years for the Palisades Jewish Early Childhood Center (PJECC) sponsored by Chabad of Pacific Palisades. In temporary trailers, local children from all backgrounds are provided nursery school, nature, and environmental education. This program is nonsectarian, provides designated low-income family scholarships, and is also open to at-risk and special needs children, who have been served in the past.

Being cognizant of the SMMC's long-term plans, Chabad has sought and found an alternative location for the PJECC, which is expected to be available in January 2009 after minor improvements, road improvements, and permits approval. The purpose of this document is to appeal the refusal of an extension of Chabad's use of the Park for the preschool until that time.

Formal Aspects:

The proposed extension is not a new project, and Chabad believes it falls within

at least one of the categorical exemptions of the California Environmental Quality Act, including Classes 1 through 3. Chabad will pay for appropriate advisory reports in support of that view or, failing that, will comply with the non-exempt process as required by law.

Chabad's officers (Rabbi Boruch Shlomo Cunin, President of the parent organization, Chabad of California, and Rabbi Zushe Cunin, Executive Director of Chabad of Pacific Palisades) have signed an agreement with respect to this third extension, with terms and conditions indicated by SMMC officials including the terms of the previous lease, parking, public use, obedience to park rules, payment for the term of the extension from June 23, 2008 until January 31, 2009, and the securing of a \$250,000 bond to guarantee departure from the premises before January 31, 2009.

Project Description:

The proposed extension will use three trailers, with each trailer being 12' by 54' with a separation of 6' between two of them. The curtilage (or play area) is 178' by 60', creating a total area of 10,680 square feet. The trailers will be placed in their previous location immediately adjacent to the dirt road in the meadow area between the YMCA property and the swimming pool. The curtilage will extend from the trailers west 60' towards the paved entrance road. The site will serve 54 nonsectarian pre-school students, with 10 staff and 10 staff vehicles, and will operate from 8:30 am to 3:30 pm, Monday through Friday.

No special events will be undertaken in conjunction with the preschool. Chabad will clean facilities to park standards daily, will use the Center's designated parking lot, and pay for parking for the entire 9-month extended period. Chabad will release its restrictions and permit the public full use of the meadow surrounding the Center, will abide by all park rules and instruct their clients to do the same. Chabad will not make improvements without prior permission.

Park Purpose and Chabad:

Per California Public Resources Code PRC Section 5019.53: "Improvements undertaken within state parks shall be for the purpose of making the areas available for public enjoyment **and education** in a manner consistent with the preservation of natural, scenic, cultural, and ecological values for present and future generations. Improvements may be undertaken to provide for recreational activities including, **but not limited to**, camping, picnicking, sightseeing, nature study, hiking, and horseback riding, so long as those improvements involve no major modification of lands, forests, or waters." (Emphasis added).

Chabad's requested use is both educational and cultural, and includes nature study. Further, the requested extension is temporary and involves no permanent

improvements.

Chabad believes the extension as described in our application is for a purpose consistent with the Santa Monica Mountains Conservancy Act. Temescal Gateway Park, because of its historical heritage, includes as permitted use educational programs such as the Chautauqua Series, which include but are not limited to nature subjects.

For example, a Chautauqua Series program called "Myths of Love" was offered on a recent Valentine's Day: "Celebrate Valentine's Day and the season of love with famed mythologist and storyteller Lollie Ragana. Join Ms. Ragana on a voyage through the oral and written traditions of love that transcend time and cultures. She will take us to Ancient Sumer, the seat of civilization, to reveal the sanctity of marriage. She will examine the unifying nature of love between Psyche and Eros. Her journey will explore India's passionate love tales, Egyptian Isis' restorative faith in Osiris, and Celtic Ireland's woeful story of Deirdre and Naoise. The stories will be old and new, familiar and surprising, and utterly enjoyable."

And on May 31, 2005, the Chautauqua Series offered an Opera Preview: "On May 31st, people are welcome to visit the canyon for the second event in the new Chautauqua Series, this time to hear a sneak preview of a new opera never before presented to the public, Bernadette, written by Kendrew Lascelles and composed by Rhonda Kess." This event was sponsored not by the Conservancy, but by a non-profit group, "Friends of the Conservancy."

As is stated: "It is the goal of the MRCA and SMMC to recapture and foster the original spirit of the Chautauqua Movement, coined by Theodore Roosevelt as 'the most American thing in America.' Honoring the tradition of the original Chautauqua philosophy, we will present a lively monthly series of lectures and events showcasing regional, local and national talent in a variety of art forms."

Thus there is a precedent for permitted use of lands within the Temescal Gateway Park for sponsorship by a non-profit organization of educational, cultural, and historical matter unrelated to natural resources.

It is just so with Chabad's proposed temporary use for the PJEC's nonsectarian pre-school education. Even more important than adult education is that of young children, particularly in the natural setting of a State Park. Being in the natural environment of the Park, the children will learn of the beauties and comforts of nature, and their nature education will be formally facilitated. These children, when grown, will be motivated by their experience to be users, supporters, protectors, and conservers of State Parks, especially Temescal Gateway Park, which they will remember fondly.

Chabad intends, with SMMC Board approval and consistent with the above

purposes, to temporarily continue to deliver an educational program which includes these Park-synergistic elements in order to take unique advantage of the Park location and environment as it has for the past 8 years.

Sincerely yours,

Rabbi Zushe Cunin
Executive Director
Chabad of Pacific Palisades