

From: Councilmember Kevin McKeown
To: Wang, Guangyu@Waterboards
Cc: Gray, Caitlin@Waterboards
Subject: Response to representation challenge
Date: Tuesday, April 20, 2021 4:50:52 PM

At last week's SMBRC meeting (4/15/21), the President of the Bay Foundation challenged my legitimate representation as a member of the Commission appointed for the Ballona Wetlands Cities by the Westside Cities Council of Governments. I write to demonstrate that I was acting with the support of my constituencies.

Last Thursday morning in public comment at the beginning of our meeting, two young women of color presented a proposal for resumption of supervised educational access to the Ballona Wetlands through a gate on Fiji Way that has been closed for some time. After a Commission member and the Chair complimented the presenters on their work and photography, and the Chair reminded the presenters that access to Ballona is under the control of the California Department of Fish and Wildlife, not SMBRC, I reminded the Commission that for some months now I have been requesting consideration of a resolution urging CDFW to once again allow public access, and clarified why:

"I represent the Ballona Wetlands cities through the Westside COG, through the City of Santa Monica, but really as a pass-through. I represent the public, and my interest here is in giving the public access to that public land. So, I'm really gratified to see that there are young people who are prepared to do this if we can get the permission for them."

The President of the Bay Foundation challenged whether I had the authority to take such a position:

"My understanding, Kevin, is that your position is to represent the COG. Now if the COG has taken a position on Ballona, I would love to see it, but... and if the City of Santa Monica has, also, I'd love to see that. But I haven't seen either, and at the end of the day, I'm not comfortable with how you're... your membership on this Commission."

I cannot recall any Commission member previously having been challenged on representative authority in such a manner, but that same day I contacted the Executive Director of the Westside Cities Council of Governments, and received this reply:

Kevin: We are happy to support you and confirm the position of the COG member cities. Coastal access is a crucial issue.

To be doubly sure, I emailed the legislative liaison in Santa Monica's City Manager's office and was told:

I think the following two statements are sufficient to convey our support:

- Support legislation and resources to protect existing parks, wetlands, community open spaces, and coastal resources.
- Support legislation and resources that assist local governments in developing and implementing energy efficiency and conservation strategies that maximize available resources, reduce costs, expand community access, and protect public health.

I trust those citations resolve the Bay Foundation President's issue of whether I was advocating without authority. The SMBRC's mission as posted on our website calls on us

To restore and enhance Santa Monica Bay through actions and partnerships that improve water quality, conserve and rehabilitate natural resources, mitigate the impacts of climate change and sea level rise, and protect Santa Monica Bay's benefits and values.

We are to be open to partnerships that protect Santa Monica Bay's benefits. That is our job. And it is hard not to consider public access and enjoyment of state-controlled public lands among those benefits.

Last Thursday I was not allowed to respond until the very end of the meeting, by which point some attendees may have left. I said,

"My representation was called into question earlier in the meeting. It is certainly disappointing to find that my advocating for public access to public land is such an unpopular opinion with some members that it's led to a challenge to my representation here from a non-voting member. The Ballona Watershed Cities are the communities that are closest to the Ballona Wetlands. They are the communities most affected by the inability to visit and enjoy those wetlands. Now, the people of our communities are not all engaged in litigation. They just deserve having educational, recreational, and inspirational access to a remarkable natural resource – and I will continue to represent that point of view."

Thank you for reading this delayed response. While I sought and received COG and City support the very day of the meeting, I waited until I could review the video of that meeting so I could transcribe accurately the comments included above.

Kevin McKeown
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Santa Monica Bay Restoration Commission

Kevin McKeown <http://www.mckeown.net>

To protect your personal privacy when writing to me, use my personal email ONLY for personal matters and my City email ONLY for issues regarding Santa Monica.

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For an explanation, see <http://www.mckeown.net/email>

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