

**for immediate release**

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**Whittier Conservancy Sues State of California**

**Whittier. June 10, 2015.** The Whittier Conservancy today filed suit against the State of California to enforce mandatory state laws that protect the former Fred C. Nelles Youth Correctional Facility (“Nelles”), California Historic Landmark No. 947. (See attached Petition for Writ of Mandamus.)

Founded in 1891, Nelles is the oldest juvenile facility in the state and houses historically significant resources on a 74-acre site.

The lawsuit challenges the state’s two-year extension of a 2011 agreement to sell the state-owned Nelles site to developer Brookfield Residential — essentially rubber-stamping a 6-year escrow that would now stretch to March 2017. The extension follows Brookfield’s failure to meet the terms of a previous extension of the escrow to March 2015.

The Whittier Conservancy contends that the current extension does not serve the interests of citizens of the State of California or the City of Whittier.

“The Conservancy filed this lawsuit in the public interest. When the State of California and Brookfield agreed to the sale of this historic site four years ago, there was a good-faith expectation that the resultant development would benefit the citizens of Whittier,” observed Ted Snyder, President of the Conservancy.

“But as the years have gone by and the value of the property has grown tremendously over the 2011 sale price, Brookfield has proposed a project that offers little benefit to the community and would cause significant environmental impacts. It provides no

public open space, no affordable housing, no playing fields for youth, no continuum of care facility for seniors, no venue for the arts, no unique retail component: in short, nothing that this community really needs. Meanwhile, it would cause significant adverse impacts to traffic, air quality, greenhouse gas emissions, and would needlessly destroy a majority of the Nelles site's irreplaceable historic resources."

The suit cites the state's violations of the California Environmental Quality Act that require environmental analysis and mitigation for governmental actions that may have significant environmental impacts. It further references state law that requires surplus state property like Nelles to be sold at "fair market value" with priority given to sales that result in "housing for persons and families of low or moderate income." The petition also asserts that the state has not been adequately maintaining the abandoned site, and that an additional two years of escrow will lead to further demolition by neglect.

"We wish we didn't have to take this action," said Snyder. "But since the State continues to deny reasonable public access to the property and fails to follow the mandates of its own laws or protect the resources that make Nelles an official State Historic Landmark, we feel forced to act on behalf of the citizens of the state and city."

"We believe the Nelles site and its landmark buildings offer a unique sense of place that presents a once-in-a-lifetime opportunity for 74 acres of new-urbanism. Its development should embrace a 21st century vision of a sustainable, pedestrian-friendly, inter-generational, transit-oriented community where residents can work, shop and play where they live," said Snyder. "We have met with the proposed developer and even suggested how such a project could be designed, but they unilaterally withdrew from discussions."

"Instead, Brookfield is serving up a standard car-centric dense suburban sprawl-with-a-mall project straight out of the 1980s, profitable for them but offering little to the community. Adding the loss of unique historic resources, it's not a good deal for the people of California, who built this facility for the public good, and who own it today," Snyder concluded.