RIO DE LOS ANGELES STATE PARK

General Plan and Final Environmental Impact Report Volume 2

SCH # 2004091126

Arnold Schwarzenegger
Governor

Mike Chrisman
Secretary for Resources

Ruth Coleman
California State Parks

Department of Parks and Recreation
PO Box 942896
Sacramento, CA 94296-0001

May 2005

California State Parks Mission:
To provide for the health, inspiration and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

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TABLE OF CONTENTS

Section	**Page**
1. Introduction	**1**
2. List of Commenters	**3**
3. Response to Comments	**4**
Letter 1 – Natural Resources Defense Council	5
Letter 2 – Leonard Pitt	9
Letter 3 – Metrolink	13
Letter 4 – Department of Toxic Substances Control	23
Letter 5 – Los Angeles Unified School District	33
Letter 6 – Center for Law in the Public Interest	37
4. Recommended Changes to the General Plan	**63**

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RESPONSE TO COMMENTS AND PROPOSED CHANGES TO PRELIMINARY GENERAL PLAN AND EIR

1. INTRODUCTION

On March 16, 2005, the California Department of Parks and Recreation (Department) released to the general public and public agencies the Preliminary General Plan/Draft Environmental Impact Report for Río de Los Angeles State Park (RLASP), also known as the Taylor Yard Project. The proposed general plan will guide future management direction at the Park. It contains a comprehensive and integrated set of park-wide goals and guidelines for the long-term management of the Park that focus on the protection of environmental resources, enhancements to visitor use and opportunities, and improvements to administration and operations of the Park. In addition, the General Plan includes area-specific management guidelines.

The Draft Environmental Impact Report (EIR) included with the Preliminary General Plan analyzes the environmental effects of the proposed project, providing mitigation measures where needed. Together, the Draft EIR and this response to comments document constitute the Final EIR for the project.

In accordance with Public Resources Code Section 21091 and CEQA Guidelines Section 15087, a 45-day public review period for the Draft EIR was provided. The public was advised of the availability of the Preliminary General Plan/Draft EIR through public notices, public outreach and the Department's web site. The public notice (Notice of Availability) was also posted in the Los Angeles Downtown News. Copies of the Preliminary General Plan/Draft EIR were also available for review at the following locations: Central Library, 630 W. Fifth St., Los Angeles; Edendale Library, 2011 W. Sunset Blvd., Los Angeles; Chinatown Branch Library, 639 N. Hill St., Los Angeles; Lincoln Heights Branch Library, 2530 Workman St., Los Angeles; Echo Park Branch Library, 1410 W. Temple St., Los Angeles; and Cypress Park Library, 1150 Cypress Ave., Los Angeles. The document was also posted at the following California State Parks offices: Angeles District Headquarters, 1925 Las Virgenes Rd., Calabasas; Southern Service Center, 8885 Rio San Diego Dr., Suite 270, San Diego, and on the State Parks Website at www.parks.ca.gov.

The 45-day public review period began on February 15, 2005 and ended on April 29, 2005. During the public review period, comments on the environmental issues evaluated in the Draft EIR were received from public agencies and private groups. Comments were also received on the various components of the plan itself. This document provides responses to written comments received during the 45-day public review period.

The focus of the response to comments is on the disposition of significant environmental issues that have been raised in the comments, as specified by CEQA Guidelines Section 15088(b), but also includes responses to pertinent planning considerations for implementation of the Preliminary General Plan.

All comments on the Preliminary General Plan/Draft EIR and the responses thereto, are presented in this document, which is organized as follows:

- **Chapter 1** (Introduction) provides a brief overview of the proposed project, describes the requirements under CEQA for responding to public comments received on the Draft EIR, and describes the organization of the Final EIR.

- **Chapter 2** (List of Commenters) provides a list, in table format, of all written comments received on the Preliminary General Plan/Draft EIR during the public comment period.

- **Chapter 3** (Response to Comments) provides a complete copy of, and responses to, written comments on the Preliminary General Plan/Draft EIR received during the public review and comment period.

- **Chapter 4** (Recommended Changes to the General Plan) provides a reproduction of portions of the Preliminary General Plan/Draft EIR with revisions to text and graphics made either in response to comments received during the public review or as a result of staff-directed changes.

2. LIST OF COMMENTERS

This chapter provides a list of all public and agency comments received on the Preliminary General Plan/Draft EIR during the public review period, which ended on April 29, 2005. Responses to each individual comment are numbered correspondingly and are included in Chapter 3.

Written Comments Received on the Preliminary General Plan/Draft EIR

No.	Commenter/Agency	Date of Correspondence
1	Timothy Grabiel, Esq. Natural Resources Defense Council (NRDC)	April 21, 2005
2	Leonard Pitt, Ph.D. Committee Member California State Parks' Cornfield Advisory	April 25, 2005
3	David Solow Chief Executive Officer Southern California Regional Rail Authority (METROLINK)	April 22, 2005
4	Greg Holmes Unit Chief Southern California Cleanup Operations Branch – Cypress Office Department of Toxic Substances Control	April 26, 2005
5	Glenn Striegler Environmental Assessment Coordinator Los Angeles Unified School District	April 28, 2005
6	Robert Garcia Executive Director and Counsel Center for Law and Public Interest (CLIPI) Erica Flores Baltodano Assistant Director and Counsel Center for Law and Public Interest (CLIPI) Raul Macias President and Founder Anahuak Youth Soccer Association	April 29, 2005

3. RESPONSE TO COMMENTS

This chapter provides a complete copy of the written comments received on the Preliminary General Plan/Draft EIR for RLASP, and presents responses to environmental issues raised in the comments, as required by CEQA Guidelines Section 15132. Comments pertaining to the content of the Preliminary General Plan are also included and addressed. Each letter is reproduced in its entirety, including attachments. The comment letters listed in Chapter 2 are included in this chapter, and all comments are individually numbered. The Department's responses, which follow each comment letter, are labeled with corresponding numbers.

NRDC
THE EARTH'S BEST DEFENSE

NATURAL RESOURCES DEFENSE COUNCIL

April 21, 2005

Via Federal Express

California Department of Parks and Recreation
Southern Service Center
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108
Att'n: Dianna Martinez

Re: Comments on Proposed Rio de Los Angeles State Park (Taylor Yard): Preliminary General Plan and Draft Environmental Impact Report

Dear Ms. Martinez:

On behalf of the Natural Resources Defense Council ("NRDC") and its over 1 million members and activists, more than 250,000 of whom live in California, I submit these comments to California Department of Parks & Recreation (hereinafter "State Parks") on the Rio de Los Angeles State Park's Preliminary General Plan and Draft Environmental Impact Report ("General Plan and Report"). NRDC believes that the proposed General Plan and Report will go a long way toward capturing the community's vision of open space while serving as a catalyst for revitalization of the Los Angeles River channel and floodplain. The Rio de Los Angeles State Park (hereinafter "Taylor Yard") envisioned in the General Plan and Report will serve as a refuge from the intensively urbanized surrounding areas for not only riparian plants and animals, but the ethnically-diverse communities of Los Angeles' historic core. 1.1

Of the exigencies confronting Taylor Yard, connectivity and cohesiveness are the most challenging. As it currently stands, Taylor Yard is separated by an active railway line and multiple private properties that sever the two noncontiguous parcels and inhibit a fluid and interrelated park experience. We want to encourage State Parks to actively explore opportunities to improve street landscaping along San Fernando Road to attract pedestrian traffic, investigate opportunities to purchase additional property or easements to physically connect the two parcels – with special emphasis on the acquisition of parcel G-2 – and seek innovative strategies with outside partners to provide safe physical access across the active railway lines. As the history of Taylor Yard reveals, this can be best accomplished by engaging the elected officials, community partners and interested organizations in the adjacent communities, many of whom remain actively involved to this day, while continually striving to forge dynamic new relationships in the future.

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NRDC commends State Parks for the thoughtful planning reflected in the General Plan and Report and we look forward to working with you and your staff as this long-range management tool is implemented on the project level. If you have further questions or comments, please do not hesitate to contact me.

Very truly yours,

Timothy Grabiel, Esq.

Cc: Ruth Coleman, Director of California State Parks

RESPONSE TO LETTER 1

Timothy Grabriel, Natural Resources Defense Council
April 21, 2005

1.1 The Department thanks the Natural Resources Defense Council for their comments and support for the planning reflected in the General Plan

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Letter 2: Leonard Pitt

Leonard Pitt, Ph.D.
3475 Stoner Ave.
Los Angeles, CA 90066-2819
fax: 310-398-5801
phone: 310-397-3917
email: ldpitt@earthlink.net

25 April 2005
Dianna Martinez-Lilly, Project Manager
California State Parks and Recreation
Sacramento, California

Dear Dianna:

Thank you for sending me the two plans that you distributed: "Proposed Los Angeles State Historic Park (Cornfield Site) Preliminary General Plan and Draft Environmental Report"; and, "Rio de Los Angeles State Park General Plan & Draft Environmental Report." I will say without hesitation that like what I see in both draft documents.

Here are a few specific observations:

1. Classifying the Cornfield site as a "State Historic Park" is without doubt the ideal solution and naming it "Los Angeles State Historic Park," is the very best possible designation---far superior to any proposed name we heard at the public meetings. 2.1

2. Establishing a broad "flow-of-history" as the thematic structure for the new Los Angeles State Historic Park, instead of focusing on a single decade or so, is an inspired idea and should work very well, provided that sufficient resources are devoted to the interpretive program (p. 70).

3. I understand your reluctance to overload a general plan with specific details about a build-out, but I can't resist observing that the interpretive program for the "flow-of-history" will require a number of dedicated spaces. You will probably need a museum, an auditorium, an outdoor arena, an archives and library, administrative offices and other accommodations. If so, you should strongly consider restoring part of the Zanja Madre, the round-house footprint, and the depot and hotel, which was arguably the first lodging house in Los Angeles built specifically for tourists. As we know from the old illustration, the hotel was a small, handsome Victorian structure that will become an instant popular icon for the entire park.

4. The historical information in both plans is excellent. I particularly like section "2.2 Cultural Resources" of the Cornfield plan, although additional research into the U.S. Census and newspapers, etc. will further enrich the picture. As you suggest, partnering with universities will yield additional information over time. You also need to consult K-12 teachers and curricular specialists regarding ways for the interpretive program to meet the curricular demands of the California Social Studies Guidelines. But I'm sure you know all this.

5. I applaud the mention of a potential "folk museum" on or off-site at Los Angeles State Historic Park, but I believe the people who support this cultural activity prefer the term "folk-life museum."

6. As for Taylor Yard, the designation of a generic "State Park" is the very best designation, and the name "Rio de Los Angeles State Park" fits the bill perfectly. The designation is short and to the point---absolutely the best name I've heard. 2.2

7. I am delighted to see that the plan for Rio de Los Angeles State Park provides for both organized sports and enjoyment of the riparian environment. This will have the effect of eliminating some of the pressures for soccer and for scientific interpretation at Los Angeles SHP, and will help the latter fulfill its mission as an historic park. 2.3

Best of all, I feel confident that Los Angeles State Historic Park is on the right track toward becoming not merely a fine neighborhood park but a "world-class park" for the enjoyment of all Californians. 2.4

In short, my congratulations to you and your colleagues for the quality of each separate general plan and for the coordinated vision of both plans considered in unison. It was not an easy task.

I also want to thank you for the skilful way you handled the Advisory Committee meetings. Despite the frequent disagreements, I found those gatherings very helpful in the planning process.

Cordially,

Leonard Pitt
Professor of History Emeritus
California State University, Northridge

RESPONSE TO LETTER 2

Leonard Pitt, Ph.D., California State Parks' Advisory Member
April 25, 2005

2.1 The Department thanks you for your comments on the Preliminary General Plan/Draft Environmental Impact Report for Los Angeles State Historic Park and Preliminary General Plan/Draft Environmental Impact for RLASP. Comments 1 through 5 are addressed in the Final EIR for the Los Angeles State Historic Park, issued by the Department on May 10, 2005 for the Preliminary General Plan/Draft Environmental Impact Report for Los Angeles State Historic Park (State Clearing House #2003031096). Comments pertaining to the General Plan/Draft Environmental Impact for RLASP are addressed below.

2.2 Thank you for your support in the Department's choice of name and classification for RLASP. The Department agrees the name, 'Río[1] de Los Angeles State Park' encapsulates a connection between this area of open space and the nearby Los Angeles River and communicates the vision to restore parcels D and G-1 into a healthy, functioning natural ecosystem with a vital role in the connection of other nearby habitat areas.

The PRC (5019.50) provides several classifications for State Park System units. The two most appropriate options that were considered include State Recreation Area and State Park. Due to the limited acreage and the disconnection between the two parcels, which are severed by an active railway line and multiple private properties, the State Park classification does not apply. The Department is requesting RLASP be classified as a State Recreation Area, however the name would be Río de Los Angeles State Park.

2.3 In 2003, the Department leased 20 acres on Parcel D to the City of Los Angeles to develop active recreational facilities. Together, the City and State Park facilities provide a wide range of recreational uses, integrating a variety of facilities while avoiding disjunctive management boundaries. As indicated throughout the Preliminary General Plan and Draft EIR, this mix of active recreation, educational enrichment, and ecological

[1] Spanish for "river"

enhancement will help to meet the strong demand for both passive and active recreational facilities in the project area.

2.4 The Department thanks the commenter for his comments in support of the RLASP General Plan and EIR.

FROM :CA STATE PARKS-SSC FAX NO. : Apr. 29 2005 08:34AM P1

METROLINK

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

Member Agencies:
Los Angeles County Metropolitan Transportation Authority
Orange County Transportation Authority
Riverside County Transportation Commission
San Bernardino Associated Governments
Ventura County Transportation Commission
Ex Officio Members:
Southern California Association of Governments
San Diego Association of Governments
State of California

April 22, 2005

Dianna Martinez
California Dept. of Parks and Recreation
Southern Service Center
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108

RE: Southern California Regional Rail Authority (SCRRA) Comments on the Preliminary General Plan and Draft Environmental Impact Report (DEIR) for the Rio de Los Angeles State Park (at Taylor Yard) SCH #2004091126

Dear Ms. Martinez-Lilly:

Although this document was released for public comment on 3/16/05, the SCRRA was not directly noticed and became aware of the comment period for this document 4/1/05. Please ensure that we are notified of future comment periods. Thank you for directing my staff to the web site with the electronic document and providing the opportunity to comment on this document. As background information, SCRRA is a five-county Joint Powers Authority (JPA) that operates the regional commuter rail system known as Metrolink on member agency-owned and on private freight railroad rights of way. Additionally, SCRRA provides a range of rail engineering, construction, operations and maintenance services to its five JPA member agencies. The JPA member agencies are the Orange County Transportation Authority (OCTA), Los Angeles County Metropolitan Transportation Authority (Metro) – previously referred to as MTA, San Bernardino Associated Governments (SANBAG), Riverside County Transportation Commission (RCTC) and Ventura County Transportation Commission (VCTC). 3.1

The final version of this document will guide future management of the 37-acre State Park (17 acres on Parcel G-1 and 20 acres on Parcel D). The General Plan will not cover the remaining 20 acres of Parcel D that have been leased to the City of Los Angeles for a city park. The railroad right of way that is used by Metrolink, Amtrak and the Union Pacific Railroad (UPRR) that runs through the entire Taylor Yard area is owned by Metro, while SCRRA maintains and operates the right of way for Metro. Based on the proximity of the rail line to the park planning area, the following recommendations are being conveyed by SCRRA after reviewing the DEIR:

1. Page 2-2 under Surrounding Land Uses, needs to be corrected to read, "Parcel A is an embankment and railroad line used by Metrolink, Amtrak and Union Pacific Railroad 3.2

700 S. Flower Street 26th Floor Los Angeles CA 90017 Tel [213] 452.0200 Fax [213] 452.0425
www.metrolinktrains.com

FROM :CA STATE PARKS-SSC FAX NO. : Apr. 29 2005 08:37AM P5

Rio de Los Angeles State Park Comments
April 2005
Page 2

(UPRR), which runs through the center of the complex." 3.2 cont

2. Figure 2-4, the Park Concept Plan, notes where two traffic signals will be installed by the City of Los Angeles. South of both of the proposed traffic signals is the intersection marked as Kerr Road (Private Road) and San Fernando Road. This non-signalized intersection is the only vehicular access to Metrolink's Central Maintenance Facility (CMF), a facility which extends along the Los Angeles River to the south of Taylor Yard. Currently, it is very difficult to turn south and even more difficult to turn north from the Private Road onto San Fernando Road. Pedestrians also experience safety issues at this intersection, while trying to use the sidewalk to the river in the easement along the south side of the Private Road. It is requested that a traffic study be completed to assess the current wait times at this intersection, so a baseline can be established. It is then requested that the traffic impacts be mitigated to avoid any increase in the current wait times or safety issues at this intersection. If the wait times or safety issues can be improved at this intersection (perhaps by timing the proposed southern park entrance traffic light to improve ingress and egress at the Private Road), it would be sensible to plan accordingly. It is important for this plan to address pedestrian and bike traffic between the proposed park and the existing sidewalk along the Private Road. 3.3

3. Page 2-43 discusses Rail Service and notes that Metrolink trains "pass through the Taylor Yard complex numerous time daily". The FEIR should specify that as of April 2005, weekday rail traffic through the Taylor Yard complex consists of 54 Metrolink trains plus 12 Amtrak trains in addition to varying freight traffic. Currently, Metrolink service includes 8 passenger trains through Taylor Yard Saturday, but none on Sunday. Also, Amtrak runs 12 trains through Taylor Yard Saturday and Sunday. 3.4

4. Page 3-4 refers to the limited pedestrian access to the park property and that one of the many existing barriers limiting pedestrian access is the active railroad. The report goes on to state that local residents will be encouraged to walk to the park and that barriers limiting pedestrian access must be overcome in safe, practical ways. SCRRA wants to emphasize the importance of keeping pedestrians out of the railroad right of way. The best way to accomplish this is to construct substantial barriers separating the park from the railroad and to provide a grade-separated access for pedestrians, that allows them to walk the shortest possible distance, otherwise trespassing on the railroad is likely to occur and that causes a severe public safety issue. 3.5

5. SCRRA recommends adding a public safety mitigation measure that will require the construction of a minimum 8-foot high tubular steel fence along the entire project site adjoining railroad property. The steel fence is recommended versus a block wall, based on the state park being used for non-active recreational facilities. The fence will help prevent trespassing and illegal dumping on railroad property. It will also serve the purpose of separating the public park from the adjacent railroad activity. Additionally, a fence or some other separation should be installed along the south side of Parcel D, in order to control the flow of pedestrians and bicyclists going between the proposed park and the existing pedestrian/bike path along the Private Road. The park maintenance crew

will be responsible for maintenance of the fences.

6. Page 3-4 also points out the importance of connecting park users to the regional transportation system, including the Metro Gold Line station 1.5 miles away from the park and the Metrolink system with its closest stations at Glendale and Union Station. SCRRA urges California State Parks to develop public transportation links that bring visitors directly to the park entrance as suggested in the plan. **3.6**

7. Page 4-10 states the intent of the Railroad Buffer Element – to "reduce the negative impacts on the visitor and staff park experience resulting from the active railroad tracks" that border Parcels D and G-1. "Using primarily trees, and other plantings (consistent with the other vegetation management goals and guidelines in this General Plan), the hope is to screen views of the rail lines from Parcel G-1. On Parcel D, a berm will separate a vegetated human-made depression and the property edge facing the railroad line. This will serve the dual purposes of creating the topography necessary for detention of water so that a riparian wetland can be created, as well as mitigating some train noise. On the 20 acres leased by the City of Los Angeles, clusters of trees and grassy upland areas will be provided from where park visitors can view the trains and the Los Angeles River." **3.7**

   The landscape plan for the proposed development should consider the adjacent railroad right of way and cause no negative impacts on the right of way – such as sprinklers spraying onto railroad property or tree branches hanging over the park fence into the right of way. Please refer to the Landscape Design Guidelines, which are posted on SCRRA's web site. Although these guidelines were written for landscaping actually on railroad property rather than adjacent to, they will still be useful to avoid negative impacts. Go to www.metrolinktrains.com > About Metrolink > Public Projects > Guidelines > Landscape Design Guidelines.

8. It appears that the storm water from Parcel D currently flows onto the railroad property. Development of the park property may substantially alter the existing drainage pattern, especially due to the proposed park riparian wetland. The riparian wetland should not soften the railroad embankment or cause any other negative impacts on the railroad property. SCRRA recommends adding a water mitigation measure that ensures there will be no increase in runoff draining to the railroad property to the west or south of Parcel D. Parcel D should be graded so that the railroad right of way and Parcel D drain toward an existing drain inlet and drain line on Parcel D, which then drains to the river. **3.8**

9. Since this development is located adjacent to the railroad right-of-way owned by Metro and maintained by SCRRA, it will be necessary for the developer or his contractor to enter the right-of-way for clearing, grubbing, grading, shoring, drainage and other improvements. The developer or his contractor will be required to enter into SCRRA's Temporary Right-of-Entry Agreement (SCRRA Form No. 6) for the construction of the project. Go to www.metrolinktrains.com > About Metrolink > Public Projects > Right of Way Encroachments > Form No. 6. **3.9**

10. Page 4-46 lists nine Access Guidelines in order to obtain the park's access and transportation goal. The goal calls for safe and efficient access to the two park parcels, as well and *between the parcels*, in addition to encouraging multi-modal access of the park. SCRRA is very concerned by Access Guideline 2, which calls for strategies to move visitors between Parcel D and Parcel G-1, since the active railroad right of way separates the two parcels. Grade separated vehicle, bike and pedestrian access will need to be provided between the two parcels. Since the DEIR does not discuss plans to construct such access, the only way to move between the two parcels is the approximately 1-mile circuitous route underneath State Route 2, around existing development and along San Fernando Road. Unless the separation of the two parcels by the active railroad is addressed with construction of a grade-separated access, then direct access between the two parcels should be discouraged for public safety reasons. Also grade-separated vehicle, bike and pedestrian access will need to be established between San Fernando Road, the nearby arterial, and Parcel G-1, since the active railroad corridor separates the two features along the entire length of Parcel G-1. **3.10**

11. SCRRA would like to encourage California State Parks to implement Access Guidelines 5, 7 & 8 which address linking park pedestrian and bicycle access with other planned and existing systems, while considering safe, signalized intersections. These guidelines encompass comments previously suggested by the SCRRA for these parcels. **3.11**

12. SCRRA track and signal maintenance crews currently access Control Point (CP) Taylor from Parcel D. This equipment house is in Metro's right of way, just east of Parcel D and north of the grade separated Private Road. The only access to the facilities is through Parcel D. The past owner of Parcel D, the UPRR, agreed to this access arrangement. Accessing this point from the east side of the tracks allows maintenance crews to avoid crossing the active right of way. Please ensure that all park designs include an access road with a locked gate at the property line, through which SCRRA should have access to maintain SCRRA's CP Taylor. **3.12**

13. Metro and SCRRA should be noticed of any Taylor Yard development details that could impact the railroad right of way. Please also notify both agencies of public processes related to any of the Taylor Yard parcels, since both agencies also have an interest to protect regarding parcel G-2. SCRRA needs to maintain access to 1000' of the track closest to the river in G-2, in order to serve as alternative access to and from SCRRA's maintenance facility in the event that our primary access is obstructed. **3.13**

Once again, thank you for allowing SCRRA's input on this DEIR. If you have any questions regarding these comments please contact Deadra Knox, Strategic Development Planner, at (213) 452-0359 or by e-mail at knoxd@scrra.net.

FROM :CA STATE PARKS-SSC FAX NO. : Apr. 29 2005 08:35AM P3

Sincerely,

David Solow
Chief Executive Officer

cc: Patricia Chen, Metro
Susan Chapman, Metro
Freddy Cheung, UPRR
SCRRA Files

RESPONSE TO LETTER 3

David Solow, Metrolink
April 22, 2005

3.1 The Notice of Availability for the release of the Preliminary General Plan/Draft EIR for RLASP was sent to property owners adjacent to the project site, both public and private. The document was also available at local libraries and was provided online to facilitate access. The Department has added contact information for Metrolink to the list for any future environmental review on RLASP development projects.

3.2 The Department has amended text on page 2-2 of the General Plan/EIR to reflect the rail operators using these railroad tracks. Refer to Chapter 4 for specific changes to the text.

3.3 The Interim Public Use (IPU) Plan, Figure 5 (rather than Figure 2-4, as stated in comment letter 3) indicates the location of the proposed traffic signals adjacent to the park entrance. The plan shown in Figure 5 was analyzed previously by the City of Los Angeles and the Department for the Taylor Yard Sportsfield Development Project and the IPU on the Department-operated portion of Parcel D. This analysis was completed in a CEQA Mitigated Negative Declaration (MND) which was circulated for public review from February 27, 2004 through March 29, 2004. The Legislature approved funding in 2001 for the design and installation of the IPU facilities at Parcel D to allow for public access prior to the adoption of the General Plan for the Park. The IPU is allowable for the Department under PRC Section (5002.2(e). A traffic study was prepared for this project, which evaluated the effects of the new signals on vehicle and pedestrian access and circulation. Consequently, the IPU, including the location of traffic signals and site-specific traffic and safety issues, is not reviewed in the General Plan/EIR for RLASP.

The General Plan/EIR for RLASP serves as a first-tier Environmental Impact Report (EIR), as defined in §15166 of the California Environmental Quality Act (CEQA) Guidelines. Consequently, as specific projects for the State Park are proposed in the future, project-specific CEQA analysis will be completed, with site-specific mitigation measures developed as appropriate. It is anticipated that this may include, (but not be limited to)

the effect of traffic volumes, pedestrian and bike traffic, vehicular wait times, safety issues, and other baselines which will be evaluated at that time.

3.4 The Department has amended text on page 2-43 of the General Plan/EIR to reflect the railroad schedule for the tracks passing the park. Refer to Chapter 4 for specific changes to the text.

3.5 Currently, access from Parcel D across the railroad tracks is restricted by a 6-foot fence erected by the site's former owner, Union Pacific Railroad. A new 6-foot fence will be installed around the entire perimeter as described in the General Plan; however, an 8-foot tubular steel fence, as requested by CRRA, will be considered by the Department. Furthermore, public safety, access and transportation are addressed in **Chapter 4, Park Plan** in **Section 4.4.11 Access and Transportation** and **Section 4.4.10.4 Safety/Security**. In these sections, the Department outlines future efforts to coordinate with federal, state, local, and railroad authorities to ensure that the Park and all its facilities provide a safe environment for park users. Development of an 8-foot tubular steel fence would require a thorough site specific or individual environmental project review process, per CEQA guidelines.

3.6 Access to the Park via public transportation is addressed in **Section 4.4.11 Access and Transportation**. Guidelines in this section encourage multi-modal access and transportation to the Park optimizing regional transportation systems. As indicated in **Section 4.4.11, Access and Transportation, Guideline 8** (page 4-49), the Department would work with appropriate agencies to provide seamless connectivity between existing public transportation nodes and the park.

3.7 The Department recognizes the need for rail safety and appreciates the commenter raising the issue of the potential effect of landscaping on the condition of adjacent railroad tracks. The Railroad Buffer Element is included in the General Plan/EIR to separate railroad activities from ecological values and recreational activities at the Park and is not intended to extend beyond the boundaries of the Park. Furthermore, as indicated in response 3.3 above, the General Plan/EIR is a Program EIR, and future landscape enhancements would require a thorough site-specific or individual environmental project review process, per CEQA

guidelines. **Safety Guideline 2** in **Section 4.4.10.4 Safety/Security** has been amended to require consultation with adjacent land owners in the design of future park facilities. Refer to **Chapter 4** for specific changes to the text.

This comment addresses concerns regarding the potential for stormwater to flow onto the adjacent railroad property, and for the proposed wetland to affect stability of the railroad embankments. Parcel D has been re-graded under the MND for the Taylor Yard Park Development Project finalized in May 2004. The drainage from the site is now directed into a retention area on the park site to allow for percolation of storm water. The plan was designed to retain all runoff onsite by utilizing onsite retention and groundwater infiltration. The grading conforms to all applicable engineering standards and no impacts to adjacent properties were identified in the previous MND or in the General Plan and EIR for this project.

3.8 As indicated in response 3.3, the environmental review for the Taylor Yard Park development, including grading activities associated with the Department's IPU plan, has been completed in the MND described above. Any future projects proposed at the site will require a thorough site specific or individual environmental project review process, per CEQA guidelines.

In terms of the future park, Guideline 5 in **Section 4.4.10.6, Geologic and Seismic Hazards**, requires that permanent BMPs be installed to prevent excessive rainfall runoff and minimize erosion potential. Furthermore, as indicated in **Section 5.6.6, Water Quality and Hydrology**, the total area of impervious surface is anticipated to decrease as a result of the park development. Combined with the proposed vegetated and water feature areas, runoff would be expected to remain constant or decrease as a result of implementation of the General Plan/EIR.

Water Guidelines 3 and 4 in **Section 4.4.2.2 Watershed and Water Quality**, allow for creation of wetlands, drainage basins, and other features to prevent any increase in runoff from the site. These guidelines encourage the inclusion of a wetland or similar water features in the final design; however, the possible location would be determined and analyzed in future project analysis.

3.9 Guideline 2 in **Section 4.4.10.4, Safety/Security**, states that adjacent landowners would be consulted during the design of future park components. The design phase includes discussions regarding construction and maintenance, which would also be addressed in environmental reviews for future park components. Consequently, should access to the railroad right-of-way be required for park construction or maintenance work, adjacent landowners, including SCRRA, would be contacted and consulted prior to entry.

3.10 **Guideline 2** in **Section 4.4.11 Access and Transportation** calls for exploration of options which address the short- and long-term need to provide access between both parcels. No at-grade crossings of the railroad tracks are proposed in the General Plan as this would violate the Safety/Security goal (page 4-38) of providing a safe environment for park visitors and staff. Future projects to connect Parcels G-1 and D would be subject to further CEQA review. As discussed in response 3.3 above, the RLASP General Plan/EIR serves as a first-tier EIR, as defined in §15166 of the CEQA Guidelines. Individual and/or site-specific projects and appropriate CEQA compliance will follow the General Plan/EIR. The analysis of broad potential environmental impacts discussed in the Chapter 5 of Volume 1 will provide the basis for future second-level environmental review, which will generate and evaluate more detailed information and analysis for site-specific developments and projects. These projects include management plans and facility development projects. Planning and feasibility studies for park management, recreation, and resource protection are ongoing and have occurred prior to the General Plan approval.

Note that the General Plan/EIR contains language consistent with the installation of grade-separated crossings per the following.

> **Section 3.1.2, Park Unit Connectivity and Cohesiveness:** Ideas such as, lowering the grade of the railroad tracks could help to visually connect the parcels, and the possibility of undergrounding the train tracks into a tunnel could allow for safe physical access between the parcels via a vegetated covering over the tunnel (page 3-3).
>
> **Cohesiveness Guideline 5 in Section 4.4.4, Cohesiveness/ Connectivity:** Consider working with Union Pacific Railroad to lower

the grade of the tracks and allow for a vegetated covering over the tunnel to provide visual, physical, and biological connectivity between parcel D and G-1 (page 4-25).

3.11 See response to Comment 3-6, above.

3.12 The Department can find no verification that SCRRA, Metro and MTA have a vested or alleged real property interest/easement(s) over the Department's property, nor, in speaking with the previous owner, Union Pacific Railroad, is there any evidence that a "Right of Entry" permit was ever issued or requested by SCRRA, Metro and MTA. The GP/EIR does not acknowledge or provide for such access. If SCRRA wishes to obtain access across State Park property, access must be formally requested for the Department to consider your request.

3.13 See response to Comment 3-1, above.

FROM :CA STATE PARKS-SSC FAX NO. : Apr. 29 2005 08:35AM P1

Department of Toxic Substances Control

Alan C. Lloyd, Ph.D
Agency Secretary
Cal/EPA

5796 Corporate Avenue
Cypress, California 90630

Arnold Schwarzenegger
Governor

April 26, 2005

Ms. Dianna Martinez
Department of Parks and Recreation
City of San Diego
8885 Rio San Diego Drive, Suite 270
San Diego, California 92108

NOTICE OF COMPLETION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE RIO DE LOS ANGELES STATE PARK PROJECT (SCH # 2004091126)

Dear Ms. Martinez:

The Department of Toxic Substances Control (DTSC) has received your Notice of Completion (NOC) of a draft Environmental Impact Report (EIR) for the above-mentioned Project.

Based on the review of the document, DTSC's comments are as follows:

1. The draft EIR needs to identify and determine whether current or historic uses at the Project site have resulted in any release of hazardous wastes/substances at the Project area. **4.1**

2. The draft EIR needs to identify any known or potentially contaminated sites within the proposed Project area. For all identified sites, the draft EIR should evaluate whether conditions at the site pose a threat to human health or the environment. A Phase I Assessment may be sufficient to identify these sites. Following are the databases of some of the regulatory agencies: **4.2**

- National Priorities List (NPL): A list is maintained by the United States Environmental Protection Agency (U.S.EPA).
- CalSites: A Database primarily used by the California Department of Toxic Substances Control.

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FROM :CA STATE PARKS-SSC FAX NO. : Apr. 29 2005 08:36AM P2

Ms. Dianna Martinez
April 26, 2005
Page 2

- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA. **4.2 cont**
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards (RWQCBs).
- Local County and City maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.

3. The draft EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials/wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies. **4.3**

4. All environmental investigation and/or remediation should be conducted under a workplan which is approved by a regulatory agency that has jurisdiction to oversee hazardous waste cleanup. **4.4**

5. If the subject property was previously used for agriculture, onsite soils could contain pesticide residues. Proper investigation and remedial action may be necessary to ensure the site does not pose a risk to the future residents. **4.5**

6. If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated **4.6**

site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a "Border Zone Property." **4.6 cont**

7. An environmental assessment should be conducted in the project area to evaluate whether the project area is contaminated with hazardous substances from the potential past and current uses including storage, transport, generation, and disposal of toxic and hazardous waste/materials. Potential hazard to the public or the environment through routine transportation, use, disposal or release of hazardous materials should be discussed in the draft EIR. **4.7**

8. The draft EIR does not address the Hazards section checklist which includes the following questions: **4.8**

- Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- Would the project create a significant hazard to the public or the environment though reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- Would the project be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

9. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the draft EIR should **4.9**

FROM :CA STATE PARKS-SSC FAX NO. : Apr. 29 2005 08:36AM P4

Ms. Dianna Martinez
April 26, 2005
Page 4

Identify how any required investigation and/or remediation will be conducted, and the government agency to provide appropriate regulatory oversight. **4.9 cont**

DTSC provides guidance for preparation of a Preliminary Endangerment Assessment (PEA), and cleanup oversight through, the Voluntary Cleanup Program (VCP). For additional information on the VCP, please visit DTSC's web site at www.dtsc.ca.gov. **4.10**

If you have any questions regarding this letter, please contact Mr. Al Shami, Project Manager, at (714) 484-5472.

Sincerely,

Greg Holmes
Unit Chief
Southern California Cleanup Operations Branch - Cypress Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

CEQA #1094

RESPONSE TO LETTER 4

Greg Holmes, Department of Toxic Substances Control
April 26, 2005

4.1 The history of the park property is well documented throughout the General Plan/EIR. Soil and groundwater contamination levels are discussed in Chapter 2 of the General Plan/EIR. Impacts related to hazards and hazardous materials are evaluated in **Section 5.6.5, Hazards and Hazardous Materials**, and mitigation measures are provided to address potential soil and groundwater impacts.

4.2 Pages 2-15 and 2-16 of the General Plan/EIR describe the hazards and hazardous materials conditions onsite and in the vicinity of the proposed park. Before Parcels G-1 and D were purchased, the Taylor Yard complex was designated by DTSC as a Brownfield site after analysis of soil samples, groundwater samples, and monitoring well results indicated that soils were contaminated. As a result, DTSC undertook an extensive analysis of the contaminated soils and developed an action plan for remediation, the Remedial Investigation/Feasibility Study (RI/FS). DTSC supervised the toxic cleanup on the Sale Parcels (Parcels A, B, C, D, E, F) in 1997. A number of remediation techniques were used, including soil-vapor extraction and chemical fixation, to treat the contaminated soil (SCC 2002).

Following the DTSC site remediation, approval was given for partial site closure of Parcel D while deed restrictions were under negotiation. Environmental Resources Management (ERM) prepared a LEADSPREAD model to evaluate the risk of lead exposure from the soil on Parcel D. On September 16, 1998, DTSC granted partial closure for soil at Parcel D (ERM 2003). Based on the evaluation, DTSC prepared the *Explanation of Significant Differences for Union Pacific Railroad Company Taylor Yard – Sale Parcel Site, Hump Yard Area* [Parcel D], dated January 30, 1998. This report concluded that Parcel D has been cleared to be developed for residential/park standards or unrestricted use. This report is attached to this document as Attachment A.

Parcel G also underwent the RI/FS process; however, during the process Parcel G was subdivided into G-1 and G-2 to expedite the closure or partial closure of soil issues on G-1 for the site's future to the Department. In February 2003, a DTSC draft work plan for Parcel G-1 was prepared by ERM. When the Department purchased Parcel G-1 from UPRC, the site was zoned industrial. Therefore, UPRC was required to remediate only to industrial development standards. Before the Park can be developed, State Parks is required by law to remediate the land to residential/park standards.

In 2003, a hazardous materials database search was conducted for the Park site (Appendix A of the General Plan/EIR). This database search, conducted to American Society of Testing Materials (ASTM) standards, reviewed available environmental records of hazardous or toxic sites at or within a 1-mile radius of the Park. The database findings from the search include, but are not limited to:

- National Priorities List (NPL) - 1 site
- Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) - 2 sites
- Leaking Underground Storage Tank (LUST) - 27 sites
- Underground Storage Tank (UST) - 15 sites
- Resource Conservation and Recovery Act (RCRA) Large Quantity Generator (LQG) - 10 sites
- RCRA Small Quantity Generator (SQG) - 44 sites
- California Hazardous Material Incident Report System (CHMIRS) - 17 sites
- Cortese[2] - 43 sites

A number of hazardous materials generators and underground storage tanks (USTs) were identified in the immediate vicinity of the Parcels D and G-1; however, none of the sites identified in the database were located on these parcels, with the exception of the NPL site. Sites listed on the NPL, or Superfund, are critical and priority cleanup areas, designated by the EPA. As noted in the Groundwater section above, the Park is underlain by

[2] A Cortese site is defined as one of the following: public drinking water wells with detectable levels of contamination; hazardous substance sites selected for remedial action, sites with known toxic material identified through the abandoned site assessment program; sites with USTs having a reportable release; and all solid waste disposal facilities from which there is known migration.

a contaminated groundwater site known as Area 4 (Pollock) of the EPA's SFVGB. A more detailed description of the hazardous materials on and near the Taylor Yard complex can be found in Appendix A of the General Plan/EIR.

4.3 As discussed above, DTSC has been involved in past remedial activities onsite. The General Plan/EIR states that "the potential for exposure to hazardous materials will be considered when planning new structures, roads, parking areas, multiple-use trails, or other facilities or improvements requiring ground disturbance within the Park". Potential exposures could occur both from potentially hazardous materials used during construction and from residual chemicals in soil and groundwater resulting from previous site use.

One of the goals identified in the General Plan/EIR is to provide for public and Park employee safety and prevent exposure to hazardous materials from construction activities and from residual contaminated soil or groundwater. Several guidelines are provided in the General Plan/EIR to address these potential hazards. **Guideline Hazmat 3** indicates that site-specific investigations may be necessary in any areas where new development is planned and where previous soil remediation was not conducted. The investigations may consist of literature review of existing soil, soil gas, and groundwater sampling, and possible additional soil, soil gas, and groundwater sampling. **Guideline Hazmat 4** states that DTSC and/or the Los Angeles Regional Water Quality Control Board (LARWQCB) will be consulted before any ground disturbing activities occur that may create an exposure pathway for contaminants in soil, soil gas, or groundwater.

Implementation of the General Plan is not expected to result in significant impacts on the environment, with the exception of potential impacts related to soil and groundwater contamination. Mitigation measures are provided in **Section 5.6.5, Hazards and Hazardous Materials** of the General Plan/EIR to address these potential impacts. Mitigation measure **HAZ-1** provides guidance for pre-construction coordination with DTSC regarding grading plans for Parcel G-1, soil sampling on G-1 during construction, and protocol to be followed in the event that hazards or hazardous materials are encountered during construction on either parcel. Mitigation measure **HAZ-2** provides guidance in the event that

groundwater or soil contamination is encountered during project grading or construction.

4.4 Refer to response to comment 4.3 regarding hazardous materials cleanup and disposal requirements during construction.

4.5 Soil contamination on Parcels D and G-1 is described in detail in the General Plan/EIR as discussed above. Refer to response to comment 4.4 for a discussion of the General Plan goals and guidelines and the EIR mitigation measures provided to address potential soil contamination issues resulting from the proposed project.

4.6 Parcels D and G-1 are located adjacent to Parcel G-2, which contains similar contaminants to those previously found on Parcels D and G-1. DTSC's comments regarding the future development of the site as it relates to the "Border Zone of a Contaminated Property" will be taken into consideration when a specific project is proposed for construction. As discussed above, the Department will coordinate with DTSC before any ground disturbing activities occur that could potentially create an exposure pathway for contaminants in soil, soil gas, or groundwater.

4.7 See response to comments 4.2 and 4.3 above, which describes DTSC's role in previous site clean-up activities and the hazardous materials investigations that have occurred onsite. In addition, response to comment 4.3, discusses the goals, guidelines, and mitigation measures that are provided in the General Plan/EIR to address potential soil contamination issues.

4.8 **Section 5.6.5, Hazards and Hazardous Materials** of the General Plan/EIR evaluates the impacts related to hazards and hazardous materials that would result from the implementation of the General Plan. The analysis considers the types of proposed uses at the Park and the standard equipment and materials used in operating and managing the Park in relation to proposed hazards that could affect Park visitors and staff. The thresholds of significance used to evaluate the potential impacts are based on the CEQA Appendix G checklist. Specifically, implementation of the General Plan would have a significant impact related to hazards and hazardous materials if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school.
- Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

The same significance criteria would be used for evaluation when a proposed project requires further review under CEQA.

4.9 See response to comment 4.3, which discusses the goals, guidelines, and mitigation measures that address soil and groundwater contamination issues. These components of the General Plan/EIR specifically address DTSC's comments regarding soil and groundwater contamination that could potentially be encountered during construction.

4.10 DTSC's role in previous site clean-up activities is described in response to comment 4.2 above. Comment noted.

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Los Angeles Unified School District

Office of Environmental Health and Safety

/Y ROMER
rintendent of Schools

TIM BURESH
Chief Operating Officer

ANGELO J. BELLOMO
Director

April 28, 2005

Ms. Dianna Martinez
California Department of Parks & Recreation
Southern Service Center
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108

SUBJECT: **Proposed Rio de Los Angeles State Park**
SCH No. 2004091126

Thank you for giving the Los Angeles Unified School District (LAUSD) the opportunity to comment on the ***Draft Environmental Impact Report for the Rio de Los Angeles State Park*** *(SCH No. 2004091126)* located adjacent to the former Taylor Yard, a former Union Pacific Rail yard. The proposed development is for a 57-acre regional park. The area is located about 1,000 feet southwest of ***Glassell Park Elementary School*** at 2211 West Avenue 30 and about 400 feet south of the proposed ***Central Region High School #13*** at Parcel F of the Taylor Yard complex. 5.1

The LAUSD Office of Environmental Health and Safety (OEHS) both reviewed the Rio de Los Angeles State Park EIR and prepared the attached comments on school traffic, student safety, and potential transportation issues. These comments describe the mitigation measures necessary to protect school and walk routes during project grading and construction, and following project completion. Additionally, the LAUSD previously reviewed and commented on the ***Taylor Yard Park Development Mitigated Negative Declaration*** *(SCH #2004021121)* in a letter dated February 2004); as that project is presently under construction. We would like to respectfully remind you that the attached comments (for Rio de Los Angeles State Park) would also apply to the Taylor Yard Park Development project helping to reduce impacts related to school traffic, pedestrian routes, and transportation safety. 5.2

The measures set forth in these comments must be adopted as conditions of project approval to offset unmitigated impacts on the affected school's students and staff. Thank you for your attention to this matter. If you need additional information, please call me at (213) 241-3199.

Glenn Striegler – RG, REA
Environmental Assessment Coordinator

Attachments

c: Richard Alonzo
Sandra Carter
Pauline Garzon

333 South Beaudry Avenue, 20th Floor, Los Angeles, CA 90017 • Telephone (213) 241-3199 • Fax (213) 241-6816

The Office of Environmental Health and Safety is dedicated to providing a safe and healthy environment for the 900,000 students and 80,000 employees of the Los Angeles Unified School District.

Los Angeles Unified School District

Office of Environmental Health and Safety

ROY ROMER
Superintendent of Schools

TIM BURESH
Chief Operating Officer

ANGELO J. BELLOMO
Director

ENVIRONMENTAL IMPACT RESPONSES

5.3

Approval and implementation of both the Rio del Los Angles State Park (SCH No. 2004091126) and Taylor Yard Park Development (SCH No. 2004021121) projects would warrant the following mitigation measures to address environmental impact concerns related to school traffic, pedestrian routes, and transportation safety issues at the existing Glassell Park Elementary School and the proposed Central Region High School #13.

- LAUSD Transportation Branch at *(323) 342-1400* **must be contacted** regarding the potential impact upon existing school bus routes.
    - School buses must have unrestricted access to schools.
    - During the construction phase, truck traffic and construction vehicles may cause traffic delays for our transported students.
    - During and after construction changed traffic patterns, lane adjustment, traffic light patterns, and altered bus stops may affect school buses' on-time performance and passenger safety.
    - Because of provisions in the California Vehicle Code, other trucks and construction vehicles that encounter school buses, using red-flashing-lights must-stop-indicators will have to stop.
    - The Project Manager or designee will have to notify the LAUSD Transportation Branch of the expected start and ending dates for various portions of the project that may affect traffic within nearby school areas.
- Contractors must maintain safe and convenient pedestrian routes to all nearby schools. The District will provide School Pedestrian Route Maps upon your request.
- Contractors must maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicle routes to school may be impacted.
- Installation and maintenance of appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
- Haul routes will not pass by ***any*** school, except when school is ***not*** in session.
- No staging or parking of construction-related vehicles, including worker-transport vehicles, will occur on or adjacent to a school property.
- Funding for crossing guards (at contractor's expense) is required when safety of children may be compromised by construction-related activities at impacted school crossings.
- Barriers and/or fencing must be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions, and attractive nuisances.
- Contractor's are required to provide security patrols (at their expense) to minimize trespassing, vandalism, and short-cut attractions.

333 South Beaudry Avenue, 20th Floor, Los Angeles, CA 90017 • Telephone (213) 241-3199 • Fax (213) 241-6816

RESPONSE TO LETTER 5

Glenn Striegler, Los Angeles Unified School District
April 28, 2005

5.1 The General Plan/EIR for RLASP serves as a first-tier EIR, as defined in §15166 of the CEQA Guidelines. Individual and/or site-specific projects and appropriate CEQA compliance will follow the General Plan/EIR. The analysis of broad potential environmental impacts discussed in **Chapter 5** of Volume 1 of the General Plan/EIR will provide the basis for future second-level environmental review for site-specific developments and projects. These projects include management plans and facility development projects. Planning and feasibility studies for park management, recreation, and resource protection are ongoing and have occurred prior to the General Plan approval. It is anticipated that future analysis may include, (but not be limited to) potential effects on school travel routes and operations.

5.2 The Taylor Yard Park Development Project MND, released for public comment in February 2004, was completed by the Department and the City of Los Angeles for the IPU plan and active sports fields on Parcel D. A traffic study was prepared for the MND, which evaluated impacts at four intersections for typical weekend peak hour conditions when park use would be at its highest. No significant operational traffic impacts were identified in the traffic study. **Section 5.6.8, Transportation and Circulation**, of the General Plan/EIR evaluates the traffic impacts associated with long-term park operation and implementation of the General Plan. As concluded in the MND, no significant impacts related to transportation and circulation were identified for the General Plan project. **Section 4.4.11, Access and Transportation**, identifies several guidelines to promote safe and efficient access to and from the park.

5.3 Mitigation measures proposed by LAUSD are applicable at a project level of documentation. Refer to response to comment 5.2 above.

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CENTER FOR LAW IN THE PUBLIC INTEREST

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VIA E-MAIL, FACSIMILE, & U.S. MAIL

April 29, 2005

Ms. Dianna Martinez-Lilly
California Department of Parks and Recreation
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108
Fax: (619) 220-5400

Re: *Public Comments Related to the Preliminary General Plan and Draft Environmental Impact Report (DEIR) for Rio de Los Angeles State Park*

Dear Ms. Martinez-Lilly:

The Center for Law in the Public Interest and Anahuak Youth Soccer Association submit these comments to the California Department of Parks and Recreation ("Department") concerning the Preliminary General Plan and Draft Environmental Impact Report ("General Plan/DEIR") for Rio de Los Angeles State Park ("Park").[1]

I. Unit Classification, Vision Statement, and Interpretive Themes

6.1

In Section 1.1.4 of the General Plan/DEIR, the Department proposes classifying the Park as a "State Recreation Area."[2] The Park is a spacious area, relative to the densely-populated, highly urbanized community surrounding it. Moreover, the Park is intended to preserve outstanding natural, scenic, biological, cultural, and indigenous values (*See* General Plan/DEIR Section 4.4 Park Goals and Guidelines). Classifying the Park as a State Recreation Area is short-sighted because of the potential for the Park to expand over time and because ongoing efforts to restore the Los Angeles River are a strong indication that the Park will one day provide critical protection for indigenous aquatic and terrestrial fauna and flora. For these reasons, the Park should be classified as a State Park as defined in Section 5019.53 of the Public Resources Code.

[1] We incorporate by reference the public comments related to the Preliminary General Plan and Draft Environmental Impact Report for Los Angeles State Historic Park, submitted to State Parks under separate cover.

[2] Preliminary General Plan and Draft Environmental Impact Report for Rio de Los Angeles State Park [hereinafter General Plan/DEIR] at 1-13

Kurt C. Peterson
Cynthia D. Robbins
Brent N. Rushforth
Roy T. Schmidt, Jr.
Marc Stickwart
Christian D. Twyman
Wesley Mate
Kyle C. Murphy

Limitations on recreation in State Park units is consistent with the recreational plans for the Park as outlined in the General Plan/DEIR. **6.1 cont**

In Section 4.1.2, the General Plan/DEIR sets forth the vision for the Park. Once sentence in the vision appears to be incomplete ("A river community that supports riparian and upland vegetation ecosystems, flourishing along the Los Angeles River.").[3] Two sentences below, we recommend eliminating the words "another sort of visitor" so the sentence reads "The Park's recreational appeal also entices local residents who have fought for years to ensure that what was once a blighted, industrial wasteland would be transformed into a beautiful park and enriching asset for the entire City and region."[4] The last segment of the sentence just quoted should say "for the entire City, region, and state." **6.2**

Under the discussion of Interpretive Themes in Section 4.4.3 of the General Plan/DEIR,[5] it is essential that the community struggle for a State Park at Taylor Yard be included as a primary interpretive theme. In addition to learning about sustainability, natural and cultural change, transportation, Native Americans, the impact of the railroad on natural resources, and recreation, park visitors must also have the opportunity to learn about the community struggle to create the park. We recommend that the theme called "Conflict," which addresses the impact of the railroad on natural resources at the site, be merged with the theme of Transportation. **6.3**

Without the support of the community, the Park site would be an industrial development and the prospect of habitat and riparian revitalization would be a lost dream. Moreover, the community stood strong in its desire for a park that truly reflects the unique urban needs of a diverse community. The struggle for active recreation at Taylor Yard, which was ultimately resolved by the partnership between the city and state, is worthy of inclusion under the interpretive theme of recreation. It is important for visitors and community members alike to know that the Park "provides a unique place for reflection, relaxation, recreation, rejuvenation, and inspiration" because of the determination and passion of community members who were not willing to let the railyard at Taylor Yard be replaced by yet another industrial development in a neighborhood that is park-poor. Cultural Guideline 5 under Section 4.4.8 of the General Plan/DEIR (Cultural Resources)[6] offers one important way to honor the stories and experiences of those who contributed to the site's acquisition. **6.4**

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[3] General Plan/DEIR at 4-1.
[4] *Id*
[5] *Id* at 4-9
[6] *Id.* at 4-31.

II. Goals and Guidelines for the Park

One way to meet the Staffing and Maintenance Goals for the Park, discussed in Sections 4.4.10.1 and 4.4.10.2 of the General Plan/DEIR,[7] is to work with Los Angeles Conservation Corps to train at-risk youth from the community to assist with park maintenance and programming. This would be an excellent way to serve the community, while meeting statewide goals for the Park. **6.5**

The Department must invest in the communities surrounding the Park by awarding construction contracts to small business enterprises and provide local jobs for local workers. The Department should apply a certified apprenticeship program requirement for all construction contract bids. One model is the General Administration Service's National Capitol Region apprenticeship program that awards ten points on a 100-point scale to all Requests for Proposals that include a certified apprenticeship program. The Department should explore the best practices models for apprenticeship programs. By requiring apprenticeship programs from all contractors, the Department will be investing in the local workforces who are in need of decent wage paying jobs and skills in order to serve statewide recreation goals.

The General Plan/DEIR proposes to "Develop a Concession Plan that recommends potential concession opportunities in the Park."[8] The Department must award concession opportunities to minority, and women-owned businesses, and should favor businesses located in the surrounding communities for such opportunities. LAUSD has a program for small business enterprises and local jobs for local workers that State Parks should emulate. Moreover, suggested concessions, such as an environmental library and book shop, gift shop, and guided tours, must all be culturally sensitive and must fairly represent the environmental and cultural history of the diverse communities surrounding the Park.

III. Demographic Profile **6.6**

The General Plan/DEIR provides a valuable demographic profile of the community surrounding the Park. However, the list of general characteristics of the surrounding community[9] should include another bullet point that says "Limited access to a vehicle." According to 2000 Census data, 27% of the population within a five-mile radius of the Park does not have access to a vehicle. This is a stunning figure for car-dependent Los Angeles. Communities with limited

[7] *Id.* at 4-35 to 4-37
[8] *Id.* at 4-36.
[9] General Plan/DEIR at 2-51

access to a vehicle will more heavily rely on public transportation, bikeways, and pedestrian walkways to get around the city. Demographic information regarding access to a vehicle is important for planning for methods of access into the Park. **6.6** cont

IV. The Coalition for a State Park at Taylor Yard

The list of organizational members of the Coalition for a State Park at Taylor Yard appears to be missing some groups. Our records include the following organizations (elected officials omitted): **6.7**

Anahuak Youth Soccer Association
Arroyo Arts Collective
CANDER
Catholic Archdiocese of Los Angeles
Center for Law in the Public Interest
Citizens Committee to Save Elysian Park
Coalition for Clean Air
Coalition LA
Concerned Citizens of South Central Los Angeles
Cypress Park Advisory Council
Cypress Park Chamber of Commerce
Divine Saviour Church Youth Group
Eagle Rock Victory Outreach
Echo Park Improvement Association
El Centro del Pueblo
Friends of Atwater Village
Friends of the Los Angeles River
Heal the Bay
LA County Bicycle Coalition
Latino Urban Forum
Lincoln Heights Neighborhood & Preservation Association
Reverend Eugene Williams and Los Angeles Metropolitan Churches
Mt. Washington Association
Natural Resources Defense Council
North East Trees
Northeast Renaissance Corp.
PLAYS (Parks for Los Angeles Youth Soccer)

6.7 cont

People for Parks
Planning & Conservation League
The Advancement Project
Sierra Club
Southern CA Council on Environment & Development
St. Ann Church Youth Ministry
St. Bernard Glassel Park Youth Ministry
The Ad Hoc Committee for Safe Children
The River Project
Tree People
United Nations Youth Organization
Wetlands Action Network

6.8

There appears to be some typos on Page 2-53 of the General Plan/DEIR under the discussion of anticipated park visitors, so we are unable to comment on this section.

V. Issues and Analysis

6.9

The following comments are in response to the Issues and Analysis discussion in Chapter 3 of the General Plan/DEIR

Under Section 3.1.2, the General Plan/DEIR focuses on the need for connectivity and cohesiveness between the two parcels that constitute the Park (Parcel D and Parcel G-1).[10] However, it is equally important to discuss connectivity and cohesiveness between the Department's Parcel D and the adjacent interests, including the Parcel that will be operated by the City of Los Angeles The General Plan/DEIR should include the Project Concept Statement for Taylor Yard, issued by the Department and the City of Los Angeles in November 2003, which says "Develop a seamless park design that fulfils the mission statements of the state and the city for the benefit of all stakeholders in a sustainable manner." Moreover, the General Plan/DEIR should describe how the city and state interests will be connected to eliminate the possibility of physical or figurative barriers between different areas.

6.10

Under Section 3.3, Access and Transportation,[11] we recommend that parking facilities at the Park be limited to make the optimal use of natural space and recreation at the Park. The Department

[10] General Plan at 3-2.
[11] *Id.* at 3-3 to 3-4

should provide parking off-site, and shuttle service to the Park. The shuttle service would provide one more opportunity for the Department to link visitors to Los Angeles State Historic Park, Rio de Los Angeles State Park, El Pueblo, and other environmental, recreation, and cultural resources through the Heritage Parkscape in the heart of downtown Los Angeles. *See* our 2004 Policy Report on *The Cornfield and the Flow of History: People, Place, and Culture*, submitted to State Parks at the Cornfield Project Workshop in April 2004, and incorporated by reference here. **6.10 cont**

Under Section 3.5.1, Diversity Over Time, the General Plan/DEIR presents the following issue: "A plethora of stories related to changing land use patterns over the course of the last two centuries needs to be integrated into park development, design, and programming."[12] It is necessary to incorporate the community struggle to stop industrial development on the site in order to create the Park, into the discussion of "changing land use patterns," as discussed above. **6.11**

Under Section 3.5.2 Local Ethnic Diversity,[13] it is important to restate the need for signage in multiple languages and culturally sensitive and inclusive programming, as discussed elsewhere in the General Plan/DEIR. Moreover, the General Plan/DEIR on page 3-7 suggests the "Park need to be a safe and inviting location, and it needs to be sensitive to the needs of the ethnically diverse local community as well as statewide interests. To this end, the Department should ensure that a wide range of activities, attracting these diverse cultures, are encouraged to take place in a welcoming and safe environment." Members of the community representing the diversity of the surrounding community can help the Department develop appropriate activities that will attract people to the park, keep the park safe, and be culturally sensitive. **6.12**

VI. High Speed Rail

The General Plan/DEIR does not address potential impacts of the proposed High Speed Rail on the Park. The Department recognized in its comments regarding the California High Speed Train Draft Program Environmental Impact Report and Environmental Impact Statement that the High Speed Rail will have adverse environmental justice impacts on the Park. Specifically, the Department noted: **6.13**

> Proposed alternative HST corridors impacting both the Taylor Yard and Cornfield properties clearly raise the environmental justice issue.

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[12] *Id.* at 3-6
[13] *Id.*

6.13 cont

The children of the Cornfield/Taylor Yard community are disproportionately low income children of color. The community within a five mile radius of the Cornfield is 68% Latino, 14% Asian, 11% non-Hispanic white, and 4% African-American with thirty percent of the population below poverty level as compared to 14% for the State of California as a whole. Within five miles of the Cornfield there are 282,967 children and 235,000 children within five miles of Taylor Yard.

Yet, to serve this population, Los Angeles has fewer acres of parks per thousand residents than any major city in the United States, having less than one acre of park per thousand residents. The National Recreation and Park Association standard is ten acres per thousand population. Compare this standard to the 0.9 acres per thousand in the community surrounding Cornfield and the 0.3 acres of parks per thousand residents surrounding Taylor Yard (one of the least park-served areas in Los Angeles) with the 1.7 acres in disproportionately white and relatively wealthy parts of Los Angeles.

The California Department of Parks and Recreation recognizes that the Greater Los Angeles Region is an area that is under-served in regard to park facilities and that many of the area's residents, particularly those least able to afford it, are either unaware of, or feel isolated from, state and federal parklands and recreational facilities. This Department on behalf of the people of the State of California has invested $78,000,000 in the purchase of the Taylor Yard/Cornfield properties in this decade specifically to address these disparities. **This effort will be undone unless alternative routing or a fully subterranean system is chosen to bypass all impacts to these properties.**

Comments submitted by Ruth Coleman, Director, California Department of Parks and Recreation, August 19, 2004 (emphasis added).

The Center for Law in the Public Interest has submitted comments in opposition to any high speed rail that would adversely impact the communities surrounding Taylor Yard and the Cornfield, and other environmental justice communities throughout the state.[14]

[14] Public Comments submitted by the Center for Law in the Public Interest on the Draft Program EIR/EIS for the California High Speed Train (Aug 31, 2004), available at http://www.clipi.org/pdf/comments-highspeed.pdf.

6.13 cont

The General Plan/DEIR for Rio de Los Angeles State Park should re-emphasize these concerns about the High Speed Rail, to underscore the importance of coordinating Park development with any rail line development

6.14

VII. Important Planning Influences

The General Plan/EIR fails to mention the Department's own *Five Views: An Ethnic Historic Site Survey for California* and other important planning resources in Section 2.2 of the General Plan/DEIR, which lists systemwide and regional planning influences for the Park.[15]

Five Views (discussed more fully below in Part VIII.B of these public comments) must be one of the Department's Planning Influences, discussed in Section 2.2 of the General Plan/DEIR.

In addition to *Five Views*, Section 2.2. should include a discussion of state and federal civil rights and environmental justice statutes and the Integrated Resources Plan for Los Angeles.

6.15

Title VI of the Civil Rights of 1964 and its implementing regulations prohibit both intentional discrimination based on race, color or national origin, and unjustified discriminatory impacts for which there are less discriminatory alternatives, by applicants for or recipients of federal funds, including the California Department of Parks and Recreation and the City of Los Angeles. Title VI provides: "No person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."[16]

The regulations that every federal agency has enacted pursuant to Title VI bar criteria or methods of administration by recipients of federal funds that have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of a program with respect to individuals of a particular race, color, or national origin. An important purpose of the statutory schemes is to assure that recipients of public funds not maintain policies or practices that result in racial discrimination.

[15] *See* General Plan/DEIR at 2-45 to 2-50
[16] 42 U.S.C. § 2000d (2004). The Equal Protection Clause of the Fourteenth Amendment to the United States Constitution also prohibits intentional discrimination. *See also* Section 1983 of the Civil Rights Act of 1871.

California law also prohibits intentional discrimination and unjustified discriminatory impacts under Government Code section 11135 [17] by recipients of state funds, including the California Department of Parks and Recreation and the City of Los Angeles. **6.15 cont**

In addition, California law defines environmental justice as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."[18]

For the first time in the history of Los Angeles, over 100 community leaders have joined Los Angeles City engineers and planners to develop an Integrated Resources Plan (IRP)—that is, alternatives for wastewater, stormwater, and recycled water infrastructure for the year 2020 and beyond. The IRP reflects the community's very strong desire for clean urban and stormwater runoff and reuse of this resource within the basin, locally, and regionally.[19] The IRP is directly related to efforts to restore the Los Angeles River, and should be included in Section 2.2 of the General Plan/DEIR for the Park. **6.16**

VIII. State Parks in Urban Los Angeles

Full and fair public participation and public disclosure surrounding the Park, ongoing community meetings to guide the development and design of the Park, and monthly or quarterly community meeting once the Park is opened to shape Park programming and meet the goals of the Park as outlined in the General Plan/DEIR, are all necessary to maintain and build upon the positive relationship the Department has started to build with the community. **6.17**

The Department's presence in urban Los Angeles and has been marked by challenge, and the General Plan/DEIR for the Park must not lose sight of these struggles, for they are a critical part of the story of Rio de Los Angeles State Park.

[17] *See* Cal Gov. Code § 11135 *et seq.*; 22 CCR § 9810.
[18] Cal. Gov. Code § 65040.12. The Governor's Office of Planning and Research is currently working on implementing this code section.
[19] City of Los Angeles, Department of Public Works, Bureau of Sanitation, Integrated Resources Plan: Partners in Planning for 2020 and Beyond, Newsletter (Spring 2004)

6.18

A. El Pueblo de Los Angeles

El Pueblo de Los Angeles Historic Monument encompasses the oldest section of Los Angeles.[20] El Pueblo includes the Plaza built between 1818 and 1824; La Placita, the first Catholic Church in Los Angeles; the tourist attraction Olvera Street; and a total of 27 historic buildings.[21] The original Pueblo de Nuestra Señora la Reina de Los Angeles was founded by a diverse group of settlers, Los Pobladores, along the Los Angeles River in 1781. Los Pobladores included 44 Spanish, Native American, Black, mestizo and mulatto settlers, and four Spanish soldiers. *See* materials on Los Pobladores and Gabrielino/Tognva Indians (Tab A). The original Pueblo covered about 28 square miles and included the area east across the River now known as Boyle Heights and Lincoln Heights.[22] In the early days of statehood after 1850, El Pueblo entered a period of vigilante justice imbued with racial, ethnic, and class overtones, particularly against lower class Mexicans. Vigilante groups called the Los Angeles Rangers and the El Monte Rangers lynched 15 Mexicans in 1857.[23]

In 1953, the State committed to preserve El Pueblo and its history through a state historic park. However, in the 1990's, the State of California abandoned El Pueblo, leaving the City to run and operate the Monument By abandoning the Monument, the State withdrew considerable resources that were and are needed to restore and develop the historic buildings. The State failed to deliver on its promise to operate a State Historic Park in the heart of Los Angeles. The State must never walk away from its commitment to the people of Los Angeles again.

B. Five Views: An Ethnic Historic Site Survey for California

Five Views An Ethnic Historic Site Survey for California "was originally conceived in order to broaden the spectrum of ethnic community participation in historic preservation activities and to provide better information on ethnic history and associated sites. This information will help

[20] *See generally* Robert Garcia *et al*, *The Cornfield and the Flow of History. People, Place, and Culture*, Center for Law in the Public Interest (2004)
[21] *See generally* Jean Bruce Poole and Tevvy Ball, *El Pueblo The Historic Heart of Los Angeles* (2002); El Pueblo de Los Angeles State Historic Park General Plan (1981).
[22] The Pueblo included the area between what is today Exposition Boulevard on the south, Fountain Avenue on the north, Hoover Street on the west and Indiana Avenue on the east. Blake Gumprecht, *The Los Angeles River: Its Life Death and Possible Rebirth* at 311 n.12 (2001)
[23] Carey Williams, *Southern California An Island on the Land* 60-61 (1973), Jean Bruce Poole and Tevvy Ball, *El Pueblo The Historic Heart of Los Angeles* (2002); *El Pueblo de Los Angeles State Historic Park General Plan* 26-27 (1981)

planners identify and evaluate ethnic properties, which have generally been under represented on historic property surveys."[24] **6.18** cont

Five Views is an excellent study of the historic tales of California's people of color. It documents the history of American Indians, Blacks, Mexican Americans, Chinese Americans, and Japanese Americans in California.

This report was issued in 1988, and unfortunately it still has not been implemented by the Department. The Department must make a commitment to represent the ethnic diversity and the contributions that have been made to our collective heritage by Californians of widely differing backgrounds at Rio de Los Angeles State Park and at other State Park facilities, including the new Los Angeles State Historic Park.

C. Active Recreation at Taylor Yard

6.19

The State did the right thing by creating a community advisory committee by statute to guide the development of Los Angeles State Historic Park. Unfortunately, a similar community advisory committee was not established for Rio de Los Angeles. The Department first began planning for the Park without community participation and without regard for the importance of a park that meets the needs of a diverse community, including active and passive recreation.

D. Corn Growing Project at Los Angeles State Historic Park

6.20

At a time when the Department was beginning to properly engage with the community in the park planning process, the Department betrayed the community and the vision of Los Angeles State Historic Park by failing to involve the community in discussions about the proposal to grow corn at the Los Angeles State Historic Park with Lauren Bon and the Annenberg Foundation. It is unacceptable for the Department and elected officials to have attempted to bypass the community and the Cornfield Advisory Committee during this process. The Los Angeles State Historic Park was created through the efforts and sacrifices of a dedicated community that is tired of being short-changed in the allocation of public resources.

In light of these recent events, and with El Pueblo, *Five Views*, and the Struggle for Active Recreation at Taylor Yard in recent memory, we stress in the strongest possible terms the need for continued public participation in the decision making process to determine the future of Rio

[24] California Department of Parks and Recreation, Office of Historic Preservation, *Five Views An Ethnic Historic Site Survey for California* 1988.

de Los Angeles State Park. The last thing the community wants is to be blindsided again by an Annenberg-like proposal or other new plan for the Río de Los Angeles State Park site. *See* letter to Assemblymember Jackie Goldberg from Anahuak Youth Soccer Association (Tab B). We encourage frequent communication with the community that is forthcoming throughout the park planning process so that the mistakes made with Los Angeles State Historic Park are not repeated here. **6.20** cont

IX. Conclusion

6.21

Los Angeles is park poor, with fewer acres of parks per resident than any major city in the country. All communities suffer from the lack of parks and recreation, but low-income people of color suffer first and worst. There are unfair disparities in access to parks, playgrounds, beaches, and recreation based on race, ethnicity, and class. Inspired by a collective vision for a comprehensive and coherent web of parks, playgrounds, schools, beaches, and transportation that serves the diverse needs of diverse users and reflects the cultural urban landscape, the Center for Law in the Public Interest, Anahuak Youth Soccer Association and our colleagies in the urban park movement are addressing park and recreation inequities and greening Los Angeles. This is part of a broader vision for distributing the benefits and burdens of public resources in ways that are equitable, protect human health and the environment, promote economic vitality for all, and engage full and fair public participation in the decision making process.

The stuggle for the Río de Los Angeles State Park demonstrates how the urban park movement in Los Angeles is building community and diversifying democracy from the ground up and giving people a sense of their own power in deciding the future of their city, their lives, and their children's lives. The urban park movement is making Los Angeles a greener, more just, and more sustainable community for all. With the creation of Río de Los Angeles State Historic Park, the Department will help provide recreational, cultural, educational, and economic benefits to a deserving community for the entire region and state to enjoy.

Respectfully Submitted,

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LOS POBLADORES
The Founders of the City of Los Angeles

El Pueblo de la Reina de Los Angeles sobre El Río de la Porciúncula was founded near this site on or about September 4, 1781 as the first Spanish civilian settlement in Southern California. Eleven families, including twenty-two adults and twenty-two children, were recruited from the Provinces of Sinaloa and Sonora in New Spain, now called Mexico, by Captain Fernando de Rivera y Moncada, emissary of the Governor of California Felipe de Neve. Their task was to provide food for the soldiers of the presidios and to help secure Spain's hold on this region. They included farmers, artisans, and stock raisers necessary for the survival of the settlement. Escorted by soldiers they departed Los Alamos, Sonora on February 2, 1781 and arrived in several groups during the summer of 1781. The following list of the forty-four pobladores was taken from the official Spanish Census of 1781 which recorded their names, race, sex and age:

CAMERO			
Manuel	Mulato	Hombre	30
María Tomasa	Mulata	Mujer	24
LARA			
José Fernando	Español	Hombre	50
María Antonia	India	Mujer	23
María Juana		Niña	6
José Julian		Niño	4
María Faustina		Niña	2
MESA			
Antonio	Negro	Hombre	38
María Ana	Mulata	Mujer	27
María Paula		Niña	10
Antonio María		Niño	8
MORENO			
José	Mulato	Hombre	22
María Guadalupe	Mulata	Mujer	19
NAVARRO			
José Antonio	Mestizo	Hombre	42
María Regina	Mulata	Mujer	47
José Eduardo		Niño	10
José Clemente		Niño	9
Mariana		Niña	4
RODRIGUEZ			
Pablo	Indio	Hombre	25
María Rosalía	India	Mujer	26
María Antonia		Niña	1
QUINTERO			
Luis	Negro	Hombre	55
María Petra	Mulata	Mujer	40
María Gertrudis		Niña	16
María Concepcion		Niña	9
María Tomasa		Niña	7
María Rafaela		Niña	6
José Clemente		Niño	3
ROSAS			
Basilio	Indio	Hombre	67
María Manuela	Mulata	Mujer	43
José Máximo		Niño	15
José Carlos		Niño	12
María Josefa		Niña	8
Antonio Rosalino		Niño	7
José Marcelino		Niño	4
José Estebán		Niño	2
ROSAS			
Alejandro	Indio	Hombre	19
Juana María	India	Mujer	20
VANEGAS			
José	Indio	Hombre	28
María Bonifacia	India	Mujer	20
Cosme Damien		Niño	1
VILLAVICENCIO			
Antonio Clemente	Español	Hombre	30
María Seferina	India	Mujer	26
María Antonia		Niña	8

The pobladores (settlers/founders) ranged in age from one to sixty-seven and reflected the cultural heritage and racial diversity that link the city's past to the present.

Dedicated September 4, 1981 Los Angeles Bicentennial Committee

http://www.lmu.edu/pages/5460.asp
7/06/04

Gabrielino/Tongva Indians: the First Angelinos Outdoor Memorial and Library Exhibit

The Tongva Memorial

The Tongva Memorial is located on the Leavey Campus, just west of the O'Malley Residence Hall on the bluff side of LMU Drive. The memorial serves several purposes. First and foremost, it is a tribute to the people who were the orignial settlers of the Los Angeles basin. Second, it memorializes the two archaeological sites that were destroyed during the development of the Leavey Campus, as well as the other seventeen known Tongva sites along the Westchester bluffs and Ballona wetlands. Third, it is a place where one can quietly think, meditate, or simply enjoy the panoramic view of the Santa Monica Bay and the Santa Monica Mountains. Finally, it is a place to learn more about the first Angelenos and some of the plants they used. The memorial opened on April 28, 2000 with a Tongva Indian blessing ceremony.

The memorial site consists of three concentric circles. The outer circle/walkway of decomposed granite has a series of boulders located around it with timeline plaques attached to the boulders.

Tongva History Timeline

Year	Historical Event
1542	First contact is made by Juan Rodriguez Cabrillo of Spain.
1602	Sebastian Vizcaino arrives with Catholic priests.
1769	Don Gaspar de Portola arrives with Father Crespi. Crespi begins his diary.
1770	Father Junipero Serra arrives from Spain via Mexico to establish the first missions
1771	Fathers Somera and Cambon arrive. Missions San Gabriel and San Fernando are founded, and the name "Gabrielino" is born.
1781	El ciudad de la reina de los angeles (Los Angeles) is founded. Tongva Indians already living there call it "Yangna."
1785	San Gabriel Mission Indians stage a revolt against the Spanish. Led by a female chief, Toy Purina, the revolt is soon crushed by the Spanish. All Indians who participated in the revolt are either killed or exiled to Santa Barbara Island.
1824	Mexico gains independence from Spain. Mexican culturalization of Gabrielino/Tongva Indian continues. Many Indian religious rites, customs, and languages (dialects) are lost.
1833	Missions are secularized and Indians are left to work on rancherias owned by Spanish soldiers and noblemen. In as little as two hundred years, a great and caring Indian culture has been almost

	virtually destroyed.
1850	Few full blooded Gabrielino/Tongva Indians remain. Some intermarry with the Spanish. Some cultural artifacts of the tribe survive, such as clamshell bead money, waterproof baskets, steatite jewelry, cooking vessels, bowls, and pipes.
1900	Tribal elders struggle to keep the old traditions alive, continually meeting as a tribe in San Gabriel and Los Angeles.
1994	The Gabrielino/Tongva Indians are recognized as the indigenous people of Los Angeles by the city of San Gabriel and the state of California.

Directional Plaques

The memorial's middle circle consists of four stone benches oriented to the cardinal directions. On the inside portion of the benches are special plaques recognizing the Tongva Indians' history and spirituality:

- ***Mother Earth:*** We are the caretakers of the land. It is our duty as caretakers to treat Mother Earth with kindness and respect. We must cultivate with care, always keeping in mind that Mother Earth is the giver of all life with her waters, rocks, trees, plants and animals. (north)
- ***Grandfather Sky (Creator):*** We give thanks and pray to our Creator for the very air we breathe, for the food that we eat, and the land that we live upon. We cannot ever own the land. Rather, the land owns us. Thank you Creator for all that You have given us. Grandfather Sky, we ask for Your guidance in all that we do. Please bless our time here until we return, once again to you. (west)
- ***The Legend of Torovim:*** A Tongva Chieftian was being pursued by an enemy tribe somewhere in Topanga - Where the Mountains meet the Sea. He came to a cliff. Rather than submit to his captors, he dove into the sea. As he fell, he changed into the Dolphin, or Torovim, our brother of the ocean. He now swims around the world, staying ever vigilant and alert to ensure the safety of our people. It is his duty as caretaker of the ocean. And, when the Torovim is no more, our people will cease to be. (east)

- ***The Tongva People*** have lived in the Los Angeles basin for hundreds of years and continue to do so. Two thousand years ago native people worked and lived where you are now standing. Further east along the bluff was another village site that native people used from about 900 years ago to the time the Spanish arrived. Some of the typical material cultural items are displayed in an exhibit case in the library. (south)

Memorial Centerpiece

The paved flagstone inner circle and centerpiece of the memorial is a large concrete medallion designed especially for the site by Mathew Dorame, a Los Angeles area artist and Tongva/Gabrielino Indian. The legend of Torovim is represented by dolphins, a sacred animal to the Tongva people, swimming around a map of the western hemisphere.

Native Plants

A small ethnobotanic garden accompanies the memorial. The outside of the outer circle and between the outer and middle circles contain plants that the native peoples used in their daily lives.

Plant's Common Name	Use by Tongva	Garden Location
White sage	Religious, purification	Inner circle
Purple sage	Medicinal	Inner circle
California buckwheat	Medicinal	South garden
California lilac	Basketry; soap	North garden
Chia	Medicinal	West garden
Deer grass	Basketry	Garden entry
Lemonade berry	Food source	South garden
Manzanita	Medicinal	Garden entry
Toyon	Wooden implements	West garden
Yarrow	Medicinal	Outer circle
Yucca	Twine; rope	Outer circle boulders

Tongva History

At the time the Spanish arrived in this area, the Tongva people (people of the Earth) occupied most of what is now Los Angeles County and part of northern Orange County. The channel islands of Santa Catalina, San Clemente, San Nicholas, and Santa Barbara were part of their territory.

For thousands of years, the Tongva Nation had a vital and thriving civilization with a working government, legal system, religion, music, dance, art, cultural exchange and monetary system. Because of the long distances between tribal settlements, each Tongva village was led by its own chief. All of the village chiefs reported directly to a central chief who was responsible for the welfare of all the Tongva people. The Tongva lived as hunter-gatherers, eating nuts, berries, sage, seafood and small game. The Tongva travelled to Santa Catalina and other channel islands by plank canoe.

After the establishment of the Spanish Mission system, coastal native peoples, such as the Tongva, were brought to the missions to provide the requisite labor. Over time the original names of the native groups dropped out of the historical record and the general term "Mission Indians" or the name of the mission was applied and thus the Tongva are known in most of the literature of today as the Gabrielinos. However, the people refer to themselves as Tongva or Gabrielino/Tongva. Before the arrival of the Spanish, the Tongva population was estimated at 200,000 people. By the end of the mid-18th century that total had dwindled to 70,000, and by the late 1800s only 6,000 Tongva remained.

The Tongva people continue to live in the Los Angeles area. Today tribal elders struggle to keep alive the old traditions, regularly meeting as a tribe in San Gabriel

Page 3 of 6

and Los Angeles. They have a tribal saying, "We have always been here, we are still here, and we will always be here."

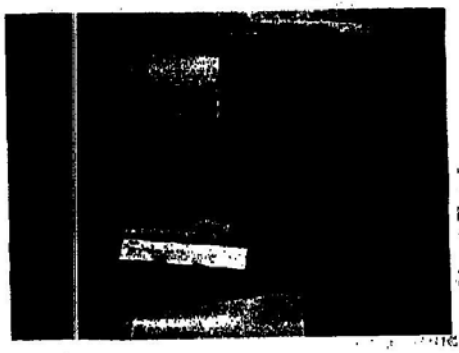
Archaeological Background

Located on the bluffs overlooking the Ballona wetlands and Santa Monica Bay in the "Leavey Campus" area of Loyola Marymount University there were two village sites of the people who first lived here. Analysis of data collected during excavations of the sites prior to development as well as collected during the monitoring of the grading operations, indicated people lived here in seasonal villages from approximately 1,000 B.C. to 1,000 A.D. Although the two sites were officially known to archaeologists as LAn61A and LAn61B, workers soon began calling LAn61A "Marymount" and LAn61B "Loyola."

The researchers concluded that "the artifactual material from Loyola Marymount is typical of virtually any California coastal Indian site dating to around 1,000 B.C. or thereafter. Groundstone items, for instance, are dominated by the usual manos, metates, mortars, and pestles. However, the groundstone collection did include both a doscoidal from "Loyola" and a rare five-pointed cogstone from "Marymount," both of which would normally be regarded as artifacts of more considerable antiquity. Nevertheless, the bulk of our chronological data indicate that neither site was occupied prior to about 1,000 B.C." (p.240, Van Horn and Murray, 1985).

Researchers further state that "In some ways, the collection from Loyola Marymount is most notable for what it lacks. Most remarkable, in our judgement, is the complete lack of marine shell artifacts. This includes not only fishhooks but marine shell ornaments as well....Rather, we believe that the Loyola and Marymount deposits prove that large-scale marine shell bead manufacture was a late development which did not take place until well after 1,000 A.D." (p.242, Van Horn and Murray, 1985).

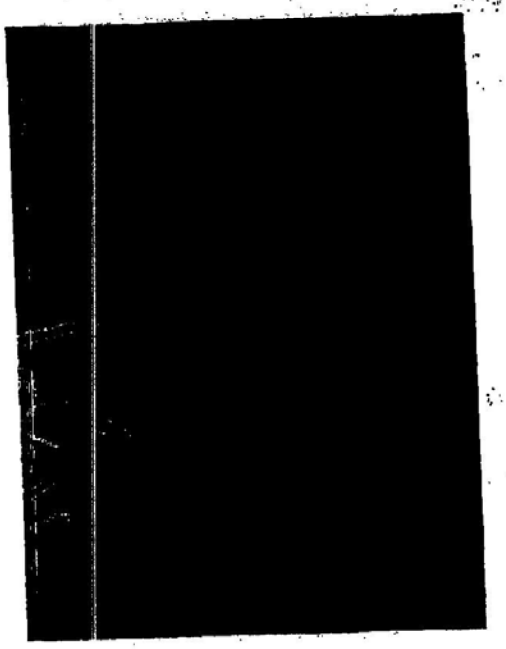
Projectile points from the site are somewhat atypical of Southern California coastal peoples. Van Horn argued that the appearance of the "Marymount" point style can be viewed as evidence of Shoshonean occupation of the coastal area sometime after 500 A.D. (p.35, Van Horn, 1990).



Library Exhibit

Page 4 of 6

Accompanying the outdoor memorial is an exhibit in the Charles Von der Ahe Library on the lower level in the atrium. The exhibit recounts the history of the Tongva with, early photographs and more recent photographs of current Tongva/Gabrielino tribe members living in the Los Angeles area. Visitors to the exhibit will also see cultural artifacts from the archaeological site: a mortar, stone tools including knives and manos, and pendants and beads. A key to the ethnobotanic garden lists the botanic names with specimen plant color photos. The exhibit is open all hours the library is open. Visitors to the library register at the lobby information station.



Gabrielino/Tongva Bibliography

This 60-page bibliography compiled at LMU in 2002 brings together publications about the Gabrielino/Tongva Nation of Southern California. It includes citations for books, periodical and newspaper articles, dissertations, and government documents, and covers the Nation's rich history from prehistoric times to the present. Of the 556 items listed, the library has 476 items and the bibliography notes where items can be located if not at LMU. We believe the LMU Gabrielino/Tongva holdings are among the most comprehensive in Southern California. Funding for the project came from LMU and private parties.

The bibliography is inspired by Mary La Lone's *Gabrielino Indians of Southern California: An Annotated Ethnohistoric Bibliography*, and continues where she left off in 1976. Her bibliography contained 182 items, all of which are included in this volume as well as 374 items post-1976.

Page 5 of 6

The 2002 *Gabrielino/Tongva Bibliography* in a comb-binding is available for $15.00 plus $1.24 in Los Angeles County sales tax. Send your letter of request with check or money order made payable to Loyola Marymount University to:

Friends of the Library
Charles Von der Ahe Library
Loyola Marymount University
One LMU Drive, MS8200
Los Angeles, CA 90045-2659

Be sure to include the name and address of the requestor. Allow 3 to 4 weeks for delivery by U.S. mail.

Page 6 of 6

April 13, 2005 **VIA FAX**

Jackie Goldberg, Assemblymember
State of California
District Office
106 North Avenue 56
Los Angeles, CA 90042

Dear Assemblymember Goldberg,

The March meeting you facilitated at the LA River Center regarding the Cornfield Annenberg Public Art Project has raised concerns regarding process and notice.

As you know, we pride ourselves in having open, honest and timely communication with the ANAHUAK family and its supporters. To maintain our credibility and good standing in the community, we need to kept apprised of all matters regarding Taylor Yard. This is not the time for surprises of any kind. All of us worked very hard to make this dream become a reality and our goal is to witness the realization of our dream.

ANAHUAK is requesting to be kept fully informed about all matters pertaining to Taylor Yard.

We appreciate your efforts on our behalf.

Sincerely,

Raul Macias
President/Founder
ANAHUAK

cc: Robert Garcia, CPLI
Erica Flores Baltodano, CPLI
Sean Woods, State Parks
Irma Munoz, Mujeres de la Tierra

RESPONSE TO LETTER 6

Robert Garcia and Erica Flores Baltodano, Center for Law in the Public Interest
Raul Macias, Anahuak Youth Soccer Association
April 29, 2005

6.1 The PRC (5019.50) provides several classifications for State Park System units. The two most appropriate options that were considered include State Recreation Area and State Park. Due to the limited acreage and the disconnection between the two parcels, which are severed by an active railway line and multiple private properties, the State Park classification does not apply. In the future if additional property is acquired, a General Plan Amendment and EIR update may be required, at which time, the Department could revisit the classification. The Department is requesting RLASP be classified as a State Recreation Area. The Public Resources Code describes the classifications as follows:

> **5019.56(a) State Recreation Areas (SRA)** units are areas selected, developed, and operated to provide outdoor recreational opportunities. SRA's provide multiple recreational opportunities to meet other than purely local needs. The areas shall be selected for having terrain capable of withstanding extensive human impact and for their proximity to large population centers, major routes of travel, or proven recreational resources such as manmade or natural bodies of water. Areas containing ecological, geological, scenic, or cultural resources of significant value shall be preserved within the recreation area. Improvements may be undertaken to provide for recreational activities, including, but not limited to, camping, etc. Improvement to provide for urban or indoor-formalized recreational activities shall not be undertaken within state recreation areas.
>
> **5019.53(a) State Parks (SP)** units consist of relatively spacious areas of outstanding scenic or natural character, oftentimes also containing significant historical, archaeological, ecological, geological, or other similar values. The purpose of state parks shall be to preserve outstanding natural, scenic, and cultural values, indigenous aquatic and terrestrial fauna and flora, and the most significant examples of ecological regions of California. Each state

park shall be managed as a composite whole in order to restore, protect, and maintain its native environmental complexes to the extent compatible with the primary purpose for which the park was established.

6.2 The Department has amended text on pages 4-1 and 4-2 of the General Plan/EIR in response to comment 6.2. Refer to Chapter 4 for changes to the text.

6.3 The Interpretive Themes in Section 4.4.3 provide general direction for the park while avoiding specific details in each thematic category. The "Conflict and Transportation Themes" will be further developed when funding is secured to proceed with an Interpretive Prospectus and Natural/Cultural Surveys which will allow the Department to explore and gather data to strengthen future interpretive programming.

6.4 The Department has amended text on page 4-20 of the General Plan/EIR to reflect comment 6.4. Refer to Chapter 4 for changes to the text.

6.5 With regard to awarding construction contracts to small business enterprises and providing local jobs for local workers, the Department is mandated to grant preference to proposers properly certified as small businesses as defined in Title 2, Section 1896, et seq., California Code of Regulations by the Office of Small Business Certification and Resources. The Department is held accountable for the same guidelines when bidding and awarding concession contracts (Title 14, California Code of Regulations, Chapter 3, Section 4400).

6.6 The Department has amended text on pages 2-50 and 2-51 of the General Plan/EIR in response to comment 6.6. Refer to Chapter 4 for changes to the text.

6.7 The Department has amended text on pages 2-52 of the General Plan/EIR in response to comment 6.7. Refer to Chapter 4 for changes to the text.

6.8 The Department has amended text on page 2-53 of the General Plan/EIR in response to comment 6.8. Refer to Chapter 4 for changes to the text.

6.9 The General Plan/EIR describes a transition plan on page 4-6, **4.3.3 Transitional Open Space Element**, to eliminate the physical or figurative barriers between the components of Parcel D.

The Department has amended text on page 3-2 of the General Plan/EIR in response to comment 6.9. Refer to Chapter 4 for changes to the text.

6.10 The plan addresses limiting the use of parking on page 3-4 in the **Issues and Analysis Section**: "The limited amount of Park area and the intent of Park planners and other stakeholders to maximize recreation open space indicate that the land area for parking is at a premium. Land set aside for onsite parking will be competing with potential recreation uses." In addition, **Access Guideline 4** on page 4-46 proposes to minimize onsite parking and vehicular circulation within the Park to allow for maximum open space and visitor-serving activity areas.

6.11 The Department has amended text on page 3-6 of the General Plan/EIR in response to comment 6.11. Refer to Chapter 4 for changes to the text.

6.12 The plan addresses the need for signage in multiple languages in **Section 4.4.3 Education and Interpretation**, **Interpretation Guidelines 14** and **28** and in **Section 4.4.10 Facilities** section. Chapter 4 also includes guidelines that involve coordinating with the surrounding community (**Section, 4.3.4 Interpretive Element, 4.4.3 Education Interpretation**, and **4.4.4 Cohesiveness/Connectivity).**

6.13 **Access Guideline 9** in Section 4.4.11 of the General Plan/EIR recommends coordination with appropriate local, regional, state and other applicable authorities regarding any future impacts on the Park from potential future development of high speed use in rail rights-of-way adjacent to the Park. The Department has amended text on page 2-49 of the General Plan/EIR in response to comment 6.13. Refer to Chapter 4 for changes to the text.

6.14 The Department has amended text on page 2-50 of the General Plan/EIR in response to comment 6.14. Refer to Chapter 4 for changes to the text.

6.15 Comment noted. The Department adheres to all laws and regulations pertaining to state and federal mandates.

6.16 The Department has amended text on page 2-49 of the General Plan/EIR in response to comment 6.16. Refer to Chapter 4 for changes to the text.

6.17 Thank you for your comments regarding future inclusive planning with community participation. The Department has encouraged public participation in the planning process and will continue to do so as the park development proceeds. The Department has outlined several guidelines to implement processes to include partners in the development of the Park. Please **see Section 4.5.1 Partnerships and Outreach** (page 4-47), **Section 4.4.10.4 Safety/Security**, Safety 4 (page 4-38), **Section 4.4.10 Park Operations**, Staffing-Support 2 (page 4-36), and **Section 4.4.5 Recreation Opportunities**, (page 4-26).

6.18 The Department concurs that *El Pueblo de Los Angeles and Five Views: An Ethnic Historic Site Survey for California* provides a framework and valuable information regarding the history of California and the region and will be a significant and valuable interpretive tool. When funding becomes available for an in-depth cultural survey and Interpretive Prospectus of Parcel D and G-1, a more detailed analysis will be the framework for future programming for the Park. The Department will represent the ethnic diversity that shaped the land over the centuries as outlined in Chapter 4 in the Preliminary General Plan/Draft EIR for RLASP.

6.19 Refer to response to comment 6.17, and **Section 2.2.6 Public Concerns and Comments**, and **Section 5.9 Public Comments** in the General Plan/EIR regarding the public outreach process that was undertaken for this project. As indicated, an advisory committee was not established for this project.

6.20 The proposed Annenberg Project is not associated with this General Plan/EIR. Please see response to comment 6.19 above regarding the need for continued public participation in the decision making process to determine the Park's future.

6.21 Comment noted.

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4. RECOMMENDED CHANGES TO THE GENERAL PLAN

The following section describes the recommended changes to the General Plan and Draft EIR, as a result of comments on the Preliminary General Plan and Draft EIR, as well as any other staff-directed changes. These changes have been incorporated into the General Plan and Final Environmental Impact Report and are described below.

Pages 1-10 through 1-13, the following language and edits to **Section 1.1.3.3, Planning the Park** have been made as a staff directed change to clarify the public input process for the IPU and park plan:

> … By the final public meeting, the park design had been refined to include a wide range of recreational uses, integrating the wide range of facilities while avoiding disjunctive management boundaries (See Figure 5). <u>The park plan shown in Figure 5 constitutes a final plan for park facilities on the City's 20-acre portion, and a temporary, or Interim Public Use (IPU) plan on the State's 20-acre portion. This IPU allows the Department to provide a limited range of non-permanent facilities to allow public access and use of the site until the full General Plan and Environmental Impact Report (EIR) process has been completed. The Department's portion of the IPU will be developed as a traditional park with picnic areas, riparian and wetland, habitat restoration, an informal outdoor amphitheatre, and hiking and nature trails. These uses will be integrated with the City's plans for recreation, restrooms, and maintenance facilities. A number of facilities, including parking lots, lighting, and comfort facilities, will be jointly developed and/or managed</u>…
>
> <u>Concurrent with development of the integrated park plan,</u> the Department initiated a 25-year lease so the City could develop and manage recreation on 20 acres of Parcel D…
>
> <u>Following completion of the IPU plan, planning for a permanent park on the State's 20-acre portion commenced via initiation of the General Plan process. Furthermore, Parcel G-1 was purchased by the Department in late 2003, adding 17 acres of open space land to the park. The future of parcels D and G-1 has been planned through this General Plan and EIR process, which entailed two further public meetings. The first public</u>

meeting for the General Plan was the California Environment Quality Act (CEQA) scoping meeting, which was held on September 27, 2004 at Glassell Park Elementary School. Following a presentation about the CEQA and General Plan processes, comments from the public regarding the future park were accepted. These ideas were synthesized into alternative park plans. A second public meeting was held on October 12, 2004, to present the preferred Park plan. In addition, this meeting also provided opportunity for public input on the naming the park, with the following alternatives suggested: La Reina del Rio State Park; Tongva Portola State Park; Taylor State Park; The Northeast State Park; and Tongva Portola Taylor State Park.

Page 2-2, the following edits to **Surrounding Land Uses** have been made to the General Plan as a result of information received in comment letter 3:

> Much of the former rail yard complex has been converted to industrial and commercial uses (Figure 3). Within the Taylor Yard complex, Parcel A is an embankment and railroad line used by ~~MTA and UPRC~~ Metrolink, Amtrak, and Union Pacific Railroad (UPRR), which runs through the center of the complex. Parcel C is owned by the MTA and is used as a maintenance facility…

Page 2-43, the following language and edits to **Rail Service** have been added to the General Plan, as a result of information received in comment letter 3:

> … The Antelope Valley and Ventura County lines pass through the Taylor Yard complex numerous times daily. As of April 2005, 54 Metrolink trains and 12 Amtrak trains pass through the Taylor Yard complex each weekday, in addition to a varying volume of freight traffic. Eight Metrolink and 12 Amtrak passenger trains pass through Taylor Yard on Saturdays, and 12 Amtrak trains on Sundays. The nearest stations to the Park are Union Station in downtown Los Angeles and the Glendale Station (Metrolink 2003).

Page 2-49, the following language and edits to **Section 2.2.2 Regional Planning Influences** have been added to the General Plan as a result of information provided in comment letter 6:

Draft Program Environmental Impact Report/Environmental Impact Statement for the Proposed California High-Speed Train System (SCH 2001042045)

The California High Speed Rail Authority issued the Draft Program EIR/EIS for the Proposed California High-Speed Train System for public review between February and August of 2004. The proposed statewide high-speed train system would include approximately 700 miles of track servicing San Diego, Los Angeles, Fresno, Bakersfield, Merced, Sacramento, and San Francisco Bay. The proposed alignment would pass through the Taylor Yard complex. Comments on the California High Speed Draft Program EIR/EIS were submitted by the Director of California State Parks on August 19, 2004.

Page 2-49, the following language and edits to **Section 2.2.2 Regional Planning Influences**, have been added to the General Plan as a result of information provided in comment letter 6:

Integrated Resources Plan (IRP)

Over 100 community leaders have joined engineers and planners from the City of Los Angeles to develop an Integrated Resource Plan (IRP) which outlines alternatives for wastewater, stormwater, and recycled water infrastructure for the year 2020 and beyond. The IRP is the second phase of the Integrated Plan for the Wastewater Program and builds on the initial conceptual planning phase to include a more detailed plan, EIR, and financial plan. The IRP intends to integrate the City's water, wastewater, and stormwater management service functions.

Page 2-50, the following language and edits to **Section 2.2.2 Regional Planning Influences, Other Planning Studies** have been added to the General Plan as a result of information provided in comment letter 6:

California Department of Parks and Recreation, Office of Historic Preservation, Five Views: An Ethnic Historic Site Survey for California.

This study was developed in 1988 by the Department to broaden the spectrum of ethnic community participation in historic preservation activities, and to provide better information on ethnic diversity.

Pages 2-50 and 2-51, the following language and edits to **Characteristics of the Local Community** have been added to the General Plan as a result of information provided in comment letter 6:

> … By comparison, the land area within a 5-mile radius of Rio de Los Angeles State Park is approximately 1.9 percent of the land area in Los Angeles County, 27% of the population within a 5-mile radius of the Park does not have access to a vehicle. The surrounding community reflects the rich heritage of Los Angeles. When compared to the City of Los Angeles averages, the community surrounding the Park can be generally characterized by the following:…
>
> added one bulleted item to the list:
>
> - Limited access to a vehicle

Page 2-52, the following language has been added to **Section 2.2.4 Park Interest Groups** as a result of information provided in comment letter 6:

> Interest groups associated with the Coalition include… Heal the Bay, LA County Bicycle Coalition, Latino Urban Forum, Lincoln Heights Neighborhood & Preservation Association, Reverend Eugene Williams and Los Angeles Metropolitan Churches, Mt. Washington Association, Natural Resources Defense Council, North East Trees, Northeast Renaissance Corp., PLAYS (Parks for Los Angeles Youth Soccer), People for Parks, Planning and Conservation League, The Advancement Project, Sierra Club, Southern CA Council on Environmental Development, St. Ann Church Youth Ministry, St. Bernard Glassel Park Youth Ministry, The Ad Hoc Committee for Safe Children, The River Project, Tree People, United Nations Youth Organization, and Wetlands Action Network.

Page 2-53, the following omitted language has been added to **Section 2.2.5 Expected Park Visitors** as a staff directed change:

> The expected park visitors include residents from surrounding neighborhoods as well as students and instructors from area schools and colleges…

Page 3-2, the following language and edits to **Section 3.1.2 Park Unit Connectivity & Cohesiveness** have been added to the General Plan as a staff directed change:

Issue: At present, the two parcels (G-1 and D) that constitute the Park are separated by two railroad tracks and private property, which hamper development and use of the unit as a contiguous whole and contributing to perceptions about the Park's viability as a "River Community." Coordinating future partnerships with adjacent property owners (private and public) that separate the two parcels will require multi-agency cooperation. A partnership between the City of Los Angeles and California State Parks through a lease agreement was executed in November 2003 to develop and operate a seamless park on Parcel D. The partnership could be used as a model to acquire and operate adjacent property consistent with the mission of California State Parks. The Project Concept Statement for the combined California State Parks 20-acre Interim Public Use and the City of Los Angeles' long term development on the adjacent 20-acres is to "develop a seamless park design that fulfils the mission statements of the state and the city for the benefit of all stakeholders in a sustainable manner."

Page 3-6, the following language and edits to **Section 3.5.1, Diversity Over Time**, have been added to the General Plan as a staff directed change:

…As the Los Angeles River Greenway is pursued and developed and the Los Angeles River begins to heal, the story of the Park's role and community's struggle to stop industrial development on the site in order to create the Park will become increasingly important to record and recall…

Pages 4-1 and 4-2, the following language and edits to **Section 4.1.2 Vision Statement** have been added to the General Plan as a staff directed change:

… For the surrounding Park-deprived communities, the Park represents one of the most significant additions of urban green space developed in the past decade, and will be a vital component of the emerging Los Angeles River Greenway. The Park is a river community that supports riparian and upland vegetation ecosystems, flourishing along the Los Angeles River, and ~~The Park~~ will serve as a nursery for nesting native birds, mammals, and amphibians by enhancement of habitat and re-establishment of native plant communities, which contribute to the natural, aesthetic and ecological beauty of the region. The Park's recreational appeal also entices ~~another type of visitor -~~ local residents who have fought for years to ensure that what was once a blighted, industrial wasteland would be transformed into a beautiful park and enriching ecological asset for the entire City, ~~and~~ region, and state.

Page 4-20, the following language and edits to **Section 4.4.3, Education Interpretation,** have been added to the General Plan as a staff directed change:

> **Interpretation 2**: Integrate the ~~stories of the~~ site's industrial past to provide the public with a richer understanding of the environmental costs associated with land development and human occupation. Include the community's story regarding the acquisition and transformation of Taylor Yard.

Page 4-38, the following language and edits to **Section 4.4.10.4 Safety/Security** has been added to the General Plan as a result of comment letter 3:

> **Safety 2:** Incorporate public, law enforcement, maintenance staff, Park professionals, and adjacent land owners in the design of facilities and landscape to achieve the safest environment possible. While planning, consider the use of such things as visual surveillance, lighting, security systems, patrol and vehicle accessibility, fencing, gates, location and visibility of Park facilities, and landscape design to enhance safety.

Page 4-42, the following change has been to **Section 4.4.10.7 Hazardous Materials Safety**, as a staff directed change:

> The potential for exposure to hazardous materials will be considered when planning new structures, roads, parking areas, multiple-use trails, or other facilities or improvements requiring ground disturbance within the Park. Potential ~~E~~exposures could occur both from potentially hazardous materials used during construction and from residual chemicals in soil and groundwater resulting from previous site use.

Attachment A

Correspondence from Department of Toxic Substances Control
Regarding Remediation of Parcel D
January 30, 1998

Cal/EPA

Department of
Toxic Substances
Control

1011 N. Grandview Ave
Glendale, CA 91201

EXPLANATION OF SIGNIFICANT DIFFERENCES

for
Union Pacific Railroad Company
Taylor Yard - Sale Parcel Site
Hump Yard Area
Los Angeles, California
January 30, 1998

Pete Wilson
Governor

Peter M. Rooney
Secretary
for Environmental
Protection

The Department of Toxic Substances Control (DTSC) has prepared the following Explanation of Significant Differences (ESD) for the Union Pacific Railroad Company, Taylor Yard - Sale Parcel Site, HumpYard Area, located at 2800 Kerr Street, Los Angeles, California. The ESD has been prepared to document a change from the remedy selected in the Remedial Action Plan (RAP), for the Hump Yard Area. The "significant difference" refers specifically to a change in the RAP's requirement for a deed restriction on the Hump Yard's land use. Based on the findings of a new risk evaluation of the residual lead concentrations on the Hump Yard, it has determined that the residual lead concentrations do not pose a threat to human health and the environment and land use restrictions are not warranted. This change does not fundamentally alter the remedy selected in the RAP with respect to scope, performance or cost. This document has been prepared to pursuant to 40 Code of Federal Regulations, section 300.435 (c)(2)(i)

Background

A site investigation conducted at the Taylor Yard - Sale Parcel Site, in September 1991 indicated that elevated levels of both total and soluble lead were present in the Hump Yard soil. Pursuant to the RAP, soil that exhibited elevated soluble lead concentrations was treated by in situ fixation processing. In addition, soil cleanup levels for lead of 250 mg/kg for residential and unrestricted land use and 1,000 mg/kg of lead for restricted commercial/industrial land use, were established for the Site. Confirmation sampling of the treated soil indicated a mean total lead concentration of 294 milligrams per kilogram (mg/kg) was achieved. The 95% upper confidence limit (UCL) on the mean total lead concentration was calculated to be 340 mg/kg.

Based on these results, the RAP indicated that commercial or industrial development of the property could be undertaken without risk to public health. However, residential development would be precluded unless a risk assessment indicating no adverse public health impact was submitted to, and approved by, the DTSC.

Risk Assessment

In December 1997, ERM-West, Inc. performed a new risk evaluation pursuant to DTSC's LEADSPREAD model, to evaluate the residual lead concentrations in the treated Hump Yard soils. The LEADSPREAD model considers multiple pathways for potential exposure to lead for

both adults and children through the estimation of blood lead concentrations. Typically, the LEADSPREAD model uses DTSC default values for inhalation, water ingestion and food ingestion, pathways which account for a high percentage of the overall lead intake. These default values are based on conservative overestimates of lead exposure to ensure the theoretical lead exposure will not be underestimated.

In addition to the use of the conservative default values, the following assumptions were considered in setting up the parameters for the LEADSPREAD analysis of the Hump Yard:

- The soil lead concentration was set equal to 340 mg/kg, the 95% UCL;
- Exposure assumptions were based on a single family residential scenario;
- No reduction of lead bioavailability was assumed; and
- The plant uptake option was set equal to zero, consistent with the current and planned property use.

The results of the risk evaluation indicated that for a defined population (adults and children), over 95% of the population would be expected to have a blood lead concentration below DTSC's recommended guideline blood lead level of 10 micrograms per deciliter (ug/dl). Specifically, the risk evaluation indicated that 99% of adults and 98% of children would have a blood lead concentration below 10 ug/dl.

The complete results of the risk evaluation may be found in ERM's Risk Evaluation Report dated January 19, 1998.

Summary

Pursuant to the RAP, DTSC had considered imposing a deed restriction on the Taylor Yard -Sale Parcel Site, Hump Yard Area. This deed restriction would restrict development of the Hump Yard Area to commercial and industrial uses. However, the findings of the new risk evaluation indicate that the residual lead concentrations would not pose an unacceptable risk if the Site were developed for residential or unrestricted use. In addition, the Site's current and future planned use is commercial/industrial. Therefore, no restriction of land use is warranted for the Taylor Yard - Sale Parcel , Hump Yard Area.

As stated in 40 CFR 300.435 (c)(2)(i), any change in remedial action selected in the RAP must be made public by publication of an explanation of significant differences. In this case, the change in remedial action is the deletion of the deed restriction requirement on the Hump Yard Area. A public notice that briefly summarizes the ESD will be published in one or more local newspapers. In addition, this document and all supporting information will be placed in the administrative record and the Site's information repositories.

Explanation of Significant Differences Approval Record
for
Union Pacific Railroad Company
Taylor Yard - Sale Parcel Site
Hump Yard Area
Los Angeles, California

Original Signed by

Javier Hinojosa, Project Manager
Site Mitigation Cleanup Operations
Southern California Branch B

Date

Original Signed by

Harlan R. Jeche, Unit Chief
Site Mitigation Cleanup Operations
Southern California Branch B

Date

Original Signed by

Nennet Alvarez, Chief
Site Mitigation Cleanup Operations
Southern California Branch B

Date