

7.0 RESPONSE TO COMMENTS ON THE DRAFT EIR

The Draft EIR was distributed for public review on January 27, 2012 through March 14, 2012, pursuant to CEQA Guidelines Section 15105. A total of 18 comment letters and emails were received. One letter was received after the close of the public review period and is included below as requested by the CDPR. According to CEQA Guidelines Section 15088(a), “the lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response.” This chapter provides responses to written environmental comments received during the public comment period, as well as oral environmental comments received during the Draft EIR public meeting.

This chapter is organized in two parts: 1) responses to written comments received during and after the public review period, and 2) responses to oral comments received at the Draft EIR public meeting. Written responses are presented for all comment letters received during the public review period, starting with comment letters from agencies and organizations, followed by the comment letters from individuals. The responses to the comments received at the Draft EIR public meeting are provided at the end of this chapter.

Each letter has been assigned a number code, and individual comments in each letter have also been coded to facilitate responses. For example, the letter from the State Clearinghouse is identified as Comment Letter 1, with comments noted as 1-1, 1-2, 1-3, etc. Copies of each comment letter are provided prior to each response. In response to some of the comments received, the text of the EIR chapters has been revised. Refer to Chapter 6, Clarifications and Modifications, for a list of these changes.

7.1 RESPONSES TO WRITTEN COMMENTS RECEIVED THAT ADDRESS ENVIRONMENTAL ISSUES RAISED IN THE EIR

All of the comment letters are listed in Table 7-1 and the corresponding responses are provided in this section. A copy of each comment letter is provided prior to each response.

TABLE 7-1 LIST OF COMMENT LETTERS ON DRAFT EIR

Letter No.	Agency/Organization/Individual	Date	Page # of Response
1	State Clearinghouse	March 13, 2012	7-5
2	California Department of Toxic Substances Control	March 15, 2012	7-8
3	California Department of Transportation	February 28, 2012	7-12
4	Native American Heritage Commission	January 31, 2012	7-20
5	Metropolitan Water District of Southern California	February 22, 2012	7-25
6	The City Project	February 16, March 9, and March 14, 2012	7-62
7	Friends of the Los Angeles River	March 10, 2012	7-76
8	Natural Resources Defense Council	March 14, 2012	7-80
9	A., Matthew	February 14, 2012	7-82

7.0 Response to Comments on the Draft EIR

TABLE 7-1 LIST OF COMMENT LETTERS ON DRAFT EIR

Letter No.	Agency/Organization/Individual	Date	Page # of Response
10	Anonymous	February 16, 2012	7-85
11	Epstein, Marsha	February 24, 2012	7-87
12	Frein, Steven	February 27, 2012	7-89
13	Garcia, Lydia M.	February 16, 2012	7-91
14	Kuk, Maryann	February 29, 2012	7-93
15	Moreno, Lydia	February 16, 2012	7-95
16	Morrissey, Doreen	February 17, 2012	7-101
17	Patterson, Richard	March 11, 2012	7-105
18	Wendell	February 16, 2012	7-107



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

March 13, 2012

Jeff Brown
California Department of Parks and Recreation
8885 Rio San Diego Drive
Suite 270
San Diego, CA 92108

Subject: Los Angeles State Historic Park Master Development Plan Phase I Implementation
SCH#: 2008111064

Dear Jeff Brown:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on March 12, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

1-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in black ink that reads "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008111064
Project Title Los Angeles State Historic Park Master Development Plan Phase I Implementation
Lead Agency Parks and Recreation, Department of

Type EIR Draft EIR

Description The proposed project would include: three event spaces; one-story Welcome Station and operations buildings; a 14-foot-tall elevated walkway including the Roundhouse Observation Deck, which would rise above exposed archaeological features; hardscaped walkways and/or plazas; jogging and interpretive trail loops, a Children's Interpretive Play Area/Exploration Zone and a "Storytelling Circle" amphitheater; unstructured play, work-out, and group gathering areas; up to two approx. 75-parking space surface lots; new pedestrian pathway, parking lot and security lighting; bioswales, constructed/demonstration wetlands, and a habitat area; new trees, landscaping, and turf areas; fire access and services road(s); and new automated irrigation systems.

Lead Agency Contact

Name Jeff Brown
Agency California Department of Parks and Recreation
Phone 619 688 6492 **Fax**
email
Address 8885 Rio San Diego Drive
 Suite 270
City San Diego **State** CA **Zip** 92108

Project Location

County Los Angeles
City Los Angeles, City of
Region
Lat / Long 34° 4' 8.07" N / 118° 13' 51.2" W
Cross Streets Spring and Baker Streets
Parcel No. 5414016903
Township **Range** **Section** **Base**

1-2

Proximity to:

Highways Hwy 110
Airports
Railways Metro Gold Line
Waterways Los Angeles River
Schools Ann Street School
Land Use Interim Public Use park; MR2-1 Light Industrial

Project Issues Air Quality; Archaeologic-Historic; Drainage/Absorption; Noise; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Traffic/Circulation; Water Quality; Growth Inducing; Cumulative Effects; Aesthetic/Visual; Agricultural Land; Biological Resources; Flood Plain/Flooding; Geologic/Seismic; Population/Housing Balance; Sewer Capacity; Solid Waste; Toxic/Hazardous; Vegetation; Water Supply; Landuse

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received 01/27/2012 **Start of Review** 01/27/2012 **End of Review** 03/12/2012

Comment Letter 1: State Clearinghouse

Response 1-1

The commenter states that the Lead Agency has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA. No further response to this comment is required.

Response 1-2

The Document Details Report from the State Clearinghouse database explaining the distribution of the Final EIR is noted. No further response to this comment is required.



Department of Toxic Substances Control



Matthew Rodriguez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
9211 Oakdale Avenue
Chatsworth, California 91311



Edmund G. Brown Jr.
Governor

March 15, 2012

Mr. Jeff Brown
California Department of Parks and Recreation
8885 Rio San Diego Drive, Suite 270
San Diego, California 92108



NOTICE OF COMPLETION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LOS ANGELES STATE HISTORIC PARK MASTER DEVELOPMENT PLAN PHASE I IMPLEMENTATION, SCH NO. 2008111064

Dear Mr. Brown:

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

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

1. The draft EIR states that the proposed project site (Site) is located at the foot of the Elysian Hills on the former site of the historic Southern Pacific Railroad Company's River Station railroad yard. The draft EIR further states that the proposed project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, may potentially create a significant hazard to the public or the environment. DTSC recommends environmental site investigation to evaluate whether condition at the Site pose a threat to human health and/or the environment.
2. All environmental investigation and/or remediation should be conducted under a Work Plan which is approved by a regulatory agency who has jurisdiction to oversee hazardous waste cleanups. Proper investigation and/or remedial actions should be conducted at the Site prior to project implementation.
3. If during implementation of the project, soil contamination is suspected, construction in the area should stop, and appropriate health and safety procedures should be implemented. If it is determined that contaminated soils

2-1

Mr. Jeff Brown
March 15, 2012
Page 2

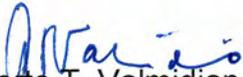
exist, the EIR should identify how any required investigation and/or remediation will be conducted, and which government agency will provide regulatory oversight.

2-1
(Cont'd)

DTSC provides guidance for Preliminary Endangerment Assessment preparation 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. If you would like to meet and discuss this matter further, please contact me at (818) 717-6550.

2-2

Sincerely,



Alberto T. Valmidiano
Project Manager
Brownfields and Environmental Restoration Program – Chatsworth Office

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

CEQA Tracking Center
Office of Planning and Environmental Analysis
Department of Toxic Substances Control
1001 "I" Street P.O. Box 806
Sacramento, California 95812-0806

7.0 Response to Comments on the Draft EIR

Comment Letter 2: California Department of Toxic Substances Control

Response 2-1

Chapter 3.7, Hazards and Hazardous Materials, of the Draft EIR includes a discussion related to the project site's inclusion on a list of hazardous materials sites compiled pursuant to Government Code Section 6592.5. As discussed in Chapter 3.7, Hazards and Hazardous Materials, on page 3.7-3 of the Draft EIR:

A Preliminary Endangerment Assessment report was prepared in January 2002 to describe the environmental conditions at the project site. A Final Site Characterization letter report was also prepared to further describe the extent of site contamination. These investigations determined that soil at the project site contained chemical constituents including arsenic, lead, and TPH, which posed a potential human health hazard and risk. Results indicated that localized areas within the project site contained arsenic and lead at concentrations exceeding the DTSC screening concentrations. Two areas also contained TPH at concentrations exceeding a commonly used screening concentration. A Removal Action Work Plan was subsequently prepared and approved by DTSC on the basis of which remedial action was undertaken at the project site.

Additionally, page 3.7-9 of the Draft EIR states that “the project site is listed on both the Envirostor and GeoTracker databases. The Envirostor database lists potential arsenic, lead, and TPH-motor oil contamination associated with the former railroad and industrial uses at the project site; however, voluntary cleanup actions were certified as of February 28, 2003. The GeoTracker database indentified a LUST containing gasoline, which has been associated with contamination at the project site. Ongoing site assessment of the LUST has occurred at the project site as of August 9, 1999. The GeoTracker database also indicates the presence of benzene on the project site, for which verification monitoring occurred as of July 8, 2010.” The removal action was completed in late 2002, which consisted of the excavation of impacted soil from site areas identified in the Removal Action Work Plan. A total of 5,238 tons of impacted soil was removed during remediation and was properly disposed off-site. As discussed in Chapter 3.7, Hazards and Hazardous Materials, on page 3.7-8 of the Draft EIR, “as part of the Removal Action Work Plan, soil containing arsenic, lead, and TPH motor oil contamination have been remediated at the project site. Thus, contaminated soils are not anticipated to be encountered during the construction or operation of the proposed project.” Notwithstanding, the Draft EIR acknowledges that there is potential to encounter previously unknown soil and/or groundwater contamination during the construction process.

Thus, the Draft EIR concludes that mitigation measures would be required to reduce on-site impacts to a less than significant level. Mitigation measures HAZ-A and HAZ-B (see page 3.7-10 of the Draft EIR) are as follows:

HAZ-A *Should previously unknown areas of metal and/or TPH contaminated soils be encountered during construction activities, the soil shall be*

stockpiled, sampled, and properly managed on the basis of sampling results.

HAZ-B *Should previously unknown subsurface groundwater contamination, which could potentially expose enclosed spaces to VOCs, be encountered within the proposed building areas on-site during construction activities, a qualified abatement consultant shall abate the contaminated areas in compliance with applicable state regulations.*

With implementation of mitigation measure HAZ-A, the proposed project would comply with appropriate health and safety procedures, as suggested. Additionally, the Draft EIR concludes that potential hazardous materials impacts from off-site land uses would be less than significant without mitigation.

Response 2-2

The commenter states that DTSC provides guidance and cleanup oversight through its Voluntary Cleanup Program. This comment does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-9140
FAX: (213) 897-1337



*Flex your power!
Be energy efficient!*

February 28, 2012



IGR/CEQA No. 120137AL-DEIR
Los Angeles State Historic Park (LASHP)
Vic. LA-110/LA-5/LA-101/LA-10
SCH #: 2008111064

Mr. Jeff Brown
California Department of Parks and Recreation
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108

Dear Mr. Brown:

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above referenced project. The proposed project would include various park improvements to the project site. Special events and concerts held at the project site may include concerts, fireworks displays, and the use of public address systems.

3-1

The LASHP intends to hold a small number of special events during each year. These may include events such as an outdoor concert that has the potential to attract visitors in the thousands. This may require the implementation of improved Traffic Management Plan (TMP). The TMP shall be reviewed and approved by Caltrans.

The project will generate 320 net new daily vehicle trips. The new project trips during weekday PM peak hour are 45 inbound and 16 outbound. Even the peak hour trips are minimal, we would like to remind you that the cumulative significant traffic impact may be unavoidable on the State facilities if no traffic mitigation is proposed. We recommend the City establish a mechanism to address cumulative transportation impacts from similar size development like the proposed mixed-use development.

3-2

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Department. It is recommended that large size truck trips be limited to off-peak commute periods.

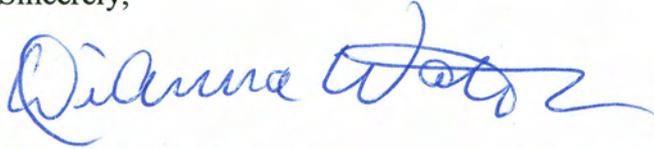
3-3

3-4

Mr. Jeff Brown
February 28, 2012
Page 2 of 2

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 120137AL.

Sincerely,



DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

7.0 Response to Comments on the Draft EIR

Comment Letter 3: California Department of Transportation

Response 3-1

As discussed in Chapter 3.12, Transportation and Traffic, on pages 3.12-10 through 3.11-12 of the Draft EIR, “the proposed project would be designed to hold a small number of special events during the year, which have the potential to attract thousands of visitors. The occasional increase in traffic congestion that may result from a special event would be improved through development and implementation of a traffic management plan.” As stated on page 3.12-11 of the Draft EIR, “the traffic management plan would consist of numerous strategies designed to help manage traffic and minimize the potential increases in traffic congestion on roadways surrounding the project site.” The Draft EIR acknowledges that collaboration with traffic control agencies, such as the California Department of Transportation, California Highway Patrol, Los Angeles Department of Transportation, and Los Angeles Police Department traffic control officers, may be required for implementation of the traffic management plan depending on the amount of traffic expected to be generated by a specific event. Event organizers would be responsible for preparing these plans, obtaining permits, and coordinating with the applicable traffic control agencies, including the California Department of Transportation.

Response 3-2

Chapter 4, Impact Overview, Section 4.3, Cumulative Impacts, of the Draft EIR includes a discussion of the methodology used to analyze potential cumulative impacts of the proposed project in conjunction with related development projects. The discussion on page 4-4 of the Draft EIR states:

“Pursuant to Section 15130(b)(1)(B) of the CEQA Guidelines, the cumulative impacts analysis may include a summary of projections contained in an adopted planning document or in an adopted or certified prior environmental document that described or evaluated regional or areawide conditions contributing to the cumulative impact. The projection-based approach was used for the cumulative impacts discussion in this EIR using the conditions evaluated in the CASP Draft EIR. The project site is included within the CASP area and, as such, regional and areawide conditions discussed in the CASP Draft EIR are also applicable to the proposed project. The evaluation of cumulative impacts contained within the CASP Draft EIR was based on a review of related planning documents, as well as the identification of related projects that, in conjunction with the development of the CASP, may contribute to a cumulative impact. The related development projects were selected based on their status, location in relationship to the CASP area, size, and context.¹ A majority of the related projects consist of residential or mixed-use (including residential and retail components) development, and all related projects are located within a 3.5-mile radius of the project site.”

¹ City of Los Angeles Department of City Planning, *Cornfield Arroyo Seco Specific Plan and Redevelopment Plan Draft Environmental Impact Report*, September 2011.

The commenter is also referred to page 4-9 of the Draft EIR, which includes the analysis of cumulative impacts related to transportation and traffic. The discussion on page 4-9 states:

“The analysis of traffic impacts of the proposed project examines the effects of future growth in traffic in the region through consideration of traffic generated by related development in the project area, including the CASP. Consequently, impacts of cumulative growth are already incorporated into the traffic model and are reflected in the cumulative (2035) no project condition in Table 3.12-6 within Chapter 3.12, Transportation and Traffic. Impacts of the proposed project, in conjunction with related development, are shown in the cumulative (2035) plus project column in Table 3.12-6. As shown in Table 3.12-6, development of the proposed project would not combine with the related projects to cause a significant impact at any of the study intersections. Therefore, the proposed project, in conjunction with the related projects, would not cause a cumulatively considerable effect, and impacts with respect to transportation and traffic would be less than significant.”

As discussed above, Chapter 3.12, Transportation and Traffic, of the Draft EIR included an analysis of cumulative impacts related to development of the proposed project in conjunction with related projects of a similar size and scale. No significant impacts were identified; thus, the proposed project would not contribute to a cumulatively considerable effect, and no mitigation is required. Furthermore, as discussed on page 3.12-20 of the Draft EIR, the proposed project analyzed potential CMP traffic impacts pursuant to California Department of Transportation evaluation standards. The CMP monitoring network includes all state highways. The proposed project would add fewer than 150 peak hour trips in either direction to all five of the mainline freeway monitoring locations in the project vicinity, resulting in a less than significant impact. Since impacts related to CMP monitoring locations would be less than significant, the proposed project would not contribute to a cumulatively considerable effect on state highways, and no mitigation is required.

Response 3-3

The proposed project would require coverage under a General Construction Activity Stormwater Permit, which requires the development and implementation of a SWPPP pursuant to the NPDES. As stated in Chapter 3.8, Hydrology and Water Quality, on page 3.8-7 of the Draft EIR, “with implementation of the applicable permits and BMPs [outlined in the SWPPP developed for the project], the proposed project would not violate any water quality standards or waste discharge requirements [during the construction phase].” Additionally, as stated on pages 3.8-7 and 3.8-8 of the Draft EIR, “the majority of the project site would remain covered with grass, landscaped area, and other permeable surfaces, which would serve as infiltration areas to control stormwater runoff contamination. Additionally, treatment control BMPs would be implemented in the paved areas to control stormwater runoff contamination [during operations]. The proposed project would include bioswales for stormwater retention, recharge, and reuse. The bioswales would assist to remove silt and pollution from surface runoff water. With compliance with the Clean Water Act, including implementation of applicable BMPs, the proposed project would not violate any water quality standards or waste discharge requirements during operations.”

7.0 Response to Comments on the Draft EIR

Response 3-4

The proposed project would be required to comply with all applicable California Department of Transportation regulations during construction. As applicable, a Transportation Permit would be obtained from the California Department of Transportation by the construction contractor for the use of oversized or overweight vehicles (i.e., construction trucks) associated with the proposed project that would be expected to travel on State facilities. To the extent practicable, large size truck trips would be limited to off-peak commute periods.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



clear
3/12/12
e



January 31, 2012

Mr. Jeff Brown , Project Planner

California Department of Parks and Recreation

8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108

Re: SCH#2008111064 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "Los Angeles State Historic Park Master Development Plan, Phase I Implementation;" located i1.5 miles northeast of Downtown; City of Los Angeles; Los Angeles County, California

Dear Mr. Brown:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

4-1

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California

4-2

Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

4-2
(Cont'd)

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties pursuant to CA Public Resources Code §5097.95. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

4-3

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

4-4

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

4-5

followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

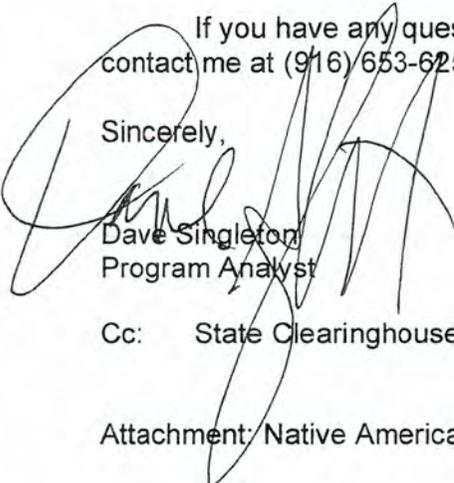
4-5
(Cont'd)

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

4-6

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts

Los Angeles County

January 30, 2012

LA City/County Native American Indian Comm
Ron Andrade, Director

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Cindi M. Alvitre, Chairwoman-Manisar

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Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman

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626-676-1184- cell

(310) 587-0170 - FAX

760-904-6533-home

4-7

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2008111064; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Los Angeles State Historic Park (LASHIPP; located in the Central City Plan Area of the City of Los Angeles; Los Angeles, California.

Native American Contacts
Los Angeles County
January 30, 2012

Gabrieleno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393 Gabirelino
Covina , CA 91723
(626) 926-4131
gabrielenoindians@yahoo.
com

4-7
(Cont'd)

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2008111064; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Los Angeles State Historic Park (LASHIPP; located in the Central City Plan Area of the City of Los Angeles; Los Angeles, California.

7.0 Response to Comments on the Draft EIR

Comment Letter 4: Native American Heritage Commission

Response 4-1

The Draft EIR was prepared to fully analyze potential impacts related to cultural resources in accordance with the CEQA Guidelines. The cultural resources analysis was based on the *Los Angeles States Historic Park, Cultural History and Archaeology*, prepared by CDPR staff in August 2011 (see Appendix D of the EIR). Chapter 3.4, Cultural and Paleontological Resources, of the Draft EIR includes an impact analysis related to historical and archaeological resources, including identification of the Area of Potential Effect (APE).

Response 4-2

The commenter states that they performed a Sacred Lands File search, and that Native American cultural resources were not identified within the project area. CDPR acknowledges that the absence of identified archaeological resources does not preclude their existence at the project site. Chapter 3.4, Cultural and Paleontological Resources, of the Draft EIR provides mitigation measures that would reduce potential impacts to any unknown archaeological materials that could be discovered during the construction phase.

Response 4-3

The comment regarding consultation with Native American tribes is noted. The listed Native American tribes and contacts have been added to the project mailing list and will be notified of availability of the Final EIR and future project hearings.

Response 4-4

The comment regarding the confidentiality of historic properties of religious and cultural significance is noted. However, as discussed in Response 4-2 above, no sacred lands or other Native American cultural resources were identified in the project area. The proposed project would adhere to all guidelines and procedures related to the disclosure of items of religious and/or cultural significance. See also Response 4-2 above regarding the discovery of previously unknown archaeological materials.

Response 4-5

As discussed in Response 4-2 above, Chapter 3.4 of the Draft EIR provides mitigation measures that would reduce potential impacts to any unknown archaeological materials that could be discovered during the construction phase. Additionally, the proposed project would adhere to all applicable guidelines and procedures related to human remains. Specifically, pages 3.4-14 and 3.4-15 of the Draft EIR state:

Any disposition of discovered human remains at the project site would occur in accordance with the procedures and requirements set forth in the California Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98. These code provisions require notification of the County Coroner and the Native

American Heritage Commission; if the remains are found to be Native American, the County Coroner and Native American Heritage Commission must notify those persons believed to be the most likely descended from the deceased Native American for appropriate disposition of the remains. Excavation or disturbance may continue in other areas of the project site that are not reasonably suspected to overlie potential adjacent remains. Procedures concerning the discovery of human remains and their disposition are further detailed in Los Angeles State Historic Park, Cultural History and Archaeology (Appendix D of this EIR).

The Draft EIR concludes that adherence to applicable guidelines and procedures would ensure that potential impacts on human remains would be less than significant.

Response 4-6

See Response 4-3 regarding consultation with Native American tribes.

Response 4-7

See Response 4-3 regarding consultation with Native American tribes.

Daniels, Shannon

From: De Leon,Rebecca A [rdeleon@mwdh2o.com]
Sent: Wednesday, February 22, 2012 10:13 AM
To: Environmental Review
Subject: NOA and Public Meeting for the DEIR for Los Angeles State Historic Park Master Development Plan
Attachments: External Letter - NOA and Public Meeting for the DEIR for LA State Historic Park Master Development Plant.pdf

The Metropolitan Water District of Southern California has no existing facilities or rights of way within the limits of the project. Thank you.

5-1

*Rebecca De Leon
Engineering Systems Planning
The Metropolitan Water District
Of Southern California*

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**NOTICE OF AVAILABILITY AND PUBLIC MEETING FOR
THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR
LOS ANGELES STATE HISTORIC PARK MASTER DEVELOPMENT PLAN
PHASE I IMPLEMENTATION
(SCH# 2008111064)**

Date: January 26, 2012

The California Department of Parks and Recreation (CDPR) has prepared a Draft Environmental Impact Report (Draft EIR) for the proposed Los Angeles State Historic Park (LASHP) Master Development Plan Phase I Implementation (proposed project), in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. The CDPR is the lead agency for the proposed project under CEQA.

PROJECT LOCATION: The 32-acre project site is located at 1245 North Spring Street in the eastern portion of the City of Los Angeles, approximately 1.5 miles north of the downtown Los Angeles financial district and directly east of the Chinatown district. The project site comprises an elongated, grass-covered area that is currently primarily used for picnicking, jogging, walking, informal play, and other activities requiring large open areas. The southwestern 13 acres of the project site are currently developed with an interim public use (IPU) park consisting of curvilinear walkways, trees, and open grass play areas.

DESCRIPTION OF THE PROPOSED PROJECT: The proposed project would include various park improvements to the project site. These improvements include: three event spaces; one-story Welcome Station and operations buildings; a 14-foot-tall elevated walkway including the Roundhouse Observation Deck, which would rise above exposed archaeological reveal space; hard surface walkways and/or plazas; jogging and interpretive trail loops, a Children's Interpretive Play Area/Exploration Zone and a "Storytelling Circle" amphitheater; unstructured play, work-out, and group gathering areas; up to two surface parking areas of approximately 75 parking spaces each; new pedestrian pathways, parking lot and security lighting; bioswales, constructed/demonstration wetlands, and habitat area; new trees, landscaping, and turf areas; fire access and services road(s); and new automated irrigation systems. Overall park attendance figures are expected to exceed 180,000 annually upon opening. Special events and concerts held at the project site may include concerts, fireworks displays, and the use of public address systems.

The proposed project represents the design footprint of the long-term vision of LASHP as detailed in the LASHP General Plan/EIR, which was adopted on June 10, 2005. The full LASHP Master Development Plan would be implemented in at least three phases. The full development of all phases of the proposed project is anticipated to occur by 2035. Due to the long-term nature of the project, the components included within future phases of the project may change over time and would be subject to the availability of funding. At this time, the components of Phase I of the proposed project have been detailed and the implementation would be funded primarily by Proposition 84, a bond measure approved by voters in 2006. The Draft EIR primarily analyzes the potential impacts related to the implementation of Phase I of the LASHP Master Development Plan. Only a limited number of components of future phases are conceptually known at this time. These are addressed in this EIR as appropriate. Subsequent CEQA review will be required for a majority of the future improvements implemented after Phase I.

ENVIRONMENTAL IMPACTS: As presented in the Draft EIR, the proposed project would result in no impacts to agriculture and forest resources, and mineral resources. The proposed project would result in less than significant impacts in the areas of aesthetics, air quality, biological resources, cultural resources, paleontological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, population and housing, public services and utilities, and transportation and traffic. In addition, the proposed project would result in significant unavoidable adverse impacts related to noise from occasional fireworks displays at the proposed project.

PUBLIC REVIEW PERIOD: The Draft EIR is being circulated for a 45-day public review and comment period, starting on **January 27, 2012** and ending on **March 12, 2012**.

This Notice of Availability and the Draft EIR may be viewed online at the following website address:
http://www.parks.ca.gov/?page_id=26953

Your comments on the environmental analysis presented in the Draft EIR are welcomed. Written comments should be submitted via mail, e-mail, or fax no later than **March 12, 2012** to the following:

Luke Serna, Park & Recreation Specialist
 California State Parks
 Southern Service Center
 8885 Rio San Diego Drive, Suite 270
 San Diego, CA 92108
 Fax: (619) 220-5400
 E-Mail: enviro@parks.ca.gov

Copies of the Draft EIR may be reviewed at the following locations during normal business hours:

California State Parks Angeles District Office 1925 Las Virgenes Road Calabasas, CA 91302	Little Tokyo Library 203 S. Los Angeles Street Los Angeles, CA 90012	Los Angeles Central Library 630 W. 5th Street Los Angeles, CA 90071
California State Parks Southern Service Center 8885 Rio San Diego Dr., Suite 270 San Diego, CA 92108	Chinatown Library 639 N. Hill Street Los Angeles, CA 90012	Echo Park Library 1410 West Temple Street Los Angeles, CA 90026
Benjamin Franklin Library 220 E. First Street Los Angeles, CA 90012	Cypress Park Library 1150 Cypress Avenue Los Angeles, CA 90065	Edendale Library 2011 W. Sunset Boulevard Los Angeles, CA 90026
Lincoln Heights Library 2530 Workman Street Los Angeles, CA 90031	Malabar Library 2801 Wabash Avenue Los Angeles, CA 90033	Silver Lake Library 2411 Glendale Boulevard Los Angeles, CA 90039

PUBLIC MEETING: A public meeting will be held on Thursday, February 16, 2012 from 7:00 p.m. to 8:00 p.m. at the following location:

Los Angeles Conservation Corps
 North East LA Center
 1400 N. Spring Street
 Los Angeles, CA 90012

Please join us to receive information about the project including an overview of its scope, the current schedule for its implementation, information regarding the CEQA process, how you can comment on the Draft EIR, and an overview of the findings of the Draft EIR.

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA HAS NO EXISTING FACILITIES OR RIGHTS OF WAY WITHIN THE LIMITS OF THE PROJECT.

PSD

JOB NO.: 20120222-11

RECEIVED

JAN 27 2012

METROPOLITAN WATER DISTRICT
 EXECUTIVE OFFICE

Comment Letter 5: Metropolitan Water District of Southern California

Response 5-1

The commenter states that Metropolitan Water District of Southern California has no existing facilities or rights of way within the project limits. The comment is noted; however, it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.

Response 5-2

The commenter includes a copy of the NOA, indicating that they received the notice. No further response to this comment is required.



1055 Wilshire Blvd., Suite 1660 Los Angeles, CA 90017-2499

T: (213)977-1035

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www.cityprojectca.org

March 14, 2012

Luke Serna, Environmental Coordinator
Los Angeles State Historic Park MDP
The Department
Southern Service Center
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108
Via Electronic Mail enviro@parks.ca.gov

RE: Public Comments Los Angeles State Historic Park Master Development Plan Phase Implementation Draft Environmental Impact Report

Dear Mr. Serna:

I. Overview

Diverse allies submit these public comments on the Los Angeles State Historic Park Master Development Plan Phase I Implementation Draft Environmental Impact Review (DEIR). Each of the undersigned allies is a committed advocate for the creation of the Los Angeles State Historic Park (the Park) and for equal justice, public health and the built environment. Some of us have worked together from the earliest days to create a park that serves the needs of the community as defined by the community as founding members of the Chinatown Yard Alliance, and as members of the Cornfield Advisory Committee. We commend the California Department of Parks and Recreation (the Department) for its commitment to creating a Park celebrating the history and culture of Los Angeles in the heart of a historically underserved community and for including diverse voices throughout the planning process.

We urge the Department to build on the strengths of the DEIR and its years of work on the Park so that the public has the full and fair information it needs to ensure: (1) that the Park reflects the diverse history of the Park, from Native American times to the community struggle to create the Park; (2) the Park serves human health needs; (3) the social, economic and environmental justice impacts, including the significant benefits, of the Park are distributed fairly, particularly since this is one of the state parks that best serves diverse urban communities; and (4) the Park fully reflects the values at stake.

“On a deserted railroad yard north of Chinatown, one of Los Angeles’ most powerful and tenacious real estate developers, Ed Roski, Jr., met his match,” reported the *L.A. Times* in a front page article above the fold on how activists in the Chinatown Yard Alliance fought city hall and prevailed to create the Park and stop proposed warehouses in the last vast open space in downtown L.A.¹ The 32 acres could have been warehouses. Instead, it’s a park. The *L.A. Times*

6-1

¹ Jesus Sanchez, *L.A.’s Cornfield Row: How Activists Prevailed*, *L.A. Times*, April 17, 2001.

Equal Justice, Democracy and Livability for All

Board: Chris Burrows Lydia Camarillo Juan Devis Robert García Virginia Keeny
Tom Hayden Robbie LaBelle Anne McEnany Lyndon Parker Michael Rodriguez
The City Project is a 501(c)(3) Non-Profit Organization and a Project of Community Partners

Magazine called the community victory “a heroic monument” and a “symbol of hope.”² The victory kicked off the urban greening movement that has led to other park victories in Los Angeles, including the Baldwin Hills Park and scenic overlook, Rio de Los Angeles State Park and the greening of the L.A. River, and beyond.

A diverse alliance of community, civil rights, environmental, spiritual, Native American, business and civic organizations and leaders worked together to create the Park and stop the warehouse. Then-Secretary of Housing and Urban Development Andrew Cuomo in 2000 withheld federal funds for the proposed warehouses unless there was full blown environmental review, including environmental justice concerns, citing Title VI of the Civil Rights Act of 1964 its regulations and the President’s Order 12898 on Environmental Justice. The “civil rights challenge . . . claimed the project was the result of discriminatory land-use policies that had long deprived minority neighborhoods of parks,” as reported in the *L.A. Times*.³ Allies resolved a related lawsuit under the California Environmental Quality Act in favor of a settlement to work together with the developer to persuade the state to buy the land for the Park.

Twelve years later, the Park remains unfinished. Twelve years is a long time in the life of a child with no place to play; it’s a long time for anyone to wait for a park to be finished on flat, clean, empty land. The 32 acre site is now used as an interim park with 13 acres developed on the south side, while other parts lie fallow. The classic 1932 Olmsted Plan on Parks, Playgrounds and Beaches for the Los Angeles Region called for a park at the Cornfield in 1930. At last, the time has come to get on with the Park.

An abandoned rail yard for over 12 years, the park is in downtown L.A. between Chinatown on the west and the L.A. River on the east, within walking distance of City Hall, and down the hill from Chavez Ravine. The site is the veritable Ellis Island of Los Angeles.

The next section will discuss the values at stake in the struggle for the Park. The remaining sections will focus on ensuring the final EIR and the Park itself reflect the history of the site; promote human health and physical activity; and provide for the fair distribution of social, economic and environmental justice impacts.

II. The Values at Stake

The Park, as well as the final EIR, should reflect the diverse values at stake in the struggle to create the Park: the simple joys of playing in the park; social cohesion, or bringing people together; improved physical, psychic, and social health; youth development and improved academics; positive alternatives to gangs, crime, and drugs; economic justice including local green jobs; conservation values of climate justice, clean air, water, and land, and habitat protection; art, culture and historic preservation; spiritual values in protecting Mother Earth and her people; preserving Native American values and Sacred Sites; and sustainable regional

²James Ricci, *A Park with No Name (Yet) but Plenty of History*, L.A. Times Magazine, July 15, 2001.

³Jesus Sanchez, *L.A.’s Cornfield Row: How Activists Prevailed*, L.A. Times, April 17, 2001.

planning. Equal justice and democracy underlie these other values.

The values at stake with parks generally, and with this Park in particular, have been documented extensively in The City Project's 2011 policy report *Healthy Parks, Schools and Communities: Green Access and Equity in Southern California*, at pp.19-25, available at www.cityprojectca.org/greenjustice.

III. The FEIR and Park Should Fully Reflect the History of the Site

We believe the Mission Statement for the Manzanar National Historic Site is a best practice example for the Los Angeles State Historic Park. To paraphrase that statement by simply substituting the Park for Manzanar:

“[Los Angeles State Historic Park] preserves the stories and resources of [the site] for this and future generations. We will facilitate a park experience that weaves the stories of the various occupations . . . faithfully, completely, and accurately. [Los Angeles State Historic Park] will provide leadership for the protection and interpretation of associated sites. From this foundation, the park will stimulate and provoke a greater understanding of, and dialogue on, civil rights, democracy, and freedom.”

Manzanar Staff Mission Statement 2001 (available at ow.ly/9DyJp). We recommend this approach for the Park.

6-2

One of the Park's primary objectives is to “[e]xpress the interwoven histories and the multi-cultural significance of the [Park].” DEIR, at ES-2 and 2-11. We agree. We commend State Parks for recognizing the importance of the Park's multi-cultural significance, and we fully support State Parks in achieving this goal. The Department has recognized the need to serve the needs of diverse users in its seminal study *Five Views: An Ethnic Historic Site Survey for California (1988)*.⁴ While the DEIR includes a discussion of some of the relevant history of the Park, most notably in Section 3.4.1 beginning with the arrival of the Spanish, we believe that the final EIR and the Park itself should tell the complete history of the site.

The Final EIR and interpretive elements in the Park should fully reflect the cultural and historical diversity and significance of the site from Native American times to the present, including the community struggle to save the site from development.

To summarize major elements of the history of the nearby environs of the Park,⁵ the site lies near or at the original Tongva or Gabrieleño village of Yangna. Native American life and culture was devastated by succeeding waves of immigrants. Robert Bracamontes – Bob Black Crow -- of the Acjachemen Nation Juaneno Tribe writes:

⁴ *Five Views* is available at www.cityprojectca.org/blog/archives/708.

⁵ See Robert García, Erica S. Flores, and Julie Ehrlich, *The Cornfield and the Flow of History: People, Place, and Culture (April 2004)*, and the recommendations at page 21, goo.gl/AugV2; Robert García, Erica F. Baltodano, & Christopher T. Hicks, *Public Art in the Public Park (2005)*, goo.gl/AugV2. We incorporate those historical discussions by reference here.

The land and our parks are the staple of our existence. They must be preserved in a way that is respectful to all the people. Many local Tribes long to hold ceremony, rituals, and pow wows near sacred land. It is healthy for all of Los Angeles to see and feel the importance of the social and environmental attachment to the land where our ancestors once lived. In the end Humankind is but one race, one people with many different stories. We should be treated with equal respect, with a unifying love.

Chief Anthony Morales wrote of the value of the Park site in Tongva life and culture in 2003. “Tongva families played ‘shinny,’ a game similar to soccer, and enjoyed other field sports along the river. It is important that positive active recreation continues today for the children along the Los Angeles River.” The letter is included as Attachment B.

The Los Pobladores, the first settlers, included Spaniards, Catholic missionaries, Native Americans, Mestizos, and Blacks. Mexicans and Californios further developed the Pueblo before statehood. Mexican-Americans, including U.S. citizens, were deported from the Cornfield during the depression because of discrimination and competition for jobs. Mexican-Americans later lost their homes and way of life when the city of Los Angeles destroyed Chavez Ravine to build Dodger Stadium with places for cars to park and not a single place for children to play.

Chinese workers began arriving in 1850 in search of gold and were relegated to dangerous jobs on the railroad and domestic jobs. The site of the Chinatown massacre of 1871, which first brought Los Angeles to international attention, lies near the Park. The city forcibly evicted the residents and razed Old Chinatown to build Union Station in the 1930s. The people relocated to new Chinatown up the hill from the park.

The Japanese in Little Tokyo were forced into concentration camps during World War II by presidential order, a discriminatory upheld by the United States Supreme Court in a decision that was later widely repudiated but never explicitly reversed. African Americans in search of jobs during the Great Migration from the South moved into the area, which then became known as Bronzeville because of the color of their skin.

Biddy Mason, a former slave freed in the 1850s, became a major landowner downtown and a founder of First AME, a major Black church in Los Angeles. Blacks in the twentieth century were forced away from the area of the Park into South Central by discriminatory land use and housing policies and business practices.

Italian and French immigrants, some of whom planted vineyards that graced the area, assimilated into the broader culture.

The Woman’s Building that has empowered women artists stands just a block or two from the Park.

It is important to incorporate the Park's contemporary history, especially the community struggle to save the site from development, to fully appreciate its significance. Beginning in 1998 with the Chinatown Yard Alliance, a diverse coalition of community, civil rights, environmental, business, and civic organizations and leaders worked together to create the Park.⁶ In 2000, Secretary of HUD Andrew Cuomo withheld federal subsidies for the proposed warehouses unless there was full environmental review, including environmental justice concerns, in response to an administrative complaint. In 2001, members of the Alliance resolved a suit under the California Environmental Quality Act and agreed to work with the developer to persuade the state to buy the site for the Park. Governor Gray Davis stood at the site to announce the purchase of land for the Park and for Rio de Los Angeles State Park in 2001. The grand opening for the interim park took place in 2007. Crissy Field in San Francisco tells the history of the people and place through interpretive signs, and proudly proclaims how people participated in creating the park. Crissy Field itself is dedicated to those who made the dream of restoring the park a reality. The Los Angeles State Historic Park should do the same.

6-2
(Cont'd)

Interpretive elements should rely on the community and public art to tell the history of the site, as UCLA Prof. Judy Baca and SPARC (Social and Public Art Resource Center) have done with at risk youth in both the original and recently restored mural *The Great Wall of Los Angeles* that lies within the Los Angeles River (goo.gl/i9KBc). Indeed, the *Los Angeles River Revitalization Master Plan* cites the Great Wall as a best practice example for public art as part of river revitalization.⁷ Community art projects that interweave historical images with personal reactions and new images created by the people should be included in interpretive elements. At Crissy Field, for example, Ohlone representatives signed an agreement with the National Park Service concerning the interpretation of Ohlone culture, and collaborated in preparing the exhibit.

Public art in the Park should reflect the struggles, hopes, and triumphs of the generations who have entered Los Angeles through the area to reflect the history of the site, the dreams of the community and the value of the Park. Murals that tell the history of the people and place; community art projects including photography exhibits and oral histories that serve as "family albums" to allow others to see the park through the eyes of the people today; signs, lamppost banners, and other interpretive materials; educational programs for school children; and links to myriad nearby cultural, historical, recreational, and environmental resources can engage the community fully and fairly in the Park and their history.

⁶ Members of the original Chinatown Yard Alliance or others who supported its goals included (partial list): Anahuak Youth Sports Association, Catholic Archdiocese of Los Angeles, Center for Law in the Public Interest, Chatten-Brown & Associates, Chinatown-Alpine Hill Neighborhood Association Chinese-American Citizen's Alliance, Chinese Consolidated Benevolent Association, Citizens Committee To Save Elysian Park, The City Project, Coalition L.A. 1st District Organizing Committee, Coalition of Essential Schools, Coalition for Clean Air, Concerned Citizens of South Central Los Angeles, Constance L. Rice and The Advancement Project, Echo Park Community Coordinating Council, Elysian Heights Residents Association, Environmental Defense Fund, Friends of Castelar School, Friends of the Los Angeles River (FoLAR), Heal the Bay, Latino Urban Forum, Lincoln Heights Neighborhood Preservation Association, Los Angeles Alliance for A New Economy, Los Angeles County Bicycle Coalition, Los Angeles Metropolitan Churches, Los Angeles Walks, Maria Elena Durazo, Mexican-American Legal Defense & Educational Fund (MALDEF), Mothers of East Los Angeles, Santa Isabel, Mt. Washington Association, Natural Resources Defense Council (NRDC), Northeast Renaissance Corp., North East Trees, People For Parks, PLAYS (Parks for LA Youth Soccer), Sierra Club, Southern California Council on Environment and Development, The Ad Hoc Committee for Safe Children, Treeppeople, Trust for Public Land, William Mead Homes Residents Assn., William C. Velazquez Institute.

⁷ *Los Angeles River Revitalization Master Plan* at 5-36 to -37 (2007).

The Department has discussed much of the relevant history in other public documents, including the 2005 General Plan and Final EIR and the 2006 Interpretive Master Plan. However, we recommend that the current Final EIR be clear about how the history will be interpreted in the Park. Time has passed and the planning and implementation process has been confusing, inconsistent and incomplete. For example, the 2008 Hargreaves plan was criticized in and out of the Department for not adequately reflecting the history discussed in the General Plan and the Interpretive Plan. The timeline in Table 3.4-1 begins with the arrival of the Spanish, but the history of the site does not begin with contact and conquest.

6-2
(Cont'd)

The current Final EIR must clearly inform the public about how the history will be interpreted in the Park. We recommend that the Final EIR incorporate additional entries in Table 3.4-1, which we have detailed in the attached Timeline, to tell the broader history of the Park.

IV. Analyze Park Access, Human Health and Physical Activity

One of the primary stated objectives of the Park is to “[p]rovide for the health, inspiration, and education of the public by . . . creating opportunities for high-quality outdoor recreation” DEIR, at ES-3 and 2-11. We commend State parks for recognizing the importance of the Park’s role in improving the health of the public, and we fully support State Parks in achieving this goal at the Park.

Los Angeles State Historic Park will help alleviate disparities in park access and health for residents of the surrounding communities, as well as the broader Los Angeles area. Los Angeles is one of the most disadvantaged areas statewide and nationally in terms of access to parks and open space for children and people of color. Latinos and African-Americans, for example, are 12 to 15 times more likely to have less park acreage per capita when compared to non-Hispanic whites.⁸

6-3

The National Park Service (NPS) recently published the report *Healthy Parks Healthy People U.S. (HP/HP Report)*. NPS explicitly recognizes that “[p]eople of color and low income populations still face disparities regarding health and access to parks.” According to NPS, “In regard to obesity, 36 percent of black and 35 percent of Hispanic high school students nationwide are overweight or obese, while 24 percent of non-Hispanic white high school students suffer from these conditions.”⁹ As NPS notes, the World Health Organization defines health as “a state of complete physical, mental and social well-being and not merely the absence

⁸ C. Sister, J.P. Wilson, and J. Wolch, *Green Visions Plan for 21st Century Southern California: Access to Parks and Park Facilities in the Green Visions Plan Region 17* (2008), University of Southern California GIS Research Laboratory and Center for Sustainable Cities, Los Angeles, California. *Accord*, Robert García & Seth Strongin, *Healthy Parks, Schools and Communities: Mapping Green Access and Equity for Southern California*, The City Project (2011), available at www.cityprojectca.org/greenjustice; Robert García, Erica Flores Baltodano and Elizabeth Pine, *Dreams of Fields: Soccer, Community, and Equal Justice*, Policy Report (*The City Project 2002*), goo.gl/3EZKh.

⁹ *HP/HP Report* at 4. See Trust for America’s Health and Robert Wood Johnson Foundation, (2011), *F as in Fat: How Obesity Threatens America’s Future*, available online at: <http://healthyamericans.org/report/88>.

of disease or infirmity.”¹⁰ NPS emphasizes the role that park agencies play to alleviate these disparities and promote public health through park access. The Department should do that here. ***Park Disparities and Demographics***

Los Angeles State Historic Park will help alleviate disparities in park access for the surrounding communities, as well as the broader Los Angeles region.

The community within a five-mile radius of the Park is widely diverse, with 63% Latino, 17% Asian, 14% non-Hispanic white, and 5% African-American residents. 26% of the population within 5 miles of the Park lives in poverty, compared to 14% for the State of California as a whole, and 16% for Los Angeles County. The median household income is \$35,371 – just 59% of the \$60,204 median household income for the State.¹¹ In addition, fully 29% of households in the area have no access to a car, compared with only 9% of households in California and 13% of households in Los Angeles County.¹²

The surrounding community is park poor. The Park serves a diverse, underserved urban population compared to state parks generally. Within five miles of the Park, there are 2.12 acres of parks per thousand residents.¹³ The Park is in State Assembly District 45, which has only 2.03 net acres of parks per thousand residents, compared to Assembly District 37, with over 282 per thousand. The Park is in Senate District 21, which has 5.76 net acres of parks per thousand residents, compared to Senate District 17, with over 160 per thousand.¹⁴ And the Park lies in Los Angeles City Council District 1, which has 2.5 net acres of parks per thousand residents. City Council District 12 in the northwest San Fernando Valley has nearly 16 net acres of parks per thousand residents.¹⁵

Similar patterns hold true in Southern California. Children of color living in poverty with no access to a car have the worst access to places for physical activity in parks and other green space. They suffer disproportionately from higher levels of obesity and diseases related to the lack of physical activity.¹⁶ One’s health is determined by where one lives, the color of one’s skin, and the amount of money one has, more than the amount spent on health care or individual

¹⁰ *HP/HP Report* at 8, citing Preamble to the Constitution of the World Health Organization as adopted by the International Health Conference, New York, 19 June - 22 July 1946; signed on 22 July 1946 by the representatives of 61 States (Official Records of the World Health Organization, no. 2, p. 100) and entered into force on 7 April 1948. See WHO FAQ at www.who.int/suggestions/faq/en/index.html.

¹¹ Based on analyses of 2010 United States census data by GreenInfo Network and The City Project.

¹² Based on analyses of 2000 United States census data by GreenInfo Network and The City Project.

¹³ Based on analyses of 2010 United States census data by GreenInfo Network and The City Project.

¹⁴ Robert García and Aubrey White, *Healthy Parks, Schools, and Communities: Mapping Green Access and Equity For the Los Angeles Region*, Policy Report (2006), Chart 801C (city council districts), 401C (state assembly districts), and 220A (state senate districts) (based on analyses of 2000 census data by GreenInfo Network and The City Project), available at www.cityprojectca.org/ourwork/mappinggreenaccess/documents/Healthy_Parks_Schools_Communities_textonly.pdf and www.flickr.com/photos/cityprojectca/collections/72157601127205632/.

¹⁵ Robert García and Aubrey White, *Healthy Parks, Schools, and Communities: Mapping Green Access and Equity For the Los Angeles Region*, Policy Report (2006), Chart 801C (based on analyses of 2000 census data by GreenInfo Network and The City Project).

¹⁶ Robert García and Seth Strongin, *Healthy Parks, Schools and Communities: Green Access and Equity in Southern California (2011)* at 9-12, 26-111.

choices.

Throughout California, state parks are NOT located in park poor, income poor, communities of color, but in disproportionately white and relatively wealthy areas, as the attached map illustrates.

Park disparities are not an accident of unplanned growth, an efficient market in land, or rational choices maximizing personal utilities. Park disparities reflect a legacy and pattern of discriminatory land use, housing, mortgage, education and economic policies and practices dating back to the New Deal and beyond.¹⁷

Parks, Physical Activity and Human Health

Robert Bracamontes – Bob Black Crow -- of the Acjachemen Nation Juaneno Tribe writes:

Many Indigenous suffer from diabetes. My daughter was only 11 years old when she became insulin dependent. We learned just how vital it is to have access to a play area. We need space for our children to run and play. This is not just for fun, physical activity becomes a matter of life and death to help control blood sugar levels. Exercise is mandatory. In her case and countless more a denial of the open parks and recreation areas would be criminal.

Evidence-based social science research shows that parks and recreation promote human health.¹⁸ Parks may contribute to physical health, improve psychological well-being, encourage social cohesion, offer alternatives to at risk behavior including gangs and drugs, provide places to celebrate cultural diversity, and inspire a spiritual connection with nature.

A study by the Centers for Disease Control and Prevention found that Americans living closer to parks are more likely to exercise regularly, leading to weight loss, increased energy, and better overall health.¹⁹ People in low-income areas in Los Angeles who live within one mile of a park visited that park four time more frequently and exercised 38% more than people who lived more than one mile away.²⁰

Children and adults who live in communities with parks, athletic fields, nature centers and other recreational facilities are more physically active.²¹ Research shows that park proximity is

¹⁷ *Id.* at 112-21.

¹⁸ See, e.g., Richard J. Jackson and Stacy Sinclair, *Designing Healthy Communities* (2011), available online at: <http://designinghealthycommunities.org>; Richard J. Jackson et al., *Creating a Healthy Environment: The Impact of the Built Environment on Public Health* (2009), available at www.sprawlwatch.org/health.pdf.

¹⁹ U.S. Centers for Disease Control and Prevention (2001), *Increasing Physical Activity: A Report on Recommendations of the Task Force on Community Preventive Services* (“Increasing Physical Activity”), available on the web at www.cdc.gov/mmwr/preview/mmwrhtml/rr5018a1.htm.

²⁰ Deborah A. Cohen, Thomas L. McKenzie, Amber Sehgal, Stephanie Williamson, Daniela Golinelli, & Nicole Lurie, *Contribution of Public Parks to Physical Activity*, 97 *American Journal of Public Health* 509-14 (2007).

²¹ Robert Wood Johnson Foundation, *Leadership for Healthy Communities, Action Strategies for Healthy Communities: Open Spaces, Parks & Recreation*, (2009), www.leadershipforhealthycommunities.org/content/view/298/129.

associated with higher levels of park use and physical activity among a variety of populations, particularly youth. Further, having more parks and more park acreage within a community is associated with higher physical activity levels.²² This is particularly true for low-income communities. One study found that people in low-income areas in Los Angeles who live within one mile of a park visited that park four times more frequently and exercised 38% more than people who lived more than one mile away.²³

Unfortunately, low-income areas often lack places for physical activity, including parks and school fields. This is one reason that children and teens in low-income areas and children of color have a lower percentage of physically active youth and are especially vulnerable to obesity.²⁴ The California Center for Public Health Advocacy analyzed the 2004 California Physical Fitness Test of 5th, 7th, and 9th graders. The analysis shows that among students in Los Angeles County, 31% are overweight. Overweight children face a greater risk of developing many health problems during childhood, including Type 2 diabetes, high blood pressure, asthma, orthopedic problems and gallstones, as well as low self-esteem, poor body image, and depression. Overweight children are more likely to be obese as adults, putting them at a much higher risk for heart disease, cancer, stroke, and diabetes later in life.²⁵

The Department should institutionalize transit to trails and FamCamp programs at the Park to provide fun, healthy and educational trips for underserved children and their families and friends.

A balanced Park should meet the needs of diverse people who use parks differently. UCLA Prof. Anastasia Loukaitou-Sideris and others have analyzed how diverse people use urban parks and other natural public spaces differently.²⁶ The research literature suggests two primary explanations for potential differences in ethnic and racial outdoor recreation patterns. The *ethnicity hypothesis* posits that participation patterns result from culturally based differences in value systems and leisure socialization. The *marginality hypothesis* suggests that under-

²² Andrew J. Mowen, *Parks, Playgrounds and Active Living, Active Living Research Synthesis* (Feb. 2010), www.activelivingresearch.org/files/Synthesis_Mowen_Feb2010.pdf.

²³ Deborah A. Cohen, Thomas L. McKenzie, Amber Sehgal, Stephanie Williamson, Daniela Golinelli, & Nicole Lurie, *Contribution of Public Parks to Physical Activity*, 97 *American Journal of Public Health* 509-514 (2007).

²⁴ Robert Wood Johnson Foundation, *Active Living Research: Designing for Active Living among Children*, (Fall 2007).

²⁵ California Center for Public Health Advocacy, *Overweight Children in California Counties & Communities, 2004: Los Angeles County* (2006), available at www.publichealthadvocacy.org/county/Los_Angeles_Fact_Sheet.pdf.

²⁶ Anastasia Loukaitou-Sideris, *Urban Form and Social Context: Cultural Differentiation in the Uses of Urban Parks [Urban Form and Social Context]*, 14 *J. Planning & Ed. & Research* 89, 100-02 (1995). See also Anastasia Loukaitou-Sideris & Orit Stieglitz, *Children in Los Angeles Parks: A Study of Equity, Quality, and Children Satisfaction with Neighborhood Parks*, 73 (4) *Town Planning Rev.* 1-6 (2002). See generally Deborah J. Chavez, *Mexican-American Outdoor Recreation: Home, Community & Natural Environment*, proceedings paper, Hawaii International Conference on Social Sciences 5, 41-43 (2003); Deborah J. Chavez, *Adaptive Management in Outdoor Recreation: Serving Hispanics in Southern California*, 17 (3) *West. J. Applied Forestry* 132 (July 2002); Deborah S. Carr & Deborah J. Chavez, *A Qualitative Approach to Understanding Recreation Experiences: Central American Recreation in the National Forests of Southern California in Culture, Conflict, and Communication in the Wildland-Urban Interface* 181, 184-94 (A.W. Ewert, D.J. Chavez, A.W. Magill eds., 1993); Patrick T. Tierney, et al., USDA, Forest Service, Pacific Southwest Research Station, *Cultural Diversity of Los Angeles County Residents Using Undeveloped Natural Areas* 5 (1998). See also Alison H. Deming & Lauret E. Savoy, ed., *The Colors of Nature: Culture, Identity, and the Natural World* (2002); Setha Low, Dana Taplin, & Suzanne Scheld, *Rethinking Urban Parks: Public Space and Cultural Diversity* 40-43 (2005).

participation of ethnic and racial groups results primarily from limited economic resources and historical and ongoing patterns of discrimination.²⁷

We agree with FoLAR and incorporate their March 10, 2012, public comments on the DEIR by reference here: “We applaud the multi-use design that includes areas for both large events or for smaller gatherings and look forward to picnicking near the restored wetland area. The Park is certainly an amenity for the City and especially for the residents in the immediate vicinity who have very little access to open and recreational spaces. While there is a brief mention regarding bicycle and pedestrian traffic under the Transportation and Traffic portion of the DEIR, this area can be quite difficult to navigate on foot now, especially when crossing N. Spring Street. We would like to see a specific plan with regard to pedestrian and bicycle transportation that makes the Park a safe destination for those who live in the immediate area and for those who will be taking public transportation to the site.”

6-3
(Cont'd)

The human health benefits of recreation, including reducing obesity, diabetes, and other diseases, is well documented in the *Los Angeles River Revitalization Master Plan*, which includes the Park.²⁸ The Final EIR should analyze the health impacts of park access and a balanced Park should provide for physical activity to improve human health.

V. Analyze the Park’s Social, Economic and Environmental Justice Impacts

As the Department has long recognized, the environmental justice community supported the creation of the Park and stopped a proposed warehouse project there.²⁹ This section analyzes the social, economic and environmental justice impacts of the Park, which generally benefit all the people of the region and state, in light of the park and health disparities described above.

6-4

Under CEQA Guidelines section 15131, the social or economic effects of a project may be used to determine the significance of physical changes caused by the project.³⁰ Environmental justice impacts are social and economic effects, and vice versa.

²⁷ See generally *Rethinking Urban Parks*, *supra*, at 40-43; *Mexican-American Outdoor Recreation*, *supra*, at 2; Regina Austin, “Not Just for the Fun of It!: Governmental Restraints on Black Leisure, Social Inequality, and the Privatization of Public Space,” 71 S. Cal. L. Rev. 667, 694, 711-12 (1998); Rodriguez, D.A. & Roberts, N.S. (2002). “State of the Knowledge Report: The association of race/ethnicity, gender, and social class in outdoor recreation experiences.” NPS Social Science Program, General Technical Report, Washington, DC: National Park Service.

²⁸ *Los Angeles River Revitalization Master Plan* (2007), at 5-26; Richard J. Jackson et al., *Creating a Healthy Environment: The Impact of the Built Environment on Public Health* (2009). Similarly, the Los Angeles River Task Force pursuant to a city council resolution published a report that addresses the equitable need for physical activity and park space. See Department of Public Works, Bureau of Engineering, Los Angeles River Special Project Office, *Los Angeles River Access and Use: Balancing Equitable Actions with Responsible Stewardship* (2009).

²⁹ See, e.g., DEIR at 2-2; General Plan at 3 and 4.

³⁰ See GUIDELINES § 15131; *Anderson First Coalition v. City of Anderson*, 130 Cal.App.4th 1173 (2005); *Bakersfield Citizens for Local Control v. City of Bakersfield*, 124 Cal.App.4th 1184 (2004); *Christward Ministry v. Superior Court*, 184 Cal.App.3d 180, 197 (1986) (waste management facility next to religious center required study of whether physical impacts would disturb worship in natural environment).

To protect human health and the environment around the Baldwin Hills Park – a state park -- and the community, the County of Los Angeles has agreed to prepare periodic health assessments that include social, economic, demographic and environmental justice components under the civil rights laws including Title VI and 11135 as part of the settlement agreement in *Community Health Councils et al. v. County of Los Angeles et al* in 2011. Petitioners fully briefed the 15131, Title VI and 11135 issues in that matter. The settlement agreement and briefs are available at www.greaterbaldwinhillsalliance.org.

In addition, the California Department of Parks and Recreation and its programs and activities, including the Park, are subject to Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations because the Department has accepted millions of dollars in federal financial assistance.³¹ The regulations make clear that Title VI applies throughout the entire agency if any part of the agency receives federal funds.³² The Department has also signed a contract for each federal grant, expressly agreeing that it would comply with Title VI and its regulatory requirements.³³ In furtherance of this obligation, recipients of federal financial assistance must collect, maintain, and provide upon request timely, complete, and accurate compliance information.³⁴

Parallel provisions regarding equal access to public resources are in California Government Code 11135 and its implementing regulations.³⁵ 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.”³⁶

Together, these statutes and regulations provide for equal access to public resources including parks and prohibit discrimination on the basis of race, color, or national origin by recipients of federal or state financial assistance.

Indeed, then Secretary of Housing and Urban Development required an environmental justice analysis in 2000 when he withheld federal funds for the proposed warehouse project at the site unless there was full environmental review of environmental impacts, including environmental justice concerns, citing Title VI and the President’s Order 12898 on Environmental Justice.³⁷

Stated in positive terms to promote equal access to public resources including the Park, the analysis under the authorities above includes: (1) a clear description of what is planned; (2) an analysis of the impact on all populations, including minority and low-income populations; (3) an analysis of available alternatives; (4) the documented inclusion of minority and low-income

³¹ 42 U.S.C. §§ 2000d to 2000d-7.

³² Department officials claim that Title VI and its regulations do not apply to the Park because the Park does not receive federal funds. The Department is wrong and its unsupported view flies in the face of binding legal authority. The very purpose of the Civil Rights Restoration Act of 1987 was to clarify the intent of Congress regarding the scope of Title VI to include *all* programs and activities of recipients of federal financial assistance. The Act reversed the Supreme Court’s decision in *Grove City College v. Bell*, 465 U.S. 555 (1984), which limited the scope of federal non-discrimination requirements. Federal regulations make quite clear that Title VI applies to all of the programs and activities of the Department including the Park. See 68 Fed. Reg. 51334 (2003) (definition of “program or activity” or “program” subject to Title VI).

³³ See, e.g., United States Department of the Interior, National Park Service Project Agreement with California, section III.K at p. 72-73 of original (attached).

³⁴ Cf. Executive Order 12,898 on Environmental Justice (Feb. 11, 1994).

Numeric disparities based on race, color or national origin are the starting point for an equal justice analysis under Title VI and its regulations, such as the park and health disparities present here. The question is then whether the disparities are justified by business necessity, and whether there are less discriminatory alternatives. See United States Department of Justice, Civil Rights Division, *Title VI Manual*, Section VIII (A) (2001), available on the web at goo.gl/AFHdn. See generally *Griggs v. Duke Power Co.*, 401 U.S. 424, 431 (1971) (“business necessity”); *Larry P. v. Riles*, 793 F.2d 969, 982 (9th Cir. 1986) (“educational necessity”); *Hemmings v. Tidyman’s, Inc.*, 285 F.3d 1174, 1190 (9th Cir. 2002); *Gamble v. City of Escondido*, 104 F.3d 300, 306 (9th Cir. 1997). See also *Arlington Heights v. Metropolitan Housing Corp.*, 429 U.S. 252, 266-67 (1977) (evidence of discrimination includes numerical disparities, history of discrimination and substantive or procedural irregularities).

³⁵ Ca. Code Regs. tit. 22 § 98101(i) (2007).

³⁶ Cal. Gov. Code § 65040.12.

³⁷ Secretary Cuomo’s letter is available on the web at ow.ly/9yVCu.

populations in the study and decision-making process; and (5) an implementation plan to address any concerns identified in the analysis.³⁸ This analysis includes the distribution of both the benefits to and burdens on minority and low-income communities.³⁹

Indeed, the Department should trumpet the fact that the Park can provide significant benefits in addressing and overcoming historic environmental justice concerns and disparities in park access and health for all, including disproportionately minority and low-income communities. The impact of the Park on all populations is largely positive for the reasons stated throughout the DEIR and these public comments. The Final EIR should include a full blown analysis of the social, economic and environmental justice impacts. This will make the EIR and Park better for all, and much of the work is already done.

Thus, for example, California state parks generate over \$4.3 billion in park related expenditures each year, according to a report by Sacramento State University widely cited by the Department and the California State Parks Foundation. This is a 5:1 return on investment compared to the \$845 million budget for the Department for 2009-10. That does not include savings in health care costs resulting from the health benefits of parks. California should be preserving and expanding park space, as the Department is doing here, to promote economic vitality for all. If you want healthy parks and schools, work for jobs – and justice. The final EIR should analyze the distribution of the economic benefits of the Park, including local green jobs as rangers, apprenticeship and career opportunities for local youth, and opportunities for women, veteran, disadvantaged and minority business enterprises.

Department officials have stated that the civil rights laws do not apply to the Park because there are no federal funds specifically earmarked for the Park; that they are not required to analyze the benefits of the Park; and that they are not required to analyze the social and economic impacts under CEQA Guidelines 15131, citing no authority. With all due respect, the Department is incorrect under the controlling legal authorities cited above.

The Department has already done some of the work called for under the framework outlined above, but other parts remain to be carried out in the final EIR and through the Park itself in light of the documented park and health disparities. (1) The 2005 General Plan and EIR, and the 2006 Interpretive Plan provided a general description of what was planned. The final EIR should clearly describe how those plans will be implemented. The process of implementation to date has sometimes been confusing, inconsistent and incomplete, as stated above.

(2) The final EIR should analyze the benefits and burdens of the Park on all populations, including minority and low-income populations, in the ways described in these comments. Specifically, for example, the final EIR should analyze how the history will be interpreted in the

³⁸ This analysis is consistent with Secretary Cuomo's ruling and with the analysis that the Federal Transit Administration (FTA) has required the Metropolitan Transportation Commission (MTC) and the Bay Area Rapid Transit District (BART) to conduct as a condition of receiving federal funds under Title VI of the Civil Rights Act and its regulations. See letters from FTA to MTC and BART dated January 15, 2010, and February 12, 2010, available on the web at ow.ly/9yW5U.

³⁹ See, e.g., Executive Order 12,898 on Environmental Justice, at § 2-2 (discussing distribution of "benefits of . . . programs, policies, and activities") (emphasis added).

Park, the impact of the Park on human health, and the distribution of economic benefits generated by the Park. The distribution of benefits here could in fact be quite favorable for all including the Department and help ensure funding remains in place to complete the Park. The Park can and should increase access to green space and physical activity in park poor, income poor communities; increase educational environmental and outdoor educational opportunities; help clean the air, land and water, reduce green house gas emissions and the urban carbon footprint, and improve habitat protection; celebrate cultural, historic, and public art resources; and generate job and economic opportunities. The Park can and should tell the diverse history of Los Angeles, and of California.

(3) The final EIR should examine alternatives to distribute the benefits and burdens of the Park equitably and to address the social, economic and environmental justice impacts noted above and the rationale for selecting the Phase I plan. The Department has previously reviewed some alternatives -- for example, the design competition included three alternatives. Rio de Los Angeles State Park is another alternative for a balanced park with active and passive recreation to meet the needs of the community.

6-4
(Cont'd)

(4) We commend the Department for including minority and low-income populations in the planning process from the beginning through full and fair democratic participation. This in itself is a benefit for all. There have been over 65 meetings or hearings, an unprecedented level of outreach for the Department. Printed materials (including materials for the DEIR hearing) have been distributed in English, Spanish, and Cantonese. The Cornfield Advisory Committee, consisting of 36 members representing the communities and property owners surrounding the Park, environmental justice and civil rights organizations, historians, business leaders, educators, local/state/federal governmental agencies, and non-profit groups, provided guidance on the park vision, naming, and classification. A partnership between State Parks and key stakeholders will continue to be important to the future stewardship and success of this extraordinary Park.

V. Recommendations

Los Angeles State Historic Park will be a vital part of the infrastructure for healthy, livable, and just communities. The recommendations for strengthening the final EIR that we have provided throughout these comments are summarized below.

1. If you want parks, work for jobs – and justice. Ensure that the economic benefits of the Park are fairly distributed through local green jobs, apprenticeship and career opportunities for local youth, and equal opportunities for targeted enterprises.
2. Ensure that the EIR and the Park itself reflect the broad and diverse history of the Park from Native American times to the present, including the community struggle to create the Park, through community based interpretive elements, public art and education programs.
3. Ensure that the EIR and the Park address park and health disparities and the important role the Park should play in improving health, opportunities for physical activity and quality of life.

6-5

6-6

6-7

- | | |
|---|------|
| 4. Comply with equal justice laws and principles to ensure equal access to public resources, including CEQA Guidelines section 15131, Title VI of the Civil Rights Act of 1964 and its regulations, and California Government Code 11135 and its regulations by analyzing the social, economic and environmental justice impacts, including the significant benefits, of the Park, particularly as one of the state parks that best serves diverse urban communities. | 6-8 |
| 5. Connecting the Park to the Los Angeles River needs to be incorporated into the Park's design. Without showing how to connect the Park with the River, the original premise and the original promise will go unfulfilled, as FoLAR wrote in its March 10, 2012 public comments on the DEIR. | 6-9 |
| 6. We recommend a specific plan with regard to pedestrian and bicycle transportation that makes the Park a safe destination for those who live in the area and for those who will be taking public transportation to the site. | 6-10 |

Natural Resources Defense Counsel (NRDC) concurs in these comments as indicated in the margin.⁴⁰ 6-11

VI. Conclusion

We are grateful for the work the Department has done and its commitment to a Los Angeles State Historic Park and the diverse values at stake. We look forward to continuing to work with the Department and the community.

Sincerely,

Anahuak Youth Sports Association
Raul Macias, President and Founder

Robert Bracamontes
Acjachemen Nation, Juaneno Tribe

The City Project
Robert García, Founding Director and Counsel
Ramya Sivasubramanian, Staff Attorney
Seth H. Strongin, Assistant Director for Policy and Research
Arturo Nevarez, Lead Organizer

⁴⁰ NRDC concurs as follows in its March 14, 2012, comments on the DEIR:

We believe that the DEIR could be strengthened by including a more detailed description of the site's history in terms of the community's struggle to prevent industrial development and create the Park, as well as a more rigorous analysis of the Park's environmental justice impacts. In this regard, we note the concerns raised by The City Project in its March 14, 2012 letter and incorporate its contents herein. We urge State Parks to ensure that the final EIR (1) reflects the diverse history of the Cornfield site, including the community's struggle to save the property from development and facilitate the creation of the Park; (2) provides an analysis of the range of human health benefits that result from increased access to parkland and the important role the Park can play in improving community health and quality of life; and (3) analyzes the social, economic and environmental justice impacts, including the significant benefits, of the Park.

Luke Serna
Los Angeles State Historic Park Master Development Plan Draft Environmental Impact Review
March 14, 2012
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Concerned Citizens of South Central Los Angeles
Mark Williams, Youth Director

Friends of the Los Angeles River (FoLAR)
Lewis MacAdams, President and Founder
Shelly Backlar, Executive Director

Latino Coalition for a Healthy California (LCHC)
Monica Blanco-Etheridge, Executive Director
Chad M. Silva, Policy Director

League of United Latin American Citizens (LULAC) California
Benny Diaz, State Director
Tomas Gonzales, Associate Director

Mia Lehrer + Associates
Mia Lehrer, FASLA, President
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Service Employees International Union – United Healthcare Workers-West (SEIU-UHW)
Kathy Ledesma Ochoa, Director, Health Policy and Advocacy

Social And Public Art Resource Center (SPARC)
Judith Baca, Founder/Artistic Director
Debra J.T. Padilla, Executive Director

Studio Dos ó Tres
Ulises Diaz, Principal



Park Poor, Income Poor, and People of Color with California State Parks

	SAN FRANCISCO REGION	LOS ANGELES REGION
Population	7,200,883	18,432,448
Percent of State's Population	19%	49%
Acres in State Park System	316,808	155,505
Percent of Acres in State Park System	22%	9%
People per Acre of Classified State Park	28.8	180.4
Approximate Acres in Region	5,123,840	22,160,000
Acres Classified State Parks Land	249,720	102,154
Units in State Park System	105 ¹	49 ¹
Units Classified as State Park	34 ²	11 ²
Acres of State Park per Thousand Residents	43.9 ³	8.4 ³
Acres of Classified State Park per Thousand Residents	34.7 ²	5.5 ³

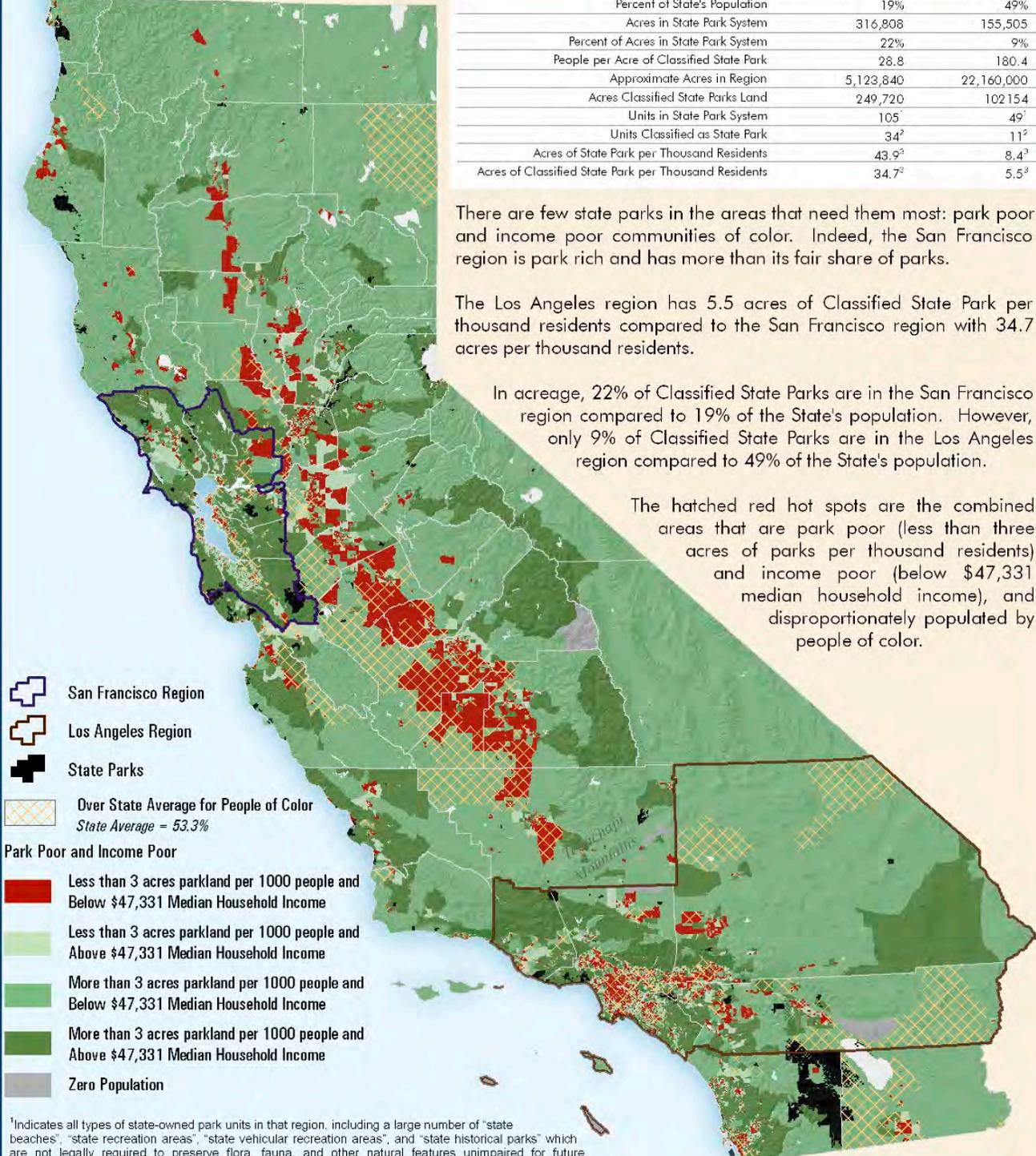
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Units in State Park System	105 ¹	49 ¹
Units Classified as State Park	34 ²	11 ²
Acres of State Park per Thousand Residents	43.9 ³	8.4 ³
Acres of Classified State Park per Thousand Residents	34.7 ²	5.5 ³

There are few state parks in the areas that need them most: park poor and income poor communities of color. Indeed, the San Francisco region is park rich and has more than its fair share of parks.

The Los Angeles region has 5.5 acres of Classified State Park per thousand residents compared to the San Francisco region with 34.7 acres per thousand residents.

In acreage, 22% of Classified State Parks are in the San Francisco region compared to 19% of the State's population. However, only 9% of Classified State Parks are in the Los Angeles region compared to 49% of the State's population.

The hatched red hot spots are the combined areas that are park poor (less than three acres of parks per thousand residents) and income poor (below \$47,331 median household income), and disproportionately populated by people of color.



- San Francisco Region
- Los Angeles Region
- State Parks
- Over State Average for People of Color
State Average = 53.3%
- Park Poor and Income Poor**
- Less than 3 acres parkland per 1000 people and Below \$47,331 Median Household Income
- Less than 3 acres parkland per 1000 people and Above \$47,331 Median Household Income
- More than 3 acres parkland per 1000 people and Below \$47,331 Median Household Income
- More than 3 acres parkland per 1000 people and Above \$47,331 Median Household Income
- Zero Population

¹Indicates all types of state-owned park units in that region, including a large number of "state beaches", "state recreation areas", "state vehicular recreation areas", and "state historical parks" which are not legally required to preserve flora, fauna, and other natural features unimpaired for future generations. ²Indicates those state-owned park units that have been given the special classification of "state park", which requires protection of all native flora, fauna, and other natural features, by the State Park Commission. ³Acres of park per Thousand Residents are calculated as: (acres of park/population)*1000 Data Sources: Population - ESRI 2009 estimates, State Park Land/Parks CPAD 1.4. Data, statistics, and map created by GreenInfo Network www.greeninfo.org, July 2010

Park Acreage for Los Angeles County by Assembly District

A District	B Representative	C Total Population	D Total Acres of Land	E Total Acres of Parks per 1,000 Residents	F Total Acres of Parks per 1,000 Residents	G Net Acres of Parks, Without Angeles National Forest, SMMNRA, Griffith Park, Elysian Park, or Baldwin Hills Parks	H Net Acres of Parks per 1,000 Residents
36	Sharon Runner	292,361	653,980	79.741	272.75		53.54
37	Aubra Stockland	72,332	447,131	242.219	3,348.72		282.79
38	Kath Richmond	354,720	212,819	32,208	147.41		36.17
39	Gregy Montaner	419,346	27,600	1,055	2.52		2.92
40	Lloyd E. Levine	419,371	38,777	2,916	6.95		6.95
41	Fran Pawley	298,640	141,394	47,235	158.17		6.97
42	Paul Korteiz	424,052	30,887	6,626	15.62		4.81
43	Dana Frenzel	422,651	40,000	4,819	11.40		4.31
44	Carli Liu	428,446	63,290	18,297	42.94		3.20
45	Jackie Goldberg	426,177	19,656	1,362	3.64		2.63
46	Adam Nantz	418,902	19,121	215	0.51		0.51
47	Karin Baur	427,367	23,876	1,211	2.83		1.75
48	Mark Ruby-Thomson	400,869	13,816	328	0.78		0.78
49	Judy Chu	420,106	28,584	1,324	3.15		3.15
50	Hector De La Torre	427,216	23,447	451	1.13		1.13
51	Jeppie Hannon	419,506	29,722	677	1.61		1.61
52	Mervyn M. Dymally	423,529	21,311	358	0.84		0.84
53	Ted W. Lieu	422,242	17,627	884	2.24		2.24
54	Betty Romo	423,716	133,247	2,595	6.04		6.04
55	Jenny Dreyer	425,117	36,684	835	1.96		1.96
56	Rudy Berman	343,226	27,890	589	1.68		1.68
57	Ed Chavez	421,446	43,291	2,815	6.68		6.68
58	Ronald S. Calloway	422,028	43,835	2,204	5.22		5.22
59	Dennis Montjoy	210,864	377,290	325,969	1,645.87		18.92
60	Blair Hull	184,881	81,372	8,836	20.75		20.75
61	Gene Nguyen-Madsen	149,218	14,898	392	2.63		2.63
TOTAL		9,519,572	2,603,486	661,562	84.21		83.67

This Chart shows acres of parks per thousand residents for the County of Los Angeles as a whole, and in each State Assembly District, first with large parks and the Angeles National Forest included, and then without the large parks and Forest. The Chart breaks down this information as follows:

Column C shows the total population in the County and in each Assembly District. Column D shows the total acres of land. Column E shows the total acres of parks in the County and in each District, including large parks and the Angeles National Forest. Column F shows the total acres of parks per thousand residents in the County and in each District, including large parks and the National Forest.

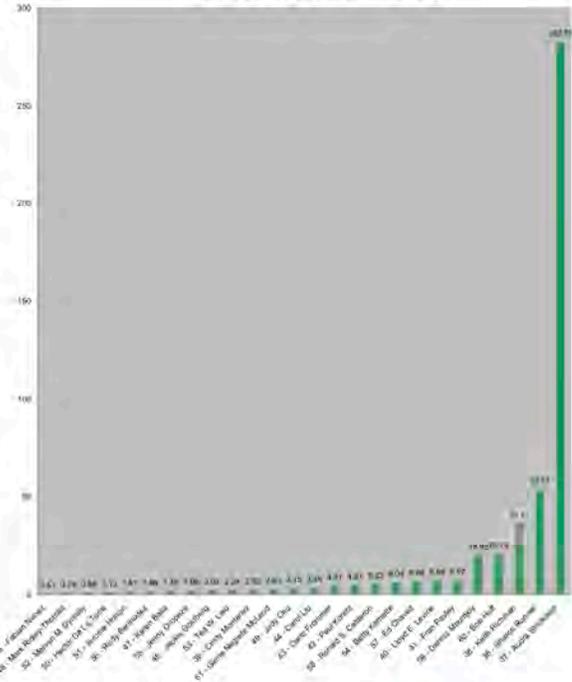
In Column G and H, the acres of large parks and forest space that actually lie within each District are subtracted. For example, the Angeles National Forest covers close to 700,000 acres, but only the 669,033 acres that actually lie within the County and each District are included.

The acreage for the Angeles National Forest and each large park that is subtracted in Column G is as follows:
 Angeles National Forest 669,033 acres
 Santa Monica Mountains National Recreation Area 49,426 acres
 Griffith Park 3,542 acres
 Elysian Park 686 acres
 Baldwin Hills 462 acres

Based on these calculations, 25% of all land in Los Angeles County is in the Angeles National Forest. Fully 78% of all park space in the County is in the Angeles Forest. 4% of all park space in the County lies within the Santa Monica Mountains National Recreation Area.

Total Population, Total Acres of Land, and Acres of Park will vary slightly between County Supervisors', State Assembly, and State Senate charts due to minor geographical differences in the data sets.

Net Acres of Parks per Thousand Residents - 401H



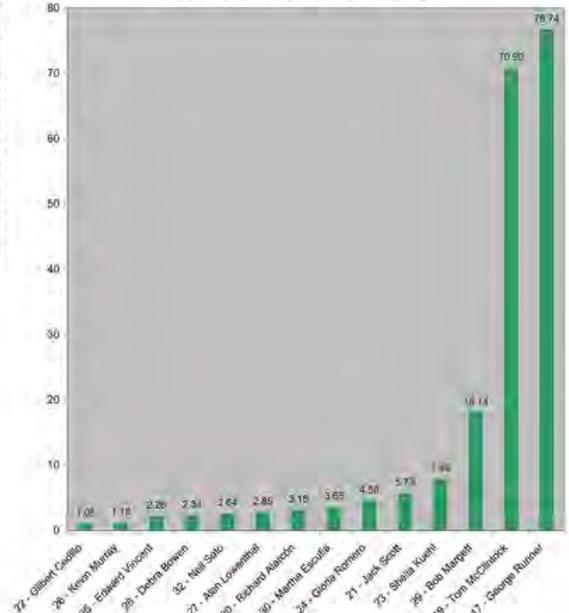
6-12 (Cont'd)



Park Acreage for Los Angeles County by State Senate District

A	B	C	D	E	F	G	H
District	Representative	Total Population	Total Acres of Land	Total Acres of Parks	Total Acres of Parks per 1,000 Residents	Net Acres of Parks, Without Angeles National Forest, SMMNRA, Griffith Park, Elysian Park, or Baldwin Hills Parks	Net Acres of Parks per 1,000 Residents
17	George Runner	575,244	1,319,362	428,350	744.64	44,148	76.74
19	Tom McClintock	51,555	38,222	3,661	71.01	3,655	70.90
20	Richard Alarcon	834,227	81,813	3,084	3.70	2,656	3.18
21	Jack Scott	854,886	89,528	10,824	12.66	4,901	5.73
22	Gilbert Cedillo	835,088	38,143	880	1.05	875	1.05
23	Sheila Kuehl	651,315	193,798	54,590	83.81	5,138	7.89
24	Gloria Romero	842,380	75,665	5,093	6.05	3,861	4.58
25	Edward Vincent	837,240	87,128	1,931	2.27	1,930	2.26
26	Kevin Murray	850,349	41,541	1,953	2.31	1,000	1.18
27	Alan Lowenthal	835,350	58,404	2,378	2.85	2,378	2.85
28	Debra Bowen	636,372	70,290	1,961	3.14	1,961	3.14
29	Bob Margitt	484,522	387,374	289,955	598.43	6,750	13.14
30	Martha Escutia	850,742	70,510	3,107	3.66	3,107	3.66
32	Neil Soto	145,396	14,595	392	2.64	392	2.64
Total		6,602,627	2,526,479	808,168	65.05	84,700	8.92

Net Acres of Parks per Thousand Residents - 501N



6-12
(Cont'd)

This Chart shows acres of parks per thousand residents for the County of Los Angeles as a whole, and in each State Senate District, first with large parks and the Angeles National Forest included, and then without the large parks and Forest. The Chart breaks down this information as follows.

Column C shows the total population in the County and in each Senate District. Column D shows the total acres of land. Column E shows the total acres of parks in the County and in each District, including large parks and the Angeles National Forest. Column F shows the total acres of parks per thousand residents in the County and in each District, including large parks and the National Forest.

In Columns G and H, the acres of large parks and forest space that actually lie within each District are subtracted. For example, the Angeles National Forest covers close to 700,000 acres, but only the 669,033 acres that actually lie within the County and each District are included.

The acreage for the Angeles National Forest and each large park that is subtracted in Column G is as follows:
 Angeles National Forest 669,033 acres
 Santa Monica Mountains National Recreation Area 49,426 acres
 Griffith Park 3,542 acres
 Elysian Park 686 acres
 Baldwin Hills 462 acres

Based on these calculations, 25% of all land in Los Angeles County is in the Angeles National Forest. Fully 78% of all park space in the County is in the Angeles Forest. 6% of all park space in the County lies within the Santa Monica Mountains National Recreation Area.

Total Population, Total Acres of Land, and Acres of Park will vary slightly between County Supervisorial, State Assembly, and State Senate charts. This is due to minor geographical differences in the data sets.



Park Acreage for the City of Los Angeles by City Council District

A District	B Representative	C Total Population	D Total Acres of Land	E Total Acres of Parks	F Total Acres of Parks per 1,000 Residents	G Net Acres of Parks, Without Angeles National Forest, SMMNRA, Griffith Park, Elysian Park, or Baldwin Hills Parks	H Net Acres of Parks per 1,000 Residents
1	Ed Reyes	232,156	8,822	1,115	4.80	580	2.50
2	Wendy Gireuet	285,448	31,753	4,695	16.38	1,856	7.27
3	Domnis Zine	259,751	26,389	1,565	6.05	759	2.93
4	Tom LaSorge	249,774	19,474	4,026	16.12	491	1.97
5	Jack Weiss	282,166	30,164	3,107	12.19	1,810	6.14
6	Tony Cardenas	239,516	17,048	1,691	7.06	1,691	7.06
7	Alex Padilla	230,406	18,336	1,426	6.19	1,411	6.12
8	Bernard Parks	243,269	11,177	387	1.59	310	1.27
9	Jan Perry	238,624	9,584	142	0.59	142	0.60
10	Herb Wasson	245,150	8,562	106	0.43	86	0.35
11	Bill Rosenblatt	255,674	41,187	14,748	57.68	792	3.10
12	Greg Smith	239,188	36,273	3,794	15.86	3,794	15.86
13	Eric Garcetti	244,777	7,918	236	0.97	85	0.35
14	Jose Huizar	236,224	14,905	501	2.12	501	2.12
15	Janice Hahn	252,219	16,030	846	3.75	846	3.75
Total		3,683,639	300,599	38,576	10.47	15,056	4.09

6-12
(Cont'd)

This Chart shows acres of parks per thousand residents for the City of Los Angeles as a whole, and in each City Council District, first with large parks and the Angeles National Forest included, and then without the large parks and Forest. The Chart breaks down this information as follows:

Column C shows the total population in the City and in each City Council District.
 Column D shows the total acres of land. Column E shows the total acres of parks in the City and in each District, including large parks and the Angeles National Forest. Column F shows the total acres of parks per thousand residents in the City and in each District, including large parks and the National Forest.

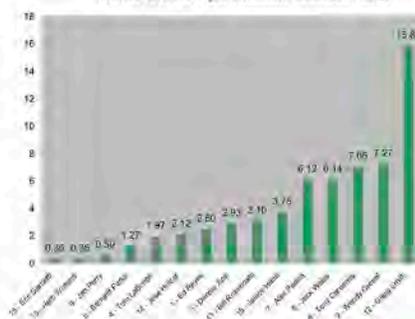
In Columns G and H, the acres of large parks and forest space that actually lie within each District are subtracted. For example, the Angeles National Forest covers close to 700,000 acres, but only the 2,624 acres that actually lie within the City and each District are excluded.

The acreage for the Angeles National Forest and each large park that is subtracted in Column G is as follows:

- Angeles National Forest 2,624 acres
- Santa Monica Mountains National Recreation Area 16,595 acres
- Griffith Park 3,542 acres
- Elysian Park 886 acres
- Baldwin Hills 85 acres

Based on these calculations, fully 43% of all park space in the City of Los Angeles is in the Santa Monica Mountains National Recreation Area. 6% of all the land in the City is within the National Recreation Area. 7% of all park space in the City is in the Angeles Forest.

Net Acres of Parks per Thousand Residents - 801N





We recommend the following events be added to the discussion of the history in Section 3.4 of the DEIR and the timeline of events provided in Table 3.4-1, and that the Park reflect the history of the site fully and fairly. The following is a revised version of Table 3.4-1 with our recommendations for new entries in green.

Prior to contact	Ancestors of Tongva/Gabrieleño people begin occupying the entire Los Angeles basin. The Tongva/Gabrieleño play shinny, a game similar to soccer, and enjoy other field sports along the Los Angeles River. Games involving balls and goal posts were played along river beds throughout California.
1542	First contact between Native Americans in Southern California and Europeans.
1769	Colonial settlers begin to arrive in modern day Los Angeles.
1781	Los Pobladores, many of whom were of mixed African, European, and American Indian descent, founded the pueblo La Reina do Los Angeles. (NOTE: this point is made in Table 3.4-1 but that table does not acknowledge Los Pobladores or their ancestry)
1781	Zanja Madre, the main irrigation ditch connecting Los Angeles River to the plaza, is later constructed against bluff to the west of the project site. (NOTE: this is in Table 3.4-1 but should appear in its own box)
1793	Francisco Reyes becomes the first Black alcalde, or mayor, of Los Angeles, almost 200 years before Tom Bradley, the first Black man elected mayor under statehood.
1804	Earliest documentation of agricultural use of project site; later documentation indicates vineyards on project site
1821	Mexico wins independence from Spain and Alta California gets divided as private land grants called ranchos. Landowners come to be known as Californios.
1831	Mill along Zanja Madre constructed just to south of current project site; later site of Capital Mill
1849	California Gold Rush. This eventually leads to the establishment of “Sonoratown” near the current site of the park when Mexican miners are forced to flee Northern California due to discrimination, and attracts Chinese to California.
1850	California becomes part of the United States of America
1856	Biddy Mason, a former slave who walked behind her master’s wagon from Mississippi to Utah and then to Los Angeles, gains her freedom through a federal court order. She becomes a landowner and one of the most prominent citizens and philanthropists of early Los Angeles. She is also one of the founders of the First AME Church.
1871	Vicious mob that includes police officers massacres 19 Chinese within walking distance of the Cornfield on Calle de Los Negros (known at the time as “Nigger Alley”).
1875	Initial River Station facilities for passengers, freight and shops are under

	construction at the project site
1876	Southern Pacific completes rail link between Los Angeles and San Francisco, through Soledad Canyon and Antelope Valley
1877	River Station and Pacific Hotel open for business
1881	Southern Pacific completes southern route rail link with New Orleans via Yuma; brick roundhouse is in operation at River Station
1882	First Los Angeles telephone is installed at River Station
1882	Chinese Exclusion Act bans immigration by Chinese laborers into the United States.
1888	Southern Pacific adds small buildings to River Station (from 1888 to 1894) but also opens the more elaborate Arcade Depot for passenger service and focuses River Station for freight and shops
1894	Semi-Tropic Homestead Company develops housing tract near River Station, builds bridge to span rail yard, linking it with worker housing in Sonoratown and Solano Canyon on Buena Vista Street (present-day Broadway)
1897-1904	Southern Pacific begins and completes move of maintenance shop facilities to new, modern and expanded facility in Lincoln Heights
1904-1925	River Station serves as Southern Pacific's main freight yard moving tens of thousands of freight cars monthly until the opening of the larger Taylor Yard two miles north of project site
1925-1992	River Station is used as a freight operations facility by Southern Pacific
1929	During the Great Depression, Mexican-Americans are expelled from Los Angeles via the railroad.
1930	Olvera Street is dedicated as a historical site. The Olmsted Brothers and Bartholomew & Associates publish <i>Parks, Playgrounds and Beaches for the Los Angeles Region</i> , a visionary plan for a coherent and comprehensive web of open space, schools, and transportation, including park space in the area of the Cornfield, and the greening of the Los Angeles River.
1930	Old Chinatown is razed and Union Station is constructed just south of the current site of the park.
1942	Internment of Japanese. Much of Little Tokyo is vacated, which is just to the south of the current site of the park. African Americans move in to the area, which becomes known as Bronzeville.
1943	G.I.s stationed at Chavez Ravine spark Zoot Suit Riots when they drive to East Los Angeles and beat up Mexican-Americans and Blacks just a few blocks northeast of the Cornfield across the North Main Street Bridge over the L.A. River. White soldiers and sailors brutalized their victims and left them lying in the streets, while police and sheriffs arrested victims instead of their attackers.
1950	City evicts 1,000 Chavez Ravine families with promises to build a racially integrated, federally subsidized public housing project. Some resisters are jailed. The City razes the Latino community and destroys their way of life. The City would later break its promises to the people and sell the land to the Dodgers.
1971	City of Los Angeles designates River Station area as Historic-Cultural

6-13
(Cont'd)

	Monument No. 82
1978	Fire destroys old freight house- a portion being part of the original Pacific Hotel
1992	Southern Pacific begins dismantling River Station facility, also known by its railworker nickname, Cornfield Yard
1999	Cornfield Yard, slated to become an industrial park, is subjected to first archaeological survey and evaluation;
1998	Chinatown Yard Alliance objects to warehouse proposal and begins community and legal organizing to create the Park and stop proposed warehouse (NOTE: similar text was included in Table 3.4-1 but was moved into its own box)
2000	Secretary of HUD Andrew Cuomo withheld federal subsidies for the proposed warehouses unless there was full environmental review, including environmental justice concerns, citing Title VI and the President's Order on Environmental Justice, in response to an administrative complaint by members of the Alliance.
2001	Members of the Alliance resolve a suit under the California Environmental Quality Act and agreed to work with the developer to persuade the state to buy the site for the Park. The <i>Los Angeles Times</i> calls the Cornfield victory "a heroic monument" and "a symbol of hope." Governor Gray Davis stood at the site to announce the purchase of land for the Park and for Rio de Los Angeles State Park
2001	Cornfield Advisory Committee established to assist CDPR staff with planning for interim and permanent land uses at the project site
2003	Cornfield State Park Advisory Committee issues its recommendations report calling for essential themes of connectivity, cultural/historical, recreation, and transportation to develop the park vision.
2003	Soil remediation work is completed; park is declared ready for public use
2005	CDPR Commission approves General Plan and designates the project site as Los Angeles State Historic Park
2005	Project site is leased to a local artist and used to produce large-scale public art
2006	Construction of IPU facilities are completed and opened in September

6-13
(Cont'd)

February 2003

The Honorable Gray Davis
Governor
State of California
State Capitol Building
Sacramento, CA 95814
FAX: (916) 445-4633

The Honorable James Hahn
Mayor of the City of Los Angeles
City Hall
200 North Spring Street
Los Angeles, CA 90012
FAX: (213) 978-0656

Ruth Coleman
Acting Director
California State Parks
1416 9th Street
Sacramento, CA 95814
FAX: (916) 657-3903

Re: Support Playing Fields in the Cornfield and Taylor Yard State Parks

Dear Governor Davis, Mayor Hahn, and Director Coleman:

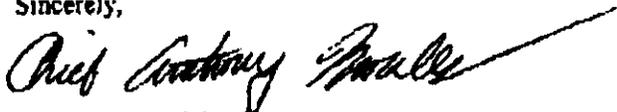
On behalf of the Tongva people who once lived and played in the area near the Cornfield and Taylor Yard, I am writing to support multi-use fields for soccer and other organized sports in the Cornfield and Taylor Yard state parks.

The Tongva Indians settled the area near the Cornfield and Taylor Yard before the arrival of the Spaniards. Tongva families played "shinny," a game similar to soccer, and enjoyed other field sports along the river. It is important that positive active recreation continues today for the children along the Los Angeles River

Native Californians had a passion for soccer-like games. They made balls and played team games involving goal posts. Soccer-like games were river games—games played along river beds throughout California.

State Parks is committed to honoring the cultures and histories of the people of the Cornfield and Taylor Yard in designing and operating the new parks. Soccer and other organized team sports have been and continue to be a rich part of that culture and history and should be a part of those parks. I trust that the State and the City of Los Angeles will work together to ensure that the children of the Cornfields and Taylor Yard are not displaced the way the way the Tongva people once were.

Sincerely,


Chief Anthony Morales

**UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
LAND AND WATER CONSERVATION FUND PROJECT AGREEMENT**
(OMB No. 1024-0033, May 31, 2007)

State: **Project Number:**

California **06-01635**

Project Title:

El Capitan State Beach Alternative Camping Development

Project Period: **Project Stage Covered by this Agreement:**

Date of Approval to June 30, 2011 **Complete**

Proposal Scope (Description of Project):

A development project in El Capitan State Beach to construct alternative camping and support facilities.

Project Cost		The following are hereby incorporated into this agreement:
Total Cost	\$ <u>400,000.00</u>	1. <u>General Provisions</u>
	(Fund amt. not to exceed 50% of total)	2. <u>L&WCF Grants Manual (NPS-34)</u>
Fund (LWCF) Amount	\$ <u>200,000.00</u>	3. <u>Project Application and Attachments</u>
Cost of this Stage	\$ <u>400,000.00</u>	4. <u>OMB Circular A-102</u>
Assistance this Stage	\$ <u>200,000.00</u>	5. <u>Title 43, Code of Federal Regulations</u>
		6. _____
		7. _____

The United States of America, represented by the Director, National Park Service, United States Department of the Interior, and the State named above (hereinafter referred to as the State), mutually agree to perform this agreement in accordance with the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964), the provisions and conditions of the Land and Water Conservation Fund Grants Manual, and with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, assurances, and certificates attached hereto or retained by the State and hereby made a part hereof.

The United States hereby promises, in consideration of the promises made by the State herein, to obligate to the State the amount of money referred to above, and to tender to the State that portion of the obligation which is required to pay the United States' share of the costs of the above project stage, based upon the above percentage of assistance. The State hereby promises, in consideration of the promises made by the United States herein, to execute the project described above in accordance with the terms of this agreement.

The following special project terms and conditions were added to this agreement before it was signed by the parties hereto:

6-15
(Cont'd)

In witness whereof, the parties hereto have executed this agreement as of the date entered below.

THE UNITED STATES OF AMERICA

STATE

By

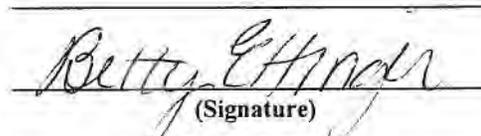

(Signature)

National Park Service
United States Department
of the Interior

Date

21 April 2008

By


(Signature)

Betty Ettinger

(Name)

Assistant Chief

(Title)

Estimated Burden Statement: The public reporting burden for this collection of information is estimated to average 3 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form should be sent to the National Park Service, State and Local Assistance Programs Division, 1849 C Street NW, Washington, DC 20240.

Paperwork Reduction Act Statement: This form is necessary to provide data input into an NPS project database which provides timely data on projects funded over the life of the program. Such data is used to monitor project progress and to analyze program trends. A Federal Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Any comments on the burden estimate or other aspects of this collection of information may be addressed to the National Park Service, State and Local Assistance Programs Division, 1849 C Street NW, Washington, DC 20240.

J. Provision of a Drug-Free Workplace

In compliance with the Drug-Free Workplace Act of 1988 (43 CFR Part 12, Subpart D), the Grantee certifies as follows:

The Grantee certifies, that it will or continue to provide a drug-free workplace by:

- (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (2) Establishing an ongoing drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The Grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (3) Making it a requirement that each employee to be engaged in the performance of a contract be given a copy of the statement required by paragraph (1);
- (4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the contract the employee will:
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (5) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (4)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every contract officer on whose contract activity the convicted employee was working, unless the federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected contract;
- (6) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (4)(b), with respect to any employee who is so convicted:
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, State, or local health, law enforcement, or other appropriate agency;
- (7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5) and (6).

The Grantee must include with its Application for assistance a specification of the site(s) for the performance of work to be done in connection with the Contract.

K. Civil Rights Assurance

The Grantee certifies that, as a condition to receiving any federal assistance from the Department of the Interior, it will comply with all federal laws relating to nondiscrimination. These laws include, but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 200d-1), which prohibits discrimination on the basis of race, color, or national origin; (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of a handicap; (c) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.), which prohibits discrimination on the basis of age; and applicable regulatory requirements to the end that no person in the United States shall, on the grounds of race, color, national origin, handicap or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the Grantee. THE GRANTEE HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this Contract.

6-15
(Cont'd)

THIS ASSURANCE shall apply to all aspects of the Grantee's operations including those parts that have not received or benefited from federal financial assistance.

If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the Grantee by the Department of the Interior, this assurance shall obligate the Grantee, or in the case of any transfer of such property, any transferee, for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Grantee for the period during which the federal financial assistance is extended to it by the Department of the Interior.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Grantee by the Department of the Interior, including installment payments after such date on account of Applications for federal financial assistance which were approved before such date.

The Grantee recognizes and agrees that such federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Grantee, its successors, transferees, assignees, and subrecipients and the person whose signature appears on the Contract and who is authorized to sign on behalf of the Grantee.

L. Debarment and Suspension

Certification Regarding Debarment, Suspension and Other Responsibility Matters - Primary Covered Transactions

- (1) *The prospective primary Grantee certifies to the best of its knowledge and belief, that it and its principals:*
 - (a) *Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;*
 - (b) *Have not within a three-year period preceding this Contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, State or local) transaction, or Contract under a public transaction; violation of federal or State antitrust statutes or commission or embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement, or receiving stolen property;*
 - (c) *Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and*
 - (d) *Have not within a three-year period preceding this Contract had one or more public transactions (federal, State or local) terminated for cause or default.*
- (2) *Where the prospective primary Grantee is unable to certify to any of the statements in this certification, such Grantee shall attach an explanation to this proposal.*

The Grantee further agrees that it will include the clause "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier covered Transactions" appearing below in any Contract entered into with lower tier Grantees in the implementation of this Contract. Department of Interior Form 1954 (DI-1954) may be used for this purpose.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

- (3) *The prospective lower tier Grantee certifies, by submission of this Application that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.*
- (4) *Where the prospective lower tier Grantee is unable to certify to any of the statements in this certification, such prospective Grantee shall attach an explanation to this Contract.*

M. Fund Acknowledgment

The Grantee will permanently display in a conspicuous place a sign which acknowledges Land and Water Conservation Fund assistance. The sign will be provided by the State Department of Parks and Recreation and its installation by the Grantee will be required upon Project Development or Acquisition of the property.

6-15
(Cont'd)

Lowery, Cristina

From: Robert Garcia [rgarcia@cityprojectca.org]
Sent: Wednesday, March 14, 2012 6:12 PM
To: Environmental Review
Cc: Raul Macias; Robert Bracamontes; Mark Williams; Lewis MacAdams; Shelly Backlar; Monica Blanco-Etheridge; chad silva; Benny Diaz; Tomas Gonzalez; Mia Lehrer; Manuel Pastor; Nina Roberts; kathy ochoa; Debra Padilla; Judith Baca; Ulises Diaz; Judith Bell; Ruben Lizardo; Mary Lee; Victor Rubin; Joel Reynolds; Damon Nagami; Ramya Sivasubramanian; Seth Strongin; Arturo Nevarez
Subject: Public Comments Los Angeles State Historic Park Master Development Plan Phase Implementation Draft Environmental Impact Report WITH TIMELINE
Attachments: LASHP DEIR Allies Comments 20120314 v2.pdf; ATT00001..htm

Dear Mr. Serna,

Diverse allies submit these public comments on the Los Angeles State Historic Park Master Development Plan Phase I Implementation Draft Environmental Impact Review (DEIR).

Each of the undersigned allies is a committed advocate for the creation of the Los Angeles State Historic Park (the Park) and for equal justice, public health and the built environment. Some of us have worked together from the earliest days to create a park that serves the needs of the community as defined by the community as founding members of the Chinatown Yard Alliance, and as members of the Cornfield Advisory Committee. We commend the California Department of Parks and Recreation (the Department) for its commitment to creating a Park celebrating the history and culture of Los Angeles in the heart of a historically underserved community and for including diverse voices throughout the planning process.

6-16

We urge the Department to build on the strengths of the DEIR and its years of work on the Park so that the public has the full and fair information it needs to ensure: (1) that the Park reflects the diverse history of the Park, from Native American times to the community struggle to create the Park; (2) the Park serves human health needs; (3) the social, economic and environmental justice impacts, including the significant benefits, of the Park are distributed fairly, particularly since this is one of the state parks that best serves diverse urban communities; and (4) the Park fully reflects the values at stake. We present our recommendations at pages 13-14.

Please accept this correct file with the Timeline, and destroy the prior file sent earlier that did not include the Timeline. Thank you.

6-17

Sincerely,

Anahuak Youth Sports Association Raul Macias, President and Founder

Robert Bracamontes, Acjachemen Nation, Juaneno Tribe

The City Project Robert García, Founding Director and Counsel Ramya Sivasubramanian, Staff Attorney Seth H. Strongin, Assistant Director for Policy and Research Arturo Nevarez, Lead Organizer

Concerned Citizens of South Central Los Angeles Mark Williams, Youth Director

Friends of the Los Angeles River (FoLAR) Lewis MacAdams, President and Founder Shelly Backlar, Executive Director

Latino Coalition for a Healthy California (LCHC) Monica Blanco-Etheridge, Executive Director Chad M. Silva, Policy Director

League of United Latin American Citizens (LULAC) California Benny Diaz, State Director Tomas Gonzales, Associate Director

Mia Lehrer + Associates Mia Lehrer, FASLA, President Julianna Roosevelt

Manuel Pastor Professor and Director University of Southern California, Program for Environmental and Regional Equity

PolicyLink Judith Bell, President

Nina S. Roberts, Ph.D. Roberts & Associates Professor, San Francisco State University (for identification only)

Service Employees International Union – United Healthcare Workers-West (SEIU-UHW) Kathy Ledesma Ochoa, Director, Health Policy and Advocacy

Social And Public Art Resource Center (SPARC) Judith Baca, Founder/Artistic Director Debra J.T. Padilla, Executive Director

Studio Dos ó Tres Ulises Diaz, Principal

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linkedin.com/in/robertgarcia2

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It was a pleasure to meet you at last week's public meeting. Sorry I did not have a chance to catch up with you further after the meeting concluded.

We are looking forward to meeting with you and your team soon to discuss our thoughts on the DEIR before preparing our written comments.

Regards,

Ramya Sivasubramanian
Staff Attorney

The City Project
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On Feb 16, 2012, at 5:07 PM, Woods, Sean wrote:

Hi Robert,

I spoke with the Planning Team and they would be delighted to meet with to discuss this further. I'll send you some dates of availability by early next week at the latest. Perhaps we could meet at the City Project office?

Congratulations on your 36th anniversary and enjoy the concert.

Regards,

Sean

From: Robert Garcia [<mailto:rgarcia@cityprojectca.org>]

Sent: Thursday, February 16, 2012 4:28 PM

To: Woods, Sean

Cc: Ramya Sivasubramanian; Seth Strongin; Arturo Nevarez

Subject: Los Angeles State Historic Park DEIR

Dear Sean,

As we discussed, I will not be at the hearing on the Los Angeles State Historic Park DEIR tonight. We are celebrating the 36th anniversary of my first date with my lovely wife by going to see Chucho Valdes, the great Cuban jazz pianist, at Disney Hall.

Ramya Sivasubramanian, a Staff Attorney at The City Project; Seth Strongin, Assistant Director, and Arturo Nevarez, Lead Organizer, are looking forward to being there.

We request the opportunity to meet with you and your team soon to discuss the DEIR before we set out to prepare our public comments.

We have quickly reviewed the DEIR. Our preliminary concerns are that the EIR needs to address the environmental justice aspects of the park plan, design and programs thoroughly. As you will recall, then Secretary of Housing and Urban Development Andrew Cuomo withheld federal funds for the proposed warehouse project at the site unless there was a full blown assessment of environmental concerns, including Title VI of the Civil Rights Act of 1964, its regulations, and the President's Executive Order on Environmental Justice. This establishes the principle that publicly funded projects including the park must comply with equal justice laws and principles.

More recently, the National Park Service has addressed continuing park and health disparities, and the need for park agencies to address such concerns, in its report on Healthy Parks, Healthy People US.

6-18
(Cont'd)

We would like to discuss these matters to work with you to ensure the final EIR fully complies with the needs of the community and equal justice laws and principles, including those cited above, CA Government Code 11135, and the social, economic and environmental justice effects under CEQA guidelines section 15131. We have addressed these matters in our prior written submissions.

We look forward to working with you to improve the EIR and ultimately the park experience and quality of life for all residents and visitors to the area.

Can you please suggest three dates and times.

Best,
Robert

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Physical Activity and Human Health

Los Angeles State Historic Park will help alleviate disparities in park access and health for residents of the surrounding communities, as well as the broader Los Angeles area. Los Angeles is one of the most disadvantaged areas statewide and nationally in terms of access to parks and open space for children and people of color. Latinos and African-Americans, for example, are 12 to 15 times more likely to have less park acreage per capita when compared to non-Hispanic whites.¹

The National Park Service (NPS) recently published the report *Healthy Parks Healthy People U.S. (HP/HP Report)*. NPS explicitly recognizes that "[p]eople of color and low income populations still face disparities regarding health and access to parks." According to NPS, "In regard to obesity, 36 percent of black and 35 percent of Hispanic high school students nationwide are overweight or obese, while 24 percent of non-Hispanic white high school students suffer from these conditions."² As NPS notes, the World Health Organization defines health as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity."³ NPS emphasizes the role that park agencies play to alleviate these disparities and promote public health through park access.

Decades of evidence-based social science research show that parks and recreation promote diverse values, including human health.⁴ Parks may contribute to physical health, improve psychological well-being, encourage social cohesion, offer alternatives to at risk behavior including gangs and drugs, provide places to celebrate cultural diversity, and inspire a spiritual connection with nature.⁵

Access to parks and physical activity promote human health. A study by the United States Centers for Disease Control and Prevention found that Americans living closer to parks are more likely to exercise regularly, leading to weight loss, increased energy, and better overall health.⁶

¹ See Robert García & Seth Strongin, *Healthy Parks, Schools and Communities: Mapping Green Access and Equity for Southern California*, The City Project (2011), available at <http://www.cityprojectca.org/greenjustice>; C. Sister, J.P. Wilson, and J. Wolch, *Green Visions Plan for 21st Century Southern California: Access to Parks and Park Facilities in the Green Visions Plan Region 17* (2008), University of Southern California GIS Research Laboratory and Center for Sustainable Cities, Los Angeles, California.

² *HP/HP Report* at 4. See Trust for America's Health and Robert Wood Johnson Foundation, (2011), *F as in Fat: How Obesity Threatens America's Future*, available online at: <http://healthyamericans.org/report/88>.

³ *HP/HP Report* at 8, citing Preamble to the Constitution of the World Health Organization as adopted by the International Health Conference, New York, 19 June - 22 July 1946; signed on 22 July 1946 by the representatives of 61 States (Official Records of the World Health Organization, no. 2, p. 100) and entered into force on 7 April 1948. See WHO FAQ at www.who.int/suggestions/faq/en/index.html.

⁴ Richard J. Jackson and Stacy Sinclair, *Designing Healthy Communities* (2011), available online at: <http://designinghealthycommunities.org>. (Richard J. Jackson et al. *Creating a Healthy Environment: The Impact of the Built Environment on Public Health*).

⁵ Robert García & Seth Strongin, *Healthy Parks, Schools and Communities: Mapping Green Access and Equity for Southern California*, The City Project (2011), <http://www.cityprojectca.org/greenjustice>

⁶ U.S. Centers for Disease Control and Prevention (2001), *Increasing Physical Activity: A Report on Recommendations of the Task Force on Community Preventive Services* ("Increasing Physical Activity"), available

People in low-income areas in Los Angeles who live within one mile of a park visited that park four time more frequently and exercised 38% more than people who lived more than one mile away.⁷

The California Center for Public Health Advocacy analyzed the 2004 California Physical Fitness Test of 5th, 7th, and 9th graders. The analysis shows that among students in Los Angeles County, 31% are overweight. Overweight children face a greater risk of developing many health problems during childhood, including Type 2 diabetes, high blood pressure, asthma, orthopedic problems and gallstones, as well as low self-esteem, poor body image, and depression. Overweight children are more likely to be obese as adults, putting them at a much higher risk for heart disease, cancer, stroke, and diabetes later in life.⁸

Los Angeles State Historic Park has great potential to meet some of the demand for new parks and recreation facilities, with equitable distribution and access. At present, families living near the project site lack adequate recreational facilities that they can walk to. This has many secondary impacts, such as increased traffic, air pollution, energy consumption, and safety concerns. Los Angeles State Historic Park would increase opportunities for physical activity in an area that is presently underserved and has a high youth density. The human health benefits of recreation, such as reducing obesity, diabetes, and other diseases, is well documented in the *Los Angeles River Revitalization Master Plan*, which includes the Los Angeles State Historic Park.⁹

6-19
(Cont'd)

on the web at www.cdc.gov/mmwr/preview/mmwrhtml/rr5018a1.htm.

⁷ Deborah A. Cohen, Thomas L. McKenzie, Amber Sehgal, Stephanie Williamson, Daniela Golinelli, & Nicole Lurie, *Contribution of Public Parks to Physical Activity*, 97 *American Journal of Public Health* 509-14 (2007).

⁸ California Center for Public Health Advocacy, *Overweight Children in California Counties & Communities, 2004: Los Angeles County* (2006), available at

http://www.publichealthadvocacy.org/county/Los_Angeles_Fact_Sheet.pdf.

⁹ *Los Angeles River Revitalization Master Plan* at 5-26; Richard J. Jackson et al., *Creating a Healthy Environment: The Impact of the Built Environment on Public Health*. Similarly, the Los Angeles River Task Force pursuant to a city council resolution published a report that addresses the equitable need for physical activity and park space. See *Los Angeles River Access and Use: Balancing Equitable Actions with Responsible Stewardship* (2009). CITE

Social or Economic Effects and Environmental Justice

As the Department has long recognized, the environmental justice community supported the creation of the Park and stopped a proposed warehouse project there. This section analyzes the social, economic and environmental justice impacts of the Park which generally benefit all the people of the region and state.

Under CEQA Guidelines section 15131, the social or economic effects of a project may be used to determine the significance of physical changes caused by the project.¹ Environmental justice impacts are social and economic effects, and vice versa.

In addition, the California Department of Parks and Recreation and its programs and activities, including the Los Angeles State Historic Park, are subject to Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations because the Department has accepted millions of dollars from the United States.² The regulations make clear that Title VI applies throughout the entire agency if any part of the agency receives federal funds.³ The Department has also signed a contract for each grant of federal funds, expressly agreeing that it would comply with Title VI and its regulatory requirements. *See, e.g.*, United States Department of the Interior, National Park Service Project Agreement with California, section III.K at p. 72-73 of original (attached). Parallel provisions regarding equal access to public resources are in California Government Code 11135 and its implementing regulations.⁴ 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.”⁵ Together, these statutes and regulations prohibit discrimination on the basis of race, color, or national origin by recipients of federal or state financial assistance. Such recipients must provide equal access to their programs and activities. In furtherance of this obligation, recipients of federal financial assistance must collect, maintain, and provide upon request timely, complete, and accurate compliance information.⁶

6-20

Then Secretary of Housing and Urban Development required an environmental justice analysis in 2000 when he withheld federal funds for the proposed warehouse project at the site unless there was full environmental review of environmental impacts, including environmental justice concerns, citing Title VI and the President’s Order 12898 on Environmental Justice.⁷

Stated in positive terms, the analysis under the authorities above includes: (1) a clear description of what is planned; (2) an analysis of the impact on all populations, including minority and low-income populations; (3) an analysis of available alternatives; (4) the documented inclusion of minority and low-income populations in the study and decision-making process; and (5) an implementation plan to address any concerns identified in the analysis.⁸ This analysis

¹ *See* GUIDELINES § 15131; *Bakersfield Citizens for Local Control v. City of Bakersfield*, 124 Cal.App.4th 1184 (2004); *Christward Ministry v. Superior Court*, 184 Cal.App.3d 180, 197 (1986) (waste management facility next to religious center required study whether physical impacts would disturb worship in natural environment).

² 42 U.S.C. §§ 2000d to 2000d-7.

³ 68 Fed. Reg. 51334 (2003) (definition of “program or activity” or “program” subject to Title VI); *accord*, Civil Rights Restoration Act of 1988.

⁴ Ca. Code Regs. tit. 22 § 98101(i) (2007).

⁵ Cal. Gov. Code § 65040.12.

⁶ *Cf.* Executive Order 12,898 on Environmental Justice (Feb. 11, 1994).

⁷ Secretary Cuomo’s letter is available on the web at ow.ly/9yVCu.

⁸ This analysis is consistent with Secretary Cuomo’s ruling and with the analysis that the Federal Transit Administration (FTA) has required the Metropolitan Transportation Commission (MTC) and the Bay Area Rapid Transit District (BART) to conduct as

encompasses examination of both the distribution of both benefits to and burdens on minority and low-income communities.⁹

The impact of the Los Angeles State Historic Park on all populations, including minority and low-income populations, is largely positive for the reasons stated throughout the EIR. This Park will increase access to green space and physical activity in park poor, income poor communities; increase educational environmental and outdoor educational opportunities; help clean the air, land and water, reduce green house gas emissions and the urban carbon footprint, and improve habitat protection; celebrate cultural, historic, and public art resources; and generate job and economic opportunities. The Park will tell the diverse history of Los Angeles, and of California. The Park can provide significant benefits in addressing and overcoming historic environmental justice concerns and disparities in park access and health for all, including disproportionately minority and low-income communities. For example, the human health benefits of recreation, such as reducing obesity, diabetes, and other diseases, is well documented in the *Los Angeles River Revitalization Master Plan*, which includes the Los Angeles State Historic Park.¹⁰

The community within a five-mile radius of the Park is widely diverse, with 63% Latino, 17% Asian, 14% non-Hispanic white, and 5% African-American residents. 26% live in poverty, compared to 14% for the State of California as a whole, and 16% for Los Angeles County. The median household income is \$35,371 – just 59% of the \$60,204 median household income for the State.¹¹ In addition, fully 29% of households in the area have no access to a car, compared with only 9% of households in California and 13% of households in Los Angeles County.¹²

The surrounding community is park poor. The Park serves a diverse, underserved urban population compared to state parks generally. The Park lies in City Council District 1, which has 2.5 net acres of parks per thousand residents -- below the threshold of 3 acres per thousand that identifies an area as park-poor. In contrast, City Council District 12 in the northwest San Fernando Valley has nearly 16 net acres of parks per thousand residents. Similarly, the Park is in State Assembly District 46, which has only 0.51 net acres of parks per thousand residents, compared to Assembly District 37, with over 282 per thousand.¹³

The human health benefits of recreation, such as reducing obesity, diabetes, and other diseases, is well documented in the *Los Angeles River Revitalization Master Plan*, which includes the Los Angeles State Historic Park.¹⁴

a condition of receiving federal funds under Title VI of the Civil Rights Act and its regulations. See letters from FTA to MTC and BART dated January 15, 2010, and February 12, 2010, available on the web at ow.ly/9yW5U.

⁹ See, e.g., Executive Order 12,898 on Environmental Justice, at § 2-2 (discussing distribution of “benefits of . . . programs, policies, and activities”) (emphasis added).

¹⁰ *Los Angeles River Revitalization Master Plan* (2007), at 5-26; Richard J. Jackson et al., *Creating a Healthy Environment: The Impact of the Built Environment on Public Health* (2009). Similarly, the Los Angeles River Task Force pursuant to a city council resolution published a report that addresses the equitable need for physical activity and park space. See Department of Public Works, Bureau of Engineering, Los Angeles River Special Project Office, *Los Angeles River Access and Use: Balancing Equitable Actions with Responsible Stewardship* (2009).

¹¹ Based on analyses of 2010 United States census data by GreenInfo Network and The City Project.

¹² Based on analyses of 2000 United States census data by GreenInfo Network and The City Project.

¹³ Robert García and Aubrey White, *Healthy Parks, Schools, and Communities: Mapping Green Access and Equity For the Los Angeles Region*, Policy Report (2006), Chart 801C (city council districts) and 401C (state assembly districts) (based on analyses of 2000 census data by GreenInfo Network and The City Project).

¹⁴ *Los Angeles River Revitalization Master Plan* (2007), at 5-26; Richard J. Jackson et al., *Creating a Healthy Environment: The Impact of the Built Environment on Public Health* (2009). Similarly, the Los Angeles River Task Force pursuant to a city council

In addition, from the beginning of the LA SHP planning process through the current Phase I DEIR, California State Parks has sought to ensure that full and fair community participation. There have been over 65 meetings or hearings, an unprecedented level of outreach for the Department. Printed materials (including materials for the DEIR hearing) have been distributed in English, Spanish, and Cantonese. Translators and child care have been provided. The Cornfield Advisory Committee, consisting of 36 members representing the communities and property owners surrounding the Park, environmental justice and civil rights organizations, historians, business leaders, educators, local/state/federal governmental agencies, and non-profit groups, provided guidance on a park vision, naming, and classification. A partnership between State Parks and key stakeholders will continue to be important to the future stewardship and success of this extraordinary Park.

6-20
(Cont'd)

7.0 Response to Comments on the Draft EIR

Comment Letter 6: The City Project

Response 6-1

The commenter's support for the project and involvement in advocating for the proposed project are noted. As pointed out in the comment, the project site has a rich history of community involvement. Public participation began well before the project site was even designated a State Park, as discussed on page 2-4 of the Draft EIR and adapted from the LASHP General Plan:

The grass-roots movement for the restoration of the Los Angeles River and the vision for the related 52-mile greenway are linked to the establishment of the LASHP. Many of the same organizations and individuals who pioneered the grass-roots movement for Los Angeles River restoration were some of the first to identify the potential of the LASHP property for public use. Planning efforts for the Los Angeles River, such as the 1998 River Through Downtown, noted the valuable role that the former rail yard property could play in the larger Los Angeles River restoration efforts. As such, the coalition of river advocates, environmental groups, local, statewide, and federal agencies and jurisdictions have all supported efforts in the property's preservation, acquisition, and planning.

As discussed on page 6 of the LASHP General Plan, numerous other development proposals had been considered for the project site based on a variety of community needs and interests:

Through its outreach campaign to garner community input, State Parks learned much about the divergent nature of the previously proposed uses, community needs, and recreational preferences for the site. These past proposals have included a large-scale industrial/warehouse park, a Los Angeles River-oriented mixed use plan, and various community plans and redevelopment plans consisting of mixed land use combinations. State Parks also became more aware, and able to address, the varied cultural perspectives of these diverse communities. Our new stakeholders, in turn, grew to appreciate the benefits and values that State Parks, as the primary stewards of California's natural and cultural resources, brought to their community.

One important factor that State Parks recognized is that the Park's local constituents and its surrounding communities are a microcosm of California's diverse ethnic heritage. And as such, the Park, and its associated history and stories reflect Los Angeles' and the State's cultural uniqueness...

As discussed on pages 2-1 and 2-2 of the Draft EIR, beginning with acquisition of the project site, CDPR recognized that the future success of LASHP depended on the continued involvement of the public in the planning of LASHP to capture the wide range of community interests and desires for the project site. In order to ensure that the community was involved in the planning process, SB 1177 was passed, establishing the Cornfield Advisory Committee.

The Committee was legislatively mandated by Senate Bill (SB) 1177. The Committee was made up of 36 key community leaders and professional advisors representing the diverse interests of those that had fought to create the park, many of whom looked to the property as part of greater plans for the revitalization of the Los Angeles River corridor. The Committee's Recommendation Report of April 2003 provided CDPR with a vision for the goals of the future state park. In July 2003, CDPR prepared the Cornfield Interim Public Use Plan Initial Study/Mitigated Negative Declaration as part of this initial phase in the LASHP planning and public use process. The Cornfield Interim Public Use Plan enabled the public to utilize the project site while long-range planning commenced with the LASHP General Plan.² The second planning phase included the preparation of a General Plan for approval by the CDPR Commission (Commission). During the course of these initial planning processes, CDPR held over 50 public and stakeholder meetings to gain input for the guidance of the park's development and use. The LASHP General Plan/EIR was prepared by CDPR and subsequently adopted by the Commission on June 10, 2005. With the Commission's adoption of the LASHP General Plan/EIR, the project site was also classified as a State Historic Park in order to recognize the significant cultural values of the property and guide its development (Cal. Pub. Res. Code Section 5019.59). Consistent with Cal. Pub. Res. Code Section 5002.2(e), interim park uses have been provided for immediate public use of LASHP as permanent and long-range plans for the project site are developed. The proposed project synthesizes the LASHP General Plan/EIR goals and guidelines into design concepts that would be implemented in phases as funding becomes available.

LASHP includes a broad historical significance and location, which provides an unparalleled opportunity for education and interpretation of the greater trends, movements, and events that shaped Los Angeles' past and present. This direction comes from LASHP General Plan, which emphasizes that the entire park is to be considered an interpretive site, and should be designed to function as an interpretive and cultural facility, as well as an inviting open space and gathering place for the local community and visitors.

Completed on August 23, 2006, the LASHP Interpretive Master Plan is based extensively on direction provided in the LASHP General Plan. It provides a conceptual roadmap for developing and delivering interpretive programs and services. Specific interpretive plans are provided with recommendations for interpretive facilities, structures, and sites, ensuring that historical research, environmental reviews, thematic development, visitor studies and flow plans, exhibit designs, curriculum standards, etc., are current, accurate, relevant and consistent with the vision for LASHP as outlined in the General Plan.³

² CDPR, *Cornfield Interim Public Use Plan Final Initial Study and Mitigated Negative Declaration*, July 2003.

³ CDPR, *Los Angeles State Historic Park Interpretive Master Plan*, August 23, 2006.

7.0 Response to Comments on the Draft EIR

Through the public participation process in the development of the LASHP General Plan and the LASHP Interpretive Master Plan, the history of community involvement and the diverse communities, values, and interests in the site are reflected in the project design. As discussed in Section 2.51, Project Characteristics, on page 2-12 of the Draft EIR, the proposed project evaluated in the EIR is the short-term construction and long-term implementation of Phase I of the LASHP Master Development Plan. The LASHP Master Development is the design footprint of the vision established in the LASHP General Plan. At this time, implementation of the LASHP Master Development Plan has been broken into three phases with full buildout anticipated to occur by 2035.

Response 6-2

The mission statement, or the declaration of purpose, for the park was developed as part of the General Plan process to provide direction for park management. As stated on page 68 in Section 4.1 of the LASHP General Plan, “the purpose of Los Angeles State Historic Park is to provide the public with a place to learn and to celebrate the ethnically diverse history and cultural heritage of Los Angeles, with an emphasis on its evolution to an economic and industrial metropolis of the 21st Century with extraordinary influence throughout the world. The Park will contribute to the emerging Los Angeles River Greenway, stretching from the San Gabriel Mountains to the Pacific Ocean. The Park will bring a wide range of visitors together to examine and experience the complete story of Los Angeles. It will be a sanctuary from the dense, urban environment that surrounds it. The Park will connect abstract historical and social patterns to the personal experiences of Angelenos and visitors from the city, the state, the nation, and the world.”

The vision statement, also developed as part of the General Plan process, describes what the park should look like and how it will be experienced by users. As stated on page 69 in Section 4.2 of the General Plan, “Visitors to Los Angeles State Historic Park will enjoy a rejuvenating respite from the surrounding urban landscape in an expansive open space. The Park will be a desirable destination and important point of interest. Visitors will experience the environment through interpretive media and landscape features that recall the historical events of the region. Educational programs and activities will appeal to the interests of many visitors, from the local to the global community, will be varied in media, scope and diversity, and will emphasize the City of Los Angeles’ cultural, historic, and commercial heritage.”

The commenter’s suggestion for a mission statement for the park are noted, and as indicated above, have been incorporated into the declaration of purpose and vision for LASHP as presented in the General Plan. The proposed project, as described in the Draft EIR, is the physical implementation of the park as guided by the General Plan and Interpretive Master Plan based upon this declaration of purpose and vision. Further, as discussed in Section 2.4, Project Objectives, on page 2-11 of the Draft EIR, the primary objectives of the project are to “express the interwoven histories and the multi-cultural significance of the LASHP site, while satisfying a broad range of year-round recreational opportunities” and to “establish a major public open space and destination for future generations to celebrate the past, present, and future of Los Angeles.” The commenter’s suggestion is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

As indicated in the comment, the project site has a long and diverse history that is deeply connected to the founding of Los Angeles. That history is discussed in Chapter 3.4, Cultural and Paleontological Resources, of the Draft EIR, which includes a prehistoric and historic overview of the project site and the surrounding area, as well as a historical chronology as it pertains to the development of the project site. This section of the Draft EIR is a summary of the much longer cultural background sections found in the LASHP General Plan and Interpretive Master Plan. This chapter also includes the more recent history of events leading to development of the project site as LASHP.

The earliest well-defined, geographically broad cultural occupation in the southern California coastal and near-coastal regions is the Millingstone Horizon or Period. The Millingstone Horizon is now recognized as approximately 10,000 years before present, with the earliest culture beginning at approximately 8,500 years before present. Many of the early coastal Millingstone sites have similar characteristics exhibiting a strong marine influence with food resources dominated by shellfish, fish, marine mammals, and large and small terrestrial mammals, along with bone tools, beads, points, scrapers, manos, nutates, and hammerstones as the dominant tools found.

Toward the end of the Millingstone Horizon, approximately 5,000 years before present, mortars and pestles first appeared in southern California. Artifact innovations during this time, including the mortar and pestle, and increased use of projectile points, indicate significant dietary changes, including exploiting a larger variety of plants and animals. Shifts in settlement use are also observed during this time period. New groups of people began to migrate into the area at the end of the Millingstone Horizon on the southern California coast. One of these groups was the Gabrielino-Tongva. The arrival of the people who became the Gabrielino-Tongva into the Los Angeles Basin is believed to have occurred approximately 3,500 years before present.

General settlement in the Los Angeles Basin between AD 700 and AD 1150 changed from a series of major seasonal villages to a pattern of fewer and larger permanent villages. The Gabrielino in late times are thought to have resided in large, politically autonomous, socially stratified villages; however, archaeological evidence for them is relatively low.

The explorers who encountered indigenous people on land and sea voyages provide early accounts of the Gabrielino. Cabrillo's expedition in AD 1542 is thought to be the first known to make contact with Alta California's indigenous people. A Spanish expedition under the leadership of Don Gaspar de Portola passed through present-day downtown Los Angeles and possibly through the project site on August 2, 1769, before crossing the Los Angeles River. The expedition was visited by local people from a village thought to be Yaanga.

The project site is located within the traditional territory of the Gabrielino-Tongva, who occupied the area encompassed by the Los Angeles Basin, San Fernando Valley, San Gabriel Valley, San Bernardino Valley, and along the coast from the general area of Topanga Canyon down to Newport Bay. The name Gabrielino was applied to the indigenous people of the Los Angeles Basin since so many of them were recruited to San

7.0 Response to Comments on the Draft EIR

Gabriel Mission in the late 1700s and early 1800s. The term Tongva, which refers to a specific village in the San Gabriel area, has been adopted by many contemporary Indian people in the region as their tribal name. It is now believed that the Gabrielino-Tongva have occupied the Los Angeles Basin and surrounding areas for approximately 3,500 years, based on archaeological, biological, and linguistic data.

The exact Gabrielino population prior to Spanish colonization of Alta California is unknown; however, historic accounts suggest that 50 to 100 villages were noticed by the early explorers and that the average population of each village at the time of European contact was 50 to 100 people. These figures suggest that as many as 10,000 Gabrielinos could have occupied the mainland and the southern Channel Islands. However, life in Spanish missions following colonization exacted a heavy toll in terms of population on the Gabrielino people, as well as other California Indian groups, due to the introduction of diseases, crowded conditions, poor nutrition, and other social factors.

One major ethnographic Gabrielino village close to the project site was the village of Yaanga, one of the largest Gabrielino villages in the region. The village of Yaanga was later instrumental in the founding of Pueblo de Los Angeles as the Spanish Colonial governor wanted a Native American village population to support the new civil community with labor and materials.

Upon establishment of El Pueblo de Los Angeles, a main irrigation ditch known as Zanja Madre was constructed along the base of the slope next to the present-day project site. The Zanja Madre conveyed water from the Los Angeles River to the plaza in the Pueblo and to fields along the river valley.

The earliest documented agricultural enterprise in the project site began in 1804. Later records indicate that Francisco Avila and his family established vineyards in this area. Viticulture continued to be the top agricultural product in the Los Angeles area until the 1860s. By 1858, a waterwheel was operated along the bluff just west of the project site to lift water from the Zanja Madre up to Buena Vista Street (present-day Broadway) to be distributed under pressure to the plaza; however, a flood in 1861 destroyed the waterwheel.

The site of the 19th century Southern Pacific Railroad Company's River Station railroad yard, also known as the Los Angeles Junction, and in the 20th century nicknamed the Cornfield Yard, occupied the current project site boundaries.

This regionally significant railroad transportation hub was first established in 1875, when the Southern Pacific Railroad Company opened a freight house and depot to complement the newly constructed railroad line that connected Los Angeles to the north, and subsequently to the east coast. In 1879, a hotel was built next to the existing depot to expand services for passengers. River Station continued to expand soon after its initial opening and eventually consisted of a roundhouse (railroad locomotive service building)

with turntable, freight house, blacksmith shop, machine shop, transfer table, car shop, paint shop, coal dock, and other facilities.

River Station served as the key transportation center for Southern Pacific Railroad in southern California during the 19th century, although much of Southern Pacific Railroad's passenger service was moved to its Arcade Depot in downtown Los Angeles in 1889. The River Station roundhouse was expanded in size subsequent to 1881, and by the 1880s, Southern Pacific Railroad had become the largest employer in Los Angeles, with River Station being the headquarters for its operations in southern California.

In 1904, Southern Pacific Railroad Company completed the construction of new, modern, and expanded general shops facility located east of the project site, across the Los Angeles River, in the Lincoln Heights community of Los Angeles. From 1904 to 1925 River Station served as the Southern Pacific Railroad Company's main freight facility until the opening of the larger Taylor Yard located approximately two miles north.

Southern Pacific Railroad Company continued to use River Station for active freight operations, especially for its early work in intermodal transportation, from the 1930s through the 1960s. Southern Pacific Railroad renamed the facility the Spring Street Intermodal Center in 1985, but slowly reduced operations until closing the facility in October 1992.

In addition, the commenter suggests revisions to the timeline provided in Table 3.4-1 on page 3.4-4 of the Draft EIR. Table 3.4-1 has been updated, as shown in Chapter 6, Clarifications and Modifications, of this Final EIR.

As stated on page 2-11 of the Draft EIR, “the proposed project aims to meet CDPR’s mission by creating facilities that will strengthen the recreational and interpretive experience for all visitors, especially for people from California’s diverse ethnic and socioeconomic backgrounds.” Therefore, as suggested by the commenter, the interpretive elements of the proposed project are intended to cultural and historical diversity of the site from prehistoric through current events. The specific means of accomplishing these interpretive elements would be developed if the proposed project were to be approved. Nonetheless, the commenter’s suggestion of relying on public art is acknowledged and will be forwarded to the decision-making bodies for their review and consideration. The public and stakeholder involvement process that CDPR undertook in the development of the General Plan and the Interpretive Master Plan will be continued as interpretive programming is developed both in Phase I and for future educational programs. Additionally, CDPR has an ongoing collaborative relationship with the University of California, Los Angeles (UCLA) through the UCLA Center for Research in Engineering, Media and Performance’s Interpretive Media Laboratory (IMLab) for LASHP. IMLab allows the community to participate and provide input in the design and development process while providing historical-cultural information about the project site. IMLab was created with the intent that a future institute and/or program for LASHP could be developed with public participation.

7.0 Response to Comments on the Draft EIR

Response 6-3

As indicated in the comment, the proposed project would provide both health benefits by creating a high-quality opportunity for outdoor recreation, as well as providing this opportunity on a site that would provide access for the surrounding economically and ethnically diverse community. As discussed in Section 2.4.1, Project Need, on pages 2-10 and 2-11 of the Draft EIR,

The mission of CDPR is 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.” According to The Seventh Generation: The Strategic Vision of California State Parks, “facilities are a key element in the realization of [CDPR’s] mission. It is through the use of facilities that the public is able to maximize their experience in park units throughout the state.”⁴ The proposed project aims to meet CDPR’s mission by creating facilities that will strengthen the recreational and interpretive experience for all visitors, especially for people from California’s diverse ethnic and socioeconomic backgrounds.

The project site’s location and unique character make it a popular destination for many visitors each year. Although LASHP is within the most densely populated city within southern California, it is a place where people can have a relaxing and educational outdoor recreational experience. According to Public Opinions and Attitudes on Outdoor Recreation in California, park or recreation areas in or near urban areas are the most frequently used and the developed nature-oriented areas are the favorite type of park and recreation area for the largest percentage of Californians.⁵ The document also states that visiting museums and historic sites is rated among the top five recreational activities with high unmet demand in the state. This desire for open space, and adequate recreation and cultural facilities will only increase as metropolitan populations continue to grow.

As indicated by the commenter, the proposed project would serve an economically and ethnically diverse local community that is considered “park poor”, in that the ratio of park space to residents is below 5 net acres per 1,000 persons.

Further, the proposed project would provide valuable outdoor recreation opportunity that could improve the overall health of the surrounding community. As stated on page 2-11 of the Draft EIR, it is one of the primary objectives of the proposed project to “provide for the health, inspiration, and education of the public by helping to preserve valued cultural resources, and creating opportunities for high-quality outdoor recreation while protecting and stabilizing significant cultural resources and recreated natural habitats within the park.”

⁴ CDPR, *The Seventh Generation: The Strategic Vision of California State Parks*, 2001.

⁵ CDPR, *Public Opinions and Attitudes on Outdoor Recreation in California, 2002, An Element of the California Outdoor Recreation Plan*, 2003.

The commenter's suggestion to institutionalize transit to trails and FamCamp programs is acknowledged and will be forwarded to the decision-making bodies for their review and consideration. Additionally, the commenter's support for a multi-use design to address the diverse public that would visit the project site is noted.

Regarding a health analysis in the EIR, it should be noted that the LASHP Master Development Plan EIR is an environmental document subject to the requirements of CEQA. As described in CEQA Guidelines Section 15382, the EIR needs only to identify significant adverse changes in the physical environment that is/are likely to occur as a result of development of the proposed project. Appendix G to the CEQA Guidelines identifies the 18 issue areas required to be analyzed in an environmental document under CEQA. The Draft EIR analyzes the potential for significant adverse physical changes for all of the required issue areas and within all parameters described under Section 15382 of the CEQA Guidelines, and thus fulfills the requirements under CEQA. The human health impacts related to park access are not one of the 18 CEQA issue areas and, thus, are not required to be analyzed within the environmental document. However, CDPR concurs with the commenter on the social and public health benefits of the park and project. CDPR recognizes, and is familiar with the demographics of the park and its surrounding communities, as well as the social and public health benefits that LASHP would provide. These benefits were identified and analyzed in a report to CDPR completed by the Urban & Environmental Policy Institute of Occidental College in 2006.⁶ This report, along with its unprecedented public outreach efforts of the last decade, has informed the planning, design and implementation of public programming at LASHP. Further, the CEQA document can also express the positive ways a project may enhance a community or a region related to the purpose and need for a project. Therefore, as suggested by the commenter, modifications have been made to Chapter 2, Project Description, to highlight the benefits of the proposed project, including health effects, as shown in Chapter 6, Clarifications and Modifications, of this Final EIR.

Response 6-4

CEQA Guidelines Section 15131 (Economic and Social Effects) discusses how economic and/or social information may be included in the EIR, but does not require that an EIR analyze economic or social effects. As stated above, the EIR needs only to identify significant adverse changes in the physical environment that is/are likely to occur as a result of development of the proposed project (CEQA Guidelines Section 15382). Specifically, CEQA Guidelines Section 15131 states:

Economic or social effect of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to

⁶ Andrea Misako Azuma & Robert Gottlieb, et al., *Connecting The Parks to the Community and the Community to the Parks: A Community, Economic, and Environmental Assessment of the Los Angeles State Historic Park (Cornfield) and Rio de Los Angeles State Park (Taylor Yard)*, A Report to California State Parks and the California Coastal Conservancy, Urban & Environmental Policy Institute at Occidental College (2006), Los Angeles, California.

7.0 Response to Comments on the Draft EIR

trace the chain of cause and effect. The focus on the analysis shall be on the physical changes ... Economic or social effects of a project may be used to determine the significance of physical changes caused by the project.

Further, as stated in CEQA Guidelines Section 15382:

An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

Pursuant to CEQA Guidelines Sections 15131 and 15382, the discussion of social or economic effects must be related to a physical change caused by the proposed project. Under CEQA, a significant impact is one that is substantial, adverse, and related to a physical change. Any economic or social changes related to development of the proposed project would be beneficial. Beneficial effects of the project are, by definition, not significant as they are not adverse.

Federal projects or projects using federal funds are required to analyze the effects of a project related to environmental justice, as per Executive Order 12898 cited by the commenter. However, the proposed project would be funded with State monies and no federal funds would be used. The former warehouse project referred to by the commenter was to receive federal funding and required a discretionary approval by a federal agency, which subjected the project to the environmental review requirements under the National Environmental Policy Act (NEPA). Pursuant to NEPA, environmental justice effects related to a project must be analyzed within the environmental document prepared for that project. If the environmental document does not fully analyze the project under NEPA, the federal agency responsible for the environmental review may withhold federal funds for the project.

The currently proposed project analyzed in this EIR, however, would not be federally funded and does not require a discretionary approval on behalf of a federal agency. As discussed in Chapter 2, Project Description, on page 2-12 of the Draft EIR, implementation of the proposed project would be funded primarily by Proposition 84, a bond measure approved by California voters in 2006. Thus, the proposed project does not have a federal lead agency and is not subject to the environmental review requirements under NEPA. State funds would be used to implement the proposed project and the project requires approval by a state agency, the CDPR. Therefore, the environmental analysis for the proposed project has been prepared pursuant to the requirements under CEQA.

Nor would the EIR be required to consider alternatives to the proposed project to distribute the benefits and burdens of the proposed park facilities equitably. As discussed in CEQA Guidelines Section 15126.6, the EIR need only analyze those alternatives which would substantially lessen any of the significant impacts resulting from the proposed project, thus the range of alternatives analyzed need not be exhaustive. The three alternatives to the proposed project presented in the Draft EIR constitute a reasonable range of alternatives, pursuant to CEQA Guidelines Section 15126.6.

Nonetheless, the commenter is making the point that implementation of the proposed project would have, to borrow from NEPA, a positive and beneficial effect on low-income and minority communities by providing accessible outdoor recreation space in an underserved community. The CEQA document can also express the positive social and economic impacts a project may have in enhancing a community or a region as part of the purpose and need for a project. Therefore, as suggested by the commenter, modifications have been made to Chapter 2, Project Description, to highlight the benefits of the proposed project, including serving low-income and minority populations, as shown in Chapter 6, Clarifications and Modifications, of this Final EIR.

The commenter's support for the public outreach efforts conducted by CDPR throughout the planning process is noted. Additionally, the commenter's suggestion that CDPR develop a partnership with key stakeholders for the future stewardship and success of LASHP is noted and will be forwarded to the decision-making bodies for their review and consideration. CDPR is determined to continue its work with community residents and stakeholders as it develops its operational and educational programs at LASHP. See Response 6-3 above.

Response 6-5

See Response 6-4 above regarding the analysis of economic and social effects in CEQA documents.

Response 6-6

See Response 6-2 above regarding interpretation of the project site's diverse history.

Response 6-7

See Response 6-3 above regarding the health benefits of the proposed project.

Response 6-8

See Response 6-4 above regarding the analysis of economic and social effects in CEQA documents.

Response 6-9

A physical connection to the Los Angeles River is not included as part of the proposed project. However, Section 2.1.1, Related Documents, on page 2-3 of the Draft EIR, describes some features of the Los Angeles River Revitalization Plan, stating "a portion of the Los Angeles River's flow would be diverted through a naturalized channel, creating opportunities for water-based recreation and a large island preserve that expands proposed riparian habitat opportunities at LASHP." Page 2-3 of the Draft EIR also explains that the Los Angeles River Ecosystem Feasibility Study is currently in the plan formulation and evaluation stage, and that "several of the alternatives under consideration for restoration of the Los Angeles River would involve connections to the river at or near the LASHP." Development of the proposed project would not preclude a future connection to the Los Angeles River. As stated on page 2-17 of the Draft EIR, that future phases of the project may include a Los Angeles River Connection;

7.0 Response to Comments on the Draft EIR

however, this component is not analyzed in this EIR because implementation is considered too speculative at this time for detailed analysis in this EIR. Any future project involving the connection of the LASHP to the Los Angeles River would require additional CEQA environmental review for implementation. Nonetheless, the commenter's suggestion about connecting LASHP to the Los Angeles River is noted and will be forwarded to the decision-making bodies for their review and consideration

Response 6-10

Local roadways serving the project site are City facilities and the preparation of any new bicycle and/or pedestrian plans would be at the discretion of the City, and are not included as part of this proposed project. The commenter is referred to Chapter 3.12, Transportation and Traffic, of the Draft EIR, which includes a description of public transit lines, and bicycle and pedestrian facilities serving the project site. The Draft EIR concludes that the proposed project would neither conflict with adopted policies regarding public transit, bicycle, or pedestrian facilities, nor would it decrease the performance or safety of such facilities, and related impacts would be less than significant.

Response 6-11

The comment is noted; however, it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.

Response 6-12

The commenter includes statistical information to support comments related to park access. See Response 6-3 above regarding this issue.

Response 6-13

The commenter suggests revisions to the timeline provided in Table 3.4-1 on page 3.4-4 of the Draft EIR. As discussed in Response 6-2 above, these modifications have been incorporated into Table 3.4-1, as shown in Chapter 6, Clarifications and Modifications, of this Final EIR.

Response 6-14

See Response 6-2 above regarding interpretation of the project site's diverse history.

Response 6-15

See Response 6-4 above regarding the analysis of economic and social effects in CEQA documents.

Response 6-16

The introductory statements related to comments provided are noted. See Responses 6-1 through 6-4 above.

Response 6-17

See Response 6-2 above regarding revisions to the timeline provided in Chapter 3.4, Cultural and Paleontological Resources, of the Draft EIR.

Response 6-18

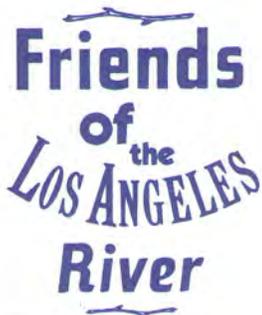
See Response 6-4 above regarding the analysis of economic and social effects in CEQA documents.

Response 6-19

See Response 6-3 above regarding the health benefits of the proposed project.

Response 6-20

See Response 6-4 above regarding the analysis of economic and social effects in CEQA documents.



March 10, 2012

Luke Serna, Environmental Coordinator
Los Angeles State Historic Park MDP
California State Parks
Southern Service Center
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108

RE: Los Angeles State Historic Park DEIR Comments:

Dear Mr. Serna,

Thank you for the opportunity to review and comment on the Los Angeles State Historic Park's Draft Environmental Impact Report for Phase I of its Master Plan. Friends of the Los Angeles River is a non-profit organization founded in 1986 to protect and restore the natural and historic heritage of the Los Angeles River and its riparian habitat through inclusive planning, education and wise stewardship. FoLAR played the lead role in the campaign to save the Park from development and I served on the Cornfield State Park Advisory Committee to discuss a vision for the Park.

7-1

We are pleased that the Los Angeles River, the Los Angeles River Revitalization Master Plan and the Cornfield Arroyo Seco Plan are mentioned prominently with regard to the overview of the Park's acquisition and design as the property's proximity to the River was a key factor in its purchase as a State Park. However, while the plans mentioned address future potential uses and opportunities for Los Angeles River recreation and use there is no mention of, nor is there an image, showing potential connections between the River and the Park in this Master Plan. We understand the current constraints associated with adjacent land ownership and the active rail line but we feel that connecting to the River is an element that needs to be incorporated into the Park's future design plan.

7-2

We applaud the multi-use design that includes areas for both large events or for smaller gatherings and look forward to picnicking near the restored wetland area. The Park is certainly an amenity for the City and especially for the residents in the immediate vicinity who have very little access to open and recreational spaces. While there is a brief mention regarding bicycle and pedestrian traffic under the Transportation and

7-3

FoLAR

Los Angeles River Center
570 W. Ave 26 Suite 250 Los Angeles, CA 90065-1047
Tel: 323-223-0585
Fax: 323-223-2289
WWW.folar.org
E-Mail: mail@folar.org



Traffic portion of the DEIR, this area can be quite difficult to navigate on foot now, especially when crossing N. Spring Street. We would like to see a specific plan with regard to pedestrian and bicycle transportation that makes the Park a safe destination for those who live in the immediate area and for those who will be taking public transportation to the site.

7-3
(Cont'd)

When FoLAR first identified the Cornfield as a park site our goal was a park featuring trees and grass, a place to relax, to play and enjoy the weather and the trees. The current design is the closest thing yet to our original vision. But without showing how to connect the Park with the River, the original premise and the original promise will go unfulfilled.

7-4

Sincerely,


Lewis MacAdams
Founder and President

7.0 Response to Comments on the Draft EIR

Comment Letter 7: Friends of the Los Angeles River

Response 7-1

The commenter describes the purpose and goals of the Friends of the Los Angeles River, and their involvement with Cornfield State Park Advisory Committee. This comment is noted; however, it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.

Response 7-2

See Response 6-9 above regarding the connection of LASHP with the Los Angeles River.

Response 7-3

See Response 6-10 above regarding the provision of a pedestrian and bicycle plan.

Response 7-4

See Response 6-9 above regarding the connection of LASHP with the Los Angeles River.



NATURAL RESOURCES DEFENSE COUNCIL

March 14, 2012

Via Email and U.S. Mail

Luke Serna, Environmental Coordinator
Los Angeles State Historic Park MDP
California State Parks
Southern Service Center
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108
FAX: (619) 220-5400
enviro@parks.ca.gov

Re: Comments on Draft Environmental Impact Report (“DEIR”) for Phase 1 of Los Angeles State Historical Park’s Master Development Plan

Dear Mr. Serna:

On behalf of the Natural Resources Defense Council (“NRDC”) and its over 1.3 million members and activists, more than 250,000 of whom live in California, we submit these comments to the California Department of Parks and Recreation (“California State Parks”) on the draft Environmental Impact Report (“EIR”) for Phase 1 of Los Angeles State Historic Park’s (“Park” or “LASHP”) Master Development Plan (“Phase 1 Plan”). We believe that the DEIR and Phase 1 Plan accurately reflect the vision of the diverse coalition of local community members, activists, and environmental justice advocates that fought to prevent industrial development at the Cornfield site and to create a park of statewide significance.

We applaud California State Parks and its Director Ruth Coleman for their adherence to this carefully crafted vision and their leadership in bringing this critically important state park to fruition. It is truly a “state park where the people are”—a welcome and desperately needed recreational, environmental, and historical resource both for underserved communities in the heart of downtown Los Angeles and for the people of California. This park is a resource that will enhance the quality of our lives for generations to come.

As an organization with close and longstanding ties to this project, both through our work as part of the Chinatown Yard Alliance and Joel Reynolds’s active participation as a member of the Cornfield State Park Advisory Committee, we are pleased that the DEIR and Phase 1 Plan substantially capture the themes of connectivity, culture and history, recreation, and transportation outlined in the Committee’s 2003 Recommendations Report. This outcome is commendable, but also expected from our perspective, given that (1) the Committee’s vision for the Park largely shaped the comprehensive and thoughtfully designed 2005 LASHP General Plan,

8-1

and (2) the DEIR and Phase 1 Plan seek to “synthesize[] the LASHP General Plan/EIR goals and guidelines into design concepts” (DEIR at 2-2).

8-1
(Cont'd)

We are pleased that the DEIR and Phase 1 Plan incorporate many elements of the Committee’s original vision. The plan includes bioswales for stormwater retention, recharge and reuse; demonstration wetlands; a habitat area; and permeable pavement for the internal parking area, all of which will serve to enhance the Park’s natural environment. Innovative features like the “archaeological reveal space” and the Zanja Madre view node will celebrate the Park’s social, historical, and cultural environment. We strongly endorse the proposal of additional trees for shade and sanctuary—ideally native canopy trees like the California sycamore—and we agree that jogging and interpretive trail loops and unstructured play and workout areas will enrich the lives of those who visit and live or work nearby.

The plan also includes pedestrian entry plazas along Spring Street to facilitate walkable connections between the Park and downtown to the south, as well as an elevated walkway to accommodate an essential bridge that, once built, will connect the Park to Chinatown and Solano Canyon to the west. The Committee regarded these two linkages—along with a future connection to the Los Angeles River to the north that we hope will be achieved in the Park’s next phase—as crucial to addressing the access needs of the nearby park-poor communities. In addition, unique features like the Roundhouse Observation Deck will contribute to what the Committee called a “visionary sense of place.” We also appreciate the inclusion of group gathering areas, which will allow people of all social and economic strata to meet, interact, and, most importantly, build community—an elusive phenomenon wherein physical gathering spaces play a fundamental role.

8-2

We believe that the DEIR could be strengthened by including a more detailed description of the site’s history in terms of the community’s struggle to prevent industrial development and create the Park, as well as a more rigorous analysis of the Park’s environmental justice impacts. In this regard, we note the concerns raised by The City Project in its March 14, 2012 letter and incorporate its contents herein. We urge State Parks to ensure that the final EIR (1) reflects the diverse history of the Cornfield site, including the community’s struggle to save the property from development and facilitate the creation of the Park; (2) provides an analysis of the range of human health benefits that result from increased access to parkland and the important role the Park can play in improving community health and quality of life; and (3) analyzes the social, economic and environmental justice impacts, including the significant benefits, of the Park. We would be glad to help on these issues if we can.

8-3

State Parks has made great strides in bringing this first phase of the Park to life. We have long thought of LASHP as one of the most exciting projects in the city, with a wide range of potential benefits for local and regional communities and for the people of California generally.

8-4

Los Angeles State Historic Park MDP

March 14, 2012

Page 3 of 3

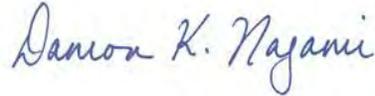
We look forward to working with you and your staff as this important project nears construction. If you have any questions or comments, please do not hesitate to contact us.

8-4
(Cont'd)

Very truly yours,



Joel Reynolds
Director, Urban Program
Senior Attorney



Damon Nagami
Staff Attorney

Cc: Ruth Coleman, Director, California State Parks
Sean Woods, Superintendent, Los Angeles Sector, California State Parks
Robert Garcia, Esq., The City Project

7.0 Response to Comments on the Draft EIR

Comment Letter 8: Natural Resources Defense Council

Response 8-1

The commenter generally states their support for the proposed project and the Draft EIR, and describes their involvement in the planning process. This comment is noted; however, it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.

Response 8-2

The commenter expresses their support for many of the proposed project features, including proposed stormwater treatment, cultural resources interpretation, new trees, pedestrian connections, and group gathering spaces. This comment is noted; however, it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.

Response 8-3

See Responses 6-3 regarding health benefits of the proposed project. See also Response 6-5 regarding the analysis of economic and social effects in CEQA documents.

Response 8-4

The commenter generally states their support for the proposed project. This comment is noted; however, it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.

Daniels, Shannon

From: matthew [singlemalt09@gmail.com]
Sent: Tuesday, February 14, 2012 2:31 PM
To: Environmental Review
Subject: LA SHP EIR

I enjoy taking my 2 year old daughter there. I encourage development of activities suitable for young children. What are your strategies to discourage the presence of smelly homeless people?

9-1

9-2

Could you expound on the following from Page ES-4 of the draft EIR?

A Children's Interpretive Play Area/Exploration Zone and a "Storytelling Circle" amphitheater,

9-3

with a campfire ring, would be included once funding becomes available

MATTHEW A.

Los Angeles 90020

7.0 Response to Comments on the Draft EIR

Comment Letter 9: A., Matthew

Response 9-1

The commenter states their support for development of activities suitable for young children. This comment is noted; however, it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.

Response 9-2

CEQA focuses on determining the potentially adverse physical impacts to the environment of implementing a project. This comment does not raise a potential physical impact to the environment or state a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the proposed project, and ways to reduce or avoid these impacts. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response 9-3

As stated in Chapter 2, Project Description, Section 2.5.1, Project Characteristics, on page 2-12 of the Draft EIR:

“The proposed project represents the design footprint of the long-term vision of LASHP. The LASHP Development Plan would be implemented in at least three phases. The full development of all phases of the proposed project is anticipated to occur by 2035. Due to the long-term nature of the project, the components included within future phases of the project may change over time and would be subject to the availability of funding. At this time, the components of Phase I of the proposed project have been detailed and the implementation would be funded primarily by Proposition 84, a bond measure approved by voters in 2006. This EIR analyzes the potential impacts primarily related to the implementation of Phase I of the LASHP Master Development Plan. Only a limited number of components of future phases are conceptually known at this time. These are addressed in this EIR as appropriate. Subsequent CEQA review will be required for a majority of the future improvements implemented after Phase I.”

Additionally, page 2-17 of the Draft EIR states that “the future phases (i.e., Phases II and III) of the LASHP Master Development Plan would be determined by the availability of funding, as well as by the extent of development accomplished in Phase I.”

The list of Phase I components included on pages 2-12 through 2-16 of the Draft EIR is the maximum buildout that would occur under Phase I of the proposed project. However, it is possible that not all components proposed (e.g., the Children’s Interpretive Play Area/Exploration Zone, Storytelling Circle

amphitheater, and campfire ring) would be constructed within the first phase and may need to be included in future phases, due to funding.



Los Angeles State Historic Park Draft EIR

COMMENT CARD

During the Environmental Impact Report (EIR) review process, you will have the opportunity to formally comment on the findings of the draft EIR. You may use this card (or a letter) to write down and submit formal comments. Comments will be accepted until March 14, 2012 at the address to the left.

We appreciate your input.

1. Explore free concert events 10-1

2. Would prefer to see events end at midnight rather than 2:00 A.M. 10-2

3. Events should ^{be} balanced in appeal to local residents as well as "imprted" patrons. 10-3

Direct comments to:

California State Parks
Southern Service Center
8885 Rio San Diego Dr., Ste. 270
San Diego, CA 92108

ATTN: Luke Serna –
Environmental Coordinator

More Information Available at:
http://www.parks.ca.gov/?page_id=26953

Name/Address:

Comment Letter 10: Anonymous

Response 10-1

Admission fees to special events would be determined by the event organizers and operators, who may decide to host some free events at the project site. No further response to this comment is necessary, as it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response 10-2

Special events held at LASHP would be subject to local laws, regulations, and ordinances. As discussed in Chapter 2, Project Description, of the Draft EIR, special events may include concerts, fireworks displays, and the use of public address systems. Page 2-22 of the Draft EIR states: “The operators of these special events would be responsible for complying with all applicable local laws and ordinances related to the use of fireworks and public address systems. Therefore, the operators of the special events would also be required to obtain the appropriate permits from the local authorities with jurisdiction over such uses.” In addition to regulating the use of fireworks and public address systems, conditions of special event permits may also include time limits and restrictions on the end times for the event. However, conditions of any permit issued by local authorities would be developed on a case-by-case basis, taking into consideration existing laws, regulations, and ordinances, and the nature of the event. Nonetheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response 10-3

When considering the types of events to hold at LASHP, CDPR would work in concert with event organizers and operators to include a variety of events that appeal to a large number of visitors, keeping in mind that the proposed project is intended for use by people throughout the City, region, and state. No further response to this comment is necessary, as it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Daniels, Shannon

From: Marsha Epstein [marsha.epstein@gmail.com]
Sent: Friday, February 24, 2012 1:37 PM
To: Environmental Review
Cc: jarmbruster@ph.lacounty.gov
Subject: Draft EIR for the L.A. State Historic Park

Dear Mr. Serna,

I'm not sure if the legal word "impacts" is used only for adverse impacts. If so, my comment does not apply. However, if the word is used to imply both adverse and beneficial impacts, it is not complete. Increased park areas have been shown to improve health, both physical and mental health, of people in the vicinity. Rates of obesity and overweight are less where there is more park space accessible.

11-1

Therefore, I totally support the Phase 1 Implementation (and all additional phases) of this park.

Thank you for your work on this project.

Marsha Epstein MD MPH

Comment Letter 11: Epstein, Marsha

Response 11-1

CEQA focuses on determining the potentially adverse physical impacts to the environment of implementing a project. CEQA Guidelines Section 15382 (Significant Effect on the Environment) defines what constitutes a significant effect under CEQA, stating:

“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project...”

Under CEQA, a significant impact is one that is substantial, adverse, and related to a physical change. Accordingly, impact analyses pursuant to CEQA are formulated in negative. Any beneficial effects of the project are, by definition, not significant as they are not adverse. Nonetheless, it is acknowledged that the proposed project would have beneficial social and community effects that are not captured within the environmental issue areas that CEQA requires be evaluated and disclosed. As pointed out in the comment, these benefits include physical and mental health. A list of project benefits has been added to Chapter 2, Project Description (refer to Chapter 6, Clarifications and Modifications, of this Final EIR). See also Response 6-3 above regarding the benefits of the proposed project to human health.

Daniels, Shannon

From: Steven Frein [dharmapath@gmail.com]
Sent: Monday, February 27, 2012 12:26 PM
To: Environmental Review
Subject: DEIR for the Los Angeles State Historic Park

Mr Serna:

As a local resident, I enjoy the LASHP on a weekly basis. I like the minimal improvements the park currently has with the vast amount of natural or unimproved space. I understand from reading the report the park will incur major development and changes. While I agree the park could be improved to provide more opportunities for a wider spectrum of the public, I would hate to see the park over developed to a point where the natural beauty is impacted.

12-1

I enjoy walking through the park and seeing wild flowers bloom and birds flock. From the map it seems there will be no natural area for wildflowers. It would be a shame to lose a natural park for an over developed one. I understand the current configuration was to be temporary, but many of us have come to love the simple and serene atmosphere of our park. Hopefully the improvements will add and not take away from the valuable resource of the LASHP.

Thank you,

Steven Frein

Comment Letter 12: Frein, Steven

Response 12-1

As discussed in Chapter 2, Project Description, Section 2.1.1, Related Documents, on page 2-2 of the Draft EIR, interim park uses have been provided at the project site for immediate public use of LASHP while permanent and long-range plans for the project site are developed. The proposed project would be developed to fulfill the objectives of the project which include, but are not limited to, “establish[ing] a major public open space..., ...creating opportunities for high-quality outdoor recreation..., engage[ing] both nature and culture..., and provid[ing] visitor use facilities that offer the opportunity for diverse visitor experiences, maximizing visitor and staff use while minimizing negative effects on viewsheds, cultural or natural resources, or other conflicts” (see page 2-12 of the Draft EIR).

As shown in Figure 2-3, LASHP Master Development Plan Phase I, of the Draft EIR, the majority of the project site would include large open areas such as the Event Lawn, Roundhouse Plaza, and Major Event Lawn. Additionally, the eastern portion of the project site would include a constructed/demonstration wetland and habitat area. The proposed project would also include landscaping to maintain the natural environment at the park. Landscaping elements are described on page 2-15 of the Draft EIR, and would include the planting of approximately 791,000 square feet of turf, shrubs, and herbaceous plants, and approximately 550 new trees. As stated in Chapter 3.3, Biological Resources, page 3.3-9 of the Draft EIR, landscaped areas would be planted with native species appropriate for the area; thus, the project site would remain in a mostly natural state with few on-site structures.

While the proposed project would include park furnishing and infrastructure, permanent structures would be low in profile and would not include any tall buildings or structures. Chapter 3.1, Aesthetics, on pages 3.1-19 through 3.1-23 of the Draft EIR show conceptual simulations illustrating the general visual changes that would be expected to occur with implementation of the proposed project. As shown in the simulations, the proposed project would enhance the natural features of the project site while maintaining open space and fulfilling the project objectives.

Nonetheless, the commenter’s preference for the existing facility is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.



Los Angeles State Historic Park Draft EIR

COMMENT CARD

During the Environmental Impact Report (EIR) review process, you will have the opportunity to formally comment on the findings of the draft EIR. You may use this card (or a letter) to write down and submit formal comments. Comments will be accepted until March 14, 2012 at the address to the left.

We appreciate your input.

Direct comments to:

California State Parks
Southern Service Center
8885 Rio San Diego Dr., Ste. 270
San Diego, CA 92108

ATTN: Luke Serna –
Environmental Coordinator

More Information Available at:
http://www.parks.ca.gov/?page_id=26953

Please make sure that the Bridge to No. Bradway will be put on the "Main" Budget & live on Solano Canyon. I Love this project

13-1

Name/Address:

Luzia M Garcia 6239 Solano Ave LA 90012

Comment Letter 13: Garcia, Lydia M.

Response 13-1

The commenter is referred to Chapter 2, Project Description, on page 2-17 of the Draft EIR, which states: “future phases of the proposed project may include a bridge from the park north to Broadway, a Los Angeles River Connection, and enhanced interpretive facilities and elements of the park. These particular components are not analyzed in this EIR.” Funding is not currently available for development of a bridge from Broadway to LASHP; however, implementation of the proposed project would not preclude the construction of a bridge in future phases of the project. As discussed on page 2-17, additional CEQA environmental review will be necessary for implementation of a majority of the project components following Phase I. Nonetheless, the commenter’s request to move up the timeframe for implementation of the pedestrian bridge is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

MARYANN KUK
2011 W. SILVERLAKE DRIVE
LOS ANGELES, CALIFORNIA 90039 USA
323 664 5558
FAX: 323 665 2125
E: MARYKUK@earthlink.net

February 29, 2012

California State Parks
Southern Service Center
8885 Rio San Diego Dr., #270
San Diego, CA 92108

Attn: Luke Serna – Environmental Coordinator

Re: EIR for LA State Historic Park – Comments

While I am sympathetic to the desire and necessity of the revised plan for LASHP, I am very concerned that the original community process and community-embraced plan has been trashed.

14-1

Where in the EIR is this plan and how has it been melded with the wants/needs/desires of the community?

It seems to me the process and the original candidates for the design should have been contacted after the selected firm had been dumped.

14-2

Sincerely,


Maryann Kuk

Comment Letter 14: Kuk, Maryann

Response 14-1

Chapter 2, Project Description, Section 2.1, Project Background, of the Draft EIR, includes a detailed discussion of the planning process for LASHP, including a description of related documents, the development of the park vision, and public outreach conducted throughout the planning phase. Planning for the proposed project began with the establishment of the Cornfield State Park Advisory Committee (the Committee). The Committee was composed of 36 key community leaders and professional advisors representing the diverse interests of those that fought to create the park. The Committee prepared a Recommendation Report in April 2003, which provided CDPR with a vision for the goals of the future state park. The vision and goals for the park were incorporated into the Cornfield Interim Public Use Plan, which allowed for immediate public use of the project site while the LASHP General Plan was prepared. During the initial planning phase, which included preparation of the Interim Public Use Plan and the General Plan, CDPR held over 50 public and stakeholder meetings to gain input on the guidance of the park's development and use. As stated on page 2-2 of the Draft EIR, "the proposed project synthesizes the LASHP General Plan/EIR goals and guidelines into design concepts that would be implemented in phases as funding becomes available." The commenter is also referred to page 2-13, which explains that the proposed project represents the design footprint of the long-term vision of LASHP. Thus, the components included in Phase I of the proposed project are the result of over a decade of community input. The proposed project represents the first phase of physical development at the project site that would work to implement the vision and goals expressed by the community. Regarding the comment inquiring as to the relationship between the plan and the EIR, the Draft EIR provides an analysis of potential impacts on the environment resulting from implementation of Phase I of the proposed LASHP Master Development Plan.

Response 14-2

This comment reflects the opinion of the commenter about the design process. It does not state a specific concern or question regarding the adequacy of the environmental analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.



Los Angeles State Historic Park Draft EIR

COMMENT CARD

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Direct comments to:

California State Parks
Southern Service Center
8885 Rio San Diego Dr., Ste. 270
San Diego, CA 92108

ATTN: Luke Serna -
Environmental Coordinator

More Information Available at:
http://www.parks.ca.gov/?page_id=26953

Notes is the traffic - as low impact
But - I don't see a parking
Specifically during concerts!
Living in Solano Canyon we
are currently experiencing problems
of concert events.
People park in our communities
and return drunk & litter our
streets.

15-1

Name/Address:

LYDIA MORENO 505 SOLANO AV 90012



Comment Letter 15: Moreno, Lydia

Response 15-1

Pursuant to Appendix G of the State CEQA Guidelines, parking is not an issue required to be analyzed under CEQA. Notwithstanding, as discussed in Chapter 2, Project Description, Section 2.5.1, Project Characteristics, on page 2-16 of the Draft EIR, up to two approximately 75-space parking areas would be provided at the project site, for a total of approximately 150 parking spaces.

Additionally, as discussed in Chapter 3.12, Transportation and Traffic, given its proximity to existing transit lines, it is likely that patrons would use transit service to access the project site, thereby reducing the need for parking spaces. Further, page 3.12-11 of the Draft EIR includes a description of the traffic management plan to be implemented during special events at the project site, stating that “the traffic management plan would consist of numerous strategies designed to help manage traffic and minimize the potential increases in traffic congestion on roadways surrounding the project site.” As discussed in Chapter 3.12, implementation of the traffic management plan may require the use of LAPD personnel and traffic control officers, as well as collaboration with LADOT, California Department of Transportation, and the California Highway Patrol, to provide the sufficient level of traffic management necessary for special events. Implementation of the traffic management plan would improve conditions related to increased traffic congestion that may result from a special event and direct patrons to designated parking lots.

Daniels, Shannon

From: doreen Morrissey [arcticwamp@sbcglobal.net]
Sent: Friday, February 17, 2012 1:29 PM
To: Environmental Review
Cc: doreen morrissey
Subject: Public Review of Draft Environmental Impact Report L.A.S.H.P.
Attachments: LASHP_California State Parks.doc

Hello Mr. Serna,

I was happy to attend last night's Public Review of Draft Environmental Impact Report regarding L.A.S.H.P. and I am submitting the following comments. I am attaching my comments as a .doc file and I will paste them below, should there be any trouble with the attachment. Please confirm receipt.

Thank you kindly.

Version:1.0 StartHTML:0000000202 EndHTML:0000010114 StartFragment:0000002926
EndFragment:0000010078
SourceURL:file://localhost/Users/doreenmorrissey/Documents/LASHP_California%20State%20Parks.doc

California State Parks:

I attended last night's Los Angeles State Historic Park Draft EIR and Development Update. I am a resident and current L.A.S.H.P. user and I applaud the proposed park amenities discussed last night and mentioned in the Draft EIR. In addition, please accept my comments listed below.

- 1. This park plays a significant and appreciated role in the community and marks a welcomed change to the site and surrounding area.
2. Please continue with the diverse, vibrant and relevant park programming.
3. Please give adequate consideration to the pedestrian experience between the Metro Gold Line rail station and the park entrance and work with any necessary partners to incorporate this pedestrian link in a thoughtful manner.

16-1

16-2

16-3

consideration to this route and work with any necessary partners to incorporate this link in a thoughtful manner.

- 4. **Please incorporate opportunities for safe, responsible, and unstructured night use.** In the urban environment, it is extremely rare to find opportunities for safe, unstructured night use activities. To the best of my knowledge, the nearest park that allows night use is the Griffith Park Observatory, approximately 8 miles away by freeway, and it closes at 10 p.m. While the task of balancing security and night use is challenging, it most often results in limited or denied night use opportunities for urban dwellers. Please look for creative solutions to addressing this unmet need. Structured night use activities such as movie nights, culinary night markets, campfire pit(s) events, urban slumber parties, etc. can contribute to this effort by educating the general public about responsible night use, helping to offset costs, and bringing more night users to the park, while improving the perception of safety for unstructured, night use activities. This size, visibility, transit accessibility, and layout of L.A.S.H.P. suggests that night use may be more feasible here than at other nearby parks.

16-4

According to the Ahwahnee Principles: Toward More Livable Communities:

“Public spaces should be designed to encourage the attention and presence of people at all hours of the day and night.”

While “all hours of the day and night” might be a challenging place to start, appropriate night use activities can be refined by the community. Please incorporate opportunities for safe, responsible, and unstructured night use.

- 5. **Please help to strengthen the surrounding ecological infrastructure.** By providing native vegetation and habitat opportunities, L.A.S.H.P. has a wonderful opportunity to enhance the existing ecological infrastructure provided by Elysian Park, Vista Hermosa Park, and the proposed native vegetation installation at Los Angeles City Hall. The planned wetland and habitat opportunities are very welcomed. Please help to strengthen the surrounding ecological infrastructure.

16-5

- 6. **Please incorporate adequate signage educating the public about the mission and accomplishments of California State Parks.** California State Parks are a distinct and treasured resource. The individual attributes and charters of city, county, state, and national parks are not always well understood by the general public. Please incorporate adequate signage educating the public about the mission and accomplishments of California State Parks.

16-6

Thank you kindly for your efforts.

doreen Morrissey
Master of Landscape Architecture
CalPoly Pomona, 2009
Master of Fine Arts
CalArts, 1998

821 ½ Centennial Street
Los Angeles, CA 90012
February 17, 2012

Luke Serna, Environmental Coordinator
Los Angeles State Historic Park MDP
California State Parks
Southern Service Center
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108
enviro@parks.ca.gov

California State Parks:

I attended last night's Los Angeles State Historic Park Draft EIR and Development Update. I am a resident and current L.A.S.H.P. user and I applaud the proposed park amenities discussed last night and mentioned in the Draft EIR. In addition, please accept my comments listed below.

- 1. This park plays a significant and appreciated role in the community and marks a welcomed change to the site and surrounding area.**
I deeply applaud the efforts to create this urban park. I have lived in the neighborhood for the past 15 years, arriving first as an artist renting a studio a few blocks from the L.A.S.H.P., and have watched the evolution of the park, public transportation, and the community. This park plays a significant and appreciated role in the community and marks a welcomed change to that particular site.
- 2. Please continue with the diverse, vibrant and relevant park programming.** The event programming at the L.A.S.H.P. has been a wonderfully diverse reflection of the urban environment. I have attended museum (M.O.C.A), bike, music, political, circus, and food events here, and have used the trail to train for a recent 5K run. The programming and existing unstructured recreational opportunities are a distinct complement to the facilities available at other nearby parks. Additionally, in my experience as a park user, having a virtually flat recreational trail which is easily accessible by public transportation, attracts beginning runners, senior users, and families with young children, who might shy away from the steeper trails in nearby Elysian Park. Please continue with the diverse, vibrant, and relevant park programming.
- 3. Please give adequate consideration to the pedestrian experience between the Metro Gold Line rail station and the park entrance and work with any necessary partners to incorporate this pedestrian link in a thoughtful manner.** Each event I have attended at L.A.S.H.P. brought different users to the park and fostered a sense of community

both during the events as well as when arriving and leaving these events. Walking, biking, or taking the train to and from these events enabled dialogue and a spirit community with fellow event-goers. This is a very pleasant and unique urban experience. Please give adequate consideration to this route and work with any necessary partners to incorporate this link in a thoughtful manner.

4. **Please incorporate opportunities for safe, responsible, and unstructured night use.** In the urban environment, it is extremely rare to find opportunities for safe, unstructured night use activities. To the best of my knowledge, the nearest park that allows night use is the Griffith Park Observatory, approximately 8 miles away by freeway, and it closes at 10 p.m. While the task of balancing security and night use is challenging, it most often results in limited or denied night use opportunities for urban dwellers. Please look for creative solutions to addressing this unmet need. Structured night use activities such as movie nights, culinary night markets, campfire pit(s) events, urban slumber parties, etc. can contribute to this effort by educating the general public about responsible night use, helping to offset costs, and bringing more night users to the park, while improving the perception of safety for unstructured, night use activities. This size, visibility, transit accessibility, and layout of L.A.S.H.P. suggests that night use may be more feasible here than at other nearby parks. According to the Ahwahnee Principles: Toward More Livable Communities:
“Public spaces should be designed to encourage the attention and presence of people at all hours of the day and night.”
While “all hours of the day and night” might be a challenging place to start, appropriate night use activities can be refined by the community. Please incorporate opportunities for safe, responsible, and unstructured night use.
5. **Please help to strengthen the surrounding ecological infrastructure.** By providing native vegetation and habitat opportunities, L.A.S.H.P. has a wonderful opportunity to enhance the existing ecological infrastructure provided by Elysian Park, Vista Hermosa Park, and the proposed native vegetation installation at Los Angeles City Hall. The planned wetland and habitat opportunities are very welcomed. Please help to strengthen the surrounding ecological infrastructure.
6. **Please incorporate adequate signage educating the public about the mission and accomplishments of California State Parks.** California State Parks are a distinct and treasured resource. The individual attributes and charters of city, county, state, and national parks are not always well understood by the general public. Please incorporate adequate signage educating the public about the mission and accomplishments of California State Parks.

16-7
(Cont'd)

Thank you kindly for your efforts.

doreen Morrissey
Master of Landscape Architecture
CalPoly Pomona, 2009
Master of Fine Arts
CalArts, 1998
arcticswamp@sbcglobal.net

Comment Letter 16: Morrissey, Doreen

Response 16-1

The commenter generally states their support for the proposed project. This comment is noted; however, it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.

Response 16-2

The commenter generally states their support for the types of events currently held at LASHP and their support for future such events. See also Response 10-3 above regarding future types of event programming. This comment is noted; however, it does not state a specific concern or question regarding the adequacy of the analysis in the Draft EIR. Therefore, pursuant to CEQA Guidelines Section 15204(a), no further response to this comment is required.

Response 16-3

Several public transit lines and bicycle and pedestrian facilities currently serve the project site. As discussed in Chapter 3.12, Transportation and Traffic, of the Draft EIR, the proposed project would include the development of hardscaped walkways and/or plazas, including pedestrian plazas along Spring Street, as well as tree-lined pedestrian promenades. These facilities would serve to enhance the public realm at the project site and encourage pedestrianism. Nonetheless, the commenter's concerns about pedestrian access are noted and will be forwarded to the decision-making bodies for their review and consideration.

Response 16-4

See Response 10-2 regarding the consideration of types of events held at LASHP. Programs and events held at LASHP would be required to comply with all applicable local laws and ordinances, including any restrictions to hours of operation. However, as discussed in Chapter 3.11, Public Services and Utilities, of the Draft EIR, the proposed project would be designed for the safety of its visitors, as well as the surrounding community, during project operation. As discussed on page 3.11-14 of the Draft EIR, "design features would include approximately six-foot-tall perimeter and interpretive fencing, as well as parking lot lighting, pedestrian pathway lighting, security lighting, and security cameras, which would be installed to enhance public safety."

Response 16-5

Preserving and enhancing natural resources is an important element in the proposed project. As discussed in Chapter 2, Project Description, of the Draft EIR, the objectives of the proposed project include:

7.0 Response to Comments on the Draft EIR

- Provide for the health, inspiration, and education of the public by helping to preserve valued cultural resources, and creating opportunities for high-quality outdoor recreation while protecting and stabilizing significant cultural resources and recreated natural habitats within the park.
- Provide visitor use facilities that offer the opportunity for diverse visitor experiences, maximizing visitor and staff use while minimizing negative effects on viewsheds, cultural or natural resources, or other conflicts.

To fulfill these objectives, with respect to natural resources, the proposed project would include the installation of stormwater basins that would also function as constructed/demonstration wetlands and habitat areas (refer to page 2-16 of the Draft EIR). Additionally, landscaped areas would be planted with native species appropriate for the area, and the project site would remain in a mostly natural state with few on-site structures.

Response 16-6

Signage would be included throughout the project site to identify important features of LASHP. A specific signage plan has not been developed at this time. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response 16-7

The commenter provides a duplicate copy of their comments. See Responses 16-1 through 16-6 above regarding comments provided.

Lowery, Cristina

From: Makronizer [makronizer@gmail.com]
Sent: Sunday, March 11, 2012 10:33 AM
To: Environmental Review
Subject: The Cornfield footbridge.

How about constructing a footbridge between N. Broadway and the LASHP from either Bishops Road or Solano Ave. over the Metro Gold Line tracks into the park?

Richard Patterson

17-1

Lowery, Cristina

From: Makronizer [makronizer@gmail.com]
Sent: Sunday, March 11, 2012 10:35 AM
To: Environmental Review
Subject: Footbridge connecting LASHP over Metro Goldline tracks to N. Broadway at Bishops Road or Solano Avenue

This footbridge would be a boon to visitors to the park, especially walkers.
Richard Patterson

| 17-1
| (Cont'd)

Comment Letter 17: Patterson, Richard

Response 17-1

See Response 13-1 above regarding the provision of a bridge from Broadway to LASHP. The commenter's support for a pedestrian bridge is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration



Los Angeles State Historic Park Draft EIR

COMMENT CARD

During the Environmental Impact Report (EIR) review process, you will have the opportunity to formally comment on the findings of the draft EIR. You may use this card (or a letter) to write down and submit formal comments. Comments will be accepted until March 14, 2012 at the address to the left. We appreciate your input.

Please provide a pedestrian bridge from Biway -

18-1

Thank you!!

Direct comments to:

California State Parks
Southern Service Center
8885 Rio San Diego Dr., Ste. 270
San Diego, CA 92108

ATTN: Luke Serna -
Environmental Coordinator

More Information Available at:
http://www.parks.ca.gov/?page_id=26953

Name/Address:

Wendell M. Forney



Comment Letter 18: Wendell

Response 18-1

See Response 13-1 above regarding the provision of a bridge from Broadway to LASHP. The commenter's support for a pedestrian bridge is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration

7.2 RESPONSES TO ORAL COMMENTS RECEIVED AT DRAFT EIR PUBLIC MEETING

A public meeting was held during the public review period for the Draft EIR. This Draft EIR public meeting was held on February 16, 2012 at 7:00 p.m. at the Los Angeles Conservation Corps (1400 North Spring Street, Los Angeles, 90012). At the meeting, an overview of the proposed project and the Draft EIR conclusions was presented. After the presentation, the meeting was opened to oral public comments. Twelve members of the public provided oral comments on the Draft EIR during the public meeting. A court reporter was not present at this meeting and notes were taken by the project team. A summary of the public comments (PC), as well as responses are provided below in Table 7-2 below.

TABLE 7-2 RESPONSES TO COMMENTS RECEIVED DURING PUBLIC MEETING

No.	Comment	Response
PC-1	Who would manage special events?	See Response 3-17 above regarding the consideration of programming at LASHP.
	What types of events are currently held at the park?	Events currently held at the park include concerts, movies, and other similar events.
	What is the largest number of attendees at these events currently?	The largest number of attendees at special events is currently about 25,000.
PC-2	What is the final plan for the park? What happened to the previous designs shown to the public? What happened to the winning design from the design competition? Is the current plan based on the Hargreaves winning design?	See Response 14-1 above, which describes the relationship of previous plans and public input to the proposed project. As discussed, the proposed project represents the first phase of physical development at the project site. The proposed project is a simplified version of the Hargreaves design and would provide the needed foundation and infrastructure to support future phases of the project.
PC-3	Will Spurlock Poirier prepare construction documents?	Spurlock Poirier would aid in the preparation of construction drawings and other required documents.
	How is the budget managed? How do you know if you have gone over budget?	The budget for the proposed project is managed by C DPR. The State will not allow funds in excess of what has been budgeted for the proposed project. Therefore, it is not possible for the proposed project to utilize more funds than are allocated to implement the project.
	How many phases will be implemented before the final phase? How is the number of phases determined?	At this time, it is anticipated that three phases would be required to fully implement the LASHP Master Development Plan; however, this is dependent upon the availability of funding and the extent of development accomplished in Phase I of the proposed project. See also Response 9-3, which includes a discussion related to phasing of the proposed project.
PC-4	Would the High Intensity Alternative be used as a future phase? Would an EIR be prepared for future phases?	It is possible that elements of the High Intensity Master Plan Alternative would be used in future phases of the proposed project. However, as discussed, in Chapter 5, Alternatives, of the Draft EIR, this alternative would result in greater environmental impacts than the proposed project and, thus, is not the preferred alternative. The High

TABLE 7-2 RESPONSES TO COMMENTS RECEIVED DURING PUBLIC MEETING

No.	Comment	Response
		<p>Intensity Master Plan Alternative has been evaluated in this EIR. As such, if chosen as a future phase, the highest level environmental document needed, if any, would be a Supplemental EIR.</p> <p>As discussed in Chapter 2, Project Description, on page 2-17 of the Draft EIR, additional CEQA environmental review will be necessary for implementation of a majority of the project components following Phase I.</p>
PC-5	Social context for the community surrounding the LASHP should be added to the EIR.	See Response 6-4 regarding the analysis of economic and social effects in CEQA documents.
PC-6	Would the park remain open during construction? Could the project be phased so that a portion would be open during construction?	As discussed in Chapter 2, Project Description, on page 2-17 of the Draft EIR, construction activities are anticipated to occur over an approximately one-year period. During the construction phase, the entire project site would be fenced and closed to the public. Due to safety concerns, it is not possible to phase construction in such a way as to allow public access to a portion of the project site during construction activities.
PC-7	When were hazardous materials removed from the project site? Commenter states that they are not aware that any hazardous waste was removed.	As discussed in Chapter 3.7, Hazards and Hazardous Materials, on page 3.7-3 of the Draft EIR, remedial action was completed in late 2002, which “consisted of the excavation of impacted soil from site areas identified in the Removal Action Work Plan. A total of 5,238 tons of impacted soil was removed during remediation and was properly disposed off-site.”
	Commenter is concerned that development of the roundhouse structure would block views of Downtown from the park.	As discussed on page 3.1-13 of the Draft EIR, the proposed project would not have a substantial adverse effect on a scenic vista, including views of the downtown Los Angeles skyline. The Draft EIR concludes, even with development of the roundhouse structure, that impacts to scenic vistas, including Downtown, would be less than significant.
PC-8	Will Spring Street be widened?	Spring Street is a City roadway and any improvements or modifications to Spring Street are not included as part of the proposed project. However, as discussed in Chapter 2, Project Description, Section 2.6, Construction Scenario, on pages 2-17 and 2-18 of the Draft EIR, the City is planning on widening and retrofitting the Spring Street Bridge, as well as other modifications to Spring Street in accordance with the CASP.
PC-9	What time do events currently end at the park?	Special events currently held at LASHP require events permits issued by local authorities. Conditions of these permits typically include specified end times, which are determined based on existing laws, regulations, and ordinances. Most events end by 10:00 p.m., with many ending no later

7.0 Response to Comments on the Draft EIR

TABLE 7-2 RESPONSES TO COMMENTS RECEIVED DURING PUBLIC MEETING

No.	Comment	Response
		than 12:00 a.m., with few exceptions.
PC-10	Will the demonstration wetlands and bioswales shown in previous plans be implemented as part of Phase I?	As discussed in Chapter 2, Project Description, of the Draft EIR, bioswales would be installed for stormwater retention, recharge, and reuse. Additionally, stormwater basins would be included that also function as constructed/demonstration wetlands and a habitat area. These would be implemented as part of Phase I.
PC-11	The commenter states that they have hosted events at the park previously and that for events held past midnight, they have been required to reduce decibel (noise) levels after 12:00 a.m.	See Response PC-9 above.
PC-12	Are fireworks fumes harmful? Was analysis of fireworks fumes performed as part of the EIR?	Analysis of fireworks fumes was not performed as part of the EIR. Fireworks would be used on a special event basis, requiring a special event permit, and would occur infrequently. Fireworks do not generate criteria air pollutants against which air quality impacts are determined per SCAQMD.