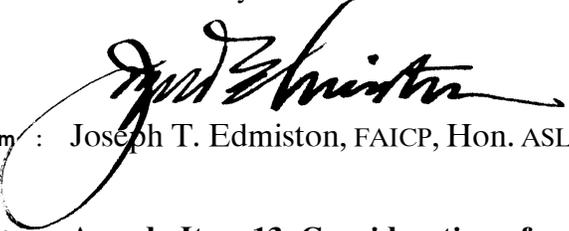


# Memorandum

To : The Conservancy  
The Advisory Committee

Date: September 23, 2013

From :   
Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 13: Consideration of resolution authorizing a grant of Proposition 84 funds to the Mountains Recreation and Conservation Authority for Los Angeles River Recreation Zone planning, City of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant to the Mountains Recreation and Conservation Authority in the amount of \$25,000 for project planning and design of the Los Angeles River Recreation Zone, City of Los Angeles.

Legislative Authority: Sections 33204.2, 33204.27, and 75050(g)(2) of the Public Resources Code.

Background: The Mountains Recreation and Conservation Authority (MRCA) has submitted the attached application for a Project Planning and Design grant. The proposed grant would allow MRCA to create an analysis of the Los Angeles River Recreation Zone pilot program, including cost, logistics, public experiences, and impacts, and use that information to craft an ongoing river program for the future. Focuses of the analysis will be identifying the fee acquisitions and capital improvement projects that could facilitate public use of the river, and interpretive guidelines to increase the public's understanding of this important natural resource. MRCA's Governing Board approved the grant request on September 4, 2013.

Objectives of the project planning and design grant are to perform a more detailed study to identify the capital investments (fee acquisition and improvements), interpretive features and opportunities, and regulatory requirements required to make a permanent recreation zone on the Los Angeles River viable and successful, based on the 2013 pilot program. As the agency that managed the pilot program, providing ranger services, issuing permits to vendors, and leading tours, MRCA staff have a great deal of experience with implementation of the program and are best suited to develop recommendations for future seasons. MRCA's staff work during the pilot program was funded through the agency's unrestricted funds, but that allotment was fully spent. One of the purposes of the future permanent program will be to protect, restore, preserve, interpret and develop the land and water resources of the Upper Los Angeles River watershed that lie within the Glendale Narrows soft-bottom portion of the river. Project planning and design describes a range of staff activities that prepare a potential project to the point that funding can be secured for implementation.

On May 27, 2013, the MRCA commenced the Los Angeles River Recreation Zone pilot program and welcomed the public to kayak, walk and fish in a 2.5-mile stretch of the Los Angeles River for the first time since the late 1930s. Until September 2, 2013, MRCA, in cooperation with the City and County of Los Angeles, the Los Angeles County Flood Control District, and the Army Corps of Engineers, administered the pilot program to increase safe public access to the Los Angeles River and to promote the goal of river revitalization. The Recreation Zone included the river channel and five feet of adjacent riverbank. MRCA Rangers regulated usage and promoted public safety in the Recreation Zone with rules established by the MRCA ordinance.

Groundwork for this historic event was accomplished by many over several years, but a key act occurred in August 2012, when legislation was enacted to amend the Los Angeles Flood Control Act “to provide for public use of navigable waterways under the district’s control that are suitable for recreational and educational purposes, when these purposes are not inconsistent with the use thereof by the district for flood control and water conservation.” Prior to this, public access to the water was not allowed.

The success of the 2013 pilot program demonstrated that there is significant public demand for recreation on the water in urban Los Angeles, and that it can be accommodated safely. Except for when the zone was occasionally closed by wet weather (and once by a fire caused by an 8,500-gallon gasoline tanker truck overturned at the 2 and 5 freeways), there were visitors in the water each day. Guided tours run by private operators and MRCA proved to be quite popular, as well as group reservations and individuals on their own. Momentum is at a high point and can be used at this time to lay the groundwork for a permanent program in 2014.

The project is consistent with the goals of the City of Los Angeles’ Los Angeles River Revitalization Master Plan and the County of Los Angeles’ Los Angeles River Master Plan to revitalize the river, extend open space and recreation, restore ecosystems, connect neighborhoods to each other and the river, provide opportunities for recreational and public facilities, and improve quality of life and habitat.

The project area is within the US Army Corps of Engineers (Corps) study area of the Los Angeles River Ecosystem Restoration Study (Study), also known as Alternatives with Restoration Benefits and Opportunities for Revitalization (ARBOR). The Study’s focus area includes this portion of the river because it shows the greatest potential for ecosystem restoration, consisting of the “soft-bottomed” Glendale Narrows reach. The project is consistent with the Study’s goals to plan projects that provide benefits such as creating better access to river recreation, improve environmental awareness and provide educational opportunities, revitalize disadvantaged areas, and improve health and well-being for the local

neighborhoods.

**Analysis–Common Ground Plan:**

The creation of the recreation zone fulfills two of the funding priorities identified by the SMMC/MRCA: Visitor-Serving Projects; and Education and Interpretation Projects. The recreation zone will provide for enhanced visitation, urban accessibility, and safety to SMMC/MRCA owned or managed parks; will achieve or expand the outreach mission of the agency; and will provide interpretive programs and materials to substantially enhance knowledge, appreciation, and enjoyment of the natural environment, open space, parklands, and rivers.

Common Ground promotes education of adults and children about watershed restoration. It also advocates interpretive programs for people to “learn about what they see and experience” and specifically calls out the following examples:

- ◆ Hands-on programs
- ◆ Docent-led nature walks
- ◆ Tours of water resources
- ◆ Bird-watching or wildlife viewing
- ◆ Signage and informational materials at accessible locations in parks, along trails, or at wetlands or habitat preserves

The provision of tours on the water for underserved and special needs groups clearly fulfills many of these objectives. As a project in the Upper Los Angeles River watershed it is consistent with Common Ground, which expressly calls for public outreach and education.

To help guide decision making in watershed planning and project selection, the Common Ground plan includes a set of Project Evaluation Criteria (Appendix F), developed to help the agencies determine “regionally significant” park, trail, restoration, and recreation projects. The Evaluation Criteria identify a diverse set of values that a project might have, such as Open Space, Recreational Resources, Wildlife Resources, Access, *et cetera*. This project has been evaluated per these criteria and is found to be consistent with the Common Ground plan as required by Section 79508 of the Water Code.

Specifically, the project contributes the following values under the common ground plan::

**Public Recreation Value:**

- ◆ The project implements a major component of several existing plans related to a major recreational public use facility including the Rim of the Valley

Trail Corridor Master Plan, LAR Master Plan, and the LAR Revitalization Plan.

- ◆ The project provides improvements to a park site that currently serves a visitor base in a regional or greater geographic area (the Los Angeles metro area).

Environmental Education/Interpretive Value:

- ◆ The project provides educational/interpretive displays that will significantly enhance appreciation and enjoyment of a resource.
- ◆ The project will provide park information materials and educational/interpretive information, available to a large number of visitors of all ages.

Trail Project Resource Value:

- ◆ The project builds or improves trail accessibility for trail users of a wide range of ability levels and physical conditions.
- ◆ The project enhances a riverfront walking and bikeway trail.

Scenic and Aesthetic Value:

- ◆ The project provides a vista point over a significant viewshed.

Historic/Cultural Restoration Value:

- ◆ The project provides a significant and unique aspect to public parkland.

Urban Park Value:

- ◆ The project will improve or significantly enhance open space parkland in a densely urban and park-poor community.

Partnership/Economic Opportunity Value:

- ◆ The project is significant to one or more partner government agencies and/or non-government organizations with funds available.
- ◆ Completion of the project would assist a government agency in fulfilling its master land protection or recreation plan.

This project is also consistent with the Conservancy's Strategic Objectives to further cooperation with local Governments in the region to secure Open Space and Parkland and expand efforts to integrate nature into the urban environment.

**Analysis–Proposition 84:**

Section 75050 of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), allocates funds to various entities “for the protection and restoration of rivers, lakes and streams, their watersheds and associated land, water, and other natural resources.” Section 75050 (g)(2) of the Act specifically allocates funding to the Santa Monica Mountains Conservancy “for implementation of watershed protection activities throughout the watershed of the Upper Los Angeles River pursuant to Section 79508 of the Water Code.” The section of the Water Code referenced therein states that watershed protection activities in the Los Angeles River shall be consistent with the *San Gabriel and Los Angeles Rivers Watershed and Open Space Plan*.

“Protection” is defined as “those actions necessary to prevent harm or damage to persons, property or natural resources or those actions necessary to allow the continued use and enjoyment of property or natural resources” and includes interpretation as a means of doing so.

“Interpretation”, as defined in the measure, includes but is not limited to, “a visitor serving amenity that educates and communicates the significance and value of natural, historical, and cultural resources in a way that increases the understanding and enjoyment of these resources and that may utilize the expertise of a naturalist or other specialist skilled at educational interpretation.”

Programs specifically designed for urban communities are also an important focus of this grant.

The Conservancy statute, Section 33204.5 of the Public Resource Code, states “The Conservancy shall implement a program to provide recreational access from downtown Los Angeles and the inner city. . . in order to provide recreational opportunities for all income and ethnic groups wishing to enjoy the Santa Monica Mountains.” In addition to the programs and materials developed for the general public, specific focus will be on amenities and programs which serve disadvantaged communities.

In addition to planning for capital improvements, the proposed grant will fund planning for interpretive programs. This purpose is consistent with Proposition 84’s directive to provide for the use and enjoyment of natural resources. The activity the grant funds falls under Proposition 84’s definition of interpretation.

### **Analysis - General Obligation Bond Law**

The General Obligation Bond Law provides that agencies must use bond funds to construct and acquire “capital assets.” Using bond funds for interpretive programs would not regularly be permitted under section 16727. But the General Obligation Bond Law also provides that if

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an individual bond act has different provisions, those provisions apply. As noted above, Prop 84 specifically provides for “interpretation”, and this specific provision prevails over the more general limitation in the General Obligation Bond Law.