PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
SHEILA KUEHL
JANICE HAHN
KATHRYN BARGER

Correspondence Received

			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
107.	137-A	**Favor**	Anne E Mellott	
			Cecelia Lynch	This plan fails to include the longstanding work and views of community and environmental organizations, and it only considers the river as a flood control channel rather than a critical ecosystem for people adversely impacted as well as other ecological issues.
			Declan Floyd	Please see Senator Portantino's letter in support of the Los Angeles River Master Plan
			Dulce Ibarra	NOT ENOUGH COMMUNITY INPUT AND OUTREACH!
			Genevieve Osmena	See attached County response to CDFW letter on the LA River Master Plan.
			Genevieve Osmena	See attached County response to City of Burbank Comment letter on the LA River Master Plan and PEIR.
			Genevieve Osmena	See attached County response to LA Waterkeeper comment letter on the LA River Master Plan PEIR.
			Genevieve Osmena	See attached Public Works response to June 10th LA Waterkeeper letter on the LA River Master Plan.
			Jesse Stanford	I oppose the LA River Master Plan for the following reasons: · The Plan does not reflect the realities of climate change. · The Plan continues to treat the LA River as a flood control channel whose purpose is to throw away precious rainwater as quickly as possible. · The Plan ignores critical input from numerous multi-disciplinary experts across the region. · The public process was deficient and did not truly respect or reflect stakeholder input. · While even the US Army Corps of Engineers is pivoting to an Engineering with Nature approach, the leadership at the County Department of Public Works continues to promote and defend 20th century practices that have and will continue to harm communities.

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			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
107.	137-A	**Favor**	Kathy Schaeffer	The LA River Master Plan has missed so many opportunities with this document that is narrowly focused on Flood Risk Reduction. This goal is critical, however, the goals for Parks and Trails, Ecosystems, River Access, Arts and Culture, Housing Affordability, Engagement and Education, Water Supply and Water Quality were inadequate. Instead of pouring more concrete or maintaining current cement channels in areas where they are not needed, nature-based solutions should be the primary focus that would address ALL goals, including flood risk reduction. I urge the Supervisors to delay approval of the LA River Master Plan until significant changes are made.
			Leslie Purcell	Re: the LA River Plan: I believe that the current proposed Plan still treats the LA River primarily as a flood control channel. Instead, the Plan should investigate the possibility of more concrete removal in appropriate sections of the River, with more habitat creation, and include remediation of contaminated soils. Such nature-based practices will increase climate resiliency and benefit the greater Los Angeles watershed and the public. Also, the Plan could address more access for underserved and adjoining communities. Thank you, Leslie Purcell
			Michael Quill	
			Pierrette Abegg	This plan does not take the community or environment into account.
			Ray Tremblay	See attached support letter.
			Siobhan Dolan	
			Vincent La Rocca	
		Oppose	Aaron Hampton	
			Aaron Lavine	The plan should include more concrete removal and land remediation. Any river plan should do as much as possible to return the river to close to a natural state.

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			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
107.	137-A	**Oppose**	Adele A Slaughter	DO NOT adopt the LA River Master Plan, instead pursue a community-driven planning process that (a) prioritizes community and ecological resilience through nature-based solutions and concrete removal and (b) achieves community stabilization by preventing displacement. 1. It is NOT a real plan for the River - it only identifies a menu of possible options for future river projects, most of which would add more concrete to the floodplain, notably to build platform parks on top of the LA River 2. It dismisses the viability of concrete removal, remediation of contaminated land, and other nature-based solutions for climate resiliency - instead, the Plan still treats the river almost solely as a flood control channel 3. It fails to require protections to ensure community stabilization for river residents with high pollution burdens and lack of access to parking space, especially in BIPOC communities that have lived along the river for generations 4. It wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan reflects community and Steering Committee priorities.
			Adriana Franco	Thanks
			Adriana Villalobos	
			Aida Ashouri	This plan does not prepare the city for climate change and misses an important opportunity to bring ecological balance to LA. It also lacks community input and outreach.
			Alexander M Ward	
			Alyss Estay	
			Amanda Bright	
			Amy Gustincic	
			Amy York	
			Ana Cecilia Alvarez	

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Agenda #	**Relate To**	**Position**	**Name**	**Comments**
107.	137-A	**Oppose**	Ann Dorsey	I urge you to take the following points into consideration when making plans for the LA River: 1. Recognize the Los Angeles River as a Living River. The LA River is not just a flood control channel, but an active urban ecosystem. Public agencies must prioritize ecological habitat and green infrastructure to establish and support verdant stretches, like the Glendale Narrows, throughout the watershed. 2. Prioritize Climate Resiliency. We must prioritize nature-based solutions wherever feasible. The LA River could be a source of groundwater recharge to increase local water supply, while also providing healthy habitat for a wide range of species at a time when the world is facing a biodiversity crisis. 3. Adopt a Watershed Approach to Planning. In addition to returning the mainstem to a natural state wherever possible, we should seek out restoration opportunities on tributaries to the LA River that could provide additional benefits for wildlife, expand community access to natural areas and improve groundwater recharge. 4. Establish a Singular Governing Body for the LA River. We need an overarching governance structure that ensures efforts to bring the river back to health are coordinated and cohesive, while being driven by meaningful public participation. 5. Contaminated areas along the river must be prioritized as opportunity sites for cleanup and restoration, which will allow surrounding communities to access healthy natural areas along the river. 6. Revitalizing our river should not displace long-time residents through gentrification. 7. Restoration efforts must ensure and promote equitable access to the river and adjacent green space, and we must ensure river flows that protect ecology and promote recreation. 8. Invite Meaningful Community Participation. 9. We must ensure that no developments happen along or on the river or its tributaries that would foreclose future opportunities to restore the river or expand available greenspace along the river.
			Ann M Cantrell	This plan does nothing to return the river to a natural, soft bottom. It is still nothing but a flood control. We want to remove the concrete, and add parks and wetlands, not more development.
			Anna B Becker	Oppose
			AnnaLisa Taylor	

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107.	137-A	**Oppose**	Anthony Ceccomancini	
			Barak Kamelgard	
			Barbara Stevens	
			Ben Harris	
			Benjamin Harris	Please see the attached letter from Los Angeles Waterkeeper.
			Benjamin Harris	
			Benjamin A Hervey	
			brian Wilbur	
			Briget Arndell	Communities impacted by this plan were not adequately included in the development process. This Plan's process did not prioritize equitable community engagement.
			Bruce Campbell	I remember Sue Nelson saying that the L.A. River planning was always developer-driven. Some groups such as L.A. Waterkeeper (who I personally believe sold out re: Ballona industrial-scale bulldozing) were part of the steering committee for the L.A. River, but are now opposing the plan that largely leaves ecological resilience and community access out. Also, the recent significant steelhead trout discovery in the Arroyo Seco - L.A. River drainage may mean that the plan will be stopped in court if there is not adequate respect for steelhead habitat and for EJ community access to the river. Thanks for your consideration and please vote NO on this plan so we can have an honest re-evaluation of what is needed along this watercourse.
			Carol Bartels	We don't need more concrete over our river! We need to restore the river to her natural state as much as possible.
			Casey Maddren	The LA River Master Plan must not be approved in its current form. Community input has not been sufficient. The Plan also does not prioritize ecological/community resilience.
			Christine Lai	An ecologically healthy river is key to achieving climate resiliency and equity for frontline communities along the river and throughout our region. We don't need more concrete.
			Christine Peterson	Lacks community input and consideration for ecological preservation
			Christopher W Wheat	Remove the concrete, and bring nature back to the rivers.

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107.	137-A	**Oppose**	Cristy Ibarra	
			Daisy Miguel	Did not take into account years of community input.
			Dan Silver	Endangered Habitats League protests the lack of ecological benefits and lack of restoration measures.
			Daniel G Pursey	
			Davia Rivka	My neighbors and I know the importance of regenerating the river and all plant and animal life as part of an important ecosystem for all of us.
			David Pineda	
			Dawn Swanson	Please pursue a community-driven plan that prioritizes community and ecological resilience through nature-based solutions including concrete removal
			dawn wisehaupt	
			Dennis Mabasa	Strongly oppose. The plan is not equitable
			Devon Turner	
			Diana Raynes	It is NOT a real plan for the River - it only identifies a menu of possible options for future river projects, most of which would add more concrete to the floodplain, notably to build platform parks on top of the LA River It dismisses the viability of concrete removal, remediation of contaminated land, and other nature-based solutions for climate resiliency - instead, the Plan still treats the river almost solely as a flood control channel It fails to require protections to ensure community stabilization for river residents with high pollution burdens and lack of access to parking space, especially in BIPOC communities that have lived along the river for generations It wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan reflects community and Steering Committee priorities.

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107.	137-A	**Oppose**	Diana Weynand	Dear Supervisors: In May, 2021, the Climate Reality Project, San Fernando Valley Chapter, made public comment on the LA River Project Master Plan stating (in part): "... we encourage all river planners and managers not to lose sight of the fact that our relationship is not only to community residents, but extends to the larger community of life, which includes the protection of the inherent rights of the natural world." In essence, we were supporting natural solutions to the LA River Master Plan. The response to our comment from Public Works was simply, "Noted." We are at a critical time. Due to climate change, CA is experiencing extreme heat, serious drought, and an increasing number of wildfires. Yet, we are not without options. One option, that must remain front and center, is the ability to harness the power of nature. If we work in harmony with nature, we will yield maximum benefits. Therefore, wherever possible, we must return the river—and the tributaries that feed into it—to their geomorphic or natural state and enact as many nature-used solutions as possible. We especially want to see a revisioning of the LA River in our own community in the Sepulveda Basin. The State, specifically the CNRA and DWR, has identified nature-based projects as one of their top priorities. The 30x30 plan demonstrates what the State is striving to achieve. The LA River Master Plan, however, does not hold or reflect this vision. At a time when we should be relying on our natural resources the most, this plan is woefully out of step. We do not feel the Plan is ready to be adopted until it can reflect the level and type of urgent action required to mitigate climate change, and to do it utilizing everything we now know about nature-based solutions. We don't have the luxury of being out of step with nature. Thank you, Diana Weynand Chair, Climate Reality Project San Fernando Valley Chapter
			Eda G Hallinan	
			Eliza Gutierrez	
			Elizabeth Lambe	The County Board of Supervisors should NOT adopt the plan and instead pursue a community-driven planning process that (a) prioritizes community and ecological resilience through nature-based solutions and concrete removal and (b) achieves community stabilization by preventing displacement. An ecologically healthy river is key to achieving climate resiliency and equity for frontline communities along the river and throughout our region.
			Emily S Bowyer	This plan does not take into account the feedback that Friends of the LA river has provided.
			Emma Thompson	

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107.	137-A	**Oppose**	Eric Chau	
			Erich Eilenberger	This is NOT a real plan for the River - it only identifies a menu of possible options for future river projects, most of which would add more concrete to the floodplain, notably to build platform parks on top of the LA River. It dismisses the viability of concrete removal, remediation of contaminated land, and other nature-based solutions for climate resiliency.
			Fran L Reichenbach	For many years we were hoping that our LA River could act and be returned to the natural river it should be - no more concrete! Plants and a return to the ecco structure that it should be. The water in the river needs to enhance the water table and feed the area.
			Francine Tansey	
			Francis Sullivan	
			Galdo Querido	Any plan to restore our treasured LA river must be based on a community- and science-driven planning process that prioritizes community AND ecological resilience through nature-based solutions and concrete removal. An ecologically healthy river--aka NOT a concrete channel--is absolutely key to achieving climate resiliency--for our communities, for wildlife, and for California. Anything less is short-sighted, morally indefensible and just plain dumb.
			Gayl E Hunter	This plan is missing the important component of removing concrete and restoring natural habitat.
			Geani Farrari	This plan ignores important ecological sustainability factors, as well as community pollutions concerns and parking access for those living along the river.
			Gene Aguilar	Not enough community input and outreach.
			Gerry Hans	Please see attached letter from Friends of Griffith Park
			Greg Camphire	
			Greg Stewart	Plan lacks community input and does not prioritize ecological or community resilience.
			Gregory C Martin	
			Guillermo Davalos	

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107.	137-A	**Oppose**	Hawk McFadzen	I oppose this because it does not actually revitalize the natural resources of the LA River and the flora and fauna that deserve a real river. Instead, this plan focuses on revitalizing commercial interests that will add even more concrete to make way for businesses. Focus on making the Lower LA River look like the Upper LA River by prioritizing the voices of activists and environmentalists in those areas and our allies. Stop using the River's adjacent land as a parking lot & storage place for utility crews. Invest in parks and access for all residents from Southgate to Long Beach to the river.
			Hayat Rasul	
			Heidi Pieh	
			Helena Lipstadt	My neighbors and I strongly oppose the Master Plan as it stands. We the people of Los Angeles demand and deserve a plan would prioritize restoration efforts that support both the River and its surrounding communities. We demand and deserve a life-enhancing plan that promotes habitat restoration that provides climate resilience. My neighbors and I strongly oppose the Master Plan as it stands.
			Holly Torpey	
			Ian Patton	It is NOT a real plan for the River - it only identifies a menu of possible options for future river projects, most of which would add more concrete to the floodplain, notably to build platform parks on top of the LA River It dismisses the viability of concrete removal, remediation of contaminated land, and other nature-based solutions for climate resiliency - instead, the Plan still treats the river almost solely as a flood control channel It fails to require protections to ensure community stabilization for river residents with high pollution burdens and lack of access to parking space, especially in BIPOC communities that have lived along the river for generations It wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan reflects community and Steering Committee priorities. As such, LA Waterkeeper, a once-proud member of the LA River Master Plan Steering Committee, alongside other key members, has revoked permission for the County to use our names and logos in the final Plan.
			Inge Mueller	

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107.	137-A	**Oppose**	Ingmae Beer	
			Isabella Rodriguez	
			Jack Bartlett	We need more green space and less concrete.
			Jacqueline Bacal	
			James A McKelvy	
			Jane Naseem	DO NOT adopt the plan. Instead, please pursue a community-driven planning process that (a) prioritizes community and ecological resilience through nature-based solutions and concrete removal and (b) achieves community stabilization by preventing displacement. This is a long-overdue opportunity to transform this neglected asset into a living river that provides climate resiliency and green space and benefits frontline communities.
			janet O lam	
			Janet S Leonards	
			Jason Wise	Platform parks are not a solution. More cement is not a solution. We can protect against floods while also honoring the river and the environment. Do not support this antiquated, anti-environment plan.
			Jean Yenbamroong	
			Jennifer Haybach	
			Jessica Hall	We recognize the County faces serious issues managing floods with competing, equally grave concerns of housing and homelessness. We contend that restoration, or some level of naturalization, remains feasible. Of course more land creates opportunities for more river function. We understand what is technically feasible because we have seen it done elsewhere, and we have staff, Board, and allies that have been involved in restoring concreted streams. We recommend the County seek the advice of technical experts and planners who have successfully restored urban rivers and streams before adopting a document that takes a dismissive view of restoration. But first the County needs to decide that restoration is a worthy goal. Where there is a goal for restoration, talented, thoughtful, and intelligent people can come together from both technical and planning realms to craft a way forward while ensuring that related needs also get addressed.
			Jessica Keane	Deeply oppose this plan which does not prioritize ecological health or community input. Please elicit input from the non profit agencies and community members that work so hard to maintain the river and the habitats that surround the river.
			Jessica Marin	

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107.	137-A	**Oppose**	Jessica Mercado	
			Jessica Rodriguez	
			Joanne Kim	Should have more community input
			John Perry	
			Johnathan Perisho	This document represents a fantasy that we can keep doing what we are doing without dire consequences at a point where there is no more time to lose—and an abdication of responsibility to make difficult and complex decisions for the benefit of people now and in time to come. According to the 2018 USGS ARkStorm Scenario inspired by the Los Angeles basin, flood is the greatest disaster impact to be expected of all risks in CA, more than 3x higher than the impacts projected in the great shakeout. At a time when nature based solutions and floodplain buyback are leading approaches for cost and net positive impact worldwide here this document sets out a menu to cover over a river, build insanely expensive walls and a bypass tunnel to less privileged places, and incentivize development in the highest risk locations most suitable to address water supply, water quality, air quality, habitat, open space, and active transportation needs among many other essential priorities increasingly threatened by climate change. At a time when people across the county are voicing disenfranchisement, this document ignores and punts on overwhelmingly critical comments while incredibly claiming to represent community support because people were talked at through a process. The Hydrology and Hydraulics section in Appendix II in particular applies circular logic and erroneous data. A weak foundation for a document that fails to set out a path for communities that can be resilient and sustained, where we do not throw away our water and futures because doing better is too different. Do not adopt this document. Reference other major cities. Reference leading projects. Give direction to go back and consult with experts that have been working with communities and on leading nature based solutions in places where people have been making better decisions.
			Jonathan Wysocki	
			Jorge Abadin	
			Jose L Mata	

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107.	137-A	**Oppose**	Joseph Laskin	Despite extensive public input (largely opposition) to the draft Master Plan, the Final version is materially unchanged from the draft. This makes a mockery of the consultation process and presents a disappointing and likely disastrous future for the Los Angeles River, one of the most significant ecological and cultural resources in the County of Los Angeles. In particular, the Plan perpetuates an infrastructural rather than nature-based approach, underplays the necessity of redressing intergenerational environmental injustice (and indeed threatens to cause much more), and does not deal with climate change in any meaningful way. I have re-attached my public comment letter. My letter, and so many others, seem to have made no impact on the County's collision course towards an LA River Master Plan that will jeopardize the River's future. The fact that almost a dozen organizations that served on the Steering Committee have formally requested that their names and logos be removed from the documentation speaks volumes as to the toxicity of the Master Planning process. The River, and we the constituents, deserve better.
			Joseph M Weinstein	Not only do we OPPOSE this latest 'plan' for being based largely on outdated anti-ecological and non-community views of the LA River, but Supervisors should note that BOTH 'FAVOR' AND 'OPPOSE' POSITIONS ARE LARGELY IRRELEVANT. Years of already existing earnestly created LA River 'plans' have recently been subverted with impunity by actions of the Long Beach City Council. Long promised and 'planned' land acquisitions remain just that - mere promises - despite large sums accumulated and available for them. Decades of repeated ‘planning’ demonstrate that your approval or disapproval of any 'plan' will have null effect. The 'planning' process continues to be a mere excuse to throw money at bureaucrats and consultants, and to divert and subvert earnest citizen and community concerns and efforts.
			Juan E Ovalle	Oppose the LA River Master Plan as presented, the plan identifies not plans out its future as a green river. Here in SELA we have vast stretches of polluted land, we breath some of the most contaminated air in the Nation, and are subject to some of the worst treatment by leaders interested in selfies than doing the right thing. Leadership, more concerned with performative plans, rather than actually doing what is best for the people that call the LA River region home. The BIPOC do not deserve to be carrying the burden of pollution any longer, you need to develop plans that actually benefit our communities and all of the LA Basin. More concrete or half baked ideas are not what we need, we need greater community engagement and true leadership that cares. As it is, the Plan does not reflect our diverse needs for a better future for our environment, our children and our next generations. Please, oppose and urgently continue to work with residents, community and environmental stake holders, our environment and our next generations will thank you for it.

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107.	137-A	**Oppose**	Judith S Anderson	LA Waterkeeper provided this sentiment with which I totally agree: DO NOT adopt the Plan and instead pursue a community-driven planning process that (a) prioritizes community and ecological resilience through nature-based solutions and concrete removal and (b) achieves community stabilization by preventing displacement.
			Judy Villablanca	The proposed plan dismisses the viability of concrete removal, remediation of contaminated land, and other nature-based solutions for climate resiliency - instead, the Plan still treats the river almost solely as a flood control channel. It wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan reflects community and Steering Committee priorities.
			Julia Markowski	I oppose the LA River master plan, for environmental reasons.
			Julie Seltzer	
			K J	
			Kaitlin Onuma	Deeply oppose this plan which does not prioritize ecological health or community input. Please elicit input from the non profit agencies and community members that work so hard to maintain the river and the habitats that surround the river.

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107.	137-A	**Oppose**	Karen Barnett	The updated 2020 LA County Master Plan has not fully addressed the "proposed" project site at Los Feliz Blvd. As shown on pages 348-349, the project conflicts with the flood section and Los Feliz Blvd as a high-priority bridge. See rethink before rebuild: (p 319) rebuilding without rethinking will simply result in a repeated history. Recent studies by the National Institute of Building Sciences show that every $1 spent on mitigation saves $6 on future disaster losses, with the greatest benefits realized for riverine flooding disasters. Rethinking involves a shift from reactive to proactive. Recovery begins long before a disaster. Dollars spent in advance of disasters can result in significant cost savings post-disaster and accelerated recovery time. This proposed project site and the project will negatively impact the community. It has the potential to increase flooding in Atwater Village. The 1992 LACDA Study found an increased flood risk for Atwater Village. At that time, the COST/BENEFIT ANALYSIS didn't work out for the community of Atwater Village and NO ACTION WAS TAKEN to reduce flood risk. The time to address flood issues is past due. The community needs viable actions to reduce the flood risk in Glendale Narrows, not words on paper... But, actual on-the-ground actions to increase public safety while providing connectivity to the river and each other. Public meetings should have been held to explain/introduce the "final" 2020 LA County LA River Master Plan to community members prior to this Board Meeting and potential vote to approve. Thank you.
			Katharine E Paull	Allow stormwater to be recycled!
			Katherine C Krantz	

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			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
107.	137-A	**Oppose**	Kathy Schaeffer	The LA River Master Plan has missed so many opportunities with this document that is narrowly focused on Flood Risk Reduction. This goal is critical, however, the goals for Parks and Trails, Ecosystems, River Access, Arts and Culture, Housing Affordability, Engagement and Education, Water Supply and Water Quality were inadequate. Instead of pouring more concrete or maintaining current cement channels in areas where they are not needed, nature-based solutions should be the primary focus that would address ALL goals, including flood risk reduction. I urge the Supervisors to delay approval of the LA River Master Plan until significant changes are made.
			Kathy Schaeffer	The LA River Master Plan has missed so many opportunities with this document that is narrowly focused on Flood Risk Reduction. This goal is critical, however, the goals for Parks and Trails, Ecosystems, River Access, Arts and Culture, Housing Affordability, Engagement and Education, Water Supply and Water Quality were inadequate. Instead of pouring more concrete or maintaining current cement channels in areas where they are not needed, nature-based solutions should be the primary focus that would address ALL goals, including flood risk reduction. I urge the Supervisors to delay approval of the LA River Master Plan until significant changes are made.
			Katie Aymar	It is NOT a real plan for the River - it only identifies a menu of possible options for future river projects, most of which would add more concrete to the floodplain, notably to build platform parks on top of the LA River It dismisses the viability of concrete removal, remediation of contaminated land, and other nature-based solutions for climate resiliency - instead, the Plan still treats the river almost solely as a flood control channel It fails to require protections to ensure community stabilization for river residents with high pollution burdens and lack of access to parking space, especially in BIPOC communities that have lived along the river for generations It wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan reflects community and Steering Committee priorities. It has lost the support of LA Waterkeeper and other key members.
			Katina Vlastos	
			Kelly West	LA River Master Plan fails to require protections to ensure community stabilization for river residents with high pollution burdens and lack of access to parking space, especially in BIPOC communities that have lived along the river for generations.

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			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
107.	137-A	**Oppose**	Kelly A Shannon	I am disappointed by the lack of authentic community engagement with this process, and to see how public comments from 2021 have largely been dismissed by the County. Your dismissal of the viability of concrete removal, and seeming endorsement of adding more concrete to the river via platform parks is incredibly worrisome. It is clear you do not recognize the indigenous, community, and ecological importance of the River. As we face increased risks from climate change, restoring the LA River through nature based solutions, could be at the forefront of a climate resilience strategy, but instead you seem committed to doubling down on mistakes of the past, looking to developers for a vision around a natural resource, with a lack of consideration for how this could negatively impact river adjacent communities and lead to greater gentrification and displacement of existing residents.
			Kenyauda Brewington	
			Kevin Jauregui	
			Kristie Likes	
			Kyle Gerner	Do not cover the river with a park! Remove concrete and enhance flood plain, build bridges to connect communities (without adding support pillars in the riverbed), but do not cover the river with a park. It's obnoxious, a flood risk, erasure of a cultural resource and an ecosystem disruption. If any sections of the river bank are strong enough to support a park, then they're strong enough to stand on their own - remove the concrete and restore native habitat instead.
			Laksh Kalra	
			LAVONNE F MILLER	We need a plan that prioritizes the river as a natural waterway not a concrete channel.
			Leigh Jacoby	
			Leslie Bulum	
			leslie klein	i am a physician, this plan is not a workable good plan !
			Leslie Ogg	Please do not adopt this flawed non-inclusive plan. I ask that you pursue a community-driven planning process that (a) prioritizes community and ecological resilience through nature-based solutions and concrete removal and (b) achieves community stabilization by preventing displacement. An ecologically healthy river is key to achieving climate resiliency and equity for frontline communities along the river and throughout our region.
			Lia Gregg	
			Lilly Levy	

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			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
107.	137-A	**Oppose**	Linda Rudell-Betts	
			Lisa Hart	I am dismayed that you have produced a plan that so many members of your very own advisory committee have rejected. We stand with those members.
			Lisa K Ferguson	Please DO NOT adopt the Plan and instead pursue a community-driven planning process that (a) prioritizes community and ecological resilience through nature-based solutions and concrete removal and (b) achieves community stabilization by preventing displacement. The River is a living being and deserves healing, not further harm and exploitation.
			Liv J Davalos	I oppose the proposed changes to the LA river.
			Loretta M Elliott	
			Machiko Yasuda	
			Machiko Yasuda	
			Maedie Olson	No provision for Habitate restoration
			Marcel D	
			Marian Dodge	The city has worked since 2007 to develop a master plan that would make the LA River a real river by restoring habitat along the river. The river has the potential to be an asset to the city by providing more open space and recreational opportunities. It can be much more than a concrete gutter.
			Marissa Bates	This plan is all about building and adding concrete to create false nature. I'll never understand why the County is not making more of an effort to purchase land/warehouses/etc alongside the River instead of building on top of it, creating impossible and dangerous water flow conditions and reducing potential for riparian habitat restoration.
			Mary A Gardner	
			Mary J Button	
			Matthew Lubs	
			Maura Monagan	
			Megan Jorgenson	This plan does not provide sustainable climate acts for Los Angeles, in fact it create more toxic waste to owens valley where the water is being taken from. This plan isn't a natural system and does not promote climate resilience and ignores years of feedback for climate justice.

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107.	137-A	**Oppose**	Melanie Winter	What is the urgency of adopting this highly controversial Plan Update at this time? The document is largely a defense of failed 20th century engineering approaches, dressed up in hollow language calculated to mollify those who understand the critical need to do better. The responses provided to comments on the Draft are riddled with assertions that lack proof or citation, deflections, straw man arguments, and claims that rely on data derived from outdated and/or disproven models. Some key data upon which arguments are founded is proprietary, and therefore cannot be considered to have merit. The most essential task that should have been undertaken prior to updating this Plan - development of updated flood risk maps that incorporate climate change models - was not done. That alone should be disqualifying. The fact that the depiction of risk presented in the Plan is so far from reality should be of serious concern to this Board. It means this Board approves of depriving those facing significant flood risk - largely lower income communities of color - the critical information they deserve in order to make informed decisions about the future of their lives and property. The notion that a "rethink before rebuild" plan has not already been developed behind closed doors beggars belief. The Steering Committee and public outreach processes failed to meet the minimum standards the Board has come to expect. Number of touchpoints does not equal engagement. Diversity of membership on a Steering Committee does not in and of itself equal healthy process. This Board appointed the Steering Committee members, so one could expect they valued their insight and opinions. The vast majority have spent the past 3 years detailing their deep displeasure and disagreement with the process and the Plan, yet the Board has been clear that the intent is to adopt. Why? As Ron Gastelum—former GM of MWD—was recently quoted saying “Political leaders don’t take the time to look at whether something is the right plan. Unfortunately, sometimes they are only talking to the project promoters.” In her recently published book analyzing how communities across the globe are choosing to address their water and flood challenges in this century of climate change, Erica Geis notes that concrete interventions to control water “are failing. Climate extremes reveal a hard truth: our development choices—urban sprawl and concrete infrastructure designed to control water—exacerbate our problems. Sooner or later…water always wins.” Adoption of the PEIR and the Plan will surely result in costly, embarrassing, and time consuming litigation. Would it not be more prudent to thank the team for their efforts, set the Plan aside, and reconvene under the guidance of a third-party facilitator to identify a strategy to craft a more science-driven, climate-forward, equitable, inclusive, and transparent process? I urge this Board to reconsider.

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107.	137-A	**Oppose**	Melinda Cotton	DO NOT adopt the Plan and instead pursue a community-driven planning process that (a) prioritizes community and ecological resilience through nature-based solutions and concrete removal and (b) achieves community stabilization by preventing displacement.
			Michael Auerbach	
			MICHAEL PERETZIAN	
			MICHAEL PERETZIAN	
			Michael Sopkiw	
			Michael Szeto	
			Michelle Murphy	Less Concrete More river please. Think of climate resiliency not flood control ideas of 100 years ago.
			Mireya Valencia	
			Miroslava Munguia	No long term monitoring of river health mentioned. No discussion of river ecology conservation. No species monitoring. Parks are great but a short term solution
			Mithsy L Hernandez	
			Morgan Ricketts	
			Natalie Piotrowski	
			Netta Rotstein	

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107.	137-A	**Oppose**	Neysa Frechette	Friends of Ballona Wetlands recommends that the LA County Board of Supervisors OPPOSE the LA River Master Plan as it is currently written. We believe that altering the river to improve ecological benefits and increase resilience means using nature-based solutions and reducing hardscape via targeted cement removal wherever possible. Widening the channel, creating soft-bottom portions, and adding more native habitat should be priorities for river revitalization. River-adjacent communities should have greening projects throughout to reduce impacts of long-term contamination and divestment. Rather than focusing solely on the LA River, a plan that includes the entire watershed should be developed to reflect the connected nature of our waterways. Furthermore, strong protections must be put in place to prevent community member displacement due to rising housing costs near green spaces. Friends of Ballona Wetlands does not support the current LA River Master Plan, as if falls far short of what Angelenos deserve from its largest and most iconic river.
			Nicholas Earhart	
			Nicole Davis	It needs to be more natural, not less. Remove concrete, don't add it!
			Nicole Wood	
			Nils S Jepson	
			Oni Alcantara-Olivas	The master plan does not include any sustainable nature based solutions needed to address community concerns. It lacks basic understanding for sustainable water solutions.
			Patricia Bates	There has not been sufficient time to present this massive project to the public and especially affected communities. Any vote on this project should be delayed until there has been sufficient public outreach including explanation of why much of the input from organizations involved in the River was ignored.
			Patrick Reilly	This is archaic. The present science is against this. This is not what we want in LA.
			Paul Koegel	Prefer to see the river and surrounding rehabilitated in a climate friendly way, rather than treat the river as a flood channel.
			phu tranchi	
			Qiana Montazeri	Plans should #1 increase equitable access to the River and property near the River #2. Ensure the River is a climate sink to help prepare us for climate change #3. Take into account pollution and ecology
			Rachel Cellinese	Oppose, I stand with Folar.

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107.	137-A	**Oppose**	Rachel Griffin	
			Raquel Falco	
			Rebecca Kahn	
			Rebecca Snavely	The plan proposes centuries-old solutions to a contemporary problem. According to FEMA, nature-based solutions are cheaper and more effective in controlling flooding than continuing to modify and engineer the river. We cannot afford to drain stormwater away into the ocean for our dry region. FEMA has developed a guide for local officials seeking to build community resilience by 1) controlling floods during wet periods and 2) capturing stormwater for use during dry periods. Solutions such as 1) replacing concrete with permeable pavement in high-risk flooding areas that can help cities replenish their underground basins, and 2) capturing stormwater where it falls so it can be recycled for non-drinkable uses, were ignored in the Plan despite being more efficient ,cheaper to implement, and eligible for government funding and discounts on flood insurance. Unfortunately, we–the taxpayers–will have to pay more for the County's choices. Even the U.S. Army Corps of Engineers, who channelized the LA River in 1938, has acknowledged the benefits that nature-based solutions have over channelization measures. Along with the City of Los Angeles, they have performed the ARBOR Study, showing what the LA River could look like if a flood were controlled by restoring natural wetlands and floodplains: see folar doc.
			Richard Sinclair	
			Robert Massey	

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			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
107.	137-A	**Oppose**	Robert S Seltzer	1. It is NOT a real plan for the River - it only identifies a menu of possible options for future river projects, most of which would add more concrete to the floodplain, notably to build platform parks on top of the LA River 2. It dismisses the viability of concrete removal, remediation of contaminated land, and other nature-based solutions for climate resiliency - instead, the Plan still treats the river almost solely as a flood control channel 3. It fails to require protections to ensure community stabilization for river residents with high pollution burdens and lack of access to parking space, especially in BIPOC communities that have lived along the river for generations 4. It wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan reflects community and Steering Committee priorities.
			Rose Liston	
			Ruby Kernkamp	
			Sandra Cutuli	
			Scott Teems	
			Shanna Oskin	
			Sharon Torrisi	
			Sharon Ungersma	Please delay adopting this version of the LA River Master Plan. This version of the plan does not reflect the needs and wants of the community! It is out of line with the stated goals of the city of Los Angeles and the state of California to adapt to climate change while moving forward with equitable solutions. What about California's 30x30 plan? What about nature-based solutions to create climate resilience? What about protecting frontline communities from the flood risk that is almost certain to become a reality in the next few decades due to climate change? This version of the plan would be a huge step backward away from our stated goals. Please take time to reconsider before committing to this step in the wrong direction.
			Shayan Hemmati	
			SHIRLEY VERNALE	remove concrete please restore nature
			Siobhan Dolan	
			Sophie DoQui	

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107.	137-A	**Oppose**	Stephanie Gallegos	
			Suellen Wagner	LACK OF VISION: The plan fails to articulate a clear future for the river. The plan is actually a menu of project options that completely alienates the River from the community. Unlike the ARBOR Study's menu of options, which proposes ecological restoration and public interaction with the river, vision calls for platform parks covering the river, costing additional billions of taxpayer money to build:
			Taylor Rockwell	
			Taynara Moura	Extremely expensive and full of concrete. Frank Gehry should be the last architect to design this.
			Terence Endersen	
			Tessa Strain	
			Thea Wang	This plan does not restore wildlife habitat or help to protect us from climate change.
			Tilly M Hinton	Despite extensive public input (largely opposition) to the draft Master Plan, the Final version is materially unchanged from the draft. This makes a mockery of the consultation process and presents a disappointing and likely disastrous future for the Los Angeles River, one of the most significant ecological and cultural resources in the County of Los Angeles. In particular, the Plan perpetuates an infrastructural rather than nature-based approach, underplays the necessity of redressing intergenerational environmental injustice (and indeed threatens to cause much more), and does not deal with climate change in any meaningful way. I have re-attached my public comment letter. My letter, and so many others, seem to have made no impact on the County's collision course towards an LA River Master Plan that will jeopardize the River's future. The fact that almost a dozen organizations that served on the Steering Committee have formally requested that their names and logos be removed from the documentation speaks volumes as to the toxicity of the Master Planning process. The River, and we its constituents, deserve better.
			Tracy Gerendas	
			Varenka Lorenzi	

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107.	137-A	**Oppose**	Venezia Ramirez	Dear Board of Supervisors, My name is Venezia Ramirez, a resident from Norwalk and I join my neighbors in this call to action to oppose the LA River Master Plan that does not prioritize ecological/community resilience. We want commitments to: 1. Meaningful community engagement: Actually implementing community input into the plan which includes removal of concrete channels, cleaning and restoring contaminated areas along the river, and prioritizing nature based solutions, Traditional Ecological Knowledge, such as allowing the river to be a source of groundwater recharge. 2. Community stabilization: Favoring anti-displacement policies for the communities along the L.A River and opposing gentrification to protect long-time residents that have been there for generations. Ensure equitable access to the river and prevent developments that would inhibit restoration efforts and displace residents. 3. Indigenous principles of rematriation: Recognizing water not as a commodity, but as a relative to be defended. A part of the H2Ours: Water Academy with East Yard Communities for Environmental Justice, we learned that strengthening our relationship with water is a step towards being an ally to the Indigenous peoples of this stolen land in our collective fight for water to be free, flowing, clean and safe. This plan does not reflect the needs of the community, prevents protection of the land and fails to recognize the river as a vital key in achieving climate resiliency for communities overly burdened by industry, pollution, and lack of green spaces. I urge you to not adopt this plan. Thank you.
			Vincent La Rocca	
			William Hourigan	
			William S Clements	We need habitat restoration as well as flood control. This master plan fails to address restoration in a significant way. The river has been stripped of its habitat and we need to bring it back.
			Ynez Diaz	
			Zoe Witt	

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107.	137-A	**Other**	David Kriske	The City of Burbank respectfully submits the attached comment letter for the 2020 LA River Master Plan Final PEIR.
			Julia Mason	I believe the Master Plan does not take enough consideration of the expressed desire of the river's neighbors and the city's residents to preserve native habitat and restore as much of the river as possible to its natural state. The Plan encourages more concrete and more building and goes against the wishes of residents to see the river naturalized.
			Katherine Kato	Alternative A can't be the same cost as Alternative B. It appears you give the community no choice. I find you must include local jurisdiction in your proposed land use decisions. KOP 6 of affordable housing, arts & culture facility, museums, pavilions and even cafes. I urge you to go back to the drawing board and remove all of the "Disneyland" elements of the plan. Without a reasonable choice here, I am leaning toward Alternative A
			Taze Spencer	I would like to see further discussion especially in the area of capturing stormwater. This aspect of the LA River Master Plan will serve the entirety of the people of LA County and is the superior equity for all. We need reasonable choices and I find these choices leave no choice. Please vote NO or continue this vote.
		Item Total	**217**	
137-A.		**Favor**	Amy Wan	Please regulate the electric bicycles on the bike path. They should not be there as they go too fast and we have children on the bike path. There should also be a speed limit for bicycles. There are often children and babies on the path.
			Claire Robinson	
			Glynnis Campbell	Scrolling through the 7,000+ page Master Plan for the L.A. River, I grew absolutely giddy! I'm a frequent LA River cyclist, so I'm excited about the bike path extensions, but I'm truly impressed with all the other improvements! Every aspect has been carefully considered, from the environment to the arts, from preservation to recreation, from creating pathways for wildlife to establishing access for local businesses. And it's been budgeted in a smart and practicable way. Considering the park is an hour's drive from one-third of Californians, it seems an excellent use of resources and a huge improvement for the county. Kudos!

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137-A.		**Favor**	Jesse Stanford	I oppose the LA River Master Plan for the following reasons: · The Plan does not reflect the realities of climate change. · The Plan continues to treat the LA River as a flood control channel whose purpose is to throw away precious rainwater as quickly as possible. · The Plan ignores critical input from numerous multi-disciplinary experts across the region. · The public process was deficient and did not truly respect or reflect stakeholder input. · While even the US Army Corps of Engineers is pivoting to an Engineering with Nature approach, the leadership at the County Department of Public Works continues to promote and defend 20th century practices that have and will continue to harm communities.
			Liz Florence	
			Melanie Winter	See comment for Item 107
			Mona Mesa	
		Oppose	Becky Light	
			Brigitte Manspeaker	

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137-A.		**Oppose**	Diana Weynand	(Please see attached PDF) Dear Supervisors: In May, 2021, the Climate Reality Project, San Fernando Valley Chapter, made public comment on the LA River Project Master Plan stating (in part): "… we encourage all river planners and managers not to lose sight of the fact that our relationship is not only to community residents, but extends to the larger community of life, which includes the protection of the inherent rights of the natural world." In essence, we were supporting natural solutions to the LA River Master Plan. The response to our comment from Public Works was simply, "Noted." We are at a critical time. Due to climate change, CA is experiencing extreme heat, serious drought, and an increasing number of wildfires. Yet, we are not without options. One option, that must remain front and center, is the ability to harness the power of nature. If we work in harmony with nature, we will yield maximum benefits. Therefore, wherever possible, we must return the river—and the tributaries that feed into it—to their geomorphic or natural state and enact as many nature-used solutions as possible. We especially want to see a revisioning of the LA River in our own community in the Sepulveda Basin. The State, specifically the CNRA and DWR, has identified nature-based projects as one of their top priorities. The 30x30 plan demonstrates what the State is striving to achieve. The LA River Master Plan, however, does not hold or reflect this vision. At a time when we should be relying on our natural resources the most, this plan is woefully out of step. We do not feel the Plan is ready to be adopted until it can reflect the level and type of urgent action required to mitigate climate change, and to do it utilizing everything we now know about nature-based solutions. We don't have the luxury of being out of step with nature. Thank you, Diana Weynand Chair, Climate Reality Project San Fernando Valley Chapter
			Eliza Gibson	Please oppose this plan. There are much better solutions that are more cost effective and restorative for the river and the community.
			Fabienne Bouville	

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137-A.		**Oppose**	Glenn Berkovitz	I am quite disappointed in - and opposed to - the Board of Supervisors' decision to move to adopt the Master Plan for the L.A. River without incorporating community input to the planning process, that would prioritize community resilience and implement nature-based solutions (such as greater removal of concreted channels). The River can be made great - but the process takes willingness to hear the communities. Thank you --
			Iris Bredehoft	
			Joseph Laskin	This supplemental agenda item is premature given that there is extensive, largely un-addressed public opposition to the LA River Master Plan. If only the rush to implement the Plan was replaced with a sense of urgency about improving the Plan, addressing climate resilience, housing justice, ecological integrity and the many other weaknesses of the LA River Master Plan, which changed minimally despite over a thousand public comments.
			Liz Florence	
			Matthew Friedman	

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			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
137-A.		**Oppose**	Melanie Winter	What is the urgency of adopting this highly controversial Plan Update at this time? The document is largely a defense of failed 20th century engineering approaches, dressed up in hollow language calculated to mollify those who understand the critical need to do better. The responses provided to comments on the Draft are riddled with assertions that lack proof or citation, deflections, straw man arguments, and claims that rely on data derived from outdated and/or disproven models. Some key data upon which arguments are founded is proprietary, and therefore cannot be considered to have merit. The most essential task that should have been undertaken prior to updating this Plan - development of updated flood risk maps that incorporate climate change models - was not done. That alone should be disqualifying. The fact that the depiction of risk presented in the Plan is so far from reality should be of serious concern to this Board. It means this Board approves of depriving those facing significant flood risk - largely lower income communities of color - the critical information they deserve in order to make informed decisions about the future of their lives and property. The notion that a "rethink before rebuild" plan has not already been developed behind closed doors beggars belief. The Steering Committee and public outreach processes failed to meet the minimum standards the Board has come to expect. Number of touchpoints does not equal engagement. Diversity of membership on a Steering Committee does not in and of itself equal healthy process. This Board appointed the Steering Committee members, so one could expect they valued their insight and opinions. The vast majority have spent the past 3 years detailing their deep displeasure and disagreement with the process and the Plan, yet the Board has been clear that the intent is to adopt. Why? As Ron Gastelum—former GM of MWD—was recently quoted saying “Political leaders don’t take the time to look at whether something is the right plan. Unfortunately, sometimes they are only talking to the project promoters.” In her recently published book analyzing how communities across the globe are choosing to address their water and flood challenges in this century of climate change, Erica Geis notes that concrete interventions to control water “are failing. Climate extremes reveal a hard truth: our development choices—urban sprawl and concrete infrastructure designed to control water—exacerbate our problems. Sooner or later…water always wins.” Adoption of the PEIR and the Plan will surely result in costly, embarrassing, and time consuming litigation. Would it not be more prudent to thank the team for their efforts, set the Plan aside, and reconvene under the guidance of a third-party facilitator to identify a strategy to craft a more science-driven, climate-forward, equitable, inclusive, and transparent process? I urge this Board to reconsider.
			Miroslava Munguia	Needs more conservation and dust ability focus. Don’t build more and instead focus on improving river health
			Rebecca Light	

As of: 6/15/2022 9:53:00 AM

PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
SHEILA KUEHL
JANICE HAHN
KATHRYN BARGER

Correspondence Received

			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
137-A.		**Oppose**	Tilly M Hinton	This supplemental agenda item is premature given that there is extensive, largely un-addressed public opposition to the LA River Master Plan. If only the rush to implement the Plan was replaced with a sense of urgency about improving the Plan, addressing climate resilience, housing justice, ecological integrity and the many other weaknesses of the LA River Master Plan, which changed minimally despite over a thousand public comments.
			Venezia Ramirez	Dear Board of Supervisors, My name is Venezia Ramirez, a resident from Norwalk and I join my neighbors in this call to action to oppose the LA River Master Plan that does not prioritize ecological/community resilience. We want commitments to: 1. Meaningful community engagement: Actually implementing community input into the plan which includes removal of concrete channels, cleaning and restoring contaminated areas along the river, and prioritizing nature based solutions, Traditional Ecological Knowledge, such as allowing the river to be a source of groundwater recharge. 2. Community stabilization: Favoring anti-displacement policies for the communities along the L.A River and opposing gentrification to protect long-time residents that have been there for generations. Ensure equitable access to the river and prevent developments that would inhibit restoration efforts and displace residents. 3. Indigenous principles of rematriation: Recognizing water not as a commodity, but as a relative to be defended. A part of the H2Ours: Water Academy with East Yard Communities for Environmental Justice, we learned that strengthening our relationship with water is a step towards being an ally to the Indigenous peoples of this stolen land in our collective fight for water to be free, flowing, clean and safe. This plan does not reflect the needs of the community, prevents protection of the land and fails to recognize the river as a vital key in achieving climate resiliency for communities overly burdened by industry, pollution, and lack of green spaces. I urge you to not adopt this plan. Thank you.

As of: 6/15/2022 9:53:00 AM

PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
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JANICE HAHN
KATHRYN BARGER

Correspondence Received

			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
137-A.		**Other**	Elena Tucci	I am not opposed to the overarching goals of the newest iteration of the Los Angeles (LA) River Master Plan. I am glad to observe that some of the communities with the greatest need for open space have been acknowledged in the planning process. However, I am opposed to some fundamental aspects of this plan. It is NOT a real plan for the River. It merely identifies a menu of possible options for future river projects, most of which would add more concrete to the floodplain at an extreme cost that will take vital resources from other potential open space projects along the river. Most notably, the “pie in the sky” scheme to build platform parks on top of the LA River. It dismisses the viability of concrete removal, remediation of contaminated land and other nature-based solutions for water runoff recapture and climate resiliency. Instead, the Plan still treats the river almost solely as a flood control channel. Given the environmental crises we are facing regionally, Los Angeles River planning should encompass our shared goals for the next 100 years. I am aware that naturalizing the river bottom and returning the river to even a semi-state of naturalization is a challenge, especially considering the amount and depth of urbanization that boarders the river, but it is worth thoughtful consideration, intense study and diligent planning. It fails to require protections to ensure community stabilization for LA River adjacent communities and its residents who have been living with high pollution burdens and lack of access for decades, especially in BIPOC communities that have lived along the river for generations. The finished product wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan reflects community and Steering Committee priorities. Also, I would have liked to have seen the identification of potential open space sites, adjacent to the LA River, which would be earmarked for green space—including, sites that could be acquired and folded into the Los Angeles River open space portfolio. I would like to have seen a policy and/or concept of land use recommendations adjacent to the river and parcels earmarked for open space, addressing access and appropriateness. I would have liked to see ranking of sites based on equity, community need and viability. Thank you for your time and consideration of my view on this matter. E.R. Tucci

As of: 6/15/2022 9:53:00 AM

			The following individuals submitted comments on agenda item:	
Agenda #	**Relate To**	**Position**	**Name**	**Comments**
137-A.		**Other**	Julia Mason	I feel the Master Plan does not take enough consideration of the expressed desire of the river's neighbors and the city's residents to preserve native habitat and restore as much of the river as possible to its natural state. The Plan encourages more concrete and more building and goes against the wishes of residents to see the river naturalized.
		Item Total	**24**	
Grand Total			**241**	

As of: 6/15/2022 9:53:00 AM

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

MARK PESTRELLA, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: SWP-1

June 14, 2022

TO: The Executive Office

FROM: Carolina T Hernandez, PE
for Stormwater Planning Division

LA RIVER MASTER PLAN UPDATE - RESPONSE TO LETTER RECEIVED JUNE 10, 2022 FROM LA WATERKEEPER

Los Angeles County Public Works (Public Works) submits the following response to a letter submitted via e-mail by LA Waterkeeper (Waterkeeper), dated June 10, 2022 at 5:45 p.m., to Public Works regarding removal of specified Steering Committee member names from the Los Angeles River Master Plan. Recommendation of the LA River Master Plan and Program Environmental Impact Report (PEIR) will be before the Los Angeles County Board of Supervisors (Board) at its meeting on June 14, 2022.

After more than 2 years of deep engagement, the County respectfully disagrees with those that assert we did not hear or seriously consider input from our Steering Committee members. Public Works certainly heard and appreciates those who engaged with us – even if not able to ultimately agree on certain aspects in the plan. There was no single voice during plan development, but rather there were many voices to discuss the many complex issues surrounding the LA River. No one goal in the plan is a priority, and they must all be considered.

The Steering Committee included 41-members from a wide array of perspectives and priorities across the region; including water agencies, municipalities, elected officials, social justice groups, environmental organizations, regulatory agencies, and community-based organizations. Most of the input received from the Steering Committee was incorporated, including input for nature-based solutions, healthy connected ecosystems, and fostering habitat and native plants. The challenge surrounding naturalization is to balance flood protection to adjacent urban communities while also fostering ecosystem health.

Public Works currently intends to further review the group's request for their participation to be removed from the plan. However, we highly value all the time and effort their team and staff spent engaging with us and would still like to acknowledge their contributions.

GO:yg
P:\swppub\Secretarial\2022\Memos\Response to June 10 LA Waterkeeper letter.docx

Attach.

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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MARK PESTRELLA, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: SWP-5

June 14, 2022

TO: The Executive Office

FROM: Carolina T Hernandez, PE
for Stormwater Planning Division

2020 LA RIVER MASTER PLAN PEIR- RESPONSE TO LETTER RECEIVED JUNE 13, 2022, FROM LA WATERKEEPER

The County of Los Angeles, through the Los Angeles County Public Works, submits the following responses to 24 follow up comments submitted via e-mail by the Los Angeles Waterkeeper (Waterkeeper), dated June 13, 2022, at 11:13 a.m., to Public Works regarding the Los Angeles River Master Plan. Recommendation of the LA River Master Plan and Program Environmental Impact Report (PEIR) will be before the Los Angeles County Board of Supervisors at its meeting on June 14, 2022, including a recommendation for certification of the Final PEIR prepared for the LA River Master Plan in compliance with the California Environmental Quality Act (CEQA). Due to the extremely limited time between receipt of LA Waterkeeper's letter and the Board's scheduled consideration of the LA River Master Plan and the Final PEIR, the responses below to the environmental comments submitted, are necessarily brief. However, additional detailed information supporting the discussion below is included in the 2020 LA River Master Plan Final PEIR that has been presented to the Board and elsewhere in the administrative record of the 2020 LA River Master Plan Final PEIR. These responses are intended to contribute to the information upon which the Board may rely in rendering decisions related to the recommended actions. Comment number references can be found in the annotated version of the comment letter attached.

Response to Comment B-1

The County considered and responded to all comments raising significant environmental issues on the Draft PEIR, including those submitted on behalf of the LA Waterkeeper (dated May 13, 2021, and labeled Comment Letter O17 in the Final PEIR). The County numbered 45 separate comments within the comment letter received and provided individual consideration and responses to the comments raised in the Final PEIR. As

detailed in the County's responses to the 45 comments from Waterkeeper, no deficiencies in the Draft PEIR were identified. Waterkeeper provides a summary of its three primary concerns regarding the Final PEIR and CEQA compliance; these concerns are addressed specifically in the County's responses below.

Response to Comment B-2
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. See responses to Waterkeeper comments on the Draft PEIR O17-1, O17-2, and Master Responses MR-2, Program-Level Analysis in the PEIR, and MR-4, Adherence to Local Jurisdictions' Requirements, regarding an accurate and stable project description.

Response to Comment B-3
The Draft and Final PEIR do not include deferred analysis or mitigation. As the LA River Master Plan is a conceptual plan, the projects identified were only provided as an example of implementation of the Master Plan. The LA River Master Plan is intended to guide how future proposed projects will be planned and define key design elements, including best management practices, and the LA River Master Plan is not intended to prescribe specific projects at specific locations. Implementation of later activities would depend on many factors, including, but not limited to, the location, agency oversight, and jurisdiction; the proponent of subsequent projects; the implementing party; local community needs; policy decisions; timing of implementation; and availability of funding. Because these factors are not known at this time, the Draft PEIR did not include site-specific or project-specific analysis and instead presented a program-level analysis of the LA River Master Plan. All future proposed specific projects would be subject to subsequent environmental compliance under State CEQA Guidelines Section 15168, specifies that later activities must be examined in light of the program EIR to determine whether an additional environmental document must be prepared. Because the PEIR does not examine specific projects at this time, the County anticipates that future proposed specific projects would require subsequent CEQA compliance, including additional project specific mitigation under CEQA, where site specific impacts identify the need.

As previously described in Chapter 2, Project Description, of the Draft PEIR, while a majority of the proposed Design Guidelines are not described as mandatory requirements, select Design Guidelines (such as those related to access points, gateways, maintenance buffers and clearances, emergency access, lighting, and monitoring and maintenance plans) are included as requirements (through the use of "must" and "shall" in the PEIR) rather than recommendations under the LA River Master Plan. Accordingly, this PEIR assumed that the LA River Master Plan will be implemented consistent with these required Design Guidelines. Similarly, it is assumed that all

subsequent projects under the LA River Master Plan would be implemented in accordance with the required Design Guidelines by implementing agencies (unincorporated Los Angeles County or the 17 cities) since they are part of the project. As previously stated, the Design Guidelines were developed as a framework to support the specific design and technical solutions for projects to be implemented under the LA River Master Plan while presenting a unified, cohesive identity along the 51-mile connected open space corridor and promoting best practices and resiliency. The Design Guidelines would ensure a standard for design for projects at all scales and help define the LA River corridor. The Design Guidelines are not intended to prescribe specific projects under the LA River Master Plan and each later activity would be subject to supplemental environmental review.

Furthermore, impacts of implementation of the LA River Master Plan on biological resources are documented in Section 3.3 Biological Resources of the Draft PEIR. Mitigation measures would be implemented to reduce impacts regarding wildlife disturbance. These mitigation measures include but are not limited to **BIO-1, Conduct Literature Review, Habitat Assessment, and Project Surveys**, **BIO-9: Prepare and Implement Construction Best Management Practices and Operations Recreation Plan; Mitigation Measure BIO-10, Prevent Entrapment in Construction Materials and Excavations, Mitigation Measure BIO-15: Use Wildlife-Proof Trash Canisters; Mitigation Measure BIO-16: Use Wildlife Safety Glass; Mitigation Measure BIO-17: Prepare and Implement Pest Management Plan; and Mitigation Measure BIO-18: Prohibit use of Invasive Species during Operations**. As identified in Response A6-3 in the Responses to Comments on the Draft PEIR, clarification edits were made in regard to California Department of Fish and Wildlife (CDFW)'s comments.

Response to Comment B-4

As identified in Chapter 5, Alternatives, of the Draft PEIR, alternatives must reduce or avoid one or more impacts of the Project, meet the basic project objectives, and be feasible. Therefore, pursuant to the State CEQA Guidelines Section 15126.6, the County considered the LA River Master Plan objectives (see Chapter 2, Project Description, of the Draft PEIR) and feasibility with respect to developing alternatives to the proposed Project. The County considered and evaluated the feasibility of alternatives that had the potential to avoid or substantially lessen significant adverse environmental impacts of the proposed LA River Master Plan. Chapter 5, Alternatives, of the Draft PEIR identifies the project objectives, alternatives considered, and the alternatives that were considered but eliminated from detailed consideration.

As discussed in Master Response MR-5, Naturalization of the LA River, naturalizing the channel would significantly negatively affect the floodwater conveyance capacity of the

river channel and significantly increase the chances of channel erosion and sedimentation, exacerbating flood risk to the surrounding communities. This standalone alternative would also not meet some of the project objectives such as reduced flood risk or improved resiliency provision of equitable, inclusive, and safe parks, open space, and trails, increased opportunities for equitable access to the river corridor, or for arts and culture or housing affordability strategies nor improvements to water quality.

Response to Comment B-5
Contrary to the comment, the Final PEIR does not conclude that "that there will be no significant environmental impacts from any future proposed projects at specific opportunity sites, or from any of the KOP components or project elements with technical guidance in the Design Guidelines", as stated in this comment. On the contrary, the Draft PEIR concludes that there will be a number of potentially significant and unavoidable impacts, even with mitigation required as well as less-than-significant impacts with mitigation. In fact, much of the impact analysis is highly conservative, including conservative assumptions built into the analysis methodology to ensure that impacts are not undercounted or under-estimated (e.g., air quality impacts). Environmental impacts in the PEIR are presented in the same order as the CEQA Guidelines Appendix G checklist and discussed with as much information that is currently available without speculation and mitigation is clearly spelled out and performance measures and criteria are included to gauge success of mitigation implementation. The EIR does not improperly defer mitigation for potential future projects that can be analyzed without speculation.

Response to Comment B-6
This comment provides background on CEQA, State CEQA Guidelines, and case law on the standards for responding to comments on EIRs but does not raise any new significant environmental issues. The County has met and exceeded the standards in reviewing and responding all comments raised on significant environmental issues, regardless of who provided the comments (e.g., public agencies, individuals, or organizations).

Response to Comment B-7
This comment does not raise new or different significant environmental issues beyond those previously addressed in the 2020 LA River Master Plan Final PEIR, which addressed specific comments asserting the LA River Master Plan was merely a "menu of options". See responses to Waterkeeper comments on the Draft PEIR O17-1, O17-4, and O22-11. The LA River Master Plan is intended to guide how future proposed projects would be planned and define their key design elements, including best management practices to reduce environmental impacts. The responsibility for identifying, approving, and implementing specific future proposed projects that may tier from the PEIR and preparing appropriate CEQA analysis for those projects lies with the agencies or parties

implementing the future proposed projects and the applicable regulatory jurisdictions. Accordingly, the Draft PEIR did not include any site-specific or project-specific analysis and instead presented a program-level analysis of the LA River Master Plan. Because the LA River Master Plan is conceptual in nature, the PEIR does not provide additional specific detail about potential impacts; to do so would be speculative.

Response to Comment B-8
This comment does not raise new or different significant environmental issues beyond those previously addressed in the 2020 LA River Master Plan Final PEIR. The level of analysis in the PEIR does not include site-specific or design information about the potential impacts of the proposed Master Plan because project-level approvals are not part of the LA River Master Plan approval and the locations and other specific parameters of the projects under the LA River Master Plan are not known at this time. However, the level of analysis does provide sufficient general information to inform decision-makers. The detailed technical specifications and visual renderings for potential project types enabled the County to make key assumptions about the potential impacts, with the caveat that the specific locations and detailed design are not proposed under the Master Plan and would need to be verified as later activities are proposed by the implementing agency in the future.

Response to Comment B-9
Please refer to response to Comment B-4.

Response to Comment B-10
The Draft and Final PEIR do not include deferred analysis or mitigation. The level of analysis does not include site-specific or design information about the potential impacts of the proposed Project because project-level approvals are not part of the LA River Master Plan approval and the locations and other specific parameters of the projects under the LA River Master Plan are not known at this time. However, this level of analysis does provide sufficient general information to inform decision-makers. Therefore, the County disagrees with the comment that the Draft PEIR fails "to provide any useful information about the Project's likely impacts on biological resources, recreation, displacement, hydrology, land use, hazards, and others." In fact, as described in Sections 3.0.1.1. and 3.0.1.2 of Chapter 3, CEQA Environmental Impact Assessment, of the Draft PEIR, detailed regulatory and geographic setting, significance criteria, impacts, and mitigation are provided for aesthetics; air quality; biological resources; cultural resources; energy; geology, soils, and paleontological resources; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use and planning;

mineral resources; noise; population and housing; public services; recreation; transportation; tribal cultural resources; utilities/service systems; and wildfire.

Response to Comment B-11
The comment expresses concern that the County did not sufficiently address comments on the Draft PEIR from the California Coastal Commission. However, the comment does not raise new or different significant environmental issues. Regarding sea level rise, the County stated in its response that the California Supreme Court decided in *California Building Industry Assoc. v. Bay Area Air Quality Management District* (2015) 62 Cal·4th 369 that impacts of the environment on the proposed Project, such as sea level rise, are not subject to CEQA review. However, the County did indicate in its response that future proposed projects under the LA River Master Plan will consider the effects of sea level rise in their design, consistent with state and local concerns, including the Coastal Act and Local Coastal Programs (LCPs), where applicable. No further explanation is necessary.

Response to Comment B-12
The comment expresses concern that the County did not sufficiently address the California Coastal Commission comments on the Draft PEIR A5-9, A5-12, A5-19 through A5-20, A5-23, A5-26, A5-30, A5-34 through A5-43, A5-45 through A5-49, and A5-53 through A5-54 regarding potential for the LA River Master Plan to conflict with existing laws and land use plans (such as the California Coastal Act, the Long Beach LCP, and the Long Beach Port Master Plan [PMP]) or could require permits. The comment then concludes that LA River Master Plan therefore would be "impossible to accomplish or creating significant land use impacts (including with respect to hazardous materials.". However, that is not the case. The County provided detailed, well-reasoned, responses to each of the California Coastal Commission comments raised, including specific pages and sections of the Draft PEIR that give details to comments, or making clarifications in the Draft PEIR, where a comment warranted it, like including the City of Long Beach's LCP and the PMP in the regulatory setting of Section 3.10, Land Use, of the Draft PEIR.

Response to Comment B-13
The California Coastal Commission commented "It is important to note on Page 2-13 that kit of part (KOP) category 3 might not be fully implementable if KOP category 1 is not first applied, which is contingent on amending the PMP for intended projects within the Coastal Zone". The County's Response to Waterkeeper’s comment on the Draft PEIR A5-14, acknowledged the comment, however as described in Chapter 2, Project Description, of the Draft PEIR, each KOP category is independent and includes a recommended collection of design components and can be implemented individually or

in any combination as subsequent projects, as driven by the local jurisdiction's needs, funding, and policy decisions.

In the LA River Master Plan, projects were provided as examples of implementation of the Master Plan. There is no definition of specific future proposed projects because the LA River Master Plan is a conceptual plan and project-level approvals are not part of the LA River Master Plan approval. As the comment notes, all future proposed specific projects would be subject to subsequent environmental compliance under State CEQA Guidelines Section 15168, which specifies that later activities must be examined in light of the program EIR to determine whether an additional environmental document must be prepared. Because the PEIR does not examine specific projects, the County anticipates that future proposed specific projects would require subsequent CEQA compliance, including additional project specific mitigation under CEQA, where site specific impacts identify the need.

Response to Comment B-14
The comment expresses concern that the County did not sufficiently address the California Coastal Commission comments regarding the possibility of local agencies pursuing wastewater recycling and increasing greywater treatment capacity to create a closed water utility system, couched as possible mitigation of wastewater impacts under the Common Elements Typical Projects. However, as the County's responses indicates, the impact was determined to be less than significant, which by definition does not trigger a requirement to mitigate, including cumulative impacts. The response also indicates that water recycling in the City of Long Beach would be an activity directed by the City of Long Beach and not the County.

Response to Comment B-15
The commenter is correct in that environmental justice is not a CEQA requirement. There are currently no formal procedures to evaluate potential environmental justice impacts under CEQA.

Response to Comment B-16
The comment appears to interpret comments and recommendations provided by CDFW on the Draft PEIR as deficiencies. However, CDFW did not identify any deficiencies in its comments. Instead CDFW made comments and recommendations on the Draft PEIR which, the County considered and made appropriate changes, when necessary, as shown in the Final PEIR.

As seen in the Final PEIR, a detailed response to CDFW comment on the Draft PEIR A6-3 was provided. The PEIR's **Mitigation Measure BIO-1, Conduct Literature**

Review, Habitat Assessment, and Project Surveys, includes the requirement that a regulatory assessment would be conducted for individual subsequent projects. The response further states that both construction and operation impact analyses and the identification and implementation of appropriate avoidance and minimization measures be based on the presence of biological resources. The impact analyses in the PEIR include appropriate assessment of project-specific disturbances (e.g., recreational effects, night lighting, noise), requiring all subsequent projects to be evaluated individually for impacts and to implement appropriate avoidance and minimization measures for the individual project.

With regard to the comment asserting that no evaluation is required in the PEIR, the commenter misconstrues the response. No evaluation can be conducted at this point, because individual project locations and design details have not been defined, not because of the mitigation measure. Master Response MR-2, Program-Level Analysis in the PEIR, clearly identifies the process and steps that will be required for considering the potential environmental effects for any later activities.

With respect to the commenter's inference that the county is merely requiring a biological report to be prepared and to comply with the recommendations in the report, **Mitigation Measure BIO-1, Conduct Literature Review, Habitat Assessment, and Project Surveys**, is the first of several mitigation measures that could be required to reduce a later activity's impacts to less-than-significant levels depending on the activity location, design details, and potential biological resources located in the vicinity. As described in the mitigation measures and in the original response to CDFW comment in the Final PEIR, depending on the project variables and site conditions of later activities, additional mitigation measures may be required. Therefore, the commenter's assertion that mitigation is being improperly deferred is incorrect.

In response to CDFW's original comment, minor clarifications to the measure were added regarding literature review and the determination of presence/absence for identification of rare plants. See Chapter 3 of the Final PEIR, Clarifications and Modifications to the Draft PEIR.

Response to Comment B-17
Please see the response to B-16 regarding the consideration and determination of impacts. **Mitigation Measure BIO-1, Conduct Literature Review, Habitat Assessment, and Project Surveys,** in the Draft PEIR includes the requirement that a regulatory assessment be conducted for individual subsequent projects.

Additionally, as described in the response to CDFW comment on the Draft PEIR A6-6 included in the Final PEIR, **PEIR Mitigation Measures BIO-21a, Conduct a Jurisdictional Delineation,** and **BIO-21c, Obtain Wetland Permits**, include the requirements for projects to prepare a formal jurisdictional delineation to identity and map wetlands and jurisdictional aquatic resources and obtain appropriate permits for any impacts, including permits from CDFW and the Lake and Streambed Alteration Notification. As such, any additional mitigation measures specific to water diversion projects are not required for the programmatic analysis provided in the Draft PEIR.

Response to Comment B-18
Southern California steelhead (*Oncorhynchus mykiss irideus*) are not expected in the 51-mile long, 2-mile-wide study area. Essential habitat components needed for this species include freshwater spawning sites with sufficient water quantity and quality and an adequate substrate (gravel) to support spawning, incubation and development; freshwater rearing sites to allow development and growth; freshwater migration corridors free of obstruction to allow for juvenile and adult mobility, cover and shelter; estuarine areas to provide food, shallow water, shelter; and marine areas to support growth, and development. None of these habitat components were observed in the study area. Also, sufficient water is not present within the watercourses, and adequate substrates and cover are currently lacking in the study area to support this species. As steelhead currently are not expected in the study area, they have not been included in the LA River Master Plan or PEIR.

In response to the commenter's assertion that the County is once again deferring analysis, please see the response to comments B-16 and B-17.

Response to Comment B-19
As seen in the Final PEIR, a detailed response to CDFW comment on the Draft PEIR A6-8 was provided. **Mitigation Measure BIO-1, Conduct Literature Review, Habitat Assessment, and Project Surveys** requires that a regulatory assessment, including a construction and operation impact analysis, be conducted for individual subsequent projects. All projects would be evaluated individually for impacts on biological resources (including riparian vegetation communities) and would implement appropriate avoidance and minimization measures for the individual project(s). Additionally, PEIR **Mitigation Measures BIO-21a, Conduct a Jurisdictional Delineation,** and **BIO-21c, Obtain Wetland Permits**, include the requirements for projects to prepare a formal jurisdictional delineation to identity and map wetlands and jurisdictional aquatic resources and obtain appropriate permits for any impacts, including permits from CDFW for any impacts on riparian habitat. As such, any additional mitigation measures specific to permanent loss

of jurisdictional aquatic resources are not required for the programmatic analysis provided in the PEIR.

Response to Comment B-20
Please refer to the response to comment B-16. **Mitigation Measure BIO-1, Conduct Literature Review, Habitat Assessment, and Project Surveys** is the first of several mitigation measures that could be required to reduce a later activity's impacts to less-than-significant levels depending on the activity location, design details, and potential biological resources located in the vicinity.

Response to Comment B-21
As stated in Chapter 3, Clarifications and Modifications to the Draft PEIR, of the Final PEIR, no new significant environmental impacts have been identified following the publication of the Draft PEIR. Although new mitigation measures have been added based on input from commenters to ensure impacts remain less than significant, these new measures would not result in new significant impacts, nor do they represent that a new impact was identified. Rather, the measures provide for further assurance of less-than-significant impacts. Therefore, further circulation of the PEIR is not required.

The changes to Mitigation **Measures BIO-3a through BIO-3d(iii)** merely clarify the mitigation described in the Draft PEIR, as they are stepped mitigation from **Mitigation Measures BIO-1 and BIO-2**. Additionally, as concluded in the Draft PEIR, the impact would continue to be less than significant for later activities when carried out by the County and significant and unavoidable for later activities when not carried out by the County.

The addition of **Mitigation Measure BIO-20b** clarifies the mitigation described in the Draft PEIR by including measures to protect sensitive natural communities and native trees as requested by CDFW. Additionally, as concluded in the Draft PEIR, the impact would be less than significant for later activities when carried out by the County and significant and unavoidable for later activities when not carried out by the County.

Response to Comment B-22
It appears the commenter is raising an issue related to the LA River Master Plan and not the Draft and Final PEIR. This comment does not identify specific significant environmental impacts or address the adequacy or accuracy of the Draft PEIR. Master Response MR-3, Public Outreach for the Draft PEIR, outlines the extensive public outreach conducted for the Draft PEIR. The County was unable to accommodate translation of the 2020 LA River Master Plan Draft PEIR during the comment period; however, notices for the Draft PEIR—including the Notice of Availability and flyers

announcing the March 3, 2021, Draft PEIR public meeting—were provided in Spanish and published in the Spanish newspapers. In addition, a Spanish translation of the Draft LA River Master Plan was available for public review.

Response to Comment B-23
As previously stated, see responses to Waterkeeper comments on the Draft PEIR O17-1, O17-2, and Master Responses MR-2, Program-Level Analysis in the PEIR, and MR-4, Adherence to Local Jurisdictions' Requirements, regarding an accurate and stable project description. As stated, all future proposed specific projects would be subject to subsequent environmental compliance under State CEQA Guidelines Section 15168, which specifies that later activities must be examined in light of the program EIR to determine whether an additional environmental document must be prepared.

The PEIR does not need to be recirculated as the LA River Master Plan is an advance planning document, and no specific projects will be approved at the time the LA River Master Plan is adopted. Once certified, this PEIR would provide the County, the 17 cities through which the proposed Project extends, and other potential implementing parties with a base reference of facts and analyses that would avoid unnecessary repetition for future CEQA analysis by agencies on individual projects and would allow for a comprehensive approach to the consideration of regional and cumulative impacts. Furthermore, the PEIR adequately addresses biological resources, hydrology, climate change and sea level rise, land use, and other impacts in their respective sections of the Draft PEIR.

Response to Comment B-24
The County acknowledges these comment letters. In regard to Attachment A (Draft PEIR Comment Letter from Chatten-Brown, Carstens & Minteer LLP dated May 13, 2021), the County prepared responses to all comments received consistent with State CEQA Guidelines Section15088 and responses to the comment letter can be found in the Final PEIR.

In conclusion, the analysis in the Final EIR complies with all requirements of CEQA.

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Attach.

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June 13, 2022

Via email to: *LARiverCEQA@pw.lacounty.gov*

Grace Komjakraphan-Tek
Los Angeles County Public Works, Stormwater Quality Division
900 South Fremont Avenue
Alhambra, CA 91803

Re: Comments on Final EIR for Los Angeles River Master Plan Update

Dear Ms. Komjakraphan-Tek,

On behalf of Los Angeles Waterkeeper ("Waterkeeper"), we submit the following comments on the Final Program Environmental Impact Report ("FEIR" or "PEIR") prepared for the Los Angeles River Master Plan Update (the "Plan" or "Project"). Waterkeeper understands the unique opportunity provided by the revitalization of the Los Angeles River and is deeply engaged in ensuring that the resulting plans and their implementation maximize habitat restoration and equity in River-connected communities. To this end, Waterkeeper participated in the Steering Committee for the Master Plan Update. Waterkeeper submitted comments detailing the deficiencies the draft EIR ("DEIR") on May 13, 2021 (a copy of which is attached to this letter as **Attachment A**).

Waterkeeper believes the Project and FEIR violate the California Environmental Quality Act ("CEQA") in three primary ways. First, the final Master Plan and FEIR fail to define the "Project" subject to environmental review in a clear manner, and as a result the FEIR impermissibly relies on both deferred environmental analysis and deferred mitigation to assert that there would be no significant impacts. Second, the FEIR fails to provide any useful analysis of the impacts of the platform parks, which the County has evidently committed to pursuing under the Master Plan. These Plan components are well-defined and require detailed analysis and mitigation now, rather than deferring or attempting to tier such an analysis in an uncertain manner. Finally, the FEIR fails to provide good-faith responses to comments, in particular to grave concerns raised by the California Coastal Commission and the California Department of Fish and Wildlife. The FEIR's dismissal of the legitimate concerns of State trustee agencies must be remedied in a recirculated document. Unfortunately, the Master Plan team has failed to remedy these deficiencies, and Waterkeeper requests that the County withhold approval of the Master Plan Update until the legal shortcomings under CEQA have been resolved.

B-1

I. The Master Plan Update and FEIR Fail to Adequately Define the Project, Resulting in Impermissibly Deferred Analysis and Mitigation.

The Los Angeles River Master Plan Update and its PEIR do not identify the Project with sufficient specificity to identify, disclose, and analyze the Project's potential environmental impacts. The "description of the project is an indispensable element of both a valid draft EIR and final EIR." (*Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 16; see also *Washoe Meadows Community v. Department of Parks & Recreation* (2017) 17 Cal.App.5th 277, 287 [citing *Western Placer Citizens for an Agricultural & Rural Environment v. County of Placer* (2006) 144 Cal.App.4th 890, 898].) The project description must be accurate, stable and finite. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193.)

The FEIR's attempt to define the Project as merely an "advanced planning document" at a programmatic level, identifying 107 "potential projects" without project-specific or site-specific approvals, is an impermissible attempt to tier environmental review. The FEIR cannot possibly mitigate the environmental impacts of "unknown" Project components (see FEIR p. 2-9), which may include platform parks encasing the River in concrete, reconfiguration of the River's channel, and the addition or removal of concrete in the channel and floodplain. Neither the FEIR, nor the technical Design Guidelines included as Appendix I to the final Plan (the "Design Guidelines"), explain which components of the "Kit of Parts" ("KOPs") are appropriate for which stretches or frames of the River. While the FEIR claims that this required specificity will come later during individual river project proposals, the FEIR simultaneously claims that the impacts of the as-yet undisclosed Project have somehow already been fully mitigated in this PEIR. At the same time, the Plan outlines highly technical design guidelines for specific future opportunity sites (including visual renderings) and other example projects such as pavilions, trails, and structures along the river, conflicting with the County's represented definition of the Project that it contemplates nothing site-specific and requires no site-specific environmental impact analysis.

B-2

The County cannot have it both ways. The EIR violates the primary purpose of CEQA to ensure adequate and transparent analysis of environmental impacts. As articulated by the Court of Appeal:

> The CEQA process is intended to be a careful examination, fully open to the public, of the environmental consequences of a given project, covering the entire project, from start to finish. This examination is intended to provide the fullest information reasonably available upon which the decision makers and the public they serve can rely in determining whether or not to start the project at all, not merely to decide whether to finish it. The EIR is intended to furnish both the road map and the environmental price tag for a project, so that the decision maker and the public both know, before the journey begins, just where the journey will lead, and how much they-and the environment-will have to give up in order to take that journey.

(*Natural Resources Defense Council v. City of Los Angeles* (2002) 103 Cal.App.4th 268, 271.)

The Plan is not a roadmap, it is a menu of options. The County claims it is a plan that isn't really a plan, describing future projects that are not currently projects, for a river that the County does not consider to be a river. The Plan lacks a cohesive vision for the future of the LA River and authorizes local governments to pursue individual projects with drastically different outcomes, making any present representations about environmental impacts and mitigation specious at best. Neither the County nor the public can possibly know where the LA River's journey will lead—and what the environment and public will give up—as the Master Plan Update is implemented over the coming decades.

B-2 cont.

In summary, the PEIR must be revised to include an accurate and stable project description, with disclosure, analysis, and mitigation of the environmental impacts of that defined Project. None of the concerns raised in Waterkeeper's DEIR comment letter regarding the inadequate description of the Project have been addressed in the final Master Plan, and therefore Waterkeeper incorporates those comments by reference as equally applicable to the final Plan. The County's plan to wait until after Project approval to disclose or analyze these impacts, much less mitigate them, is illegal under CEQA.

II. The Master Plan Update Will Have Significant Impacts on the Environment that Require Disclosure, Analysis, and Mitigation.

In addition to the inconsistent definition of the Project, the proposals for future projects at identified opportunity sites in the final Master Plan will undeniably have significant environmental impacts without the possibility for mitigation. The Plan improperly defers environmental analysis for these proposals, but the technical design guidelines and detailed renderings included in the Plan show that some of these proposed projects would irreversibly encase the LA River's channel and floodplain in concrete platforms, exacerbate climate change impacts in river-adjacent communities, and leave longstanding industrial land contamination in place. In its DEIR comments, Waterkeeper raised these same concerns with specific project proposals, the PEIR's improper use of tiering, and the PEIR's deficient discussion of impacts related to biological resources, hydrology, land use, climate change, environmental justice and equity. Those comments are equally applicable to the FEIR and are incorporated by reference. These significant environmental impacts for future projects necessitate fulsome review for these projects now, rather than at an undetermined future time.

B-3

To elaborate, the Appendix I Design Guidelines provide technical guidance for constructing project elements that directly conflict with the Plan's stated goal to increase riparian habitat near the LA River and promote the introduction of endemic and native species into the area. (See Plan at p. 175.) The Design Guidelines support creating 51 miles of connected open space "with equitable access [for residents], including trails, gateways, and access points." (Design Guidelines at p. 66.) Some of these contemplated access points are rendered in the Plan as "Tier III gathering pavilions" with basic amenities, "ideally situated every 2-3 miles" at river access points. (Plan at p. 350.) Building trails and structures along the River, while beneficial to improve open space access for nearby residents, may disturb wildlife populations that are currently present or may be present at these project sites following development. (See also FEIR at pp. 2-52–2-55 [Comment A6-3 from the California Department of Fish and Wildlife

identifying significant impacts to biological resources resulted from increased visitors and recreation].) Similarly, the Design Guidelines specifically mention creating ramps for maintenance vehicles to access the River channel, designed in ways that can be used for both human access and recreation as well as support River access for wildlife. (Design Guidelines at p. 186.) The Design Guidelines also provide more technical specifications for platforms, bridges, channel modifications, and other projects that could add more concrete to the LA River channel and the river right-of-way. (See, e.g., *id.* at p. 90-93, 176, 181, 188, 200.) Yet the FEIR does not consider these project components to have specific environmental impacts, despite the obvious overlap between human and wildlife uses and the irreversible impacts that would result from additional concrete development.

B-3 cont.

Furthermore, the FEIR's analysis of alternatives is still deficient as it was in the DEIR, as no changes have been made to the alternatives section. One recurring theme in the Plan and FEIR is the disclaimer of concrete removal and river channel naturalization as a viable option for future projects, except on a small scale in undefined specific locations. (See, e.g., FEIR at pp. 2-11–2-12 [rejecting the multitude of public comments calling for concrete removal and river restoration]; Master Plan at p. 30 [concluding without environmental impact analysis that "a holistic 51-mile restoration strategy [for the LA River] is not realistic, even on a generational timeline"]; *id.* at p. 268 [labeling the Floodplain Reclamation KOP component as the least feasible option].) Yet the Plan conducts no analysis to consider the alternative of concrete removal on a broader scale and the environmental impacts of developing new projects that bring people closer to the River while leaving concrete and industrial land contamination in place. The Plan and FEIR cannot treat concrete removal and concrete addition as resulting in the same (absence of) environmental impacts. As such, the conclusory statements in the Plan and FEIR that concrete removal is infeasible confirms the County's deficient consideration of alternatives.

B-4

In summary, the FEIR's conclusion that there will be no significant environmental impacts from any future projects at specific opportunity sites, or from any of the KOP components or project elements with technical guidance in the Design Guidelines, is incorrect on its face. It is impermissible under CEQA for the County to defer consideration of these environmental impacts to an unspecified future proceeding when those impacts are presently identified and known. Any discussion of mitigation of these significant impacts in the FEIR is conclusory and puts the cart before the horse.

B-5

III. The Final EIR Fails to Adequately Respond to Comments.

CEQA requires the County to respond to the public's comments and questions with "reasoned, good faith analysis." (CEQA Guidelines § 15088). When a comment raises a significant environmental issue, the lead agency must address the comment "in detail giving reasons why" the comment was "not accepted." (*Ibid*.) "Conclusory statements unsupported by factual information will not suffice." (*Ibid*; *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1124.) The level of detail of responses to comments must be commensurate with the level of detail of the comments. (*Friends of the Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4th 859, 878 ["the determination of the sufficiency of the agency's responses to comments on the draft EIR turns upon the detail

B-6

required in the responses"].) This is especially important with regard to the substantive comments of responsible or "sister agencies" which may not simply be ignored. (*Cleary v. County of Stanislaus* (1981) 118 Cal.App.3d 348, 357.)

B-6 cont.

This requirement for good faith, reasoned analysis "ensures that stubborn problems or serious criticism are not swept under the rug." (*Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 732.) The courts have held that inadequate responses to comments—alone—can be grounds for voiding a project's approval. (See *Environmental Protection Information Center. v. Johnson* (1985) 170 Cal.App.3d 604, 627.) Failure to respond to a *single* comment is sufficient to invalidate approval of a FEIR. (*Flanders Foundation v. City of Carmel by-the-Sea* (2012) 202 Cal.App.4th 603.)

The FEIR failed to respond adequately to comments raised in Waterkeeper's comments on the DEIR, including, but not limited to:

B-7

- The dismissal of the deficiencies in the Project description establishing that the "Project" is merely a menu of options without a coherent vision, with the County's response repeating the same irrelevant and inaccurate statements from the DEIR regarding the general purpose of programmatic EIRs with deferred project-specific analysis and approval (FEIR at pp. 2-341, 2-343, 2-348–2-354 [responding to Comments 017-1, 017-2, and 017-7–017-14]);

B-8

- The failure to provide more information and environmental impacts analysis for specific projects contemplated at opportunity sites, in light of the detailed technical specifications and visual renderings for those projects, with the County's response repeating unconvincingly that these projects are not approved and are only conceptual (FEIR at pp. 2-355–2-361 [responding to Comments 017-17–017-22]);

B-9

- The failure to consider feasible alternatives to eliminate concrete and naturalize the LA River channel while preserving flood control functionality, to which the County responded by repeating the unsupported discussion from the DEIR that such an alternative is infeasible (FEIR at pp. 2-362–2-366 [responding to Comments 017-24–017-26]); and

B-10

- The dismissal of Waterkeeper's critique of the deficient analysis of impacts to hydrology and water quality, biological resources, and mitigation measures for those impacts, to which the County responded by claiming that water impacts would be addressed solely through compliance with local and regional water quality and stormwater requirements, refusing to consider detailed evidence submitted by commenters of baseline wildlife conditions, and acknowledging mitigation must be deferred and cannot yet be implemented or required because specific projects are not being considered (FEIR at pp. 2-366–2-376 [responding to Comments 017-27–017-40]);

B-11

More concerning, the FEIR dismissed comments from sister State agencies without adequately considering their concerns or incorporating changes into the Plan or FEIR to reflect

those concerns. The California Coastal Commission ("CCC") submitted detailed comments on the DEIR to outline concerns about possible land use impacts and the inconsistency of some Plan components with existing laws, but the County effectively rejected the CCC's input and deferred consideration of the CCC's concerns to future individual plan processes. Notable comments from the CCC and responses from the County include the following:

B-11 cont.

- The CCC identified the need for future projects to consider sea level rise consistent with guidance from the Ocean Protection Council, and the County responded by stating that future projects would comply with applicable state and local requirements for considering sea level rise, without any explanation as to how the Plan would ensure such compliance (FEIR at pp. 2-25–2-26 [responding to Comment A5-8]);

B-12

- The CCC also explained aspects of the Plan that would conflict with existing laws and land use plans (such as the California Coastal Act, the Long Beach Local Coastal Program, and the Long Beach Port Master Plan) or would require permits, rendering those aspects of the Plan currently impossible to accomplish or creating significant land use impacts (including with respect to hazardous materials). The County's response ignored this aspect of the CCC's comments, merely stating that future projects would have to be consistent with relevant regulations and that as a "mitigation" measure, the implementing agencies would have to coordinate for all necessary permits, approvals, and amendments (FEIR at pp. 2-26, 2-28–2-29, 2-33–2-37, 2-39–2-42, 2-44–2-47 [responding to Comments A5-9, A5-12, A5-19–A5-20, A5-23, A5-26, A5-30, A5-34–A5-43, A5-45–A5-49, A5-53-A5-54]);

B-13

- The CCC offered specific feedback on some of the KOP components in the plan, pointing out certain KOP components that would not be feasible to implement in isolation. The County failed to respond substantively and repeated its position that the FEIR does not assess any specific project proposals and is merely programmatic in nature, so any specific consideration of the CCC's concerns would occur in subsequent environmental review for individual proposals or would be addressed through future site-specific studies required as "mitigation" measures (FEIR at pp. 2-29–2-32, 2-43–2-44 [responding to Comments A5-13–A5-17, A5-52]

B-14

- The CCC noted the possibility of local agencies pursuing wastewater recycling and increasing greywater treatment capacity to create a closed water utility system, as relevant to possible mitigation of wastewater impacts under the Common Elements Typical Projects. Yet the County's response rejected any need to consider possible future changes to wastewater treatment systems or water recycling, sticking to a baseline regulatory setting of the existing landscape of systems, thereby refusing to analyze foreseeable future cumulative impacts (FEIR at pp. 2-32–2-33 [responding to Comment A5-18]); and

B-15

- The County refused to include more detailed environmental justice analysis in response to a request from the CCC to do so, stating summarily that "environmental

B-15 cont.

justice is not a CEQA requirement" (FEIR at pp. 2-37–2-38 [responding to Comments A5-30–A5-31]).

Similarly, the California Department of Fish & Wildlife ("CDFW") submitted detailed comments identifying deficiencies in mitigation measures and the possible significant impacts on biological resources, to which the County again deferred consideration and specific mitigation requirements to future individual project proceedings. The County's responses to CDFW's detailed and specific concerns about biological impacts defers mitigation considerations to future biological assessments for individual projects, in violation of CEQA. Notable comments from CDFW include the following:

B-16

- CDFW raised concerns about biological impacts from increased visitors and recreation uses along the LA River, fencing and access barriers that may impact wildlife dispersal, and ground disturbances, noise and light pollution, and streambed alterations during the project development process. In response, the County improperly defers mitigation to future individual projects through recommendations in future biological reports or surveys and claims that an existing mitigation measure "already begins the process of making a determination of whether the proposed individual subsequent project would have a significant environmental impact on biological resources and provides the steps necessary to make that determination," therefore requiring no evaluation now (FEIR at pp. 2-52–2-59, 2-72–75 [responding to Comments A6-3–A6-5, A6-10]). "[A]n agency goes too far when it simply requires a project applicant to obtain a biological report and then comply with any recommendations that may be made in the report." (*Defend the Bay v. City of Irvine* (2004), 119 Cal.App.4th 1261, 1275.);

B-17

- CDFW raised significant concerns regarding dry weather diversions of water from the LA River and the significant impacts on species and beneficial uses, which would reduce water flows and could affect a variety of plants, fish, macroinvertebrates, and other wildlife. CDFW identifies these concerns in the context of KOP components for channel modifications and water diversions, requesting more environmental analysis of how those components might impact biological resources in both concrete-lined and soft-bottom portions of the LA River. In response, the County again deferred any consideration of these impacts to future specific project approvals and "anticipated" future CEQA proceedings, which would include regulatory assessments for mitigation opportunities, rather than making any determinations now (FEIR at pp. 2-59–2-64 [responding to Comment A6-6]);

B-18

- CDFW also raises concerns about significant impacts to endangered species of anadromous fish (such as Southern California steelhead) that may use the LA River for habitat, which are particularly certain to occur from projects employing KOP categories for channel modifications, water diversions, and platform parks or land bridges atop the River, concluding in no uncertain terms that "impacts would be significant." The County again responds by deferring analysis to individual subsequent projects and "anticipated" CEQA processes, including "mitigation"

B-18 cont.

measures to conduct assessments for those individual projects, but makes no changes to the KOP components in the Plan or how they may be deployed (FEIR at pp. 2-64–2-67 [responding to Comment A6-7]);

B-19

- CDFW notes that many of the Plan components would impact riparian habitat and "may result in temporary or permanent loss of riparian resources," calling for specific language to be included in a mitigation measure to ensure no net loss of riparian habitat in the River and increasing compensatory mitigation measures for rare or threatened riparian habitat and vegetation measures. The County makes no changes in the Plan or PEIR in response to CDFW's thoughtful and focused comment, once again deferring all such considerations to future individual projects (FEIR at pp. 2-68–2-69 [responding to Comment A6-8]);

B-20

- The County responds to CDFW's recommended mitigation measures for California Species of Special Concern by expanding certain mitigation measures and their definitions, but largely noting that CDFW's concerns would again be dealt with on a project-by-project basis through biological assessments (FEIR at pp. 2-69–2-72 [responding to Comment A6-9]);

B-21

- The County acknowledges that it added new mitigation measures in the FEIR in response to comments from CDFW, including BIO-3d(ii), Implement Burrowing Owl Avoidance and Relocation Measures; BIO-3d(iii), Implement Burrowing Owl Mitigation Management Plan; and BIO-20b, Protect Against Tree Diseases, Pests, and Pathogens. (FEIR at p. 2-25; FEIR at pp. 2-69–2-72 [noting edits to existing mitigation measures in response to CDFW's Comment A6-9 regarding California Species of Special Concern].) The addition of new mitigation measures entirely excluded from the DEIR, in response to significant new information about potential significant environmental impacts, necessitates a recirculation of the FEIR for review and comment on the adequacy of these new mitigation measures. CEQA requires recirculation of an environmental impact report when "significant new information" is added. (See Pub. Resources Code § 21092.1 [requiring recirculation of an environmental impact report when "significant new information" is added]; CEQA Guidelines § 15088.5 [requiring recirculation when the new information shows newly significant environmental impacts or increased severity of previously disclosed environmental impacts].)

B-22

Lastly, Waterkeeper and other concerned environmental, environmental justice, and community-based organizations have repeatedly expressed grave concerns with the Master Plan team's engagement with the Steering Committee and community groups during the Plan's drafting process. The final Plan and FEIR ignore these concerns, especially in response to Waterkeeper's comments on the DEIR, while simultaneously representing in a misleading manner that the County achieved robust and meaningful community engagement and incorporated feedback into the Plan and FEIR. The County's responses to comments overlook Steering Committee members' concerns about the lack of Tongva representation on the Steering Committee, instead pointing to irrelevant public meetings held in River-adjacent communities.

(FEIR at p. 2-378 [responding to Comment 017-43.) Particularly concerning is the County's refusal to translate the DEIR into Spanish or Chinese (Cantonese and Mandarin) to allow for greater community input—the County's responses to comments rely only on Spanish translation of the DEIR notices and publication of the notices in Spanish newspapers, which have no relevance to ensuring that Spanish-speaking or Chinese-speaking community members can access the PEIR itself. (See FEIR at pp. 2-377–2-378 [responding to Comments 017-41–017-42].)

B-22 cont.

These deficiencies in meaningful community engagement, and the disregard of all feedback provided by organizations that served as members of the Steering Committee over a period of two years, compelled Waterkeeper and other organizations to formally remove their names and logos from the final Plan in any manner associated with the Steering Committee or community engagement process. A copy of these organizations' letter dated June 10, 2022 is attached to this letter as **Attachment B**. The County's deficient public engagement process during the development of the Plan and DEIR is emblematic of the failure to consider and respond meaningfully to public comments on the DEIR from organizations and sister agencies alike.

* * * * *

In conclusion, the Los Angeles River Master Plan Update fails to sufficiently define the Project, leading to a failure to both analyze and mitigate the Project's potentially significant adverse impacts on the Los Angeles River. The biological resources, hydrology, climate change and sea level rise, land use, and other impacts of reconfiguration, reuse, and restoration of the River discussed in Waterkeeper's DEIR comments require detailed disclosure and consideration.

B-23

The EIR must also analyze the environmental impacts of platform parks and other "potential" projects at opportunity sites with detailed technical specifications and design guidelines, to which the County appears to have committed. Before considering approval of this Project, a recirculated EIR must be prepared to define the Project and fully analyze the many impacts associated with this Project so that decision makers and the public will know "the environmental price tag" prior to project implementation.

Thank you for your consideration of these comments. We look forward to reviewing a revised and legally adequate EIR for the Project.

Sincerely,

Michelle Black
Amy Minteer

Benjamin Harris
Staff Attorney
Los Angeles Waterkeeper

Grace Komjakraphan-Tek
Los Angeles County Public Works
June 12, 2022

B-24

Attachments:

A. May 13, 2021 Comments on Draft Environmental Impact Report
B. June 10, 2022 Letter from Steering Committee Organizations

Attachment A

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May 13, 2021

***By U.S. Mail and Email**: LARiverCEQA@pw.lacounty.gov*

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Re: Draft Programmatic Environmental Impact Report and Selection of Alternatives for the Los Angeles River Master Plan Update

Dear Ms. Komjakraphan-Tek,

These comments are submitted on behalf of Los Angeles Waterkeeper in connection with the draft programmatic environmental impact report (DPEIR) prepared for the Los Angeles River Master Plan Update ("Project"). Los Angeles Waterkeeper's mission is to fight for the health of the region's waterways and for sustainable, equitable and climate-friendly water supplies. Consistent with its mission, Los Angeles Waterkeeper has been actively engaged in the County's planning for the Master Plan Update at every level. Waterkeeper is a member of the Steering Committee for this process and has submitted comments on the draft Master Plan Update and at each stage of the accompanying CEQA review. (See, Attachment 1 [March 2020 Comments on Draft Master Plan Update]; Attachment 2 [August 2020 Notice of Preparation Comments]; Attachment 3 [May 16, 2009 Comments on Draft Master Plan Update]; Attachment 4 [November 11, 2020 Comments on Draft Master Plan Update].)

The Master Plan "is intended to be a visionary and practical document for all 18 local jurisdictions within the study area." (DPEIR p. 2-7.) The Master Plan has nine objectives:

(1) Reduce flood risk and improve resiliency.

(2) Provide equitable, inclusive, and safe parks, open space, and trails.

(3) Support healthy connected ecosystems.

(4) Enhance opportunities for equitable access to the river corridor.

(5) Embrace and enhance opportunities for arts and culture.

(6) Address potential adverse impacts on housing affordability and people experiencing homelessness.

(7) Foster opportunities for continued community engagement, development, and education.

(8) Improve local water supply reliability.

(9) Promote healthy, safe, clean water.

(DPEIR p. 2-7.) However, in lieu of actual project information, the DPEIR states, "In addition to common elements that projects need to include, to achieve the nine objectives, the 2020 LA River Master Plan proposes six categories of project improvements, or "kit of parts" (KOP), consisting of infrastructure and urban river design typologies that illustrate the range of possible strategies that the proponents of subsequent projects, including the County, can use along the river." (DPEIR p. 2-8.) The KOP categories and potential included components are:

- Trails and Access Gateways (pedestrian, equestrian, bike, and multi-use trails; lookouts, boardwalks, vehicular access, habitat corridor)
- Channel Modifications (Terraced bank, check dam, levee, armored channel, concrete bottom, soft bottom/concrete removal)
- Crossings and Platforms (bridges, cantilever, platform)
- Diversions (pipe, side channel, tunnel, overflow weir, wetland)
- Floodplain Reclamation (side channel, wetland, naturalized bank, field, recreation field, storage)
- Off-Channel Land Assets (urban agriculture, solar power, composting, natural treatment system, wetland, recreation field, storage, injection well, water treatment facility, spreading ground, affordable housing, art and culture facility)

(DPEIR pp. 2-8 – 2-9.) The DPEIR claims to analyze these diverse (and internally conflicting) KOPs as well as two "typical projects." The Common Elements Typical

Project would consist of pavilions, cafes, restrooms, benches, water fountains, bike racks, lighting, fencing, stormwater BMPs, and performance spaces implemented individually or in any combination on a site up to 3 acres in size or arranged along up to one mile of river. (DPEIR p. 2010.) The Multi-Use Trails and Access Gateways Typical Project would consist of a continuous multi-use path and welcoming access gateways to the River. For purposes of analysis, each project is assumed to be 5 miles long and 40 feet wide. (DPEIR p. 2-11.) Although Typical Projects have a generally recognizable form, they lack information about location. Even the same project will have differing effects in different locations. Projects consisting of the KOPs, however, could take almost any form in almost any location. For example, Channel Modifications could consist of increasing concrete lining – which has a certain set of adverse environmental impacts – or of *removing* concrete lining – which has altogether different long-term benefits and impacts. The DPEIR provides, "Under the 2020 LA River Master Plan, the multi-benefit design components can be implemented individually or in combination with other design components as subsequent projects under the 2020 LA River Master Plan." (DPEIR p. 2-12.) Thus, the Master Plan is a menu, not a project.

The California Environmental Quality Act (CEQA) serves two basic, interrelated functions: ensuring environmental protection and encouraging governmental transparency. (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal. 3d 553, 564.) CEQA requires full disclosure of a project's significant environmental effects so that decision-makers and the public are informed of these consequences before the project is approved to ensure that government officials are held accountable for these consequences. (*Laurel Heights Improvement Ass'n of San Francisco v. Regents of the University of California* (1988) 47 Cal.3d 376, 392.) The environmental impact report (EIR) process is the "heart of CEQA" and is the chief mechanism to effectuate its statutory purposes. (*In Re Bay-Delta Programmatic EIR Coordinated Proceedings* (2008) 43 Cal. 4th 1143, 1162.) Waterkeeper is concerned the DPEIR fails to adequately disclose, analyze, and mitigate the Project's significant adverse environmental impacts.

Although an EIR need not be perfect, the County "must use its best efforts to find out and disclose all that it reasonably can." (CEQA Guidelines § 15144.) If important information cannot be obtained, the EIR must explain why. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 519-522.) The County must also "ensure that CEQA [GHG] analysis stays in step with evolving scientific knowledge and state regulatory schemes." (*Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 519.)

Throughout the administrative processes, Waterkeeper has documented its concerns about the vagueness of the Master Plan and urged the County to prioritize the

Plan's lofty but often competing goals. (See, Attachment 1.) While Waterkeeper lauds the County's efforts to incorporate the goals of a broad stakeholder community, it reminds the County that the purpose of a Master Plan is to provide a workable road map for future restoration and development decisions along the Los Angeles River. Unfortunately, despite Waterkeeper's detailed feedback, the Master Plan Update remains more of a vague vision statement than any kind of defined plan. It does not contain defined projects at defined locations and, instead, seems to permit opposing projects at all locations. Consequently, the Draft Programmatic EIR fails to adequately define a "project" as needed for CEQA review. The failure to define the Project cascades into the DPEIR's failure to provide any useful information about the Project's likely impacts on biological resources, recreation, displacement, hydrology, land use, hazards, and others, on an area stretching 200 square miles. Without adequate disclosure, the DPEIR further fails to adequately analyze and mitigate the Project's impacts. In short, the Project, as described, is not ripe for environmental review.

The DPEIR also fails to include useful project objectives, to provide an alternatives analysis directed at reducing the Project's potentially significant environmental impacts, to provide concrete and enforceable mitigation for activities as varied as installing and removing concrete channel bottoms, and to analyze hydrology, impacts on biological resources, and other important environmental concerns in a useful way.

Los Angeles Waterkeeper understands the importance of flexibility in Master Planning, but that doesn't obviate the need for the County to adopt a Master Plan that provides clear direction about the types of uses that will be permitted and cultivated along the river and that ranks objectives to provide at least a modicum of certainty in future planning. After this, the County should revisit its environmental review to ensure it actually discloses, analyzes, and mitigates the Master Plan's potential adverse environmental impacts. However, in the interest of preserving its legal rights if the County chooses to certify this inadequate programmatic EIR, Waterkeeper provides the following CEQA comments.

I. The Programmatic EIR Fails to Define a Project.

"An accurate, stable and finite project description is the Sine qua non of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192–193.) To the contrary, a "curtailed or distorted project description may stultify the objectives of the reporting process" and does not allow "outsiders and public decision-makers [to] balance the proposal's benefit against its environmental cost,

consider mitigation measures, assess the advantage of terminating the proposal (i.e., the 'no project' alternative) and weigh other alternatives in the balance." (*Ibid.*)

Instead of following this central CEQA requirement, the DPEIR relies on a vague and unstable project description. The project description first includes two basic outlines of what it considers typical projects: a common elements project, which includes pavilions along the River with varying levels of public facilities; and multi-use trails and access gateways. (DPEIR pp. 2-10 to 2-11.) The DPEIR assumes pavilions that will provide the greatest number of public services when analyzing impacts but provides no basis for that assumption. While these Tier III pavilions would likely take up the most space, they would also provide services that could potentially reduce impacts as compared to the Tier I and II pavilions – services including public safety stations, bike rental and repair and indoor showers. Thus, the DPEIR's analysis of only Tier III pavilions fails to provide an adequate assessment of the plan's potential impacts. It also fails to provide necessary information to the public and decisionmakers to use when commenting on and adopting the plan.

The project description then includes six kit of parts (KOPs) along with the two typical, although only vaguely defined, projects. The DPEIR includes a long list of potential activities that could fit within each KOPs. While the DPEIR claims these KOPs are intended to inform future projects, many of listed potential activities are competing or contradictory. For example, KOP Category 2 "Channel Modifications" include both installing concrete bottoms and removing concrete bottoms. (DPEIR p. 2-9.) KOP Category 1 "Trails and Access Gateways" includes pedestrian, bike, and equestrian trails to increase nonvehicular connectivity, but it also includes "vehicular access" which may counter the safety or benefit of multi-modal trails. (DPEIR p. 2-9.) KOP Category 3 "Crossings and Platforms" contains both habitat/wildlife bridges, which would promote habitat connectivity, and platforms, which might destroy habitat beneath them. (*Ibid*.) KOP Category 4 "Diversions" include pipes, pumps, and wetlands. (*Ibid*.)

The design components within a single KOP could also serve competing interests, with different environmental impacts. For example, the DPEIR describes Trails and Access Gateways with similar cross sections and arrangements that could either serve recreational uses with playing fields or ecological uses with habitat corridors and vegetated buffers. (DPEIR p. 2-12.)

Adding to the confusion, the DPEIR references "up to 107 potential projects ranging in size from extra-small (less than 1 acre) to extra-large (150+ acres/10 miles) that would be implemented over the 25-year horizon period," but the DPEIR never

describes what these projects are. (DPEIR p. 2-15.) The next two sentences appear intended to provide this exposition, but only serve to confuse a reader:

> These would include the two Typical Projects…that would be constructed at a specified cadence, or spacing, along the river to ensure equitable distribution of facilities throughout the 51-mile-long corridor and help improve access and safety; and additional subsequent projects from the KOP categories; multi-benefit design components. These elements together comprise the entirety of the 202 LA River Master Plan.

(DPEIR p. 2-15.) The DPEIR next states these 107 potential projects are identified in the Master Plan as well as in several other published plans. (*Ibid*.) But they are not reproduced here. CEQA does not permit an EIR to outsource its project description to a list of other documents.

The project description includes no identification of project phases by priority or any other means. Instead, the project description serves as nothing more than a laundry list of vaguely described potential activities that does not allow for an assessment of potential impacts, the development of mitigation or an assessment of project alternatives. The DPEIR has provided only a "blurred view of the project" and thus fails an informational document. (*Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 12–13.)

As to actual activities and what will happen on which part of the River and when, little information is included. An EIR's purpose is to eliminate this confusion:

> The CEQA process is intended to be a careful examination, fully open to the public, of the environmental consequences of a given project, covering the entire project, from start to finish. This examination is intended to provide the fullest information reasonably available upon which the decision makers and the public they serve can rely in determining whether or not to start the project at all, not merely to decide whether to finish it. The EIR is intended to furnish both the road map and the environmental price tag for a project, so that the decision maker and the public both know, before the journey begins, just where the journey will lead, and how much they-and the environment-will have to give up in order to take that journey.

(*NRDC v. City of Los Angeles* (2002) 103 Cal.App.4th 268, 271.) The LA River Master Plan DPEIR contains no such road map.

The County's use of a program EIR, as opposed to a project-specific EIR, does not excuse the obligation to provide clear and detailed information to the public. "The ultimate inquiry . . . is whether the EIR includes enough detail 'to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.' " (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516.) As circulated, the DPEIR does not include the requisite detail.

The Court of Appeal provided recent guidance about the distinctions between program and project EIRs:

> Designating an EIR as a program EIR . . . does not by itself decrease the level of analysis otherwise required in the EIR. [I]n considering a challenge to a program EIR, 'it is unconstructive to ask whether the EIR provided 'project-level' as opposed to 'program-level' detail and analysis. Instead, we focus on whether the EIR provided 'decisionmakers with sufficient analysis to intelligently consider the environmental consequences of [the] project.'

(*Cleveland National Forest Foundation v. SANDAG* (2017) 17 Cal.App.5th 413, 426.). Even if more precise information may be available during project-specific review, the County "must still provide reasonably obtainable information, or explain (supported by substantial evidence) why it cannot do so. '[I]f known impacts are not analyzed and addressed in a program EIR, they may potentially escape analysis in a later-tier EIR.' (Forest Foundation, supra, 17 Cal.App.5th at p. 440.)" (*Golden Door v. County of San Diego* (2020) Slip. Opinion, pp. 101-102.)

Waterkeeper supports efforts to expand recreational access, equity, and environmental restoration along the River, but CEQA requires the activities involved in these efforts be clearly delineated for public understanding.

The project description fails to provide adequate information regarding the activities allowed under the Master Plan to allow for useful environmental review and is essentially unripe. The DPEIR fails to achieve the advantages of a program EIR identified by CEQA. A program EIR is intended to "provide an occasion for a more exhaustive consideration of the effects and alternatives that would be impractical in an EIR on an individual action." (CEQA Guidelines §15168(b)(1).) The DPEIR instead provides only general consideration of effects and limited assessment of alternatives.

II. The DPEIR Cannot be Used for Future Tiering.

While CEQA does allow for tiering of environmental review, it does so only when there are issues currently ripe for consideration. (Pub. Resources Code § 21093.) The Notice of Availability provides, "It is anticipated that the County or other agencies may use the PEIR as the first-tier analysis when considering subsequent discretionary actions." (NOA, March 8, 2021, p. 4.) The DPEIR further explains "the two Typical Projects are analyzed in greater detail in this PEIR than the other elements. The six KOP categories and related design components – as well as the 2020 LA River Master Plan in its entirety – are analyzed qualitatively at a program level." (DPEIR p. 2-10.) Thus, it appears the County intends to use this Programmatic EIR to limit the environmental review required for future projects based on the Typical Projects and the KOPs anywhere along the River's 51-mile reach. (See, DPEIR p. 2-2 ["study area is defined as a 2-mile-wide corridor – 1 mile on each side of the river – that follows the centerline of the LA River for its entire 51 miles" and "subsequent projects could be located anywhere in the 2-mile-wide study area."].)

However, as discussed above, the project as described in the DPEIR does not present an issue ripe for decision. The DPEIR seems to acknowledge this, finding "The wide-ranging functions, characteristics, and complexity of the KOP categories and their respective design components – along with the lack of specific sites or detailed design information – make it particularly challenging to make informed assumptions about reasonable construction and operations scenarios." (DPEIR p. 2-12.) While the DPEIR contains valuable information about a wide range of opportunities for expanding access and restoration along the River, the DPEIR has limited value for purposes of environmental review pursuant to the California Environmental Quality Act (CEQA).

CEQA permits the County to rely on an *adequate*, certified EIR as the basis for future entitlements. As the DPEIR document is not specific as to the activities covered (or really, what those activities could even be), Waterkeeper is concerned about the DPEIR's use for activities whose environmental impacts have not been adequately disclosed, analyzed, or mitigated. If the DPEIR is relied upon by the County or the 17 River cities, there is no guarantee of future environmental analysis for projects employing the often-conflicting KOPs anywhere along the Los Angeles River. As a practical matter, the lack of specificity regarding what the DPEIR "covers" is likely to result in confusion as to what activities are covered, and may lead to uncertainty, wasted time, wasted resources, and CEQA abuses. Preparing and certifying an EIR now serves no purpose but to insulate the approval of the activities under the KOPs from future environmental review, when the impacts, mitigation and alternatives could and should truly be assessed.

III. The DPEIR Fails to Provide Project-Level Information on Known, Future Projects.

While on the one hand the Master Plan Update provides limited information on unknown future projects, on the other hand the County has been working with Gehry Partners, LLC on proposed Los Angeles River Platform Parks and other well-defined projects for several years. These projects would be located within the Master Plan Update study area and are well-defined on public websites. (See, Attachments 7 and 8.) The project description cannot fail to describe key elements of the Project. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730-35.) Despite the obvious relationships between these projects in space and time, the DPEIR fails to disclose, discuss, analyze, or mitigate the impacts of these projects.

According to the website for the Lower LA River Revitalization Plan, "The Rio Hondo Confluence Area Project, also known as RHCAP, was identified in the 2018 Lower Los Angeles River Revitalization Plan and is located at a key opportunity site along the Lower Los Angeles River. Conceptual development is exploring options to connect communities to the RHCAP and create a key gathering place for Southeast Los Angeles." (See https://lowerlariver.org/riohondoconfluence/.) The map on this website depicts several platform parks that would have significant environmental consequences that must be evaluated in an EIR. Yet none of these projects are discussed in any detail in the DPEIR.

The LA River Platform Park "is situated over the LA River and creates approximately 22 acres of new opportunities for recreation and habitat." (Attachment 8.) Similarly, "[t]he Rio Hondo Platform Park is situated over the Rio Hondo and creates approximately 11 acres of new opportunities for recreation, art, and habitat." (Attachment 8.) RHCAP documentation provides more than enough detail to enable useful environmental review of these platform parks. For example, the Site Design Concepts for the RHCAP describe the LA River Platform Park in great detail:

> The LA River Platform Park is situated over an approximately 3,200-foot stretch of the LA River. The platform park site is bounded to the north by the LA River channel jurisdiction line between the LACFCD and the USACE. A separate project could potentially extend the platform park north of that line in the future, creating the Southern Avenue Bridge Park. This continuation of the platform would allow for a connection of communities on the east and west of the LA River, in alignment with Southern Avenue. To the south, the platform park boundary is offset a minimum of 300' feet from the nearest platform wall and

> staggered away from the residential neighborhoods directly to the west. The eastern and western edges of the platform park are defined by the location of the flood channel parapet walls, or the inner edge of the levee when no parapet walls are present.

(Attachment 7.) The document also analyzes the practical challenges of implementing the LA River Platform Park and includes design options to minimize challenges:

> A major challenge of the LA River Platform Park is the coordination of the existing UPRR and future Metro WSAB line, which will have significant implications on the hydraulics, structure, and pedestrian access. The design of the platform park must allow for easy visitor access over this rail corridor in order to maintain continuity across the park experience. The Design Team has developed two distinct options for how the platform park will coordinate with these rail crossings. Option A, assumes full replacement of the UPRR bridge and Metro WSAB addition. Option B, assumes the Metro WSAB crossing will be an extension of the existing UPRR bridge crossing. Furthermore, as the platform park will need to be positioned above the LA River channel and the surrounding grade, the western and eastern edges of the platform park will need to be designed in such a way as to achieve an acceptable visual impact for the surrounding residential neighborhoods. The design will need to find ways to create convenient access and connectivity to and from the platform park, as well as between the northern and southern portions of the platform park.

(Attachment 7.) Beyond this, the document contains detailed drawings and schematics of cross-sections and layouts for the park. (*Ibid*.) Pages discussing "Platform Strategies" specifically call for 4 inches of soil across the platform. There are pages discussing and showing design options for different approaches to River hydrology. These pages analyze impacts to railroad bridges, potential rebuild and relocation of the railroad bridges, river channel modifications, and detailed structural support design options. (*Ibid*.) This is more than enough information needed to enable informed environmental review of these platform parks. These documents contain similarly detailed design options for the Rio Hondo Platform Park. (Attachment 7.) An EIR reviewing these platform parks could assess hydrological impacts, impacts to biological resources from changed sunlight and hydrological conditions, construction impacts, land use impacts, recreational impacts, and many others. And it is far more information than the DPEIR contains about the general impacts of KOP 3, to which platform parks would belong. For example, while the DPEIR acknowledges that impacts to tidewater goby could occur due to shading from generalized platform-type projects, the DPEIR fails to give any

indication of the extent of the impact on the species, or the size of the population that could be affected. (DPEIR pp. 3.3-139, 140.)

CEQA requires analysis of the "whole of a project" and prohibits analyses that divide Projects into pieces in order to minimize cumulative impacts. (CEQA Guidelines § 15003(h).) The statute recognizes, "environmental considerations do not become submerged by chopping a large project into many little ones -- each with a minimal potential impact on the environment -- which cumulatively may have disastrous consequences." (*Bozung v. Local Agency Formation Commission* (1975) 13 Cal. 3d 263, 283-284.) The omission of any real analysis of the potential impacts of the platform parks is a failure to provide an adequate Project Description under CEQA as well as a possible segmentation deficiency. The court in *Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora* (2007) 155 Cal.App.4th 1214 set out three items to be used to determine what constitutes the whole of a project: (1) relationship in time, (2) physical location, and (3) the entity undertaking the action. (*Id*. at 1227.) Here, (1) the platform parks have been under consideration for years, contemporaneous with the Countywide discussion about updating the Master Plan, (2) are located in and over the LA River channel itself, and (3) would be implemented by the County and the same partners as the Master Plan Update.

Regardless, these are future projects that belong in this environmental analysis. In *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1127-28, the court defined probable future projects as "any future project where the applicant has devoted significant time and financial resources to prepare for any regulatory review should be considered as probable future projects for the purposes of cumulative impact." As demonstrated by Attachments 7 and 8, the County and its partners have devoted very significant time and resources to produce detailed descriptions, drawings, engineering solutions, and layouts for these platform parks. Gehry Partners, LLC helped lead the County Public workshop on the release of the Master Plan Update. The Los Angeles Times has reported on the County and Gehry Partners' long partnership on Los Angeles River matters. (Attachment 11.) Review of these parks is required. Future environmental documents prepared for these parks cannot rely on the lack of analysis in this PEIR to avoid full and thorough environmental review.

Moreover, CEQA requires that environmental review occur before momentum becomes unstoppable and alternatives to a project become foreclosed. (*Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116.) The longer that Gehry Partners, the County, and others shop these platform parks, and the greater the design detail becomes, the harder it will become to shape these projects to avoid environmental impacts or to reject

them altogether if the County ultimately determines the environmental costs to be too great.

IV. The Project Objectives Identified in the DPEIR Fail to Provide Adequate Direction to Guide Future Projects or Allow for a Comparison of Alternatives.

The project description is also required to identify the project objectives. "A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project and may discuss the project benefits." (CEQA Guidelines § 15124.)

The DPEIR fails to provide a clearly written statement of objectives to allow for development of alternatives or the evaluation of the benefits of the Project. The vague and generalized goals identified for the Master Plan Update fail to prioritize goals for activities along the LA River. It includes competing goals with no identification of which goals should take priority if there is a conflict, or where limited financial resources should be given priority. (DPEIR p. 2-7.)

For example, the DPEIR project objective of addressing potential adverse impacts on housing affordability is overly broad. The steering committee's intent in raising the issue of housing affordability was to ensure the Master Plan Update prevents housing displacement and addresses impacts to homeless populations along the river. (Attachment 1.) In recent years, the broad goal of housing affordability has been used to push through numerous market rate housing developments that promise to reserve a very small number of units as affordable. The DPEIR and Master Plan Update must clarify this project objective to ensure the broadly stated goal of "housing affordability" is not used to support market rate housing developments along the River.

V. The Alternatives Analysis is Inadequate.

Section 15126.6 of the CEQA Guidelines requires an EIR "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives . . . even if these alternatives would impede to some degree the attainment

of the project objectives, or would be more costly." This discussion must include "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project," and expressly must address "[t]he specific alternative of 'no project,'" the purpose of which "is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." (*Ibid*.)

The DPEIR fails to provide a reasonable range of alternatives, including only two: the No Project Alternative and the Channel Avoidance Alternative. (DPEIR p. 5-2.) For a program that covers 834 square miles and includes numerous and varied potential actions under the Master Plan Update, this limited assessment of alternatives is inadequate. The lack of an adequate alternatives analysis is due in large part to the lack of an accurate, stable and finite project description as discussed above. (Section I.) The DPEIR provides an inadequate project description and overly generalized project objectives that do not allow for a balancing of "the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the 'no project' alternative) and weigh other alternatives in the balance." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192–193.)

A revised DPEIR must assess additional alternatives to the proposed project to provide the required reasonable range of alternative assessment. The following alternatives should be considered:

- An alternative focused on environmental contaminant clean-up to allow for reuse of brownfield and other sites adjacent to the LA River as parks, instead of committing to the impactful "platform parks." (See, Section III, above, re Platform Parks.) Although not included in the DPEIR, the LA River and Rio Hondo Platform Parks are sufficiently well-developed to enable environmental review. It is important that alternatives permitting clean-up be discussed now, in the Master Plan Update process, so the County does not foreclose options other than platform parks without adequate CEQA review, in violation of *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116.)

- An alternative focused on enhancing access to nature and a healthy natural river while mitigating flood risk. The attached January 2021 LA River: River Management Strategy for the Glendale Narrows Feasibility Study should be relied upon in developing this alternative. (Attachment 6.)

- The DPEIR should also assess an alternative that combines the No Project alternative with natural flood reclamation measures, such as those set forth in the above referenced Feasibility Study.

Additionally, the analysis of the No Project alternative included in the DPEIR fails to meet the requirements set forth by CEQA. "The purpose of describing and analyzing a no project alternative is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." (CEQA Guidelines § 15126.6.) "When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future … the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan." (*Ibid*.)

Here, the DPEIR has correctly identified the No Project Alternative as a continuation of the existing 1996 LA River Master Plan. However, the DPEIR fails to cogently disclose the differences between this 1996 Master Plan and the 2020 Master Plan Update. There is inadequate information included in the alternatives analysis to allow for a true comparison of the impacts of the existing plan with the proposed plan. Moreover, in the limited discussion provided, the DPEIR discloses that the 1996 Master Plan would eliminate or substantially lessen a number of impacts associated with the Master Plan Update, making it the environmentally superior alternative. For example, the 1996 Master Plan "would result in fewer hydrology and water quality impacts when compared to the proposed *2020 LA River Master Plan*." (DPEIR p. 5-21.) While the DPEIR claims the Master Plan Update would have benefits that make it more desirable than 1996 Master Plan, only uncertain potential benefits are discussed. The DPEIR lacks adequate information to allow for a comparison of the benefits stemming from the project and alternatives. The DPEIR refers to Master Plan Update potential actions that may or may not be implemented as the benefits of the Project. The DPEIR also fails to address why flooding and water quality benefits could not be achieved under the existing plan. Moreover, to the extent the existing plan does not allow for these impacts to be addressed, an additional alternative should be considered that combines the No Project Alternative and natural flood control measures as discussed above.

VI. The DPEIR Inadequately Analyzes Hydrology and Water Quality.

As discussed above, the DPEIR fails to include an adequate project description. (Section I.) The DPEIR's so-called analysis of the Master Plan Update's hydrological and water quality impacts highlights the necessity of providing an adequate and accurate

project description to allow for a useful assessment of a project's impacts. The DPEIR only includes a very general and perfunctory analysis of any hydrological and water quality impacts, which is inadequate to support a determination these impacts would be less than significant. The DPEIR fails as an informational document in its assessment of hydrological and water quality impacts. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 515.) The lack of analysis is particularly egregious given the vast size of the LA River; its watershed covers 834 square mile and is home to millions of Los Angeles area residents. The impacts to this important resource and the numerous communities must be fully evaluated.

Due to the DPEIR's lack of an adequate project description, the hydrology and water quality section concludes all activities contemplated under the Master Plan Update will have a less than significant impact on water quality and groundwater, requiring no mitigation measures. (DPEIR Section 3.9.) Instead of providing the necessary analysis of impacts to allow for development of mitigation measures, the DPEIR simply assumes all components will comply with NPDES permits, the MS4 permit and yet to be disclosed BMPs and that this compliance would eliminate the potential for significant adverse impacts. (DPEIR p. 3.9-39 to 3.9-57.) Without a full assessment of the water quality and groundwater impacts, the DPEIR lacks evidentiary support for the claim that compliance with these permits would be possible or that such compliance would mitigate impacts to a less than significant level. Simply deferring to a regulatory scheme instead of analyzing environmental consequences falls "short of [the] duty under CEQA to meaningfully consider the issues raised by the proposed project." (*Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal.App.4th 1, 16.) Moreover, the existing and past lack of compliance with the Los Angeles County MS4 permit has been well-documented by Los Angeles Waterkeeper and others. (See, NRDC Report, Omission Accomplished II, Attachment 12.) This existing and past non-compliance must be taken into consideration when evaluating the sufficiency of mitigation for potential impacts. (*Laurel Heights Improvement Assn. V. Regents of University of California* (1988) 47 Cal.3d 376, 420.)

This is also improperly deferred analysis and mitigation, prohibited by CEQA. Deferred mitigation is only allowed if "specific performance criteria" are required at the "time of project approval." (*Endangered Habitats League, supra*, at 793-94; CEQA Guidelines § 15126.4(a)(1)(B); *Sacramento Old City Association v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011, 1029.) The DPEIR fails to establish these required specific performance criteria. Instead, the DPEIR sets indefinite thresholds of significance which it appears to rely upon as performance criteria. The threshold of preventing "substantially alter[ation of] the existing drainage pattern" does not set specific performance criteria with which the actions under the Project would comply.

(DPEIR p. 3.9-37.) It is vague and also unenforceable because it was not adopted as a mitigation measure.

The DPEIR acknowledges dewatering will be required, but instead of analyzing the potential impacts, just assumes an undefined stormwater pollution prevention plan (SWPPP) will be used that address the impact, then claiming the impact is less than significant, requiring no mitigation. (DPEIR p. 3.9-38.) This improperly compresses the impact analysis and mitigation. The DPEIR must acknowledge the potentially significant impacts and then analyze the ability of mitigation measures to address those impacts. (*Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 656 ["By compressing the analysis of impacts and mitigation measures into a single issue, the EIR disregards the requirements of CEQA"].)

The only mitigation provided in Hydrology and Water Quality section is for potential flooding impacts. The DPEIR finds that several reaches of the LA River (Frames 5 through 9) do not meet existing design standards for flood conveyance capacity and acknowledges that an increase in site runoff from actions under the Master Plan Update would further exacerbate this impact. The mitigation included for this impact is improperly deferred because it relies on deferred drainage studies and then, based on the results of the report, "measures during construction and operation may be required to ensure flood flows are not impeded and to minimize redirected flood flows." (DPEIR p. 3.9-61, emphasis added.) "Impermissible deferral of mitigation occurs when an EIR puts off analysis or orders a report without either setting standards or demonstrating how the impact can be mitigated in the manner described in the EIR." (*Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 236; *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1275; *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 280-82.) That is precisely what the DPEIR has done for flooding impacts.

The DPEIR fails to acknowledge the fact that changes to the LA River's hydrology will occur due to the changing climate. There is no analysis or required future assessment of limiting the hydrological and water quality impacts of actions under the Master Plan Update in a changing climate or mitigation measures requiring actions ensure climate resilience. This fails to address potential project impacts and is inconsistent with Los Angeles County General Plan Policy S 2.3, which requires the County to "Consider climate change adaptation strategies in flood and inundation hazard." The County should revise the Master Plan Update and the DPEIR to take this vital concern under consideration and to develop a focus for the Plan and mitigation measures to address these impacts. The attached January 2021 LA River: River Management Strategy for the Glendale Narrows Feasibility Study should be taken under

consideration in making these revisions. (Attachment 6.) This Feasibility Study communicates opportunities to enhance access to nature and a healthy natural river while mitigating flood risk by exploring possible new ways to plan for the LA River by incorporating novel and integrated solutions.

The DPEIR similarly fails to address the impacts of the Master Plan Update's proposed activities on an "increasing potable water scarcity associated with population growth, drought, climate change, regulatory/legal policy, and protection of endangered species." (Attachment 9, Southern California Coastal Water Research Project's 2021 LA River Flows Project Study.) While the project objectives identify improving water supply reliability and the Hydrology section states that some activities may provide opportunities for reuse of water for groundwater recharge, the DPEIR does not convey the importance of expanded efforts to conserve and reuse wastewater and other discharges. This fails to address whether the Master Plan Update would be consistent with the State Water Resources Control Board recycled water policy, which encourages water reuse while ensuring the protection of existing water rights and beneficial uses. The findings of the Southern California Coastal Water Research Project's 2021 LA River Flows Project Study must be taken into consideration in evaluating the Master Plan Update's impacts and setting priorities for activities under the plan.

VII. The Biological Resources Analysis is Inadequate.

As described further in comments submitted by the Center for Biological Diversity, the DPEIR fails to adequately disclose, analyze, and mitigate impacts to the Los Angeles River's biological resources. The DPEIR improperly restricts its analysis to a narrow 1-mile on each side of the River channel, when wildlife impacts may extend beyond the channel and berm areas. The DPEIR neglects to assess wildlife corridors outside of Griffith Park. Importantly, the DPEIR also fails to identify and analyze potentially impacted wildlife species, in part, because most of the data relied upon by the DPEIR is over ten years old. Recent surveys must be incorporated into a revised and recirculated PEIR. Waterkeeper directs the County's attention to its 2020 River Assessment Fieldwork Team report on the Los Angeles River, which contains valuable baseline information about the health of benthic communities and water quality at different sites along the River. (See, Attachment 4.)

VIII. Project Mitigation is Deferred, Vague, and Speculative.

The DPEIR contains very long lists of mitigation measures required to reduce most Project impacts below a level of significance. Mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures." (Pub. Resources Code § 21081.6(b).) "The purpose of these requirements is to ensure that feasible mitigation measures will actually be implemented as a condition of development, and not merely adopted and then neglected or disregarded." (*Federation of Hillside & Canyon v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261; *Katzeff v. California Dept. of Forestry and Fire Protection* (2010) 181 Cal.App.4th 601, 612; *Lincoln Place Tenants Assn v. City of Los Angeles* (2005) 130 Cal.App.4th 1491.)

However, the DPEIR recognizes that Master Plan Update projects could be implemented by any of the 17 cities along the River if they are not implemented by the County. Thus, the County plans to "encourage" the 17 cities along the Los Angeles River to adopt the PEIR. Unfortunately, if these cities do not adopt the PEIR, and if any of these cities go on to implement projects along the River, there could be adverse environmental impacts that are not disclosed in this DPEIR. CEQA requires that mitigation measures be concrete and enforceable. (Pub. Resources Code § 21081.6(b).) There is no enforceability to the mitigation measures contained in the DPEIR.

Even if actually adopted by implementing agencies, the Project's mitigation is often vague, speculative, deferred, or unenforceable, in violation of CEQA. Examples of vague, speculative, deferred, or unenforceable mitigation include, but are not limited to:

- Preparation of the Construction Management Plan (LU-1) is impermissibly deferred.

- Mitigation Measure AES-2, protecting scenic vistas, is vague: "During project design, the implementing agency will minimize visual intrusions from public views of designated scenic vistas by following local jurisdictions' applicable policies and ordinances that protect views of designated scenic vistas by taking into consideration sightlines, scale and massing of structures, and materials used for construction, and other measures as needed." No performance standard is included.

- Mitigation Measure AES-3a (lighting) does not contain an enforceable performance standard (lighting shall be designed to minimize light spillage).

- Mitigation Measure AES 3b (glare) does not contain an enforceable performance standard.

- Mitigation Measure AQ-2. Low VOC components should be required at all times, and not just if emissions exceed applicable standards in the future.

- Mitigation Measure BIO-1 constitutes both deferred analysis and deferred mitigation. Analysis of the impact this measure intends to mitigate must occur now, so the public and decisionmakers may be fully informed. "A mitigation measure cannot be used as a device to avoid disclosing project impacts." (*San Joaquin Raptor Rescue Center v. County of Merced*, *supra*, 149 Cal.App.4th at pp. 663-664.)

- Mitigation Measure BIO-2 is deferred mitigation without specific performance standards.

- Mitigation Measure BIO-3d provides for burrowing owl surveys to determine the presence of burrowing owls but requires no action to be taken if owls are located. The mitigation measure would not provide effective mitigation. The DPEIR must evaluate the efficacy of mitigation measures but does not appear to do so here. (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645.)

- Mitigation Measure BIO-3g regarding American Badgers provides for eviction of non-pupping badgers from their dens but not for relocation. It is unclear how this could possibly help the species. Further, CEQA requires that EIRs evaluate any significant impacts caused by proposed mitigation measures. (CEQA Guidelines § 15126.4.)

- Mitigation Measure BIO-5, the weed abatement plan, is deferred. While site-specific details may be appropriate for deferral, general methods and herbicide protocol should be developed now so that responsible agencies may evaluate the effectiveness of the mitigation and any environmental impacts of this mitigation measure.

- Mitigation Measure BIO-7 provides that intentional killing or collection of wildlife "could" result in a stop work order. This language should be made mandatory.

- Mitigation Measure BIO-12 recognizes that best practices for bird and bat-friendly nighttime lighting conflict but does not resolve the conflict.

Additionally, as discussed above, the DPEIR fails to include a defined project description sufficient to enable useful environmental review or the formulation of mitigation measures. The DPEIR must be recirculated after the development of a project ripe for review, along with concrete and useful mitigation measures that address the potentially significant environmental impacts of implementing that ripe project. The DPEIR has also failed to include analysis of defined projects under consideration for the Los Angeles River, and, consequently, lacks mitigation formulated to address the very real and likely environmentally damaging aspects of the 22-acre Los Angeles River Platform Park and the 11-acre Rio Hondo Platform Park.

Finally, many of the Project's Design Guidelines are not explicitly mandatory, yet the DPEIR assumes they will be followed. (DPEIR p. 2-16.) Thus, to the extent they are relied upon to mitigate significant environmental impacts or they are relied upon as to conclude the project that will not have environmental impacts in the first instance, these Guidelines fail to reduce relevant impacts below a level of significance. Owing to these deficiencies in mitigation, the County lacks substantial evidence supporting the DPEIR's claims that impacts have been mitigated below a level of significance.

IX. The County's CEQA Process Did Not Maximize Public Participation.

The people of Los Angeles County speak 185 different languages at home. (https://la.curbed.com/2015/11/4/9904020/los-angeles-languages.) It is well established the Los Angeles River flows through some of the most diverse communities in Los Angeles County, including many with a high percentage of non-English speakers. For this reason, important notices, such as those concerning voting, are provided in up to 12 languages by the County. Waterkeeper appreciates the County's efforts to include CEQA Notices and Power Point presentations in Spanish. However, neither the DEIR nor its Appendices have been made available to the public in Spanish, or any language other than English.

It is well established that an EIR is "a document of accountability." (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 392. It is essential to the functioning of CEQA that the public be informed about and involved in decisions made by their public officials that affect the environment in which they live and raise their children. The CEQA Guidelines, at section 15201, provide: "Public participation is an essential part of the CEQA process. Each public agency should include provisions in its CEQA procedures for wide public involvement. . . ." (*See also* CEQA Guidelines sections 15002(a)(1) ["The basic purposes of CEQA are

to [i]nform decisionmakers and the public about the potential significant environmental effects of proposed actions]; 15003(c) ["The EIR is to inform other governmental agencies and the public generally of the environmental impact of a proposed project[.]")

Analogous state Office of Planning and Research Guidelines recommend that: "All communication … should be done in the major languages spoken in the community. This includes any advertising and written background materials as well as live interpretation at key public events." (OPR, "General Plan Guidelines," p. 32.)

Failure to provide the DPEIR in Spanish has violated this policy, which is central to CEQA and Planning and Zoning Law. The US Census Bureau reports that in Los Angeles County, an estimated 56.6% of households speak a language other than English at home (https://www.census.gov/quickfacts/losangelescountycalifornia; visited 5/5/21), and about 48.6% of the County's population is Hispanic or Latino. Nearly forty percent of Los Angeles County households speak primarily Spanish at home. (https://www.first5la.org/files/CommunityProfileForLACounty.pdf.)

Where a public agency does not make documents available in the language spoken by people likely affected by the project, it fails to comply with CEQA's public participation policies, as described above. We request the County recirculate the Draft PEIR in Spanish to enable the necessary public participation. Additionally, the Los Angeles River passes through areas where languages beyond English and Spanish predominate. For this reason, we request that CEQA notices be made available to residents speaking Chinese (Cantonese and Mandarin), as well as the other major languages spoken by river-adjacent communities.

Waterkeeper also notes the lack of outreach to important communities residing along the River. Meetings were held in some River communities, but not in Atwater Village, Boyle Heights, Huntington Park, and Maywood.

The Tongva and other Indigenous Peoples were also left largely out of the Master Plan process. Indigenous People have lived in the Los Angeles Basin for thousands of years, and have some of the longest relationships with the River. Their experience, knowledge, and priorities should have been represented on the Steering Committee. One tribal representative, but zero Tongva representatives, was insufficient. The Master Plan process must be repeated to incorporate important information about traditional cultural spaces, ceremonial spaces, and Traditional Ecological Knowledge.

Finally, Waterkeeper understands the difficulties presented by the COVID-19 crisis with regard to convening public hearings and meetings. Waterkeeper appreciates

the County's embrace of Zoom and online formats that enabled some participation during a period that otherwise would have recorded zero public participation. However, Waterkeeper notes that Zoom and online meetings resulted in barring access to the CEQA process for the Master Plan Update for community members lacking at-home computer or internet access and/or sufficient technological experience. These barred residents are already those most likely to be adversely impacted by developments in their neighborhoods. Even for community members with the computers and adequate internet access, participation was tricky. For example, during the March 3, 2021 public meeting, it became clear that many members of the public who signed up to speak were unable to connect their audio or video to provide comments. Others may have been able to share their comments, but meeting facilitators could only find participants by the exact names entered into the Eventbrite preregistration. If a community member was using a Zoom account on a device with a name that did not match, if a community member borrowed a device, they were often unable to speak. Thus, =the County's process placed great barriers to public participation for a project that will impact up to 200 square miles of the County, and the entire LA River. Environmental review derives its vitality from public participation. (*Ocean View Estates Homeowners Ass'n, Inc. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 400.)

Conclusion

While the DPEIR may be a useful organization of the generalized and differing visions of River stakeholders, it is not a defined "project" for purposes of CEQA, even at the programmatic level. As currently written, the document hinders CEQA's purposes of providing informed decision making and informed public review. Neither the decision makers nor the public know what the Project is meant to achieve or the environmental consequences of project approval. Like the Master Plan itself, the DPEIR must be revised to clarify actual plans for the River and to provide organization *and prioritizat*ion of project objectives that compete with one another. Once the County has settled on an actual plan, the County and its team must perform the studies and analysis needed to adequately disclose, analyze, and mitigate the Project's likely environmental impacts – information that, thus far, has been deferred to future processes. The County must also investigate methods of ensuring the mitigation measures it devises are incorporated by all agencies that may become responsible agencies under CEQA as Master Plan projects are implemented. This information must be included in a revised DPEIR and recirculated for public comment.

Los Angeles Waterkeeper looks forward to continued cooperation with the County and other stakeholders as the Los Angeles River Master Plan Update moves forward. Thank you for the opportunity to comment.

Sincerely,



Michelle Black and Amy Minteer
on behalf of Los Angeles Waterkeeper

Attachments:

1. March 12, 2020 Comments on Draft Master Plan Update
2. August 4, 2020 Notice of Preparation Comments
3. May 16, 2019 Comments on Draft Master Plan Update
4. November 11, 2020 Comments on Draft Master Plan Update
5. River Assessment Fieldwork Team, "Connecting our Los Angeles River Watershed Community Through Bioassessment," 2021.
6. LA River Management Strategies for the Glendale Narrows Feasibility Study, FOLAR, 2021.
7. Rio Hondo Confluence Area Project, Chapter 9, Projects.
8. Rio Hondo Confluence Area Project, Site Design Concept Project Boards.
9. Southern California Coastal Water Research Project's 2021 LA River Flows Project Study.
10. Restoring the Los Angeles River for Ecosystems and People, Dr. Sabrina Drill, Natural Resources Advisor, UC Cooperative Extension, Los Angeles County. Full presentation available at https://www.youtube.com/watch?v=fLThctBIeP8&list=PLLjlfxpbNglaKmmfYanzXN73ovJmNqcsB&index=4 .
11. Frank Gehry's Bold Plan to Upgrade the River Seeks to Atone for Past Injustices, Los Angeles Times, January 11, 2021.
12. Omission Accomplished II: The Lack of Municipal Stormwater Enforcement in the Los Angeles Region, Natural Resources Defense Council, April 2019.

Attachment B

June 10, 2022

Carolina Hernandez, LA County Public Works
Genevieve Osmena, LA County Public Works
Jessica Henson, The Olin Studio
Mark Hanna, Geosyntec Consultants

Via e-mail to: lariver@dpw.lacounty.gov, chernandez@dpw.lacounty.gov, gosmena@dpw.lacounty.gov, jhenson@theolinstudio.com, and mhanna@geosyntec.com

Dear LA River Master Plan Team,

On behalf of the undersigned environmental, environmental justice, and community-based organizations, most of which served as members of the LA River Master Plan ("LARMP" or "Plan") Steering Committee, we are writing to convey that **we do not support the final 2020 LA River Master Plan Update**. The final Plan wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan engaged in robust community engagement and reflects feedback from members of the Steering Committee.

As such, **we are informing you that we are formally removing our organizational names and logos from the Plan. We do not give permission for our organizations' names and logos to be used in support of the Plan in its current form or for any purposes related to participation in the Plan's Steering Committee and community engagement. We expect the County to remove our names and logos from the Plan accordingly, unless and until our organizations are given the ability to make a formal vote and have that vote reflected in the final Plan.**

Throughout the planning process, our groups, and other organizations and community members, have engaged in earnest discussions with the LARMP team and have repeatedly noted our dissent by sharing our concerns about the lack of clear vision in the Plan and the failure to treat the LA River as a natural and living River. Most of the undersigned groups were members of the Steering Committee for the Plan and met with LARMP team members and County officials many times over a period of two years.

Among other things, we pleaded for the LARMP Update team to commit to the following:

> (1) prioritizing community and ecological resilience through nature-based solutions and targeted concrete removal, rather than adding more concrete through platforms and diversion channels;
>
> (2) greening river-adjacent communities with longstanding contamination;
>
> (3) taking a watershed level approach to planning, rather than focusing solely on river-adjacent lands,
>
> (4) achieving community stabilization, through formal requirements and displacement protections for future river projects, and
>
> (5) addressing governance challenges that preclude cohesive management.

Attachment A includes comment letters some of our groups submitted to the County on May 13, 2021 that reflect these concerns.

In addition, community surveys from February 2021 and September 2021 show that residents in river communities prioritize these same values. **Attachment B** includes reports of these past survey results.

To our dismay, the final Plan fails to incorporate our feedback in any meaningful way. The final Plan lacks a coherent vision and merely identifies a menu of possible options for future river projects, most of which would add concrete to the floodplain---including capping the River to build platform parks. The Plan affirmatively reiterates the LARMP team's antiquated and harmful position that the LA River is nothing more than a flood control channel, and that nature-based solutions to remove concrete and remediate contaminated land are infeasible. From a scientific and urban planning perspective, we know it is indeed feasible, less costly, and beneficial to surrounding communities to deploy nature-based solutions when managing floods (see, e.g., the Federal Emergency Management Agency's guidance on Building Community Resilience with Nature-Based Solutions and the U.S. Army Corps of Engineers' ARBOR Study for the LA River). The Plan also fails to require protections to ensure community stabilization for river residents with high pollution burdens and lack of access to park space. In the end, the Plan offers nothing measurable to ensure that future river projects are equitable.

It is inaccurate and disingenuous for the LA River Master Plan team to represent that they engaged meaningfully with the Steering Committee and community members and incorporated our feedback into the Plan. The Plan touts the many meetings with our organizations, yet these meetings were ultimately unproductive as they were conducted without any meaningful consideration of our feedback. The LARMP team refused to appoint a representative from the Gabrieliño Tongva community to the Steering Committee, despite repeated requests from the Gabrieliño Tongva community and allies to do so, leading to the absence of diverse local Indigenous voices. The LARMP team also ignored our repeated requests for the Steering Committee to have the right to vote on the final Plan before it was published, and to have that vote reflected in the final Plan.

The deficiencies in the process and Plan represent the loss of a once-in-a-generation opportunity to reshape the future of the River and adjacent communities to be healthier and more resilient, in ways communities want and need. We are greatly disappointed with the LARMP team's lack of vision under the Master Plan and the failure to prioritize climate resiliency, community stabilization, and community and ecosystem health. The Master Plan sets the County on a path toward a grim future for the LA River, one of continued ecological degradation and one that fails to view the River as anything more than a flood control channel. Our vision for a resilient River is not reflected in the Plan, and we refuse to have our names and logos associated with support for the Plan in its current form.

For these reasons, the County does not have our permission to use our names and logos in the Plan. **We are formally removing our names and logos from the Plan for any purposes related to participation in the Plan's Steering Committee and community engagement unless and until our dissenting vote is included in the final Plan**.

Sincerely,

Laura J. Cortez
Organizer & Co-Executive Director
East Yard Communities for Environmental Justice

Bruce Reznik
Executive Director
Los Angeles Waterkeeper

Marissa Christiansen
President/CEO
Friends of the Los Angeles River

Angela Mooney D'Arcy
Executive Director
Sacred Places Institute for Indigenous Peoples

Katherine Pease
Director of Science & Policy
Heal the Bay

Shona Ganguly
Associate Director, Southern California External Affairs
The Nature Conservancy in California

Tori Kjer
Executive Director
Los Angeles Neighborhood Land Trust

Robin Mark
Los Angeles Program Director
Trust for Public Land

With support from the following groups in solidarity:

Elizabeth Reid-Wainscoat
Urban Wildlands Campaigner
Center for Biological Diversity

Paulina M. Flores
Managing Director
Promesa Boyle Heights

CC:
Supervisor Hilda Solis
Supervisor Holly Mitchell
Supervisor Sheila Kuehl
Supervisor Janice Hahn
Supervisor Kathryn Barger
Assembly Speaker Anthony Rendon
Mark Pestrella, Director, Los Angeles County Public Works
Dan Lafferty, Deputy Director of Water Resources, Los Angeles County Public Works
Michael Affeldt, City of Los Angeles, Riverworks
Brian Baldauf, Chief of Watershed Planning, Mountains Recreation and Conservation Authority
Rita Kampalath, Interim Chief Sustainability Officer, County of Los Angeles

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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MARK PESTRELLA, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: SWP-5

June 14, 2022

TO: The Executive Office

FROM: for Carolina T Hernandez, PE
Stormwater Planning Division

2020 LA RIVER MASTER PLAN PEIR- RESPONSE TO LETTER RECEIVED JUNE 13, 2022, FROM CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

The County of Los Angeles, through the Los Angeles County Public Works, submits the following responses to certain comments submitted via email by the California Department of Fish and Wildlife (CDFW), dated June 9, 2022, at 12:13 p.m., to Public Works regarding the 2020 LA River Master Plan. Recommendation for approval of the Los Angeles River Master Plan will be considered by the Los Angeles County Board of Supervisors at its meeting on June 14, 2022, including a recommendation for certification of the Final Program Environmental Impact Report (PEIR) prepared for the 2020 LA River Master Plan in compliance with the California Environmental Quality Act (CEQA). Due to the limited time between receipt of the CDFW's letter and the Board's scheduled consideration of the LA River Master Plan and the Final PEIR, the responses below to the environmental comments submitted, are necessarily brief. However, additional detailed information supporting the discussion below is included in the 2020 LA River Master Plan Final PEIR that has been presented to the Board and elsewhere in the administrative record of the 2020 LA River Master Plan Final PEIR. These responses are intended to contribute to the information upon which the Board may rely in rendering decisions related to the recommended actions. Comment number references can be found in the annotated version of the comment letter attached.

Response to Comment A-1

Southern California steelhead (*Oncorhynchus mykiss irideus*) are not expected in the 51-mile long, 2-mile-wide study area. Essential habitat components needed for this species include freshwater spawning sites with sufficient water quantity and quality and an adequate substrate (gravel) to support spawning, incubation and development; freshwater rearing sites to allow development and growth; freshwater migration corridors

free of obstruction to allow for juvenile and adult mobility, cover and shelter; estuarine areas to provide food, shallow water, shelter; and marine areas to support growth, and development. None of these habitat components were observed in the study area. Also, sufficient water is not present within the watercourses, and adequate substrates and cover are currently lacking in the study area to support this species. As steelhead currently are not expected in the study area, they have not been included in the 2020 LA River Master Plan or PEIR.

Response to Comment A-2

The commenter suggests there could be operational impacts to biological resources through the implementation of trapezoidal channel amphitheaters. As discussed in Chapter 1, Project Description of the Draft PEIR, amphitheaters are included in the analysis of kit of part (KOP) Category 2. As discussed in Chapter 3 Section 3 of the Draft PEIR (3.3 *Biological Resources*), mitigation measures would be implemented to reduce impacts regarding the operation of KOP Category 2. These mitigation measures include but are not limited to **BIO-9: Prepare and Implement Construction Best Management Practices and Operations Recreation Plan; Mitigation Measure BIO-15: Use Wildlife-Proof Trash Canisters; Mitigation Measure BIO-16: Use Wildlife Safety Glass; Mitigation Measure BIO-17: Prepare and Implement Pest Management Plan;** and **Mitigation Measure BIO-18: Prohibit use of Invasive Species during Operations.**

Additionally, every construction project that disturbs one or more acre of land surface, construction activities that are less than one acre of land surface disturbance that are part of a larger common plan of development, or sale that disturbs more than one acre of land surface requires coverage under the Construction General Permit. Later activities that fall under the Construction General Permit would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP).

Whether or the extent to which a proposed amphitheater (or other) project under the 2020 LA River Master Plan would impact biological resources depends on the specific location of the project. As described in Master Response 2, Program-Level Analysis in the PEIR, the environmental impact analysis is presented at a programmatic level and does not include project-specific or site-specific analysis. Also, project-level approvals are not part of the 2020 LA River Master Plan approval. For subsequent project activities, site-specific CEQA compliance would be the responsibility of the implementing agency prior to proposed project implementation and would take into consideration the biological resources present at the specific proposed location. Additionally, all future specific projects, including trapezoidal channel amphitheaters, would be subject to subsequent environmental compliance under State CEQA Guidelines Section 15168. Because the

PEIR does not examine specific projects at this time, the County anticipates that future specific projects would require subsequent CEQA compliance.

Response to Comment A-3

The commenter requests a revision of the LA River Master Plan to correctly spell. *'pusillus'*. This spelling correction will be made in the LA River Master Plan. This species is correctly spelled in the 2020 LA River Master Plan PEIR.

In conclusion, the analysis in the Final EIR is accurate and complies with all requirements of CEQA.

Very truly yours,

MARK PESTRELLA, PE
Director of Public Works

MT:yg
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Attach.

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

Via Electronic Mail Only

June 9, 2022

Glenn Gritzner
ggritzner@actumllc.com

Subject: Comments on the Final Los Angeles River Master Plan

Dear Mr. Gritzner:

The California Department of Fish and Wildlife (CDFW) is providing comments on the final Los Angeles River Master Plan (Master Plan) prepared by Los Angeles County Public Works (Public Works).

CDFW's Role

CDFW is the State's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802).

CDFW has an interest in the health of the Los Angeles River watershed. Despite significant alteration from its historic state, the Los Angeles River supports fish and wildlife resources including special status, rare, and sensitive species. In addition, the Los Angeles River supports essential habitat and ecosystems including estuaries, wetlands, riparian forests, and woodlands. Also, the Los Angeles River is located along the Pacific Flyway, providing valuable resting, nesting, and foraging grounds for migratory and resident birds. Accordingly, CDFW values a Master Plan that will support healthy, biodiverse, functioning, and connected ecosystems to support fish and wildlife resources in the Los Angeles River watershed.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist Public Works in preparing the Master Plan. CDFW requests that Public Works review our comments before presenting the Master Plan to the Los Angeles County Board of Supervisors for discussion and adoption on June 14, 2022.

1. Southern California Steelhead

A-1

Comment: The Master Plan recognizes that the Los Angeles River currently supports, or could support through implementation of the Master Plan, fish such as Santa Ana sucker (*Catostomus santaanae*) and arroyo chub (*Gila orcuttii*). The Los Angeles River historically supported the southern California Distinct Population Segment of steelhead (*Oncorhynchus mykiss*; southern

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California steelhead). However, southern California steelhead is not profiled or highlighted in the indicator species list of the Master Plan.

Channelization of the Los Angeles River and urbanization of the floodplain has resulted in significant decline of southern California steelhead, which now exists in extremely low numbers in the Los Angeles River watershed. The Master Plan builds on planning efforts, including the Los Angeles River Ecosystem Restoration Feasibility Study (also known as the ARBOR study), to recover native fish and habitat. The ARBOR study discusses recolonization of southern California steelhead in the Los Angeles River as well as reintroduction of rainbow trout (non-anadromous steelhead) into appropriate habitat. The Master Plan could further promote the restoration of habitat conditions southern California steelhead requires in order for the species to return to the Los Angeles River watershed in higher numbers and be reintroduced to more areas along the Los Angeles River.

A-1 cont.

Recommendation: CDFW recommends Public Works add southern California steelhead to the Master Plan's indicator species list. CDFW recognizes that the indicator species list is not meant to be exhaustive. However, southern California steelhead warrants profiling in the indicator species list given its profile in planning documents that the Master Plan builds upon, as well as on going and planned efforts to restore habitat for this species of fish. Southern California steelhead may also serve as an important indicator species for biodiversity, health of the Los Angeles River watershed, and success of Master Plan projects. CDFW also recommends Public Works include some Design Guidelines for establishment of habitat for smolts and passage for adult southern California steelhead.

2. Trapezoidal Channel Amphitheater

Comment: In Appendix Volume 1, one proposed modification to trapezoidal channels is to terrace the channel and provide amphitheater seating along the trapezoidal wall. The terracing could be used by the "public for special events or festivals that could occur in the channel with appropriate permission and outside of the flood season." Regardless of the season, public events or festivals in the Los Angeles River could impact biological resources such as birds, algal mats, and benthic macroinvertebrates. Impacts to these resources could come from increased noise, harassment, trash/pollution, and trampling.

A-2

Recommendation: CDFW recommends Public Works specify where a trapezoidal channel amphitheater cannot be used in order to protect fish, wildlife, and habitats. CDFW also recommends Public Works specify that the low flow channel should be protected at all times if and when special events or festivals occur in the channel. Finally, CDFW recommends Public Works specify that temporary fencing should be installed to prevent access beyond the outer limit of bank terracing when permitted events are not taking place.

3. Least Bell's Vireo

Comment: Figure 245 on page 273 in the Master Plan shows a *Sample Indicator Species List*. The subspecies for least Bell's vireo is misspelled. The correct spelling is '*pusillus*'.

A-3

Recommendation: CDFW recommends Public Works correct the scientific spelling of least Bell's vireo throughout the Master Plan and appendices.

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Conclusion

CDFW appreciates the five-year effort led by Public Works to develop a Master Plan that encompasses all 51 miles of the Los Angeles River. CDFW also appreciates that Public Works has prepared a Master Plan that will prioritize biodiversity, healthy ecosystems, and connected habitats. CDFW looks forward to the eventual adoption and implementation of the Los Angeles River Master Plan. Should there be any questions or comments regarding this letter, please contact Ruby Kwan-Davis, Senior Environmental Scientist (Specialist), at Ruby.Kwan-Davis@wildlife.ca.gov or (562) 619-2230.

Sincerely,

DocuSigned by:
5991E19EF8094C3...
For Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW
Erinn Wilson-Olgin – Los Alamitos – Erinn.Wilson-Olgin@wildlife.ca.gov
Victoria Tang – Los Alamitos – Victoria.Tang@wildlife.ca.gov
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DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE
REFER TO FILE: SWP-5

June 14, 2022

TO: The Executive Office

FROM: Carolina T Hernandez, PE
for Stormwater Planning Division

2020 LA RIVER MASTER PLAN PEIR- RESPONSE TO LETTER RECEIVED JUNE 13, 2022, FROM THE CITY OF BURBANK

The County of Los Angeles, through the Los Angeles County Public Works, submits the following responses to 39 follow up comments submitted via email by the City of Burbank, dated June 13, 2022, at 11:58 a.m., to Public Works regarding the Los Angeles River Master Plan. Recommendation for approval of the LA River Master Plan and Program Environmental Impact Report (PEIR) will be considered by the Loa Angeles County Board of Supervisors at its meeting on June 14, 2022, including a recommendation for certification of the Final PEIR prepared for the LA River Master Plan in compliance with the California Environmental Quality Act (CEQA). Due to the extremely limited time between receipt of the City of Burbank's letter and the Board's scheduled consideration of the LA River Master Plan and the Final PEIR, the responses below to the environmental comments submitted, are necessarily brief. However, additional detailed information supporting the discussion below is included in the 2020 LA River Master Plan Final PEIR that has been presented to the Board and elsewhere in the administrative record of the 2020 LA River Master Plan Final PEIR. These responses are intended to contribute to the information upon which the Board may rely in rendering decisions related to the recommended actions. Comment number references can be found in the annotated version of the comment letter attached.

Response to Comment C-1
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR.

As described in the 2020 LA River Master Plan PEIR, projects under the LA River Master Plan could be implemented by any agency or party, and the implementing agency or party will consult with affected entities, when applicable, when it proposes specific projects under the LA River Master Plan (see, for example, **Mitigation Measures LU-2, Consultation**, and **LU-4, Site Selection Process**, in the Draft PEIR). Future specific projects would be subject to the requirements of State CEQA Guidelines Section 15162 and would include consultation with affected entities, if appropriate for the specific project, including the City of Burbank.

Response to Comment C-2
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR.

As described in the Draft PEIR, **Mitigation Measure GHG-1a, Implement Sector-Specific Operations GHG Emissions Reductions Strategies** identifies using renewable energy sources including recycled water in the construction of later activities, when feasible. This mitigation measure also identifies implementing Design Guidelines related to indoor and outdoor water conservation including installing systems for on-site water retention, detention, and filtration; capturing 100 percent of on-site rainfall for the 85 percent rain event; reusing rainwater and greywater; creating bioswales or treatment basins to collect stormwater runoff; or installing low-flow water fixtures that exceed the requirements of codes and ordinances, when feasible.

As described in **Mitigation Measure UTIL-1, Prepare and Implement Utilities Plan**, as part of the utilities plan, the implementing agency will prepare a utilities report that compares the expected operational demand and generation for the various utility resources against existing supply and infrastructure to determine whether sufficient capacity exists to accommodate the project; if any insufficiency is identified, the implementing agency will modify the project to avoid the impact in consultation with the affected utility provider(s). Modifications to the project could include the following site-specific conservation features above those required by the applicable codes and ordinances:

- On-site wastewater treatment
- On-site recycled water infrastructure
- On-site solid waste recycling
- Solar panels

- Use of alternative energy such as biofuels

For specific proposed projects located in Burbank that move forward under the LA River Master Plan and are implemented by the County, the County would consider the activities of the Burbank Water and Power Department and the state of discharges to the Burbank Western Channel as they pertain to LA River flows.

No changes to the Final PEIR were made.

Response to Comment C-3
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. The 2020 LA River Master Plan PEIR does include mechanisms that will be implemented to ensure that later activities take into consideration and are consistent with adopted Federal, State, and local regulations. As described in Master Response MR-4, Adherence to Local Jurisdictions' Requirements, implementing parties for later activities under the PEIR would need to meet requirements of all applicable adopted Federal, State, and local regulations, including General and Specific Plans. Additionally, the 2020 LA River Master Plan PEIR includes **Mitigation Measure LU-4: Site Selection Process**, which requires the implementing agency to consult with affected jurisdictions to determine if potential inconsistencies with land use plans and policies could occur.

Response to Comment C-4
As previously described in Master Response 2, Program-Level Analysis in the PEIR, the environmental impact analysis is presented at a programmatic level and does not include project-specific or site-specific analysis. Also, project-level approvals are not part of the LA River Master Plan approval. For subsequent proposed project activities, site-specific CEQA compliance would be the responsibility of the implementing agency prior to proposed project implementation. Additionally, all future specific projects would be subject to subsequent environmental compliance under State CEQA Guidelines Section 15168, which specifies that later activities must be examined in light of the program EIR to determine whether an additional environmental document must be prepared. Because the PEIR does not and is not intended to examine specific projects at this time, the County anticipates that future proposed specific projects would require subsequent CEQA compliance.

Response to Comment C-5
The response does not address the use of addenda to the PEIR because all future specific projects would be subject to subsequent environmental compliance under State CEQA Guidelines Section 15168, which specifies that later activities must be examined

in light of the program EIR to determine whether an additional environmental document must be prepared. Under State CEQA Guidelines Section 15168, where the later activities involve site-specific operations, the agency undertaking the later activities should use a written checklist or similar protocol to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the PEIR. The LA River Master Plan is a conceptual plan. All future proposed specific projects would be subject to subsequent environmental compliance.

Response to Comment C-6
As the LA River Master Plan is a conceptual plan, the projects identified were only provided as a potential visualization of implementation of the Master Plan. The LA River Master Plan is intended to guide how future projects will be planned and define key design elements, including best management practices, and the Master Plan and PEIR are not intended to prescribe or analyze the impacts of specific projects at specific locations.

Implementation of later activities would depend on many factors, including, but not limited to, the location, agency oversight, and jurisdiction; the proponent of subsequent projects; the implementing party; local community needs; policy decisions; timing of implementation; and availability of funding. Because these factors are not known at this time, the PEIR did not include site-specific or project-specific analysis and instead presented a program-level analysis of the LA River Master Plan.

Response to Comment C-7
The County used Los Angeles County Assessor and Los Angeles County Department of Recreation data for creating maps. This data was compiled at the date of the Notice of Preparation (July 7, 2020). With respect to the level of specificity, it should be noted that, as discussed in Section 3.16.3.1 of the Draft PEIR, the methodology used to evaluate impacts was disclosed as being qualitative.

The analysis identifies whether there is the potential for impacts on existing resources in the 18 jurisdictions (17 cities and unincorporated County) in the project study area during construction and operation. The Draft PEIR identifies that there are numerous transportation facilities (bicycle facilities, public transportation services and freight, streets and freeways, access points, trails, and park lands) within the 51-mile-long, 2-mile-wide study corridor.

Response to Comment C-8
As discussed in Chapter 1 of the Draft PEIR, the analysis in the PEIR includes impact determinations for the LA River Master Plan that are applicable to all 18 jurisdictions in the study area, including the County and non-County jurisdictions (17 cities). Except for

significant and unavoidable impacts that would not be reduced to less than significant through the application of identified mitigation measures, all identified significant environmental effects of the proposed LA River Master Plan can be avoided or reduced to a less-than-significant level if the mitigation measures identified in this PEIR are implemented. These mitigation measures will be implemented for proposed subsequent projects that are carried out by the County. Because some later activities under the 2020 LA River Master Plan would not be carried out by the County, the County cannot enforce or guarantee that the mitigation measures would be incorporated, although the County believes the measures could be adopted by other jurisdictions. Therefore, where the PEIR concludes a less-than-significant impact for later activities carried out by the County, the impact would be significant and unavoidable when these activities are not carried out by the County. However, the identification of a significant and unavoidable program-level impact in this PEIR does not preclude the finding of a future less-than-significant impact for individual projects that will tier from the PEIR.

Response to Comment C-9
As described in Master Response MR-2, Program-Level Analysis in the PEIR, initial planning efforts for the LA River Master Plan included a desktop analysis of various potential projects of differing sizes from extra-small (less than one acre) to extra-large (150+ acres/10+ miles), project types, and locations that could meet the 2020 LA River Master Plan's objectives.

As identified in Chapter 1, Introduction, of the Draft PEIR, the LA River Master Plan has been prepared at a conceptual level and the specific locations of the 107 potential projects have not been determined. The example of the 107 subsequent projects would depend on many factors, including, but not limited to, the location, agency oversight, and jurisdiction; the proponent of subsequent projects; the implementing party; local community needs; policy decisions; timing of implementation; and availability of funding. Because of these factors arere not known at this time, the Draft PEIR did not include site-specific or project-specific analysis and instead presented a program-level analysis of the 2020 LA River Master Plan.

Response to Comment C-10
Please see the response to comment C-9.

Response to Comment C-11
This comment does not address the adequacy or accuracy of the Draft PEIR. This comment raises a minor typo change.

Response to Comment C-12
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. Please refer to Response A7-31 in the Responses to Comments on the Draft PEIR. The sentence in the Draft PEIR is: "Griffith Park includes an extensive trail system, much of which affords panoramic views of the LA River and the Los Angeles basin from elevated vantage points." This means that views from Griffith Park would be elevated compared to the depressed LA River. No changes to the Final PEIR were made.

Response to Comment C-13
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. As addressed in Response A7-42 in the Responses to Comments on the Draft PEIR, structures constructed prior to 1977 that would be demolished by the development supported by the Common Elements Typical Project may have used [ACMs] and could expose receptors to asbestos, which may become airborne with other particulates during demolition. As previously described in Master Response 2, Program-Level Analysis in the PEIR, the environmental impact analysis is presented at a programmatic level and does not include project-specific or site-specific analysis. Because there is no site-specific analysis, specific structures cannot be identified.

Response to Comment C-14
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. As discussed in the Draft PEIR in Section 3.2 Air Quality, without specific details on the locations of construction activities, it is conservatively assumed that there may be instances where DPM emissions during operations could exceed SCAQMD thresholds for Common Elements Typical Projects, Multi-Use Trails and Access Gateways Typical Project, and kit of part (KOP) Categories 1 through 6.

Response to Comment C-15
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. As described in Chapter 2, Project Description of the Draft PEIR, design components are identified for all KOP Categories and not only for KOP category 6. There is no sample project identified specifically for KOP category 6.

Please refer to Chapter 2, Project Description, of the Draft PEIR for the design component descriptions of all of the KOP categories.

Response to Comment C-16
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. As described in Response A7-53 in the Response to Comments on the Draft PEIR, as part of the CEQA compliance process, all mapped sensitive vegetation communities from the California Natural Diversity Database are reviewed. In this case, through a review of Google Earth imaging, it could be determined that the southern cottonwood willow riparian forest mapped by California Department of Fish and Wildlife is no longer present.

Response to Comment C-17
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. The County reviewed all biological resources mitigation measures for the disclosure of their effectiveness and made clarifications and modification to the Draft PEIR where necessary.

It appears the commenter is seeking a description of the effectiveness of mitigation measure for later activities not carried out by the County. As described in the Draft and Final PEIR, some later activities under the LA River Master Plan would not be carried out by the County and the County cannot enforce or guarantee that the mitigation measures would be incorporated although the County believes the measures could be adopted by other jurisdictions. Therefore, where the PEIR concluded a less-than-significant impact for later activities carried out by the County, the impact would be significant and unavoidable when these activities are not carried out by the County. However, the identification of a significant and unavoidable program-level impact in this PEIR does not preclude the finding of a future less-than-significant impact for individual projects that will tier from the PEIR.

Response to Comment C-18
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. As discussed in Response A7-64 in the Responses to Comments on the Draft PEIR, previously recorded and/or unrecorded/unknown archaeological resources could be encountered during construction as well. These resources may be eligible as historical resources or historic properties. Therefore, construction activities could destroy, remove, disturb, or alter surface-exposed or buried archaeological resources. No changes to the Final PEIR are needed.

Response to Comment C-19
As identified in Section 3.4 Cultural Resources, the discussion of impacts includes historical/built and archaeological resources, not just built environmental historical resources. No revisions to the PEIR or Final PEIR are necessary.

Response to Comment C-20
Please see the response to C-17.

Response to Comment C-21
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. The Response to A7-67 in the Responses to Comments on the Draft PEIR adequately addresses why impacts to historical resources were determined to be significant and unavoidable. The LA River Master Plan is a conceptual plan. Because this is a program-level EIR, a conservative approach to analyzing impacts was taken. Impacts were analyzed at a program level, as evidenced in Impact 3.4(a) in Section 3.4, Cultural Resources, of the Draft PEIR.

Response to Comment C-22
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. As identified in Response A7-68 in the Responses to Comments on the Draft PEIR, construction of later activities may cause a substantial adverse change in historical resources, which could include noise and vibration, in or near the later activities project area. The mitigation measure related to noise and vibration was included to address significant impacts on historical resources in the study area of an individual project.

Response to Comment C-23
Please see response to C-17.

Response to Comment C-24
This comment does not raise new or different significant environmental issues that were previously addressed in the 2020 LA River Master Plan Final PEIR. The Response to A7-71 in the Responses to Comments on the Draft PEIR adequately addresses how operation could potentially impact archaeological resources and human remains. Section 3.4 Cultural Resources describes the potential effects of erosion, increased foot traffic, and the looting of archaeological materials as a result of operation of the various facilities, trail alignments, and recreational areas proposed as part of the overall LA River Master Plan.

Response to Comment C-25
As described in the Section 3.6 Geology, Soils and Paleontology, of the Draft PEIR, areas within Burbank are in landslide zones as determined by the California Department of Conservation. The figures in the Draft PEIR depict areas that are generally susceptible to landslides.

Response to Comment C-26
Please see response to C-17.

Response to Comment C-27
Comment noted.

Response to Comment C-28
The commenter is referring to the operational impacts in relation to the 2017 Scoping Plan strategies and supporting regulations and guidance. These impacts are discussed qualitatively on the sector-by-sector analysis of the respective project features and measures to evaluate consistency. No changes to the Final PEIR were made nor needed.

Response to Comment C-29
The purpose of the soil management plan is to provide administrative, procedural, and analytical guidance regarding actions if previously undocumented contamination is identified.

Response to Comment C-30
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 Los Angeles River Master Plan Final PEIR. Please refer to the Draft PEIR, Section 3.8, Hazards and Hazardous Materials and the Final PEIR, Chapter 3, Clarifications and Modifications to the Draft PEIR. The Potential upset and accident conditions would be reduced with the implementation of the measures previously identified under **Mitigation Measure HAZ-1, Conduct Project-Level Hazardous Materials Sites Assessment for Construction of Subsequent Projects Involving Soil Disturbance and Implement Measures** in coordination with appropriate oversight agency, such as the Department of Toxic Substances Control, as necessary.

Response to Comment C-31
As described in the Draft PEIR, Section 3.10 Land Use, KOP Category 6 design components would be anticipated to be considerably larger than the other KOP categories' design components, resulting in more extensive environmental effects during construction. This KOP category could result in temporary road closures and obstructions to community facilities, which could divide an established community. Site-specific and

project-specific design details of subsequent projects would determine their construction schedules and would ultimately be driven by the needs of agency or party implementing these subsequent projects under the LA River Master Plan.

Response to Comment C-32
Please refer to page 3.10-44 in the Land Use Section of the Draft PEIR which states that larger off-channel land asset projects such as affordable housing and museums would entail greater levels of construction than the other five KOP categories. As the locations are not currently known, nor is the and extent of subsequent projects under KOP Category 6, there could be inconsistencies with applicable land use plans, policies, and regulations, a potentially significant impact. The PEIR provides a program-level analysis and does not include project-specific construction impact analysis. Please refer to Master Responses MR-2, Program-Level Analysis in the PEIR, and MR-4, Adherence to Local Jurisdictions' Requirements.

Response to Comment C-33
This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. Please see the response to the City of Burbank's comment A7-94 in the Responses to Comments on the Draft PEIR that describes how the proposed Project does not include the use of "audio devices during hiking and recreational activities." These are activities that may or may not occur, based on personal preference. The City's Code Enforcement office would be the responsible agency for enforcing City of Burbank Municipal Code Section 9-3-213.5. Note 1 under table N-4 on page 3.12-65 states that the City of Burbank may impose noise level standards that are more or less restrictive than those described above.

Response to Comment C-34
The commenter seems to interpret **Mitigation Measures NOI-7 and NOI-8** to mean that the mitigation measures would only apply for sensitive receptors located 200 feet or 400 feet or more from a project site. However, that is not what **Mitigation Measures NOI-7 and NOI-8** state. **Mitigation Measure NOI-7** states that a project must be located 200 feet or more from occupied structures, or a vibration study would need to be prepared and findings would need to be implemented. **Mitigation Measure NOI-8** states that a project must be located 400 feet or more from occupied structures, or a vibration study would need to be prepared and findings would need to be implemented. No changes to **Mitigation Measures NOI-7 or NOI-8** are needed.

Response to Comment C-35
The statement implying that park fees would contribute to the funding for maintenance and operation has been retracted. Other references to park fees included in the Final

PEIR are not intended to imply that they will contribute to operation and maintenance funding.

Response to Comment C-36
Implementation of the proposed Project would create a continuous 51-mile trail that will provide a comfortable off-road backbone facility through Los Angeles County free of conflicts with vehicles and available for long-distance commuting with use of active transportation modes. Access points would be provided every half mile along the path, increasing neighborhood connectivity to the trails and open spaces developed within the LA River corridor. The proposed Project would also create new neighborhood parks and reduce or eliminate the need to travel extended distances by private vehicle to reach a neighborhood park for the tens of thousands of people who live adjacent to the LA River. It is in these ways that the LA River Master Plan would allow cross-county commuting, which is important in a county with few long-distance Class I bicycle trails in developed areas.

Response to Comment C-37
See the response to Comment C-17. This comment does not raise new or different significant environmental issues than were previously addressed in the 2020 LA River Master Plan Final PEIR. The County reviewed all transportation mitigation measures for the disclosure of their effectiveness and made clarifications and modification to the Draft PEIR where necessary.

It appears the commenter is seeking a description of the effectiveness of mitigation measure for later activities not carried out by the County. As described in the Draft and Final PEIR, some later activities under the LA River Master Plan would not be carried out by the County and the County cannot enforce or guarantee that the mitigation measures would be incorporated although the County believes the measures could be adopted by other jurisdictions. Therefore, where the PEIR concluded a less-than-significant impact for later activities carried out by the County, the impact would be significant and unavoidable when these activities are not carried out by the County. However, the identification of a significant and unavoidable program-level impact in this PEIR does not preclude the finding of a future less-than-significant impact for proposed individual projects that will tier from the PEIR.

Response to Comment C-38
As described on page 3.16-37, the potential impacts on vehicle miles traveled (VMT) associated with implementation of the Multi-Use Trails and Access Gateways are assessed in the context of State CEQA Guidelines Section 15064.3 and CEQA Appendix G, as implemented in the County's Transportation Impact Analysis Guidelines. As

described in Appendix H to the Draft PEIR, a screening checklist from the County guidelines—developed by the County and aligned with the California Governor's Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts (December 2018)—was reviewed to help evaluate whether the Multi-Use Trails and Access Gateways would conflict or be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (b)(1), by causing substantial increases in VMT.

Similar to the Common Elements, Construction of a Multi-Use Trails and Access Gateways Typical Project may result in short-term impacts related to increases in VMT. Thus, any transportation impacts related to construction activities for the Multi-Use Trails and Access Gateways Typical Project would be potentially significant. However, with implementation of MM LU-1, the impact would be reduced less than significant when carried out by the County. However, under Operations all of the components of the Multi-Use Trails are screened from VMT analysis and therefore would result in a less-than significant impact because they would not conflict with nor be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (b).

Response to Comment C-39
The Lakeside Golf Club is located at 4500 Lakeside Drive Burbank, CA. The description of Lakeside Golf Club's location was revised in the Final PEIR to note that it runs along the east bank of the LA River, not the west as previously stated. Please refer to page 3-158 of Chapter 3, Clarifications and Modifications to the Draft PEIR for the full revision.

In conclusion, the analysis in the Final EIR complies with all requirements of CEQA.

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Attach.

COMMUNITY
DEVELOPMENT

June 14, 2022

Grace Komjakraphan-Tek
Los Angeles County Public Works, Stormwater Quality Division
900 South Fremont Avenue, 11th Floor
Alhambra, CA 91803
LARiverCEQA@pw.lacounty.gov

RE: City of Burbank Comments on Final Program Environmental Impact Report for the 2020 LA River Master Plan

Dear Grace Komjakraphan-Tek:

The City of Burbank wants to thank you considering the City's comments on the Draft Program Environmental Impact Report (PEIR) for the proposed 2020 LA River Master Plan, which were communicated via the City's April 13, 2021 comment letter. The City of Burbank supports the County's efforts to provide a comprehensive plan for improvements along this important waterway, which runs along the City's southern boundary and connects to existing and planned transportation and recreational facilities in Burbank.

The City has reviewed the County's responses to the comments provided as part of the Draft PEIR and would like to provide the following additional comments in response to the County's responses in the Final PEIR. The City hopes that the Los Angeles County Board of Supervisors will consider the City's remaining comments on the Final PEIR as it considers whether to approve the project and certify the Final PEIR.

The City of Burbank's comments on the 2020 LA River Master Plan Final PEIR are as follows:

C-1
- Response to Comment A7-2: The City of Burbank continues to be concerned about the potential impacts from the "Common Element Typical Project" on Burbank's neighborhoods and requests the County notify the City of any such projects at the time they are being considered, including providing the City with all CEQA notices.

C-2
- Response to Comment A7-3, A7-144, A7-145, A7-146, A7-150, A7-156, A7-160: Where are the clarifications and modifications to the Draft PEIR that show the requirements that the County use recycled water in Mitigation Measure GHG-1a and that the County consider the activities of the BWP Department in Mitigation Measure UTIL-1? These measures, as they appear in the Draft PEIR, do not include the requirements identified in the County's response.

C-3
- Response to Comment A7-4: The Final PEIR does not propose a mechanism that the County will implement to ensure that future project proposals take into consideration

C-3 cont.

- the City's Bicycle Mater Plan and Complete Streets Plan. "Anticipation" does not provide any guarantee or assurance that future projects are integrated into the City's transportation network in accordance with the City's plans.

C-4

- Response to Comment A7-6: The response included in the Final PEIR does not address the use of addenda to the PEIR. At the very least, future specific projects should be required to prepare a Mitigated Negative Declaration or a project-specific EIR to clearly identify the proposed activities, associated impacts, and, if necessary, project- and site-specific mitigation measures to ensure that environmental impacts to the City's residents, employees, and visitors in the immediate area are minimized and reduced to less than significant.

C-5

- Response to Comment A7-8: The response to comment in the Final PEIR includes a contradiction and is unclear. It suggests that future projects will require subsequent environmental review, but also includes language that suggests some projects will tier off the PEIR. The last sentence of the response contradicts the response. If the County does not anticipate dedicating any improvements or facilities to the City or having the City be responsible for maintenance of facilities, what future project environmental analyses by the other agencies are being referred to for tiering off of the PEIR?

C-6

- Response to Comment A7-10 through A7-22: The Draft PEIR discloses the impacts of the 2020 LA River Master Plan. Accordingly, although the comment was not related to the Draft PEIR itself, the Headworks Connector project and the projects identified in Comment Nos. A7-11 through A7-20 were provided as examples of implementation of the plan. Therefore, impacts associated with these example projects are of interest to the City. However, if these projects are not a project that will be approved for implementation as part of the Master Plan, then why were they even provided as examples in the Master Plan? In addition, these projects are not City projects, which is why the City is asking for additional details. Due to the City's proximity to the LA River, impacts of any future project may have the potential to affect the City's residents, employees, and visitors in the immediate area, and these impacts are not disclosed in the PEIR.

C-7

- Response to Comment A7-23: Even though the PEIR is a programmatic document, the Burbank Channel Bikeway Project should be included as part of the Master Plan's baseline conditions.

C-8

- Response to Comment A7-24, A7-25, A7-34, A7-35, A7-36, A7-37, A7-48, A7-50, A7-76, A7-77, A7-86, A7-87, A7-88, A7-96, A7-98, A7-120, A7-122, A7-125, A7-127, A7-128, A7-130, A7-131, A7-133, A7-135, A7-136, A7-138, A7-139, A7-140, A7-141: Most, if not all, of the mitigation measures identified in the PEIR are either standard mitigation measures typically used by other agencies to mitigate impacts to the maximum extent feasible or regulatory compliance measures, particularly those related to permitting requirements by agencies, such as the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water

C-8 cont.

Quality Control Board. Accordingly, they are not unique or exclusively for County implementation. The PEIR should have included a third impact conclusion that assumes other agencies tiering from the PEIR would provide the same, equivalent, or possibly other/additional measures to reduce impacts to less-than-significant levels for the same reasons as discussed for later activities carried out by the County.

C-9

- Response to Comment A7-27: CEQA Guidelines Section 15168(b)(1) states that one of the advantages of a program EIR is that it can "provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action." Program EIRs typically identify a maximum buildout scenario, on which the determination as to whether the environmental effects of the operation of later activities would be within the scope of the PEIR and which creates a more streamlined process when tiering from the PEIR. In addition, Section 2.5.1.3 of the PEIR specifically identified up to 107 potential projects as part of the Master Plan. If there were no specific projects or example projects, how was the number of potential projects determined?

C-10

- Response to Comment A7-28: Section 2.5.1.3 of the PEIR specifically identified up to 107 potential projects as part of the Master Plan. If there were no specific projects or example projects, how was the number of potential projects determined?

C-11

- Response to Comment A7-29: Although no changes to the conclusion in the Draft PEIR are needed, the description of Frame 6 on page 2-5 of the Draft PEIR still needs to be corrected to remove Burbank from the list of cities that are included in the frame. In addition, the text at the bottom of page 3.1-14 still refers to Griffith Park as within the Cities of Los Angeles and Burbank (see page 3-157 of the Final PEIR).

C-12

- Response to Comment A7-31: The original comment was referencing the first sentence of the last paragraph: "However, there are several notable aesthetic resources such as parks, recreational areas, and open spaces, many of which offer elevated views of the LA River. Again, per the original comment, there are no elevated views of the LA River from any notable aesthetic resources since the LA River is depressed.

C-13

- Response to Comment A7-42: The Final PEIR response has not specifically identified the types of existing structures that may need to be demolished to accommodate a Common Elements Typical Project.

C-14

- Response to Comment A7-46: The response has not specifically identified the types of projects that would generate DPM emissions from operation that could result in health risks that exceed SCAQMD's thresholds. The comment was not asking for a quantitative evaluation of potential health risk impacts but for the identification of the types of projects.

C-15

- Response to Comment A7-47: How has the County been able to identify a sample project in KOP Category 6 but not in other KOP Categories 1 through 5? Also, how are the design components under KOP Category 6 slightly different from the either KOP categories?

C-16

- Response to Comment A7-53: The first sentence of the Final PEIR response seems to contradict the last paragraph of the response. The response states that Figure 3.3-11 is based on the CNDDB and cannot be altered. If Figure 3.3-11 identifies a small patch of southern cottonwood willow riparian forest along the southern boundary of the study area within the City of Burbank, then why did the response state that the community was not present per the CNDDB. This is the discrepancy that was referred to in the original comment.

C-17

- Response to Comment A7-55, A7-56, A7-57, A7-58, A7-59: Where in Chapter 3 of the Final PEIR is the effectiveness of the mitigation measures identified? There should be modifications to the "Significance after Mitigation" discussions to identify how the mitigation measures would reduce significant impact to less-than-significant levels. Also, please see additional comments above (A7-24) regarding mitigation measure implementation for projects not carried out by the County. In addition, for jurisdictions or frames that do not support or contain wetland, the PEIR should not be identifying a significant unavoidable impact to result from any project implemented under the Master Plan.

C-18

- Response to Comment A7-64: The County's response should be incorporated in the Final PEIR to clarify that unrecorded/ unknown archaeological resources that could be encountered during construction maybe eligible as historical resources or historic properties since the discussion of impacts to historical resources seemed focused on the built environment.

C-19

- Response to Comment A7-65: Please explain how impacts to historical resources result in hazardous conditions for visitors caused by water damage.

C-20

- Response to Comment A7-66: Where in Chapter 3 of the Final PEIR is the effectiveness of the mitigation measures identified? There should be modifications to the "Significance after Mitigation" discussions to identify how the mitigation measures would reduce significant impact to less-than-significant levels.

C-21

- Response to Comment A7-67: The Draft PEIR identified significant impacts to historical resources and associated mitigation measures. However, the Draft PEIR concluded impacts to historical resources during construction and operation would be significant and unavoidable without any discussion of the effectiveness of the mitigation measures. The response to this comment failed to adequately explain why impacts to historical resources were determined to be significant and unavoidable.

C-22

- Response to Comment A7-68, A7-69: The discussion of noise and vibration impacts appeared in Section 3.12, Noise, of the Draft PEIR. However, per the original comment, the discussion vibration impacts to historical resources is missing from Section 3.4, Cultural Resources, of the Draft PEIR. There should be a correction in the Final PEIR to include a discussion of vibration impacts to historical resources to create an essential nexus between the mitigation measure and the potential significant impact per CEQA Guidelines Section 15126.4(a)(4)(A).

C-23
- Response to Comment A7-70: There should be modifications to the "Significance after Mitigation" discussions to identify effectiveness of the mitigation measures and if impacts could be reduced to less-than-significant levels instead of concluding significant and unavoidable impacts without further analysis of the mitigation measures.

C-24
- Response to Comment A7-71: Generally, once construction is completed, no impacts to buried resources occur. Per the original comment, please explain why impacts to archaeological resources and human remains were determined to be significant and unavoidable during project operation.

C-25
- Response to Comment A7-72: Please explain how the City of Burbank would be affected by landslides when the LA River itself separates it from the hillsides to the south.

C-26
- Response to Comment A7-74, A7-91, A7-93, A7-123, A7-132, A7-134: Where in Chapter 3 of the Final PEIR is the effectiveness of the mitigation measures identified? There should be modifications to the "Significance after Mitigation" discussions to identify effectiveness of the mitigation measures and if impacts could be reduced to less-than-significant levels instead of concluding significant and unavoidable impacts without further analysis of the mitigation measures.

C-27
- Response to Comment A7-75: Please refer to additional comments A7-71 and A7-67.

C-28
- Response to Comment A7-79: Page 3.7-27 of the Draft PEIR states, "The significance determination is based on the combined GHG emissions generated by both project construction activities and operations activities." If the County's intention is to assess the significance of GHG emission impacts based solely on a sector-by-sector consistency analysis, then p. 3.7-27 should be revised accordingly.

C-29
- Response to Comment A7-81: Where in Chapter 3 of the Final PEIR is the guidance regarding next steps for previously undocumented contamination identified?

C-30
- Response to Comment A7-82: The only change that was made is the added reference to the DTSC. Please include a bullet that specifically includes a measure to remediate and manage hazardous materials in the manner that is feasible and appropriate for the contaminant and the proposed use.

C-31
- Response to Comment A7-89, A7-90: The primary response is regarding the Common Elements Typical Project. The original comment was inquiring about examples of temporary construction impacts that could divide an established community as a result of implementation of KOP Category 6 projects. The discussion in Section 3.10 of the Draft PEIR briefly mentioned temporary road closures and obstructions to community facilities. Please explain whether the road closures would be different from implementation of the Common Elements Typical Projects (i.e., if the roadway affected would be fully closed). Please also describe what types of obstruction to community facilities are envisioned.

C-32
- Response to Comment A7-92: There is no meaningful discussion in Section 3.10 of the Draft EIR regarding how larger projects involving off-channel land assets would entail greater levels of construction than the other five KOP categories. Please provide

C-32 cont. examples of the types of construction impacts that would conflict with land use plans, policies, and regulations. Also, please refer to additional comments above (A7-74).

- C-33 Response to Comment A7-94: The comment is directly related to the regulatory framework regarding noise. Table 3.12-30 of the Draft PEIR only included the section of the City's municipal code related to construction noise. The comment is calling attention to other applicable sections of the City's code that should have been identified in the regulatory framework, including Section 9-3-213.5, to address restrictions on noise uses resulting from the implementation of the Master Plan in proximity to the City's parks.
- C-34 Response to Comment A7-95, A7-97: The Final PEIR comment points out that the mitigation measures in the Draft PEIR do not address sensitive receptors that are located immediately adjacent to the LA River right-of-way since the mitigation measures are specific to 200 feet or more and 400 feet or more. Please include a revision to be all inclusive of the distances, particularly when there is no specificity on the potential project locations.
- C-35 Response to Comment A7-108: The revisions in the Final PEIR do not specifically state that park fees do not pay for maintenance or operation. Please add such language to make the statement clearer.
- C-36 Response to Comment A7-112: The response does not provide any substantiation for the statement that the Master Plan will allow for cross-county commuting and how VMT will be reduced. The response included in the Final PEIR still needs to address the comment, which contains numerous questions, point by point.
- C-37 Response to Comment A7-114: There should be modifications to the "Significance after Mitigation" discussions to identify effectiveness of the mitigation measures and if impacts could be reduced to less-than-significant levels instead of concluding significant and unavoidable impacts without further analysis of the mitigation measures.
- C-38 Response to Comment A7-115: The questions regarding river trails were not addressed in the Final PEIR response. Please provide a response similar to how the VMT generated by a Common Elements Typical Project was addressed.
- C-39 Response to Comment A7-154: The revision has not been made in Chapter 3 of the Final PEIR.

On behalf of the City of Burbank, I want to thank Los Angeles County for providing an opportunity to comment on the responses to the City's Draft PEIR comments for the 2020 LA River Master Plan. If you have any questions about the comments in this letter please feel free to contact me.

Sincerely,

Fred Ramirez

Assistant Community Development Director

David Kriske

Assistant Community Development Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
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MARK PESTRELLA, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: SWP-5

June 14, 2022

TO: The Executive Office

FROM: for Carolina T Hernandez, PE
Stormwater Planning Division

2020 LA RIVER MASTER PLAN PEIR- RESPONSE TO LETTER RECEIVED JUNE 13, 2022, FROM CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

The County of Los Angeles, through the Los Angeles County Public Works, submits the following responses to certain comments submitted via email by the California Department of Fish and Wildlife (CDFW), dated June 9, 2022, at 12:13 p.m., to Public Works regarding the 2020 LA River Master Plan. Recommendation for approval of the Los Angeles River Master Plan will be considered by the Los Angeles County Board of Supervisors at its meeting on June 14, 2022, including a recommendation for certification of the Final Program Environmental Impact Report (PEIR) prepared for the 2020 LA River Master Plan in compliance with the California Environmental Quality Act (CEQA). Due to the limited time between receipt of the CDFW's letter and the Board's scheduled consideration of the LA River Master Plan and the Final PEIR, the responses below to the environmental comments submitted, are necessarily brief. However, additional detailed information supporting the discussion below is included in the 2020 LA River Master Plan Final PEIR that has been presented to the Board and elsewhere in the administrative record of the 2020 LA River Master Plan Final PEIR. These responses are intended to contribute to the information upon which the Board may rely in rendering decisions related to the recommended actions. Comment number references can be found in the annotated version of the comment letter attached.

Response to Comment A-1

Southern California steelhead (*Oncorhynchus mykiss irideus*) are not expected in the 51-mile long, 2-mile-wide study area. Essential habitat components needed for this species include freshwater spawning sites with sufficient water quantity and quality and an adequate substrate (gravel) to support spawning, incubation and development; freshwater rearing sites to allow development and growth; freshwater migration corridors

free of obstruction to allow for juvenile and adult mobility, cover and shelter; estuarine areas to provide food, shallow water, shelter; and marine areas to support growth, and development. None of these habitat components were observed in the study area. Also, sufficient water is not present within the watercourses, and adequate substrates and cover are currently lacking in the study area to support this species. As steelhead currently are not expected in the study area, they have not been included in the 2020 LA River Master Plan or PEIR.

Response to Comment A-2

The commenter suggests there could be operational impacts to biological resources through the implementation of trapezoidal channel amphitheaters. As discussed in Chapter 1, Project Description of the Draft PEIR, amphitheaters are included in the analysis of kit of part (KOP) Category 2. As discussed in Chapter 3 Section 3 of the Draft PEIR (3.3 *Biological Resources*), mitigation measures would be implemented to reduce impacts regarding the operation of KOP Category 2. These mitigation measures include but are not limited to **BIO-9: Prepare and Implement Construction Best Management Practices and Operations Recreation Plan; Mitigation Measure BIO-15: Use Wildlife-Proof Trash Canisters; Mitigation Measure BIO-16: Use Wildlife Safety Glass; Mitigation Measure BIO-17: Prepare and Implement Pest Management Plan;** and **Mitigation Measure BIO-18: Prohibit use of Invasive Species during Operations.**

Additionally, every construction project that disturbs one or more acre of land surface, construction activities that are less than one acre of land surface disturbance that are part of a larger common plan of development, or sale that disturbs more than one acre of land surface requires coverage under the Construction General Permit. Later activities that fall under the Construction General Permit would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP).

Whether or the extent to which a proposed amphitheater (or other) project under the 2020 LA River Master Plan would impact biological resources depends on the specific location of the project. As described in Master Response 2, Program-Level Analysis in the PEIR, the environmental impact analysis is presented at a programmatic level and does not include project-specific or site-specific analysis. Also, project-level approvals are not part of the 2020 LA River Master Plan approval. For subsequent project activities, site-specific CEQA compliance would be the responsibility of the implementing agency prior to proposed project implementation and would take into consideration the biological resources present at the specific proposed location. Additionally, all future specific projects, including trapezoidal channel amphitheaters, would be subject to subsequent environmental compliance under State CEQA Guidelines Section 15168. Because the

PEIR does not examine specific projects at this time, the County anticipates that future specific projects would require subsequent CEQA compliance.

Response to Comment A-3

The commenter requests a revision of the LA River Master Plan to correctly spell. *'pusillus'*. This spelling correction will be made in the LA River Master Plan. This species is correctly spelled in the 2020 LA River Master Plan PEIR.

In conclusion, the analysis in the Final EIR is accurate and complies with all requirements of CEQA.

Very truly yours,

MARK PESTRELLA, PE
Director of Public Works

MT:yg
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Attach.

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

Via Electronic Mail Only

June 9, 2022

Glenn Gritzner
ggritzner@actumllc.com

Subject: Comments on the Final Los Angeles River Master Plan

Dear Mr. Gritzner:

The California Department of Fish and Wildlife (CDFW) is providing comments on the final Los Angeles River Master Plan (Master Plan) prepared by Los Angeles County Public Works (Public Works).

CDFW's Role

CDFW is the State's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802).

CDFW has an interest in the health of the Los Angeles River watershed. Despite significant alteration from its historic state, the Los Angeles River supports fish and wildlife resources including special status, rare, and sensitive species. In addition, the Los Angeles River supports essential habitat and ecosystems including estuaries, wetlands, riparian forests, and woodlands. Also, the Los Angeles River is located along the Pacific Flyway, providing valuable resting, nesting, and foraging grounds for migratory and resident birds. Accordingly, CDFW values a Master Plan that will support healthy, biodiverse, functioning, and connected ecosystems to support fish and wildlife resources in the Los Angeles River watershed.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist Public Works in preparing the Master Plan. CDFW requests that Public Works review our comments before presenting the Master Plan to the Los Angeles County Board of Supervisors for discussion and adoption on June 14, 2022.

1. Southern California Steelhead

A-1

Comment: The Master Plan recognizes that the Los Angeles River currently supports, or could support through implementation of the Master Plan, fish such as Santa Ana sucker (*Catostomus santaanae*) and arroyo chub (*Gila orcuttii*). The Los Angeles River historically supported the southern California Distinct Population Segment of steelhead (*Oncorhynchus mykiss*; southern

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California steelhead). However, southern California steelhead is not profiled or highlighted in the indicator species list of the Master Plan.

Channelization of the Los Angeles River and urbanization of the floodplain has resulted in significant decline of southern California steelhead, which now exists in extremely low numbers in the Los Angeles River watershed. The Master Plan builds on planning efforts, including the Los Angeles River Ecosystem Restoration Feasibility Study (also known as the ARBOR study), to recover native fish and habitat. The ARBOR study discusses recolonization of southern California steelhead in the Los Angeles River as well as reintroduction of rainbow trout (non-anadromous steelhead) into appropriate habitat. The Master Plan could further promote the restoration of habitat conditions southern California steelhead requires in order for the species to return to the Los Angeles River watershed in higher numbers and be reintroduced to more areas along the Los Angeles River.

A-1 cont.

Recommendation: CDFW recommends Public Works add southern California steelhead to the Master Plan's indicator species list. CDFW recognizes that the indicator species list is not meant to be exhaustive. However, southern California steelhead warrants profiling in the indicator species list given its profile in planning documents that the Master Plan builds upon, as well as on going and planned efforts to restore habitat for this species of fish. Southern California steelhead may also serve as an important indicator species for biodiversity, health of the Los Angeles River watershed, and success of Master Plan projects. CDFW also recommends Public Works include some Design Guidelines for establishment of habitat for smolts and passage for adult southern California steelhead.

2. Trapezoidal Channel Amphitheater

Comment: In Appendix Volume 1, one proposed modification to trapezoidal channels is to terrace the channel and provide amphitheater seating along the trapezoidal wall. The terracing could be used by the "public for special events or festivals that could occur in the channel with appropriate permission and outside of the flood season." Regardless of the season, public events or festivals in the Los Angeles River could impact biological resources such as birds, algal mats, and benthic macroinvertebrates. Impacts to these resources could come from increased noise, harassment, trash/pollution, and trampling.

A-2

Recommendation: CDFW recommends Public Works specify where a trapezoidal channel amphitheater cannot be used in order to protect fish, wildlife, and habitats. CDFW also recommends Public Works specify that the low flow channel should be protected at all times if and when special events or festivals occur in the channel. Finally, CDFW recommends Public Works specify that temporary fencing should be installed to prevent access beyond the outer limit of bank terracing when permitted events are not taking place.

3. Least Bell's Vireo

Comment: Figure 245 on page 273 in the Master Plan shows a *Sample Indicator Species List*. The subspecies for least Bell's vireo is misspelled. The correct spelling is '*pusillus*'.

A-3

Recommendation: CDFW recommends Public Works correct the scientific spelling of least Bell's vireo throughout the Master Plan and appendices.

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Conclusion

CDFW appreciates the five-year effort led by Public Works to develop a Master Plan that encompasses all 51 miles of the Los Angeles River. CDFW also appreciates that Public Works has prepared a Master Plan that will prioritize biodiversity, healthy ecosystems, and connected habitats. CDFW looks forward to the eventual adoption and implementation of the Los Angeles River Master Plan. Should there be any questions or comments regarding this letter, please contact Ruby Kwan-Davis, Senior Environmental Scientist (Specialist), at Ruby.Kwan-Davis@wildlife.ca.gov or (562) 619-2230.

Sincerely,

DocuSigned by:
5991E19EF8094C3...
For Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW
Erinn Wilson-Olgin – Los Alamitos – Erinn.Wilson-Olgin@wildlife.ca.gov
Victoria Tang – Los Alamitos – Victoria.Tang@wildlife.ca.gov
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Tilly Hinton, PhD
Independent Scholar and Curator
Los Angeles CA 90057
tilly@goodisbetter.net

County of Los Angeles Department of Public Works
LARiver@dpw.lacounty.gov

13 May 2021

Dear Sir/Madam,

2020 LA River Master Plan Comments

I am writing to comment on the County's draft LA River Master Plan. I am an independent scholar and the founder/curator of Los Angeles River X.[1] I have over a decade of international research and community engagement expertise in river landscapes and their complex interrelationships with surrounding communities, particularly the Los Angeles River. On that basis, I make the following comments.

The County is the only agency with jurisdiction to take a genuinely whole-river, whole-watershed approach. The draft Master Plan fails to do this, and missing this opportunity is unacceptable. The confined geographic reach of the plan – just a mile to either side of the mainstem – signals that the County is continuing to take an infrastructural not an environmental view. This Plan conceptualizes the river as many things, but rarely actually as a river. This begins in the vision statement, and metastasizes across the entire document. The River and the City deserve better than this.

No robust evaluation of the preceding Master Plan

It is surely a basic principle of planning that a robust evaluation of the existing 1996 Plan should have been conducted. I have seen very little evidence of this in the documentation nor in public meetings. I ask that the team systematically documents the achievement or otherwise of each recommendation of the 1996 Plan and analyzes reasons for successes and failures. It is only through a programmatic evaluative approach that there can be genuine improvement in the visioning and management of the river. The elephant in the room is that the success or otherwise of the 1996 Master Plan remains unevaluated and this is an unstable footing on which to rest a new plan.

Comments on the 9 Goals

Goal 1: Reduce flood risk and improve resiliency

I take issue with the premise that concrete removal is not an option because 'it is not feasible to remove the concrete from the LA River without causing significant negative impacts to communities and local culture' (p. 23). This explanation uses an all or nothing argument, which is flawed. I agree, obviously, that a 'holistic 51-mile restoration strategy is not realistic, even on a generational timeline' if restoration is defined as removal of all channelization infrastructure for the entire 51 miles . This goes without saying. However, a Plan that prioritized ecosystem services could selectively remove and reshape concrete to maintain or even improve flood protection whilst also undoing some of the extremes of channelization, in areas, not everywhere. The dismissal of these possibilities, and in fact a suggestion that the County intends more channelization, is very concerning.

[1] http://goodisbetter.net/lariverx

I am concerned that reducing peak flows to the river (p. 149) contains no mention of stormwater flow reduction (rain gardens, water retention, infiltration basins, urban acupuncture and the like, at various scales) but rather proposes 'capacity increasing measures as appropriate, such as modifying the channel, deepening the channel, raising levees, building bypass channels or tunnels, removing invasive plants, or removing sediment from the channel'. This sounds more like 1938-style flood control thinking, rather than 2020.

It is startling that studying climate change impacts in the LA Basin and how they impact hydrology and sea level rise is a future action in the plan (p. 149), not a foundational underpinning of the Draft Plan. How can the river and the city possibly be well-served by a 25-year plan that isn't built on robust climate science?

I commend the actions around increasing public awareness of flooding (p. 150), but systemic solutions are also crucial, such as not permitting dense developments inside of high-risk flooding areas.

Goal 2: Provide equitable, inclusive, and safe parks, open space, and trails

The Master Plan presents an overly-developed, hyper-mediated, and human-centric idea of what open space means. This concerns me greatly, and I would like to see this tempered in the final version of the Plan.

The cadence of pavilions proposed for the river undermines the opportunity for immersive and authentic nature connection. The idea of building a pavilion every 0.4 – 0.6 miles and restrooms every mile on both riverbanks is excessive. Adding wayfinding and interpretive signage at access points and every half-mile threatens to overwhelm the visual landscape and diminish opportunities for self-directed exploration and nature immersion which are integral to people's biophilic relationships with place. The goal should be to create authentic nature spaces, not a highly manicured and regulated theme park-like river.

While I heartily agree that 'clean-up of brownfield and toxic sites along the river for use as parkland and habitat areas' (p. 156) is an important action, I am concerned that the extent of commitment to doing so is that it will be 'encouraged'. River-adjacent communities have long lived with (and tragically died from) the environmental burdens of these toxic sites. Those communities tend to be low income, and communities of color, and they are heavily burdened by multiple layers of disadvantage and exploitation. Encouraging clean-up is weak and insufficient.

The goal to 'encourage compatibility of the river and adjacent land uses' reads like a recipe for gentrification and displacement. While certainly, 'adjacent open spaces, restaurants, or retail that connect with the river could encourage patrons to use the river trail, and users of the river trail could increase patronage of those adjacent uses' I disagree with the Plan's assertion of mutual benefit. Or more specifically, I ask that the final draft more specifically identify who the intended beneficiaries are. I cannot imagine that long-term residents, many of whom are BIPOC or low-income, would be using or benefitting from the restaurants, retail spaces, increased traffic and crowding from visitors to their neighborhoods along the river.

I strongly object to platform parks. Whereas municipalities across the world are daylighting creeks and rivers to restore them, you are proposing to do the very opposite, capping the river in concrete platforms and constructing parkland on top which would do little if anything to improve air, water, or soil quality. This would be an unacceptable misstep in the river's revitalization.

This section of the Plan sounds decidedly touristic and not for locals (many of whom know the river well already). It seems pro-commercialization, and threatens opportunities for free river enjoyment, for informal street vending, and for exploring nature rather than being casketed into a highly curated river experience.

Goal 3: Support healthy, connected ecosystems

I am very concerned that the action 'collaborate with academic institutions and non-governmental organizations to collect data on ecosystem function within the LA River watershed and along the LA River corridor' (p. 168) is an action of the Plan and not something that has already happened to fundamentally underpin the Master Plan. If ecosystem function data collection is an afterthought, it is little wonder that this draft Plan pays so little attention to ecology. This needs to be rectified in the final version. I echo this same concern for 'collaborate with scientific research teams to increase the knowledge available about wildlife along and in the LA River and to create species profiles for different sectional conditions along the river' and 'consider findings of the LA River Ecosystem Restoration Project in determining habitat opportunities' (p. 168). These all should have been built into an underpinning data bank informing the Master Plan. That it wasn't suggests that the County's priorities are elsewhere than on increasing or even protecting habitat and ecosystem function along the river corridor.

There are various Actions within this goal that would be great for the river, but they are worded weakly, and there is nothing in the Plan that builds confidence that they will be given priority over commercialized, gentrifying and destructive river developments. Examples include 'Encourage cities along the river to adopt sustainability strategies,' 'Create a connective network of habitat patches and corridors to facilitate the movement of wildlife and support a diverse ecological community,' 'Where natural soils are degraded, remediate soils to support healthy ecosystems and the development of soil systems that can improve soil moisture retention and plant health,' and 'Support opportunities to acquire land in the corridor for projects that increase habitat and ecosystem function along the river.' I strongly support these Actions but without any commitments or prioritization in the Master Plan I worry that they will not be realized. Please ensure the final version treats these fundamentally important matters with higher priority.

Goal 4: Enhance opportunities for equitable access to the river corridor

Goal Four is excessively human-centric, a reflection of the Master Plan's vision statement which – unfortunately – is entirely centered on human enjoyment of the river. I am a strong advocate for people interacting with the river, accessing the river, and learning from the river. However, human enjoyment of the river as a destination cannot be the driving force of the Master Plan. Rather, if the Master Plan prioritizes environmental justice, restoration, and ecosystem values, the river will be a healthy and thriving place which will in turn attract people to explore and learn from it. The current draft of the Master Plan places excessive emphasis on people visiting and benefiting from the river, and far too little on meaningful restoration or future proofing. This needs to be addressed.

Goal 5: Embrace and enhance opportunities for arts and culture

The Plan notes that 'the corridor has potential to be a major cultural destination that is also locally rooted in equitable access to cultural infrastructure, architecture, and landscapes'. I argue that it already is: SELA Arts Festival, Meeting of Styles, Hopscotch opera, Projected Visions, Frogtown Artwalk, River Catz, the Great Wall of Los Angeles, the Saber and MTA graffiti pieces (now abated), the river's starring role in film and television, just to name a few. As curator of LA River X, I see on a daily basis how the

river inspires and fuels artists and culture-makers across the city and beyond. The Plan shows a lack of appreciation for the existing arts and culture profile of the river.

The Plan writes only in past tense about the river's role in global graffiti culture, and gives little hope that this would be protected or nurtured in any way in the next 25 years.

One of the precious qualities of the river is that there is spaciousness that allows informal exhibitions and performances – performances, installations, land art – to be offered by artists. This is likely to be severely hindered by the highly controlled character of the Master Plan. That control would be a tremendous cultural loss for the city.

I would also ask that the legal implications of Action 5.1.6 – 'Require that all permanent art within the LA County Flood Control District right-of-way be deeded to the LA County Flood Control District' (p.184) – be explained.

Goal 6: Address potential adverse impacts to housing affordability and people experiencing homelessness

River-adjacent communities have long demanded community-driven restoration and park access to the LA River. Implementing major park construction in low and extremely-low income communities poses a threat that current residents will be displaced by new projects. The County must invest heavily in anti-displacement programs and policies, and implement them before any project construction is underway.

Goal 7: Foster opportunities for continued community engagement, development, and education

While I commend the intention to 'develop educational materials for people of all ages to learn more about the past, present, and future of the river corridor; natural resource protection; and the wildlife and water of the LA River' (p. 202) I would like to see a commitment that such materials will be pedagogically courageous. By this I mean they must include environmental justice, countercultural, gentrification, and antiracist themes, as well as addressing shortcomings and controversies in river management as well as successes. If they fail to do so, learners will have access to only whitewashed and selective perspectives, which is unacceptable.

To say that 'there is still much to learn about and document from present day Tribal communities' (p. 203) is true, but concerning because it's too little, too late, to do this after the fact. This should have been integral to the Master Planning effort, yet the draft does not show robust engagement with all Native American communities in the watershed. Further, the goal to 'foster and expand an ongoing conversation and collaboration with local Tribal governments and local Native American communities about advancing the LA River Master Plan' (p. 203) suggests less of an interest in learning from and implementing traditional ecological knowledge practices, and more of a tokenistic engagement with Native communities to advance the goals of a Plan that was not authentically collaboratively developed with indigenous input. The Master Plan needs to demonstrate intentional engagement with indigenous peoples of the area, and include strategies for maintaining and strengthening this throughout the Plan's life. Settler colonialism and relentless actions that seek to erase native people and culture must be countered in this Master Plan, and unfortunately that is not yet evident in the draft.

I would like to see goal 7.4.2 (p. 204) strengthened to include prioritizing, incentivizing and seeding BIPOC-owned businesses to be able to win service provider and concessionaire contracts. This could offset gentrification risks inherent in the Plan.

As happens often in this Draft Plan, goal 7 raises grave concerns about underpinning work that has not been undertaken in the master planning exercise. It is too little and too late to 'Identify community vulnerabilities, such as displacement risk, flood risk, or climate vulnerability, and investigate potential impacts associated with river improvement projects.' and to 'Develop a strategy to address identified threats by projects to community and resident stability, particularly forces of economic displacement, flood risk, and climate risk' (p. 205) after the Plan is approved. These should have been fundamental building blocks informing the Plan's development.

Goal 8: Improve local water supply reliability

While many of the Actions in this Goal are beneficial ones, and it is one of the few places that a more whole-of-watershed approach is evident, my overarching concerns persist here about the Plan's vague and prolific suit of Actions that are not prioritized or expressed in ways that gives confidence that they will indeed be actioned.

Goal 9: Promote healthy, safe, clean water

This goal needs further development. The statement that 'while over 800 water quality improvement projects are planned, in development, or have been completed within the river's watershed, additional efforts are needed to meet established water quality Targets' (p. 215) uses obfuscating language and fails to evaluate successes or failings of 1996 Master Plan in this regard.

The major flaw in this section is that it only considers sub-watersheds within the LA River watershed that directly drain to the LA River, not its tributaries (p. 216). This profoundly disregards how watersheds work, neglects the connectivity of the system, and tempers the chances of any meaningful improvements in water quality.

I am concerned by the prospect of water being diverted from the LA River to 'enhance habitat, support recreation, or supply water for municipal and industrial uses' (p. 218). Without an ecological or justice framing of the Master Plan, this risks the removal of water for the benefit of industrial and commercial interests, damaging the river's delicate, water dependent ecosystem and continuing the extractive, exploitative practices that have for decades plagued the Los Angeles River.

Conflicts of interest

I am concerned that some of the same consultants and firms who have developed the Master Plan are also actively engaged in and commercially benefiting from river development projects, such as the SELA Cultural Center. These overlaps, and any efforts that have been made to manage actual or perceived conflicts of interest, should be disclosed in the Plan to ensure transparency.

Complexity of the Document/Unhelpfulness of Public Meetings

The suite of Master Plan documents is cumbersome, lengthy and inaccessible. This has been compounded by the PEIR public comment period closing on the same date (both confusing and cumbersome for community members). The pandemic has been an additional compounding factor, as meetings, access to physical copies, or viewing large-scale maps, have not been possible. The online information and town hall sessions that were held by the County and its consultants were inadequate. Some meetings prohibited questions, only allowing comments. At others, not all questions were addressed and were only visible to the organizers not to other attendees, quashing opportunities for learning from fellow community members' perspectives. Document complexity, coupled with poorly designed online meetings, places tremendous burdens on readers and locks people out of the public comment process.

I have also written several queries to the County Master Plan team, using both the email address and the web form, which have gone unanswered. This is very concerning as if it's happened to me, I suspect it has happened to many others.

In conclusion

The problem with the expansive, let a thousand flowers bloom sensibility of the Master Plan is that it will not lead to strategically prioritized action by the County and other jurisdictions. Instead, it will incentivize private interests to develop along the river. Where there is money we will see momentum, likely bringing about gentrification and displacement. This would be a tragic loss for the river and the city.

We need guarantees that displacement, housing affordability and climate resilience will be meaningfully addressed, This needs to happen before projects are built. We need numeric goals set for addressing climate change issues like urban heat impacts, water quality, and flood control. We need prioritization, because some issues need more attention and resources and the draft Plan does nothing to focus attention on those matters.

Many river adjacent communities are already heavily burdened by environmental injustice and this Master Plan does little to remedy that legacy. Indeed, it risks making the situation much, much worse.

The current draft LA River Master Plan, if accepted as is, would cause significant adverse environmental effect. The Master Plan is also a missed opportunity for doing something truly remarkable for the environmental (and that includes human) remediation and safekeeping of our city. I request that the County substantially change the proposed Master Plan addressing community concerns before it proceeds any further.

Best regards,



Tilly Hinton, PhD

The Climate Reality Project®
SAN FERNANDO VALLEY, CA CHAPTER

TO: Supervisors Hilda Solis, Holly Mitchell, Sheila Kuehl, Janice Hahn, Kathryn Barger

FROM: Climate Reality Project, the San Fernando Valley Chapter

DATE: June 13, 2022

RE: Support to DELAY Adopting the LA River Master Plan and PEIR

Dear Supervisors:

In May, 2021, the Climate Reality Project, San Fernando Valley Chapter, made public comment on the LA River Project Master Plan stating (in part):

> *"… we encourage all river planners and managers not to lose sight of the fact that our relationship is not only to community residents, but extends to the larger community of life, which includes the protection of the inherent rights of the natural world."*

In essence, we were supporting natural solutions to the LA River Master Plan. The response to our comment from Public Works was simply, "Noted."

We are at a critical time. Due to climate change, CA is experiencing extreme heat, serious drought, and an increasing number of wildfires. Yet, we are not without options.

One option, that *must* remain front and center, is the ability to harness the power of nature. If we work in harmony with nature, we will yield maximum benefits. Therefore, wherever possible, we must return the river—and the tributaries that feed into it—to their geomorphic or natural state and enact as many nature-used solutions as possible. We especially want to see a revisioning of the LA River in our own community in the Sepulveda Basin.

The State, specifically the CNRA and DWR, has identified nature-based projects as one of their top priorities. The 30x30 plan demonstrates what the State is striving to achieve. The LA River Master Plan, however, does not hold or reflect this vision. At a time when we should be relying on our natural resources the most, this plan is woefully out of step.

We do not feel the Plan is ready to be adopted until it can reflect the level and type of urgent action required to mitigate climate change, and to do it utilizing everything we now know about nature-based solutions. We don't have the luxury of being out of step with nature.

Thank you,

Diana Weynand
Chair, Climate Reality Project
San Fernando Valley Chapter

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June 13, 2022

Via email to: *LARiverCEQA@pw.lacounty.gov*

Grace Komjakraphan-Tek
Los Angeles County Public Works, Stormwater Quality Division
900 South Fremont Avenue
Alhambra, CA 91803

Re: Comments on Final EIR for Los Angeles River Master Plan Update

Dear Ms. Komjakraphan-Tek,

On behalf of Los Angeles Waterkeeper ("Waterkeeper"), we submit the following comments on the Final Program Environmental Impact Report ("FEIR" or "PEIR") prepared for the Los Angeles River Master Plan Update (the "Plan" or "Project"). Waterkeeper understands the unique opportunity provided by the revitalization of the Los Angeles River and is deeply engaged in ensuring that the resulting plans and their implementation maximize habitat restoration and equity in River-connected communities. To this end, Waterkeeper participated in the Steering Committee for the Master Plan Update. Waterkeeper submitted comments detailing the deficiencies the draft EIR ("DEIR") on May 13, 2021 (a copy of which is attached to this letter as **Attachment A**).

Waterkeeper believes the Project and FEIR violate the California Environmental Quality Act ("CEQA") in three primary ways. First, the final Master Plan and FEIR fail to define the "Project" subject to environmental review in a clear manner, and as a result the FEIR impermissibly relies on both deferred environmental analysis and deferred mitigation to assert that there would be no significant impacts. Second, the FEIR fails to provide any useful analysis of the impacts of the platform parks, which the County has evidently committed to pursuing under the Master Plan. These Plan components are well-defined and require detailed analysis and mitigation now, rather than deferring or attempting to tier such an analysis in an uncertain manner. Finally, the FEIR fails to provide good-faith responses to comments, in particular to grave concerns raised by the California Coastal Commission and the California Department of Fish and Wildlife. The FEIR's dismissal of the legitimate concerns of State trustee agencies must be remedied in a recirculated document. Unfortunately, the Master Plan team has failed to remedy these deficiencies, and Waterkeeper requests that the County withhold approval of the Master Plan Update until the legal shortcomings under CEQA have been resolved.

Grace Komjakraphan-Tek
Los Angeles County Public Works
June 12, 2022

I. The Master Plan Update and FEIR Fail to Adequately Define the Project, Resulting in Impermissibly Deferred Analysis and Mitigation.

The Los Angeles River Master Plan Update and its PEIR do not identify the Project with sufficient specificity to identify, disclose, and analyze the Project's potential environmental impacts. The "description of the project is an indispensable element of both a valid draft EIR and final EIR." (*Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 16; see also *Washoe Meadows Community v. Department of Parks & Recreation* (2017) 17 Cal.App.5th 277, 287 [citing *Western Placer Citizens for an Agricultural & Rural Environment v. County of Placer* (2006) 144 Cal.App.4th 890, 898].) The project description must be accurate, stable and finite. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193.)

The FEIR's attempt to define the Project as merely an "advanced planning document" at a programmatic level, identifying 107 "potential projects" without project-specific or site-specific approvals, is an impermissible attempt to tier environmental review. The FEIR cannot possibly mitigate the environmental impacts of "unknown" Project components (see FEIR p. 2-9), which may include platform parks encasing the River in concrete, reconfiguration of the River's channel, and the addition or removal of concrete in the channel and floodplain. Neither the FEIR, nor the technical Design Guidelines included as Appendix I to the final Plan (the "Design Guidelines"), explain which components of the "Kit of Parts" ("KOPs") are appropriate for which stretches or frames of the River. While the FEIR claims that this required specificity will come later during individual river project proposals, the FEIR simultaneously claims that the impacts of the as-yet undisclosed Project have somehow already been fully mitigated in this PEIR. At the same time, the Plan outlines highly technical design guidelines for specific future opportunity sites (including visual renderings) and other example projects such as pavilions, trails, and structures along the river, conflicting with the County's represented definition of the Project that it contemplates nothing site-specific and requires no site-specific environmental impact analysis.

The County cannot have it both ways. The EIR violates the primary purpose of CEQA to ensure adequate and transparent analysis of environmental impacts. As articulated by the Court of Appeal:

> The CEQA process is intended to be a careful examination, fully open to the public, of the environmental consequences of a given project, covering the entire project, from start to finish. This examination is intended to provide the fullest information reasonably available upon which the decision makers and the public they serve can rely in determining whether or not to start the project at all, not merely to decide whether to finish it. The EIR is intended to furnish both the road map and the environmental price tag for a project, so that the decision maker and the public both know, before the journey begins, just where the journey will lead, and how much they-and the environment-will have to give up in order to take that journey.

(*Natural Resources Defense Council v. City of Los Angeles* (2002) 103 Cal.App.4th 268, 271.)

The Plan is not a roadmap, it is a menu of options. The County claims it is a plan that isn't really a plan, describing future projects that are not currently projects, for a river that the County does not consider to be a river. The Plan lacks a cohesive vision for the future of the LA River and authorizes local governments to pursue individual projects with drastically different outcomes, making any present representations about environmental impacts and mitigation specious at best. Neither the County nor the public can possibly know where the LA River's journey will lead—and what the environment and public will give up—as the Master Plan Update is implemented over the coming decades.

In summary, the PEIR must be revised to include an accurate and stable project description, with disclosure, analysis, and mitigation of the environmental impacts of that defined Project. None of the concerns raised in Waterkeeper's DEIR comment letter regarding the inadequate description of the Project have been addressed in the final Master Plan, and therefore Waterkeeper incorporates those comments by reference as equally applicable to the final Plan. The County's plan to wait until after Project approval to disclose or analyze these impacts, much less mitigate them, is illegal under CEQA.

II. The Master Plan Update Will Have Significant Impacts on the Environment that Require Disclosure, Analysis, and Mitigation.

In addition to the inconsistent definition of the Project, the proposals for future projects at identified opportunity sites in the final Master Plan will undeniably have significant environmental impacts without the possibility for mitigation. The Plan improperly defers environmental analysis for these proposals, but the technical design guidelines and detailed renderings included in the Plan show that some of these proposed projects would irreversibly encase the LA River's channel and floodplain in concrete platforms, exacerbate climate change impacts in river-adjacent communities, and leave longstanding industrial land contamination in place. In its DEIR comments, Waterkeeper raised these same concerns with specific project proposals, the PEIR's improper use of tiering, and the PEIR's deficient discussion of impacts related to biological resources, hydrology, land use, climate change, environmental justice and equity. Those comments are equally applicable to the FEIR and are incorporated by reference. These significant environmental impacts for future projects necessitate fulsome review for these projects now, rather than at an undetermined future time.

To elaborate, the Appendix I Design Guidelines provide technical guidance for constructing project elements that directly conflict with the Plan's stated goal to increase riparian habitat near the LA River and promote the introduction of endemic and native species into the area. (See Plan at p. 175.) The Design Guidelines support creating 51 miles of connected open space "with equitable access [for residents], including trails, gateways, and access points." (Design Guidelines at p. 66.) Some of these contemplated access points are rendered in the Plan as "Tier III gathering pavilions" with basic amenities, "ideally situated every 2-3 miles" at river access points. (Plan at p. 350.) Building trails and structures along the River, while beneficial to improve open space access for nearby residents, may disturb wildlife populations that are currently present or may be present at these project sites following development. (See also FEIR at pp. 2-52–2-55 [Comment A6-3 from the California Department of Fish and Wildlife

identifying significant impacts to biological resources resulted from increased visitors and recreation].) Similarly, the Design Guidelines specifically mention creating ramps for maintenance vehicles to access the River channel, designed in ways that can be used for both human access and recreation as well as support River access for wildlife. (Design Guidelines at p. 186.) The Design Guidelines also provide more technical specifications for platforms, bridges, channel modifications, and other projects that could add more concrete to the LA River channel and the river right-of-way. (See, e.g., *id.* at p. 90-93, 176, 181, 188, 200.) Yet the FEIR does not consider these project components to have specific environmental impacts, despite the obvious overlap between human and wildlife uses and the irreversible impacts that would result from additional concrete development.

Furthermore, the FEIR's analysis of alternatives is still deficient as it was in the DEIR, as no changes have been made to the alternatives section. One recurring theme in the Plan and FEIR is the disclaimer of concrete removal and river channel naturalization as a viable option for future projects, except on a small scale in undefined specific locations. (See, e.g., FEIR at pp. 2-11–2-12 [rejecting the multitude of public comments calling for concrete removal and river restoration]; Master Plan at p. 30 [concluding without environmental impact analysis that "a holistic 51-mile restoration strategy [for the LA River] is not realistic, even on a generational timeline"]; *id.* at p. 268 [labeling the Floodplain Reclamation KOP component as the least feasible option].) Yet the Plan conducts no analysis to consider the alternative of concrete removal on a broader scale and the environmental impacts of developing new projects that bring people closer to the River while leaving concrete and industrial land contamination in place. The Plan and FEIR cannot treat concrete removal and concrete addition as resulting in the same (absence of) environmental impacts. As such, the conclusory statements in the Plan and FEIR that concrete removal is infeasible confirms the County's deficient consideration of alternatives.

In summary, the FEIR's conclusion that there will be no significant environmental impacts from any future projects at specific opportunity sites, or from any of the KOP components or project elements with technical guidance in the Design Guidelines, is incorrect on its face. It is impermissible under CEQA for the County to defer consideration of these environmental impacts to an unspecified future proceeding when those impacts are presently identified and known. Any discussion of mitigation of these significant impacts in the FEIR is conclusory and puts the cart before the horse.

III. The Final EIR Fails to Adequately Respond to Comments.

CEQA requires the County to respond to the public's comments and questions with "reasoned, good faith analysis." (CEQA Guidelines § 15088). When a comment raises a significant environmental issue, the lead agency must address the comment "in detail giving reasons why" the comment was "not accepted." (*Ibid*.) "Conclusory statements unsupported by factual information will not suffice." (*Ibid*; *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1124.) The level of detail of responses to comments must be commensurate with the level of detail of the comments. (*Friends of the Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4th 859, 878 ["the determination of the sufficiency of the agency's responses to comments on the draft EIR turns upon the detail

required in the responses"].) This is especially important with regard to the substantive comments of responsible or "sister agencies" which may not simply be ignored. (*Cleary v. County of Stanislaus* (1981) 118 Cal.App.3d 348, 357.)

This requirement for good faith, reasoned analysis "ensures that stubborn problems or serious criticism are not swept under the rug." (*Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 732.) The courts have held that inadequate responses to comments—alone—can be grounds for voiding a project's approval. (See *Environmental Protection Information Center. v. Johnson* (1985) 170 Cal.App.3d 604, 627.) Failure to respond to a *single* comment is sufficient to invalidate approval of a FEIR. (*Flanders Foundation v. City of Carmel by-the-Sea* (2012) 202 Cal.App.4th 603.)

The FEIR failed to respond adequately to comments raised in Waterkeeper's comments on the DEIR, including, but not limited to:

- The dismissal of the deficiencies in the Project description establishing that the "Project" is merely a menu of options without a coherent vision, with the County's response repeating the same irrelevant and inaccurate statements from the DEIR regarding the general purpose of programmatic EIRs with deferred project-specific analysis and approval (FEIR at pp. 2-341, 2-343, 2-348–2-354 [responding to Comments 017-1, 017-2, and 017-7–017-14]);

- The failure to provide more information and environmental impacts analysis for specific projects contemplated at opportunity sites, in light of the detailed technical specifications and visual renderings for those projects, with the County's response repeating unconvincingly that these projects are not approved and are only conceptual (FEIR at pp. 2-355–2-361 [responding to Comments 017-17–017-22]);

- The failure to consider feasible alternatives to eliminate concrete and naturalize the LA River channel while preserving flood control functionality, to which the County responded by repeating the unsupported discussion from the DEIR that such an alternative is infeasible (FEIR at pp. 2-362–2-366 [responding to Comments 017-24–017-26]); and

- The dismissal of Waterkeeper's critique of the deficient analysis of impacts to hydrology and water quality, biological resources, and mitigation measures for those impacts, to which the County responded by claiming that water impacts would be addressed solely through compliance with local and regional water quality and stormwater requirements, refusing to consider detailed evidence submitted by commenters of baseline wildlife conditions, and acknowledging mitigation must be deferred and cannot yet be implemented or required because specific projects are not being considered (FEIR at pp. 2-366–2-376 [responding to Comments 017-27–017-40]);

More concerning, the FEIR dismissed comments from sister State agencies without adequately considering their concerns or incorporating changes into the Plan or FEIR to reflect

those concerns. The California Coastal Commission ("CCC") submitted detailed comments on the DEIR to outline concerns about possible land use impacts and the inconsistency of some Plan components with existing laws, but the County effectively rejected the CCC's input and deferred consideration of the CCC's concerns to future individual plan processes. Notable comments from the CCC and responses from the County include the following:

- The CCC identified the need for future projects to consider sea level rise consistent with guidance from the Ocean Protection Council, and the County responded by stating that future projects would comply with applicable state and local requirements for considering sea level rise, without any explanation as to how the Plan would ensure such compliance (FEIR at pp. 2-25–2-26 [responding to Comment A5-8]);

- The CCC also explained aspects of the Plan that would conflict with existing laws and land use plans (such as the California Coastal Act, the Long Beach Local Coastal Program, and the Long Beach Port Master Plan) or would require permits, rendering those aspects of the Plan currently impossible to accomplish or creating significant land use impacts (including with respect to hazardous materials). The County's response ignored this aspect of the CCC's comments, merely stating that future projects would have to be consistent with relevant regulations and that as a "mitigation" measure, the implementing agencies would have to coordinate for all necessary permits, approvals, and amendments (FEIR at pp. 2-26, 2-28–2-29, 2-33–2-37, 2-39–2-42, 2-44–2-47 [responding to Comments A5-9, A5-12, A5-19–A5-20, A5-23, A5-26, A5-30, A5-34–A5-43, A5-45–A5-49, A5-53-A5-54]);

- The CCC offered specific feedback on some of the KOP components in the plan, pointing out certain KOP components that would not be feasible to implement in isolation. The County failed to respond substantively and repeated its position that the FEIR does not assess any specific project proposals and is merely programmatic in nature, so any specific consideration of the CCC's concerns would occur in subsequent environmental review for individual proposals or would be addressed through future site-specific studies required as "mitigation" measures (FEIR at pp. 2-29–2-32, 2-43–2-44 [responding to Comments A5-13–A5-17, A5-52]

- The CCC noted the possibility of local agencies pursuing wastewater recycling and increasing greywater treatment capacity to create a closed water utility system, as relevant to possible mitigation of wastewater impacts under the Common Elements Typical Projects. Yet the County's response rejected any need to consider possible future changes to wastewater treatment systems or water recycling, sticking to a baseline regulatory setting of the existing landscape of systems, thereby refusing to analyze foreseeable future cumulative impacts (FEIR at pp. 2-32–2-33 [responding to Comment A5-18]); and

- The County refused to include more detailed environmental justice analysis in response to a request from the CCC to do so, stating summarily that "environmental

justice is not a CEQA requirement" (FEIR at pp. 2-37–2-38 [responding to Comments A5-30–A5-31]).

Similarly, the California Department of Fish & Wildlife ("CDFW") submitted detailed comments identifying deficiencies in mitigation measures and the possible significant impacts on biological resources, to which the County again deferred consideration and specific mitigation requirements to future individual project proceedings. The County's responses to CDFW's detailed and specific concerns about biological impacts defers mitigation considerations to future biological assessments for individual projects, in violation of CEQA. Notable comments from CDFW include the following:

- CDFW raised concerns about biological impacts from increased visitors and recreation uses along the LA River, fencing and access barriers that may impact wildlife dispersal, and ground disturbances, noise and light pollution, and streambed alterations during the project development process. In response, the County improperly defers mitigation to future individual projects through recommendations in future biological reports or surveys and claims that an existing mitigation measure "already begins the process of making a determination of whether the proposed individual subsequent project would have a significant environmental impact on biological resources and provides the steps necessary to make that determination," therefore requiring no evaluation now (FEIR at pp. 2-52–2-59, 2-72–75 [responding to Comments A6-3–A6-5, A6-10]). "[A]n agency goes too far when it simply requires a project applicant to obtain a biological report and then comply with any recommendations that may be made in the report." (*Defend the Bay v. City of Irvine* (2004), 119 Cal.App.4th 1261, 1275.);

- CDFW raised significant concerns regarding dry weather diversions of water from the LA River and the significant impacts on species and beneficial uses, which would reduce water flows and could affect a variety of plants, fish, macroinvertebrates, and other wildlife. CDFW identifies these concerns in the context of KOP components for channel modifications and water diversions, requesting more environmental analysis of how those components might impact biological resources in both concrete-lined and soft-bottom portions of the LA River. In response, the County again deferred any consideration of these impacts to future specific project approvals and "anticipated" future CEQA proceedings, which would include regulatory assessments for mitigation opportunities, rather than making any determinations now (FEIR at pp. 2-59–2-64 [responding to Comment A6-6]);

- CDFW also raises concerns about significant impacts to endangered species of anadromous fish (such as Southern California steelhead) that may use the LA River for habitat, which are particularly certain to occur from projects employing KOP categories for channel modifications, water diversions, and platform parks or land bridges atop the River, concluding in no uncertain terms that "impacts would be significant." The County again responds by deferring analysis to individual subsequent projects and "anticipated" CEQA processes, including "mitigation"

measures to conduct assessments for those individual projects, but makes no changes to the KOP components in the Plan or how they may be deployed (FEIR at pp. 2-64–2-67 [responding to Comment A6-7]);

- CDFW notes that many of the Plan components would impact riparian habitat and "may result in temporary or permanent loss of riparian resources," calling for specific language to be included in a mitigation measure to ensure no net loss of riparian habitat in the River and increasing compensatory mitigation measures for rare or threatened riparian habitat and vegetation measures. The County makes no changes in the Plan or PEIR in response to CDFW's thoughtful and focused comment, once again deferring all such considerations to future individual projects (FEIR at pp. 2-68–2-69 [responding to Comment A6-8]);

- The County responds to CDFW's recommended mitigation measures for California Species of Special Concern by expanding certain mitigation measures and their definitions, but largely noting that CDFW's concerns would again be dealt with on a project-by-project basis through biological assessments (FEIR at pp. 2-69–2-72 [responding to Comment A6-9]);

- The County acknowledges that it added new mitigation measures in the FEIR in response to comments from CDFW, including BIO-3d(ii), Implement Burrowing Owl Avoidance and Relocation Measures; BIO-3d(iii), Implement Burrowing Owl Mitigation Management Plan; and BIO-20b, Protect Against Tree Diseases, Pests, and Pathogens. (FEIR at p. 2-25; FEIR at pp. 2-69–2-72 [noting edits to existing mitigation measures in response to CDFW's Comment A6-9 regarding California Species of Special Concern].) The addition of new mitigation measures entirely excluded from the DEIR, in response to significant new information about potential significant environmental impacts, necessitates a recirculation of the FEIR for review and comment on the adequacy of these new mitigation measures. CEQA requires recirculation of an environmental impact report when "significant new information" is added. (See Pub. Resources Code § 21092.1 [requiring recirculation of an environmental impact report when "significant new information" is added]; CEQA Guidelines § 15088.5 [requiring recirculation when the new information shows newly significant environmental impacts or increased severity of previously disclosed environmental impacts].)

Lastly, Waterkeeper and other concerned environmental, environmental justice, and community-based organizations have repeatedly expressed grave concerns with the Master Plan team's engagement with the Steering Committee and community groups during the Plan's drafting process. The final Plan and FEIR ignore these concerns, especially in response to Waterkeeper's comments on the DEIR, while simultaneously representing in a misleading manner that the County achieved robust and meaningful community engagement and incorporated feedback into the Plan and FEIR. The County's responses to comments overlook Steering Committee members' concerns about the lack of Tongva representation on the Steering Committee, instead pointing to irrelevant public meetings held in River-adjacent communities.

(FEIR at p. 2-378 [responding to Comment 017-43.) Particularly concerning is the County's refusal to translate the DEIR into Spanish or Chinese (Cantonese and Mandarin) to allow for greater community input—the County's responses to comments rely only on Spanish translation of the DEIR notices and publication of the notices in Spanish newspapers, which have no relevance to ensuring that Spanish-speaking or Chinese-speaking community members can access the PEIR itself. (See FEIR at pp. 2-377–2-378 [responding to Comments 017-41–017-42].)

These deficiencies in meaningful community engagement, and the disregard of all feedback provided by organizations that served as members of the Steering Committee over a period of two years, compelled Waterkeeper and other organizations to formally remove their names and logos from the final Plan in any manner associated with the Steering Committee or community engagement process. A copy of these organizations' letter dated June 10, 2022 is attached to this letter as **Attachment B**. The County's deficient public engagement process during the development of the Plan and DEIR is emblematic of the failure to consider and respond meaningfully to public comments on the DEIR from organizations and sister agencies alike.

* * * * *

In conclusion, the Los Angeles River Master Plan Update fails to sufficiently define the Project, leading to a failure to both analyze and mitigate the Project's potentially significant adverse impacts on the Los Angeles River. The biological resources, hydrology, climate change and sea level rise, land use, and other impacts of reconfiguration, reuse, and restoration of the River discussed in Waterkeeper's DEIR comments require detailed disclosure and consideration. The EIR must also analyze the environmental impacts of platform parks and other "potential" projects at opportunity sites with detailed technical specifications and design guidelines, to which the County appears to have committed. Before considering approval of this Project, a recirculated EIR must be prepared to define the Project and fully analyze the many impacts associated with this Project so that decision makers and the public will know "the environmental price tag" prior to project implementation.

Thank you for your consideration of these comments. We look forward to reviewing a revised and legally adequate EIR for the Project.

Sincerely,



Michelle Black
Amy Minteer

Benjamin Harris
Staff Attorney
Los Angeles Waterkeeper

Grace Komjakraphan-Tek
Los Angeles County Public Works
June 12, 2022

Attachments:

A. May 13, 2021 Comments on Draft Environmental Impact Report
B. June 10, 2022 Letter from Steering Committee Organizations

Attachment A

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May 13, 2021

***By U.S. Mail and Email**: LARiverCEQA@pw.lacounty.gov*

Ms. Grace Komjakraphan-Tek
Los Angeles County Public Works
Stormwater Quality Division
900 South Fremont Avenue
Alhambra, CA 91803

Re: Draft Programmatic Environmental Impact Report and Selection of Alternatives for the Los Angeles River Master Plan Update

Dear Ms. Komjakraphan-Tek,

These comments are submitted on behalf of Los Angeles Waterkeeper in connection with the draft programmatic environmental impact report (DPEIR) prepared for the Los Angeles River Master Plan Update ("Project"). Los Angeles Waterkeeper's mission is to fight for the health of the region's waterways and for sustainable, equitable and climate-friendly water supplies. Consistent with its mission, Los Angeles Waterkeeper has been actively engaged in the County's planning for the Master Plan Update at every level. Waterkeeper is a member of the Steering Committee for this process and has submitted comments on the draft Master Plan Update and at each stage of the accompanying CEQA review. (See, Attachment 1 [March 2020 Comments on Draft Master Plan Update]; Attachment 2 [August 2020 Notice of Preparation Comments]; Attachment 3 [May 16, 2009 Comments on Draft Master Plan Update]; Attachment 4 [November 11, 2020 Comments on Draft Master Plan Update].)

The Master Plan "is intended to be a visionary and practical document for all 18 local jurisdictions within the study area." (DPEIR p. 2-7.) The Master Plan has nine objectives:

(1) Reduce flood risk and improve resiliency.

(2) Provide equitable, inclusive, and safe parks, open space, and trails.

(3) Support healthy connected ecosystems.

(4) Enhance opportunities for equitable access to the river corridor.

(5) Embrace and enhance opportunities for arts and culture.

(6) Address potential adverse impacts on housing affordability and people experiencing homelessness.

(7) Foster opportunities for continued community engagement, development, and education.

(8) Improve local water supply reliability.

(9) Promote healthy, safe, clean water.

(DPEIR p. 2-7.) However, in lieu of actual project information, the DPEIR states, "In addition to common elements that projects need to include, to achieve the nine objectives, the 2020 LA River Master Plan proposes six categories of project improvements, or "kit of parts" (KOP), consisting of infrastructure and urban river design typologies that illustrate the range of possible strategies that the proponents of subsequent projects, including the County, can use along the river." (DPEIR p. 2-8.) The KOP categories and potential included components are:

- Trails and Access Gateways (pedestrian, equestrian, bike, and multi-use trails; lookouts, boardwalks, vehicular access, habitat corridor)
- Channel Modifications (Terraced bank, check dam, levee, armored channel, concrete bottom, soft bottom/concrete removal)
- Crossings and Platforms (bridges, cantilever, platform)
- Diversions (pipe, side channel, tunnel, overflow weir, wetland)
- Floodplain Reclamation (side channel, wetland, naturalized bank, field, recreation field, storage)
- Off-Channel Land Assets (urban agriculture, solar power, composting, natural treatment system, wetland, recreation field, storage, injection well, water treatment facility, spreading ground, affordable housing, art and culture facility)

(DPEIR pp. 2-8 – 2-9.) The DPEIR claims to analyze these diverse (and internally conflicting) KOPs as well as two "typical projects." The Common Elements Typical

Project would consist of pavilions, cafes, restrooms, benches, water fountains, bike racks, lighting, fencing, stormwater BMPs, and performance spaces implemented individually or in any combination on a site up to 3 acres in size or arranged along up to one mile of river. (DPEIR p. 2010.) The Multi-Use Trails and Access Gateways Typical Project would consist of a continuous multi-use path and welcoming access gateways to the River. For purposes of analysis, each project is assumed to be 5 miles long and 40 feet wide. (DPEIR p. 2-11.) Although Typical Projects have a generally recognizable form, they lack information about location. Even the same project will have differing effects in different locations. Projects consisting of the KOPs, however, could take almost any form in almost any location. For example, Channel Modifications could consist of increasing concrete lining – which has a certain set of adverse environmental impacts – or of *removing* concrete lining – which has altogether different long-term benefits and impacts. The DPEIR provides, "Under the 2020 LA River Master Plan, the multi-benefit design components can be implemented individually or in combination with other design components as subsequent projects under the 2020 LA River Master Plan." (DPEIR p. 2-12.) Thus, the Master Plan is a menu, not a project.

The California Environmental Quality Act (CEQA) serves two basic, interrelated functions: ensuring environmental protection and encouraging governmental transparency. (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal. 3d 553, 564.) CEQA requires full disclosure of a project's significant environmental effects so that decision-makers and the public are informed of these consequences before the project is approved to ensure that government officials are held accountable for these consequences. (*Laurel Heights Improvement Ass'n of San Francisco v. Regents of the University of California* (1988) 47 Cal.3d 376, 392.) The environmental impact report (EIR) process is the "heart of CEQA" and is the chief mechanism to effectuate its statutory purposes. (*In Re Bay-Delta Programmatic EIR Coordinated Proceedings* (2008) 43 Cal. 4th 1143, 1162.) Waterkeeper is concerned the DPEIR fails to adequately disclose, analyze, and mitigate the Project's significant adverse environmental impacts.

Although an EIR need not be perfect, the County "must use its best efforts to find out and disclose all that it reasonably can." (CEQA Guidelines § 15144.) If important information cannot be obtained, the EIR must explain why. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 519-522.) The County must also "ensure that CEQA [GHG] analysis stays in step with evolving scientific knowledge and state regulatory schemes." (*Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 519.)

Throughout the administrative processes, Waterkeeper has documented its concerns about the vagueness of the Master Plan and urged the County to prioritize the

Plan's lofty but often competing goals. (See, Attachment 1.) While Waterkeeper lauds the County's efforts to incorporate the goals of a broad stakeholder community, it reminds the County that the purpose of a Master Plan is to provide a workable road map for future restoration and development decisions along the Los Angeles River. Unfortunately, despite Waterkeeper's detailed feedback, the Master Plan Update remains more of a vague vision statement than any kind of defined plan. It does not contain defined projects at defined locations and, instead, seems to permit opposing projects at all locations. Consequently, the Draft Programmatic EIR fails to adequately define a "project" as needed for CEQA review. The failure to define the Project cascades into the DPEIR's failure to provide any useful information about the Project's likely impacts on biological resources, recreation, displacement, hydrology, land use, hazards, and others, on an area stretching 200 square miles. Without adequate disclosure, the DPEIR further fails to adequately analyze and mitigate the Project's impacts. In short, the Project, as described, is not ripe for environmental review.

The DPEIR also fails to include useful project objectives, to provide an alternatives analysis directed at reducing the Project's potentially significant environmental impacts, to provide concrete and enforceable mitigation for activities as varied as installing and removing concrete channel bottoms, and to analyze hydrology, impacts on biological resources, and other important environmental concerns in a useful way.

Los Angeles Waterkeeper understands the importance of flexibility in Master Planning, but that doesn't obviate the need for the County to adopt a Master Plan that provides clear direction about the types of uses that will be permitted and cultivated along the river and that ranks objectives to provide at least a modicum of certainty in future planning. After this, the County should revisit its environmental review to ensure it actually discloses, analyzes, and mitigates the Master Plan's potential adverse environmental impacts. However, in the interest of preserving its legal rights if the County chooses to certify this inadequate programmatic EIR, Waterkeeper provides the following CEQA comments.

I. The Programmatic EIR Fails to Define a Project.

"An accurate, stable and finite project description is the Sine qua non of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192–193.) To the contrary, a "curtailed or distorted project description may stultify the objectives of the reporting process" and does not allow "outsiders and public decision-makers [to] balance the proposal's benefit against its environmental cost,

consider mitigation measures, assess the advantage of terminating the proposal (i.e., the 'no project' alternative) and weigh other alternatives in the balance." (*Ibid.*)

Instead of following this central CEQA requirement, the DPEIR relies on a vague and unstable project description. The project description first includes two basic outlines of what it considers typical projects: a common elements project, which includes pavilions along the River with varying levels of public facilities; and multi-use trails and access gateways. (DPEIR pp. 2-10 to 2-11.) The DPEIR assumes pavilions that will provide the greatest number of public services when analyzing impacts but provides no basis for that assumption. While these Tier III pavilions would likely take up the most space, they would also provide services that could potentially reduce impacts as compared to the Tier I and II pavilions – services including public safety stations, bike rental and repair and indoor showers. Thus, the DPEIR's analysis of only Tier III pavilions fails to provide an adequate assessment of the plan's potential impacts. It also fails to provide necessary information to the public and decisionmakers to use when commenting on and adopting the plan.

The project description then includes six kit of parts (KOPs) along with the two typical, although only vaguely defined, projects. The DPEIR includes a long list of potential activities that could fit within each KOPs. While the DPEIR claims these KOPs are intended to inform future projects, many of listed potential activities are competing or contradictory. For example, KOP Category 2 "Channel Modifications" include both installing concrete bottoms and removing concrete bottoms. (DPEIR p. 2-9.) KOP Category 1 "Trails and Access Gateways" includes pedestrian, bike, and equestrian trails to increase nonvehicular connectivity, but it also includes "vehicular access" which may counter the safety or benefit of multi-modal trails. (DPEIR p. 2-9.) KOP Category 3 "Crossings and Platforms" contains both habitat/wildlife bridges, which would promote habitat connectivity, and platforms, which might destroy habitat beneath them. (*Ibid*.) KOP Category 4 "Diversions" include pipes, pumps, and wetlands. (*Ibid*.)

The design components within a single KOP could also serve competing interests, with different environmental impacts. For example, the DPEIR describes Trails and Access Gateways with similar cross sections and arrangements that could either serve recreational uses with playing fields or ecological uses with habitat corridors and vegetated buffers. (DPEIR p. 2-12.)

Adding to the confusion, the DPEIR references "up to 107 potential projects ranging in size from extra-small (less than 1 acre) to extra-large (150+ acres/10 miles) that would be implemented over the 25-year horizon period," but the DPEIR never

describes what these projects are. (DPEIR p. 2-15.) The next two sentences appear intended to provide this exposition, but only serve to confuse a reader:

> These would include the two Typical Projects…that would be constructed at a specified cadence, or spacing, along the river to ensure equitable distribution of facilities throughout the 51-mile-long corridor and help improve access and safety; and additional subsequent projects from the KOP categories; multi-benefit design components. These elements together comprise the entirety of the 202 LA River Master Plan.

(DPEIR p. 2-15.) The DPEIR next states these 107 potential projects are identified in the Master Plan as well as in several other published plans. (*Ibid*.) But they are not reproduced here. CEQA does not permit an EIR to outsource its project description to a list of other documents.

The project description includes no identification of project phases by priority or any other means. Instead, the project description serves as nothing more than a laundry list of vaguely described potential activities that does not allow for an assessment of potential impacts, the development of mitigation or an assessment of project alternatives. The DPEIR has provided only a "blurred view of the project" and thus fails an informational document. (*Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 12–13.)

As to actual activities and what will happen on which part of the River and when, little information is included. An EIR's purpose is to eliminate this confusion:

> The CEQA process is intended to be a careful examination, fully open to the public, of the environmental consequences of a given project, covering the entire project, from start to finish. This examination is intended to provide the fullest information reasonably available upon which the decision makers and the public they serve can rely in determining whether or not to start the project at all, not merely to decide whether to finish it. The EIR is intended to furnish both the road map and the environmental price tag for a project, so that the decision maker and the public both know, before the journey begins, just where the journey will lead, and how much they-and the environment-will have to give up in order to take that journey.

(*NRDC v. City of Los Angeles* (2002) 103 Cal.App.4th 268, 271.) The LA River Master Plan DPEIR contains no such road map.

The County's use of a program EIR, as opposed to a project-specific EIR, does not excuse the obligation to provide clear and detailed information to the public. "The ultimate inquiry . . . is whether the EIR includes enough detail 'to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.' " (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516.) As circulated, the DPEIR does not include the requisite detail.

The Court of Appeal provided recent guidance about the distinctions between program and project EIRs:

> Designating an EIR as a program EIR . . . does not by itself decrease the level of analysis otherwise required in the EIR. [I]n considering a challenge to a program EIR, 'it is unconstructive to ask whether the EIR provided 'project-level' as opposed to 'program-level' detail and analysis. Instead, we focus on whether the EIR provided 'decisionmakers with sufficient analysis to intelligently consider the environmental consequences of [the] project.'

(*Cleveland National Forest Foundation v. SANDAG* (2017) 17 Cal.App.5th 413, 426.). Even if more precise information may be available during project-specific review, the County "must still provide reasonably obtainable information, or explain (supported by substantial evidence) why it cannot do so. '[I]f known impacts are not analyzed and addressed in a program EIR, they may potentially escape analysis in a later-tier EIR.' (Forest Foundation, supra, 17 Cal.App.5th at p. 440.)" (*Golden Door v. County of San Diego* (2020) Slip. Opinion, pp. 101-102.)

Waterkeeper supports efforts to expand recreational access, equity, and environmental restoration along the River, but CEQA requires the activities involved in these efforts be clearly delineated for public understanding.

The project description fails to provide adequate information regarding the activities allowed under the Master Plan to allow for useful environmental review and is essentially unripe. The DPEIR fails to achieve the advantages of a program EIR identified by CEQA. A program EIR is intended to "provide an occasion for a more exhaustive consideration of the effects and alternatives that would be impractical in an EIR on an individual action." (CEQA Guidelines §15168(b)(1).) The DPEIR instead provides only general consideration of effects and limited assessment of alternatives.

II. The DPEIR Cannot be Used for Future Tiering.

While CEQA does allow for tiering of environmental review, it does so only when there are issues currently ripe for consideration. (Pub. Resources Code § 21093.) The Notice of Availability provides, "It is anticipated that the County or other agencies may use the PEIR as the first-tier analysis when considering subsequent discretionary actions." (NOA, March 8, 2021, p. 4.) The DPEIR further explains "the two Typical Projects are analyzed in greater detail in this PEIR than the other elements. The six KOP categories and related design components – as well as the 2020 LA River Master Plan in its entirety – are analyzed qualitatively at a program level." (DPEIR p. 2-10.) Thus, it appears the County intends to use this Programmatic EIR to limit the environmental review required for future projects based on the Typical Projects and the KOPs anywhere along the River's 51-mile reach. (See, DPEIR p. 2-2 ["study area is defined as a 2-mile-wide corridor – 1 mile on each side of the river – that follows the centerline of the LA River for its entire 51 miles" and "subsequent projects could be located anywhere in the 2-mile-wide study area."].)

However, as discussed above, the project as described in the DPEIR does not present an issue ripe for decision. The DPEIR seems to acknowledge this, finding "The wide-ranging functions, characteristics, and complexity of the KOP categories and their respective design components – along with the lack of specific sites or detailed design information – make it particularly challenging to make informed assumptions about reasonable construction and operations scenarios." (DPEIR p. 2-12.) While the DPEIR contains valuable information about a wide range of opportunities for expanding access and restoration along the River, the DPEIR has limited value for purposes of environmental review pursuant to the California Environmental Quality Act (CEQA).

CEQA permits the County to rely on an *adequate*, certified EIR as the basis for future entitlements. As the DPEIR document is not specific as to the activities covered (or really, what those activities could even be), Waterkeeper is concerned about the DPEIR's use for activities whose environmental impacts have not been adequately disclosed, analyzed, or mitigated. If the DPEIR is relied upon by the County or the 17 River cities, there is no guarantee of future environmental analysis for projects employing the often-conflicting KOPs anywhere along the Los Angeles River. As a practical matter, the lack of specificity regarding what the DPEIR "covers" is likely to result in confusion as to what activities are covered, and may lead to uncertainty, wasted time, wasted resources, and CEQA abuses. Preparing and certifying an EIR now serves no purpose but to insulate the approval of the activities under the KOPs from future environmental review, when the impacts, mitigation and alternatives could and should truly be assessed.

III. The DPEIR Fails to Provide Project-Level Information on Known, Future Projects.

While on the one hand the Master Plan Update provides limited information on unknown future projects, on the other hand the County has been working with Gehry Partners, LLC on proposed Los Angeles River Platform Parks and other well-defined projects for several years. These projects would be located within the Master Plan Update study area and are well-defined on public websites. (See, Attachments 7 and 8.) The project description cannot fail to describe key elements of the Project. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730-35.) Despite the obvious relationships between these projects in space and time, the DPEIR fails to disclose, discuss, analyze, or mitigate the impacts of these projects.

According to the website for the Lower LA River Revitalization Plan, "The Rio Hondo Confluence Area Project, also known as RHCAP, was identified in the 2018 Lower Los Angeles River Revitalization Plan and is located at a key opportunity site along the Lower Los Angeles River. Conceptual development is exploring options to connect communities to the RHCAP and create a key gathering place for Southeast Los Angeles." (See https://lowerlariver.org/riohondoconfluence/.) The map on this website depicts several platform parks that would have significant environmental consequences that must be evaluated in an EIR. Yet none of these projects are discussed in any detail in the DPEIR.

The LA River Platform Park "is situated over the LA River and creates approximately 22 acres of new opportunities for recreation and habitat." (Attachment 8.) Similarly, "[t]he Rio Hondo Platform Park is situated over the Rio Hondo and creates approximately 11 acres of new opportunities for recreation, art, and habitat." (Attachment 8.) RHCAP documentation provides more than enough detail to enable useful environmental review of these platform parks. For example, the Site Design Concepts for the RHCAP describe the LA River Platform Park in great detail:

> The LA River Platform Park is situated over an approximately 3,200-foot stretch of the LA River. The platform park site is bounded to the north by the LA River channel jurisdiction line between the LACFCD and the USACE. A separate project could potentially extend the platform park north of that line in the future, creating the Southern Avenue Bridge Park. This continuation of the platform would allow for a connection of communities on the east and west of the LA River, in alignment with Southern Avenue. To the south, the platform park boundary is offset a minimum of 300' feet from the nearest platform wall and

> staggered away from the residential neighborhoods directly to the west. The eastern and western edges of the platform park are defined by the location of the flood channel parapet walls, or the inner edge of the levee when no parapet walls are present.

(Attachment 7.) The document also analyzes the practical challenges of implementing the LA River Platform Park and includes design options to minimize challenges:

> A major challenge of the LA River Platform Park is the coordination of the existing UPRR and future Metro WSAB line, which will have significant implications on the hydraulics, structure, and pedestrian access. The design of the platform park must allow for easy visitor access over this rail corridor in order to maintain continuity across the park experience. The Design Team has developed two distinct options for how the platform park will coordinate with these rail crossings. Option A, assumes full replacement of the UPRR bridge and Metro WSAB addition. Option B, assumes the Metro WSAB crossing will be an extension of the existing UPRR bridge crossing. Furthermore, as the platform park will need to be positioned above the LA River channel and the surrounding grade, the western and eastern edges of the platform park will need to be designed in such a way as to achieve an acceptable visual impact for the surrounding residential neighborhoods. The design will need to find ways to create convenient access and connectivity to and from the platform park, as well as between the northern and southern portions of the platform park.

(Attachment 7.) Beyond this, the document contains detailed drawings and schematics of cross-sections and layouts for the park. (*Ibid*.) Pages discussing "Platform Strategies" specifically call for 4 inches of soil across the platform. There are pages discussing and showing design options for different approaches to River hydrology. These pages analyze impacts to railroad bridges, potential rebuild and relocation of the railroad bridges, river channel modifications, and detailed structural support design options. (*Ibid*.) This is more than enough information needed to enable informed environmental review of these platform parks. These documents contain similarly detailed design options for the Rio Hondo Platform Park. (Attachment 7.) An EIR reviewing these platform parks could assess hydrological impacts, impacts to biological resources from changed sunlight and hydrological conditions, construction impacts, land use impacts, recreational impacts, and many others. And it is far more information than the DPEIR contains about the general impacts of KOP 3, to which platform parks would belong. For example, while the DPEIR acknowledges that impacts to tidewater goby could occur due to shading from generalized platform-type projects, the DPEIR fails to give any

indication of the extent of the impact on the species, or the size of the population that could be affected. (DPEIR pp. 3.3-139, 140.)

CEQA requires analysis of the "whole of a project" and prohibits analyses that divide Projects into pieces in order to minimize cumulative impacts. (CEQA Guidelines § 15003(h).) The statute recognizes, "environmental considerations do not become submerged by chopping a large project into many little ones -- each with a minimal potential impact on the environment -- which cumulatively may have disastrous consequences." (*Bozung v. Local Agency Formation Commission* (1975) 13 Cal. 3d 263, 283-284.) The omission of any real analysis of the potential impacts of the platform parks is a failure to provide an adequate Project Description under CEQA as well as a possible segmentation deficiency. The court in *Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora* (2007) 155 Cal.App.4th 1214 set out three items to be used to determine what constitutes the whole of a project: (1) relationship in time, (2) physical location, and (3) the entity undertaking the action. (*Id*. at 1227.) Here, (1) the platform parks have been under consideration for years, contemporaneous with the Countywide discussion about updating the Master Plan, (2) are located in and over the LA River channel itself, and (3) would be implemented by the County and the same partners as the Master Plan Update.

Regardless, these are future projects that belong in this environmental analysis. In *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1127-28, the court defined probable future projects as "any future project where the applicant has devoted significant time and financial resources to prepare for any regulatory review should be considered as probable future projects for the purposes of cumulative impact." As demonstrated by Attachments 7 and 8, the County and its partners have devoted very significant time and resources to produce detailed descriptions, drawings, engineering solutions, and layouts for these platform parks. Gehry Partners, LLC helped lead the County Public workshop on the release of the Master Plan Update. The Los Angeles Times has reported on the County and Gehry Partners' long partnership on Los Angeles River matters. (Attachment 11.) Review of these parks is required. Future environmental documents prepared for these parks cannot rely on the lack of analysis in this PEIR to avoid full and thorough environmental review.

Moreover, CEQA requires that environmental review occur before momentum becomes unstoppable and alternatives to a project become foreclosed. (*Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116.) The longer that Gehry Partners, the County, and others shop these platform parks, and the greater the design detail becomes, the harder it will become to shape these projects to avoid environmental impacts or to reject

them altogether if the County ultimately determines the environmental costs to be too great.

IV. The Project Objectives Identified in the DPEIR Fail to Provide Adequate Direction to Guide Future Projects or Allow for a Comparison of Alternatives.

The project description is also required to identify the project objectives. "A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project and may discuss the project benefits." (CEQA Guidelines § 15124.)

The DPEIR fails to provide a clearly written statement of objectives to allow for development of alternatives or the evaluation of the benefits of the Project. The vague and generalized goals identified for the Master Plan Update fail to prioritize goals for activities along the LA River. It includes competing goals with no identification of which goals should take priority if there is a conflict, or where limited financial resources should be given priority. (DPEIR p. 2-7.)

For example, the DPEIR project objective of addressing potential adverse impacts on housing affordability is overly broad. The steering committee's intent in raising the issue of housing affordability was to ensure the Master Plan Update prevents housing displacement and addresses impacts to homeless populations along the river. (Attachment 1.) In recent years, the broad goal of housing affordability has been used to push through numerous market rate housing developments that promise to reserve a very small number of units as affordable. The DPEIR and Master Plan Update must clarify this project objective to ensure the broadly stated goal of "housing affordability" is not used to support market rate housing developments along the River.

V. The Alternatives Analysis is Inadequate.

Section 15126.6 of the CEQA Guidelines requires an EIR "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives . . . even if these alternatives would impede to some degree the attainment

of the project objectives, or would be more costly." This discussion must include "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project," and expressly must address "[t]he specific alternative of 'no project,'" the purpose of which "is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." (*Ibid*.)

The DPEIR fails to provide a reasonable range of alternatives, including only two: the No Project Alternative and the Channel Avoidance Alternative. (DPEIR p. 5-2.) For a program that covers 834 square miles and includes numerous and varied potential actions under the Master Plan Update, this limited assessment of alternatives is inadequate. The lack of an adequate alternatives analysis is due in large part to the lack of an accurate, stable and finite project description as discussed above. (Section I.) The DPEIR provides an inadequate project description and overly generalized project objectives that do not allow for a balancing of "the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the 'no project' alternative) and weigh other alternatives in the balance." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192–193.)

A revised DPEIR must assess additional alternatives to the proposed project to provide the required reasonable range of alternative assessment. The following alternatives should be considered:

- An alternative focused on environmental contaminant clean-up to allow for reuse of brownfield and other sites adjacent to the LA River as parks, instead of committing to the impactful "platform parks." (See, Section III, above, re Platform Parks.) Although not included in the DPEIR, the LA River and Rio Hondo Platform Parks are sufficiently well-developed to enable environmental review. It is important that alternatives permitting clean-up be discussed now, in the Master Plan Update process, so the County does not foreclose options other than platform parks without adequate CEQA review, in violation of *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116.)

- An alternative focused on enhancing access to nature and a healthy natural river while mitigating flood risk. The attached January 2021 LA River: River Management Strategy for the Glendale Narrows Feasibility Study should be relied upon in developing this alternative. (Attachment 6.)

- The DPEIR should also assess an alternative that combines the No Project alternative with natural flood reclamation measures, such as those set forth in the above referenced Feasibility Study.

Additionally, the analysis of the No Project alternative included in the DPEIR fails to meet the requirements set forth by CEQA. "The purpose of describing and analyzing a no project alternative is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." (CEQA Guidelines § 15126.6.) "When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future … the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan." (*Ibid*.)

Here, the DPEIR has correctly identified the No Project Alternative as a continuation of the existing 1996 LA River Master Plan. However, the DPEIR fails to cogently disclose the differences between this 1996 Master Plan and the 2020 Master Plan Update. There is inadequate information included in the alternatives analysis to allow for a true comparison of the impacts of the existing plan with the proposed plan. Moreover, in the limited discussion provided, the DPEIR discloses that the 1996 Master Plan would eliminate or substantially lessen a number of impacts associated with the Master Plan Update, making it the environmentally superior alternative. For example, the 1996 Master Plan "would result in fewer hydrology and water quality impacts when compared to the proposed *2020 LA River Master Plan*." (DPEIR p. 5-21.) While the DPEIR claims the Master Plan Update would have benefits that make it more desirable than 1996 Master Plan, only uncertain potential benefits are discussed. The DPEIR lacks adequate information to allow for a comparison of the benefits stemming from the project and alternatives. The DPEIR refers to Master Plan Update potential actions that may or may not be implemented as the benefits of the Project. The DPEIR also fails to address why flooding and water quality benefits could not be achieved under the existing plan. Moreover, to the extent the existing plan does not allow for these impacts to be addressed, an additional alternative should be considered that combines the No Project Alternative and natural flood control measures as discussed above.

VI. The DPEIR Inadequately Analyzes Hydrology and Water Quality.

As discussed above, the DPEIR fails to include an adequate project description. (Section I.) The DPEIR's so-called analysis of the Master Plan Update's hydrological and water quality impacts highlights the necessity of providing an adequate and accurate

project description to allow for a useful assessment of a project's impacts. The DPEIR only includes a very general and perfunctory analysis of any hydrological and water quality impacts, which is inadequate to support a determination these impacts would be less than significant. The DPEIR fails as an informational document in its assessment of hydrological and water quality impacts. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 515.) The lack of analysis is particularly egregious given the vast size of the LA River; its watershed covers 834 square mile and is home to millions of Los Angeles area residents. The impacts to this important resource and the numerous communities must be fully evaluated.

Due to the DPEIR's lack of an adequate project description, the hydrology and water quality section concludes all activities contemplated under the Master Plan Update will have a less than significant impact on water quality and groundwater, requiring no mitigation measures. (DPEIR Section 3.9.) Instead of providing the necessary analysis of impacts to allow for development of mitigation measures, the DPEIR simply assumes all components will comply with NPDES permits, the MS4 permit and yet to be disclosed BMPs and that this compliance would eliminate the potential for significant adverse impacts. (DPEIR p. 3.9-39 to 3.9-57.) Without a full assessment of the water quality and groundwater impacts, the DPEIR lacks evidentiary support for the claim that compliance with these permits would be possible or that such compliance would mitigate impacts to a less than significant level. Simply deferring to a regulatory scheme instead of analyzing environmental consequences falls "short of [the] duty under CEQA to meaningfully consider the issues raised by the proposed project." (*Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal.App.4th 1, 16.) Moreover, the existing and past lack of compliance with the Los Angeles County MS4 permit has been well-documented by Los Angeles Waterkeeper and others. (See, NRDC Report, Omission Accomplished II, Attachment 12.) This existing and past non-compliance must be taken into consideration when evaluating the sufficiency of mitigation for potential impacts. (*Laurel Heights Improvement Assn. V. Regents of University of California* (1988) 47 Cal.3d 376, 420.)

This is also improperly deferred analysis and mitigation, prohibited by CEQA. Deferred mitigation is only allowed if "specific performance criteria" are required at the "time of project approval." (*Endangered Habitats League, supra*, at 793-94; CEQA Guidelines § 15126.4(a)(1)(B); *Sacramento Old City Association v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011, 1029.) The DPEIR fails to establish these required specific performance criteria. Instead, the DPEIR sets indefinite thresholds of significance which it appears to rely upon as performance criteria. The threshold of preventing "substantially alter[ation of] the existing drainage pattern" does not set specific performance criteria with which the actions under the Project would comply.

(DPEIR p. 3.9-37.) It is vague and also unenforceable because it was not adopted as a mitigation measure.

The DPEIR acknowledges dewatering will be required, but instead of analyzing the potential impacts, just assumes an undefined stormwater pollution prevention plan (SWPPP) will be used that address the impact, then claiming the impact is less than significant, requiring no mitigation. (DPEIR p. 3.9-38.) This improperly compresses the impact analysis and mitigation. The DPEIR must acknowledge the potentially significant impacts and then analyze the ability of mitigation measures to address those impacts. (*Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 656 ["By compressing the analysis of impacts and mitigation measures into a single issue, the EIR disregards the requirements of CEQA"].)

The only mitigation provided in Hydrology and Water Quality section is for potential flooding impacts. The DPEIR finds that several reaches of the LA River (Frames 5 through 9) do not meet existing design standards for flood conveyance capacity and acknowledges that an increase in site runoff from actions under the Master Plan Update would further exacerbate this impact. The mitigation included for this impact is improperly deferred because it relies on deferred drainage studies and then, based on the results of the report, "measures during construction and operation may be required to ensure flood flows are not impeded and to minimize redirected flood flows." (DPEIR p. 3.9-61, emphasis added.) "Impermissible deferral of mitigation occurs when an EIR puts off analysis or orders a report without either setting standards or demonstrating how the impact can be mitigated in the manner described in the EIR." (*Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 236; *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1275; *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 280-82.) That is precisely what the DPEIR has done for flooding impacts.

The DPEIR fails to acknowledge the fact that changes to the LA River's hydrology will occur due to the changing climate. There is no analysis or required future assessment of limiting the hydrological and water quality impacts of actions under the Master Plan Update in a changing climate or mitigation measures requiring actions ensure climate resilience. This fails to address potential project impacts and is inconsistent with Los Angeles County General Plan Policy S 2.3, which requires the County to "Consider climate change adaptation strategies in flood and inundation hazard." The County should revise the Master Plan Update and the DPEIR to take this vital concern under consideration and to develop a focus for the Plan and mitigation measures to address these impacts. The attached January 2021 LA River: River Management Strategy for the Glendale Narrows Feasibility Study should be taken under

consideration in making these revisions. (Attachment 6.) This Feasibility Study communicates opportunities to enhance access to nature and a healthy natural river while mitigating flood risk by exploring possible new ways to plan for the LA River by incorporating novel and integrated solutions.

The DPEIR similarly fails to address the impacts of the Master Plan Update's proposed activities on an "increasing potable water scarcity associated with population growth, drought, climate change, regulatory/legal policy, and protection of endangered species." (Attachment 9, Southern California Coastal Water Research Project's 2021 LA River Flows Project Study.) While the project objectives identify improving water supply reliability and the Hydrology section states that some activities may provide opportunities for reuse of water for groundwater recharge, the DPEIR does not convey the importance of expanded efforts to conserve and reuse wastewater and other discharges. This fails to address whether the Master Plan Update would be consistent with the State Water Resources Control Board recycled water policy, which encourages water reuse while ensuring the protection of existing water rights and beneficial uses. The findings of the Southern California Coastal Water Research Project's 2021 LA River Flows Project Study must be taken into consideration in evaluating the Master Plan Update's impacts and setting priorities for activities under the plan.

VII. The Biological Resources Analysis is Inadequate.

As described further in comments submitted by the Center for Biological Diversity, the DPEIR fails to adequately disclose, analyze, and mitigate impacts to the Los Angeles River's biological resources. The DPEIR improperly restricts its analysis to a narrow 1-mile on each side of the River channel, when wildlife impacts may extend beyond the channel and berm areas. The DPEIR neglects to assess wildlife corridors outside of Griffith Park. Importantly, the DPEIR also fails to identify and analyze potentially impacted wildlife species, in part, because most of the data relied upon by the DPEIR is over ten years old. Recent surveys must be incorporated into a revised and recirculated PEIR. Waterkeeper directs the County's attention to its 2020 River Assessment Fieldwork Team report on the Los Angeles River, which contains valuable baseline information about the health of benthic communities and water quality at different sites along the River. (See, Attachment 4.)

VIII. Project Mitigation is Deferred, Vague, and Speculative.

The DPEIR contains very long lists of mitigation measures required to reduce most Project impacts below a level of significance. Mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures." (Pub. Resources Code § 21081.6(b).) "The purpose of these requirements is to ensure that feasible mitigation measures will actually be implemented as a condition of development, and not merely adopted and then neglected or disregarded." (*Federation of Hillside & Canyon v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261; *Katzeff v. California Dept. of Forestry and Fire Protection* (2010) 181 Cal.App.4th 601, 612; *Lincoln Place Tenants Assn v. City of Los Angeles* (2005) 130 Cal.App.4th 1491.)

However, the DPEIR recognizes that Master Plan Update projects could be implemented by any of the 17 cities along the River if they are not implemented by the County. Thus, the County plans to "encourage" the 17 cities along the Los Angeles River to adopt the PEIR. Unfortunately, if these cities do not adopt the PEIR, and if any of these cities go on to implement projects along the River, there could be adverse environmental impacts that are not disclosed in this DPEIR. CEQA requires that mitigation measures be concrete and enforceable. (Pub. Resources Code § 21081.6(b).) There is no enforceability to the mitigation measures contained in the DPEIR.

Even if actually adopted by implementing agencies, the Project's mitigation is often vague, speculative, deferred, or unenforceable, in violation of CEQA. Examples of vague, speculative, deferred, or unenforceable mitigation include, but are not limited to:

- Preparation of the Construction Management Plan (LU-1) is impermissibly deferred.

- Mitigation Measure AES-2, protecting scenic vistas, is vague: "During project design, the implementing agency will minimize visual intrusions from public views of designated scenic vistas by following local jurisdictions' applicable policies and ordinances that protect views of designated scenic vistas by taking into consideration sightlines, scale and massing of structures, and materials used for construction, and other measures as needed." No performance standard is included.

- Mitigation Measure AES-3a (lighting) does not contain an enforceable performance standard (lighting shall be designed to minimize light spillage).

- Mitigation Measure AES 3b (glare) does not contain an enforceable performance standard.

- Mitigation Measure AQ-2. Low VOC components should be required at all times, and not just if emissions exceed applicable standards in the future.

- Mitigation Measure BIO-1 constitutes both deferred analysis and deferred mitigation. Analysis of the impact this measure intends to mitigate must occur now, so the public and decisionmakers may be fully informed. "A mitigation measure cannot be used as a device to avoid disclosing project impacts." (*San Joaquin Raptor Rescue Center v. County of Merced*, *supra*, 149 Cal.App.4th at pp. 663-664.)

- Mitigation Measure BIO-2 is deferred mitigation without specific performance standards.

- Mitigation Measure BIO-3d provides for burrowing owl surveys to determine the presence of burrowing owls but requires no action to be taken if owls are located. The mitigation measure would not provide effective mitigation. The DPEIR must evaluate the efficacy of mitigation measures but does not appear to do so here. (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645.)

- Mitigation Measure BIO-3g regarding American Badgers provides for eviction of non-pupping badgers from their dens but not for relocation. It is unclear how this could possibly help the species. Further, CEQA requires that EIRs evaluate any significant impacts caused by proposed mitigation measures. (CEQA Guidelines § 15126.4.)

- Mitigation Measure BIO-5, the weed abatement plan, is deferred. While site-specific details may be appropriate for deferral, general methods and herbicide protocol should be developed now so that responsible agencies may evaluate the effectiveness of the mitigation and any environmental impacts of this mitigation measure.

- Mitigation Measure BIO-7 provides that intentional killing or collection of wildlife "could" result in a stop work order. This language should be made mandatory.

- Mitigation Measure BIO-12 recognizes that best practices for bird and bat-friendly nighttime lighting conflict but does not resolve the conflict.

Additionally, as discussed above, the DPEIR fails to include a defined project description sufficient to enable useful environmental review or the formulation of mitigation measures. The DPEIR must be recirculated after the development of a project ripe for review, along with concrete and useful mitigation measures that address the potentially significant environmental impacts of implementing that ripe project. The DPEIR has also failed to include analysis of defined projects under consideration for the Los Angeles River, and, consequently, lacks mitigation formulated to address the very real and likely environmentally damaging aspects of the 22-acre Los Angeles River Platform Park and the 11-acre Rio Hondo Platform Park.

Finally, many of the Project's Design Guidelines are not explicitly mandatory, yet the DPEIR assumes they will be followed. (DPEIR p. 2-16.) Thus, to the extent they are relied upon to mitigate significant environmental impacts or they are relied upon as to conclude the project that will not have environmental impacts in the first instance, these Guidelines fail to reduce relevant impacts below a level of significance. Owing to these deficiencies in mitigation, the County lacks substantial evidence supporting the DPEIR's claims that impacts have been mitigated below a level of significance.

IX. The County's CEQA Process Did Not Maximize Public Participation.

The people of Los Angeles County speak 185 different languages at home. (https://la.curbed.com/2015/11/4/9904020/los-angeles-languages.) It is well established the Los Angeles River flows through some of the most diverse communities in Los Angeles County, including many with a high percentage of non-English speakers. For this reason, important notices, such as those concerning voting, are provided in up to 12 languages by the County. Waterkeeper appreciates the County's efforts to include CEQA Notices and Power Point presentations in Spanish. However, neither the DEIR nor its Appendices have been made available to the public in Spanish, or any language other than English.

It is well established that an EIR is "a document of accountability." (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 392. It is essential to the functioning of CEQA that the public be informed about and involved in decisions made by their public officials that affect the environment in which they live and raise their children. The CEQA Guidelines, at section 15201, provide: "Public participation is an essential part of the CEQA process. Each public agency should include provisions in its CEQA procedures for wide public involvement. . . ." (*See also* CEQA Guidelines sections 15002(a)(1) ["The basic purposes of CEQA are

to [i]nform decisionmakers and the public about the potential significant environmental effects of proposed actions]; 15003(c) ["The EIR is to inform other governmental agencies and the public generally of the environmental impact of a proposed project[.]")

Analogous state Office of Planning and Research Guidelines recommend that: "All communication … should be done in the major languages spoken in the community. This includes any advertising and written background materials as well as live interpretation at key public events." (OPR, "General Plan Guidelines," p. 32.)

Failure to provide the DPEIR in Spanish has violated this policy, which is central to CEQA and Planning and Zoning Law. The US Census Bureau reports that in Los Angeles County, an estimated 56.6% of households speak a language other than English at home (https://www.census.gov/quickfacts/losangelescountycalifornia; visited 5/5/21), and about 48.6% of the County's population is Hispanic or Latino. Nearly forty percent of Los Angeles County households speak primarily Spanish at home. (https://www.first5la.org/files/CommunityProfileForLACounty.pdf.)

Where a public agency does not make documents available in the language spoken by people likely affected by the project, it fails to comply with CEQA's public participation policies, as described above. We request the County recirculate the Draft PEIR in Spanish to enable the necessary public participation. Additionally, the Los Angeles River passes through areas where languages beyond English and Spanish predominate. For this reason, we request that CEQA notices be made available to residents speaking Chinese (Cantonese and Mandarin), as well as the other major languages spoken by river-adjacent communities.

Waterkeeper also notes the lack of outreach to important communities residing along the River. Meetings were held in some River communities, but not in Atwater Village, Boyle Heights, Huntington Park, and Maywood.

The Tongva and other Indigenous Peoples were also left largely out of the Master Plan process. Indigenous People have lived in the Los Angeles Basin for thousands of years, and have some of the longest relationships with the River. Their experience, knowledge, and priorities should have been represented on the Steering Committee. One tribal representative, but zero Tongva representatives, was insufficient. The Master Plan process must be repeated to incorporate important information about traditional cultural spaces, ceremonial spaces, and Traditional Ecological Knowledge.

Finally, Waterkeeper understands the difficulties presented by the COVID-19 crisis with regard to convening public hearings and meetings. Waterkeeper appreciates

the County's embrace of Zoom and online formats that enabled some participation during a period that otherwise would have recorded zero public participation. However, Waterkeeper notes that Zoom and online meetings resulted in barring access to the CEQA process for the Master Plan Update for community members lacking at-home computer or internet access and/or sufficient technological experience. These barred residents are already those most likely to be adversely impacted by developments in their neighborhoods. Even for community members with the computers and adequate internet access, participation was tricky. For example, during the March 3, 2021 public meeting, it became clear that many members of the public who signed up to speak were unable to connect their audio or video to provide comments. Others may have been able to share their comments, but meeting facilitators could only find participants by the exact names entered into the Eventbrite preregistration. If a community member was using a Zoom account on a device with a name that did not match, if a community member borrowed a device, they were often unable to speak. Thus, =the County's process placed great barriers to public participation for a project that will impact up to 200 square miles of the County, and the entire LA River. Environmental review derives its vitality from public participation. (*Ocean View Estates Homeowners Ass'n, Inc. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 400.)

Conclusion

While the DPEIR may be a useful organization of the generalized and differing visions of River stakeholders, it is not a defined "project" for purposes of CEQA, even at the programmatic level. As currently written, the document hinders CEQA's purposes of providing informed decision making and informed public review. Neither the decision makers nor the public know what the Project is meant to achieve or the environmental consequences of project approval. Like the Master Plan itself, the DPEIR must be revised to clarify actual plans for the River and to provide organization *and prioritizat*ion of project objectives that compete with one another. Once the County has settled on an actual plan, the County and its team must perform the studies and analysis needed to adequately disclose, analyze, and mitigate the Project's likely environmental impacts – information that, thus far, has been deferred to future processes. The County must also investigate methods of ensuring the mitigation measures it devises are incorporated by all agencies that may become responsible agencies under CEQA as Master Plan projects are implemented. This information must be included in a revised DPEIR and recirculated for public comment.

Los Angeles Waterkeeper looks forward to continued cooperation with the County and other stakeholders as the Los Angeles River Master Plan Update moves forward. Thank you for the opportunity to comment.

Sincerely,



Michelle Black and Amy Minteer
on behalf of Los Angeles Waterkeeper

Attachments:

1. March 12, 2020 Comments on Draft Master Plan Update
2. August 4, 2020 Notice of Preparation Comments
3. May 16, 2019 Comments on Draft Master Plan Update
4. November 11, 2020 Comments on Draft Master Plan Update
5. River Assessment Fieldwork Team, "Connecting our Los Angeles River Watershed Community Through Bioassessment," 2021.
6. LA River Management Strategies for the Glendale Narrows Feasibility Study, FOLAR, 2021.
7. Rio Hondo Confluence Area Project, Chapter 9, Projects.
8. Rio Hondo Confluence Area Project, Site Design Concept Project Boards.
9. Southern California Coastal Water Research Project's 2021 LA River Flows Project Study.
10. Restoring the Los Angeles River for Ecosystems and People, Dr. Sabrina Drill, Natural Resources Advisor, UC Cooperative Extension, Los Angeles County. Full presentation available at https://www.youtube.com/watch?v=fLThctBIeP8&list=PLLjlfxpbNglaKmmfYanzXN73ovJmNqcsB&index=4 .
11. Frank Gehry's Bold Plan to Upgrade the River Seeks to Atone for Past Injustices, Los Angeles Times, January 11, 2021.
12. Omission Accomplished II: The Lack of Municipal Stormwater Enforcement in the Los Angeles Region, Natural Resources Defense Council, April 2019.

Attachment B

June 10, 2022

Carolina Hernandez, LA County Public Works
Genevieve Osmena, LA County Public Works
Jessica Henson, The Olin Studio
Mark Hanna, Geosyntec Consultants

Via e-mail to: lariver@dpw.lacounty.gov, chernandez@dpw.lacounty.gov, gosmena@dpw.lacounty.gov, jhenson@theolinstudio.com, and mhanna@geosyntec.com

Dear LA River Master Plan Team,

On behalf of the undersigned environmental, environmental justice, and community-based organizations, most of which served as members of the LA River Master Plan ("LARMP" or "Plan") Steering Committee, we are writing to convey that **we do not support the final 2020 LA River Master Plan Update**. The final Plan wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan engaged in robust community engagement and reflects feedback from members of the Steering Committee.

As such, **we are informing you that we are formally removing our organizational names and logos from the Plan. We do not give permission for our organizations' names and logos to be used in support of the Plan in its current form or for any purposes related to participation in the Plan's Steering Committee and community engagement. We expect the County to remove our names and logos from the Plan accordingly, unless and until our organizations are given the ability to make a formal vote and have that vote reflected in the final Plan.**

Throughout the planning process, our groups, and other organizations and community members, have engaged in earnest discussions with the LARMP team and have repeatedly noted our dissent by sharing our concerns about the lack of clear vision in the Plan and the failure to treat the LA River as a natural and living River. Most of the undersigned groups were members of the Steering Committee for the Plan and met with LARMP team members and County officials many times over a period of two years.

Among other things, we pleaded for the LARMP Update team to commit to the following:

> (1) prioritizing community and ecological resilience through nature-based solutions and targeted concrete removal, rather than adding more concrete through platforms and diversion channels;
>
> (2) greening river-adjacent communities with longstanding contamination;
>
> (3) taking a watershed level approach to planning, rather than focusing solely on river-adjacent lands,
>
> (4) achieving community stabilization, through formal requirements and displacement protections for future river projects, and
>
> (5) addressing governance challenges that preclude cohesive management.

Attachment A includes comment letters some of our groups submitted to the County on May 13, 2021 that reflect these concerns.

In addition, community surveys from February 2021 and September 2021 show that residents in river communities prioritize these same values. **Attachment B** includes reports of these past survey results.

To our dismay, the final Plan fails to incorporate our feedback in any meaningful way. The final Plan lacks a coherent vision and merely identifies a menu of possible options for future river projects, most of which would add concrete to the floodplain---including capping the River to build platform parks. The Plan affirmatively reiterates the LARMP team's antiquated and harmful position that the LA River is nothing more than a flood control channel, and that nature-based solutions to remove concrete and remediate contaminated land are infeasible. From a scientific and urban planning perspective, we know it is indeed feasible, less costly, and beneficial to surrounding communities to deploy nature-based solutions when managing floods (see, e.g., the Federal Emergency Management Agency's guidance on Building Community Resilience with Nature-Based Solutions and the U.S. Army Corps of Engineers' ARBOR Study for the LA River). The Plan also fails to require protections to ensure community stabilization for river residents with high pollution burdens and lack of access to park space. In the end, the Plan offers nothing measurable to ensure that future river projects are equitable.

It is inaccurate and disingenuous for the LA River Master Plan team to represent that they engaged meaningfully with the Steering Committee and community members and incorporated our feedback into the Plan. The Plan touts the many meetings with our organizations, yet these meetings were ultimately unproductive as they were conducted without any meaningful consideration of our feedback. The LARMP team refused to appoint a representative from the Gabrieliño Tongva community to the Steering Committee, despite repeated requests from the Gabrieliño Tongva community and allies to do so, leading to the absence of diverse local Indigenous voices. The LARMP team also ignored our repeated requests for the Steering Committee to have the right to vote on the final Plan before it was published, and to have that vote reflected in the final Plan.

The deficiencies in the process and Plan represent the loss of a once-in-a-generation opportunity to reshape the future of the River and adjacent communities to be healthier and more resilient, in ways communities want and need. We are greatly disappointed with the LARMP team's lack of vision under the Master Plan and the failure to prioritize climate resiliency, community stabilization, and community and ecosystem health. The Master Plan sets the County on a path toward a grim future for the LA River, one of continued ecological degradation and one that fails to view the River as anything more than a flood control channel. Our vision for a resilient River is not reflected in the Plan, and we refuse to have our names and logos associated with support for the Plan in its current form.

For these reasons, the County does not have our permission to use our names and logos in the Plan. **We are formally removing our names and logos from the Plan for any purposes related to participation in the Plan's Steering Committee and community engagement unless and until our dissenting vote is included in the final Plan**.

Sincerely,

Laura J. Cortez
Organizer & Co-Executive Director
East Yard Communities for Environmental Justice

Bruce Reznik
Executive Director
Los Angeles Waterkeeper

Marissa Christiansen
President/CEO
Friends of the Los Angeles River

Angela Mooney D'Arcy
Executive Director
Sacred Places Institute for Indigenous Peoples

Katherine Pease
Director of Science & Policy
Heal the Bay

Shona Ganguly
Associate Director, Southern California External Affairs
The Nature Conservancy in California

Tori Kjer
Executive Director
Los Angeles Neighborhood Land Trust

Robin Mark
Los Angeles Program Director
Trust for Public Land

With support from the following groups in solidarity:

Elizabeth Reid-Wainscoat
Urban Wildlands Campaigner
Center for Biological Diversity

Paulina M. Flores
Managing Director
Promesa Boyle Heights

CC:
Supervisor Hilda Solis
Supervisor Holly Mitchell
Supervisor Sheila Kuehl
Supervisor Janice Hahn
Supervisor Kathryn Barger
Assembly Speaker Anthony Rendon
Mark Pestrella, Director, Los Angeles County Public Works
Dan Lafferty, Deputy Director of Water Resources, Los Angeles County Public Works
Michael Affeldt, City of Los Angeles, Riverworks
Brian Baldauf, Chief of Watershed Planning, Mountains Recreation and Conservation Authority
Rita Kampalath, Interim Chief Sustainability Officer, County of Los Angeles

COMMUNITY
DEVELOPMENT

June 14, 2022

Grace Komjakraphan-Tek
Los Angeles County Public Works, Stormwater Quality Division
900 South Fremont Avenue, 11th Floor
Alhambra, CA 91803
LARiverCEQA@pw.lacounty.gov

RE: City of Burbank Comments on Final Program Environmental Impact Report for the 2020 LA River Master Plan

Dear Grace Komjakraphan-Tek:

The City of Burbank wants to thank you considering the City's comments on the Draft Program Environmental Impact Report (PEIR) for the proposed 2020 LA River Master Plan, which were communicated via the City's April 13, 2021 comment letter. The City of Burbank supports the County's efforts to provide a comprehensive plan for improvements along this important waterway, which runs along the City's southern boundary and connects to existing and planned transportation and recreational facilities in Burbank.

The City has reviewed the County's responses to the comments provided as part of the Draft PEIR and would like to provide the following additional comments in response to the County's responses in the Final PEIR. The City hopes that the Los Angeles County Board of Supervisors will consider the City's remaining comments on the Final PEIR as it considers whether to approve the project and certify the Final PEIR.

The City of Burbank's comments on the 2020 LA River Master Plan Final PEIR are as follows:

- Response to Comment A7-2: The City of Burbank continues to be concerned about the potential impacts from the "Common Element Typical Project" on Burbank's neighborhoods and requests the County notify the City of any such projects at the time they are being considered, including providing the City with all CEQA notices.

- Response to Comment A7-3, A7-144, A7-145, A7-146, A7-150, A7-156, A7-160: Where are the clarifications and modifications to the Draft PEIR that show the requirements that the County use recycled water in Mitigation Measure GHG-1a and that the County consider the activities of the BWP Department in Mitigation Measure UTIL-1? These measures, as they appear in the Draft PEIR, do not include the requirements identified in the County's response.

- Response to Comment A7-4: The Final PEIR does not propose a mechanism that the County will implement to ensure that future project proposals take into consideration

- the City's Bicycle Mater Plan and Complete Streets Plan. "Anticipation" does not provide any guarantee or assurance that future projects are integrated into the City's transportation network in accordance with the City's plans.

- Response to Comment A7-6: The response included in the Final PEIR does not address the use of addenda to the PEIR. At the very least, future specific projects should be required to prepare a Mitigated Negative Declaration or a project-specific EIR to clearly identify the proposed activities, associated impacts, and, if necessary, project- and site-specific mitigation measures to ensure that environmental impacts to the City's residents, employees, and visitors in the immediate area are minimized and reduced to less than significant.

- Response to Comment A7-8: The response to comment in the Final PEIR includes a contradiction and is unclear. It suggests that future projects will require subsequent environmental review, but also includes language that suggests some projects will tier off the PEIR. The last sentence of the response contradicts the response. If the County does not anticipate dedicating any improvements or facilities to the City or having the City be responsible for maintenance of facilities, what future project environmental analyses by the other agencies are being referred to for tiering off of the PEIR?
- Response to Comment A7-10 through A7-22: The Draft PEIR discloses the impacts of the 2020 LA River Master Plan. Accordingly, although the comment was not related to the Draft PEIR itself, the Headworks Connector project and the projects identified in Comment Nos. A7-11 through A7-20 were provided as examples of implementation of the plan. Therefore, impacts associated with these example projects are of interest to the City. However, if these projects are not a project that will be approved for implementation as part of the Master Plan, then why were they even provided as examples in the Master Plan? In addition, these projects are not City projects, which is why the City is asking for additional details. Due to the City's proximity to the LA River, impacts of any future project may have the potential to affect the City's residents, employees, and visitors in the immediate area, and these impacts are not disclosed in the PEIR.
- Response to Comment A7-23: Even though the PEIR is a programmatic document, the Burbank Channel Bikeway Project should be included as part of the Master Plan's baseline conditions.
- Response to Comment A7-24, A7-25, A7-34, A7-35, A7-36, A7-37, A7-48, A7-50, A7-76, A7-77, A7-86, A7-87, A7-88, A7-96, A7-98, A7-120, A7-122, A7-125, A7-127, A7-128, A7-130, A7-131, A7-133, A7-135, A7-136, A7-138, A7-139, A7-140, A7-141: Most, if not all, of the mitigation measures identified in the PEIR are either standard mitigation measures typically used by other agencies to mitigate impacts to the maximum extent feasible or regulatory compliance measures, particularly those related to permitting requirements by agencies, such as the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water

Quality Control Board. Accordingly, they are not unique or exclusively for County implementation. The PEIR should have included a third impact conclusion that assumes other agencies tiering from the PEIR would provide the same, equivalent, or possibly other/additional measures to reduce impacts to less-than-significant levels for the same reasons as discussed for later activities carried out by the County.

- Response to Comment A7-27: CEQA Guidelines Section 15168(b)(1) states that one of the advantages of a program EIR is that it can "provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action." Program EIRs typically identify a maximum buildout scenario, on which the determination as to whether the environmental effects of the operation of later activities would be within the scope of the PEIR and which creates a more streamlined process when tiering from the PEIR. In addition, Section 2.5.1.3 of the PEIR specifically identified up to 107 potential projects as part of the Master Plan. If there were no specific projects or example projects, how was the number of potential projects determined?
- Response to Comment A7-28: Section 2.5.1.3 of the PEIR specifically identified up to 107 potential projects as part of the Master Plan. If there were no specific projects or example projects, how was the number of potential projects determined?
- Response to Comment A7-29: Although no changes to the conclusion in the Draft PEIR are needed, the description of Frame 6 on page 2-5 of the Draft PEIR still needs to be corrected to remove Burbank from the list of cities that are included in the frame. In addition, the text at the bottom of page 3.1-14 still refers to Griffith Park as within the Cities of Los Angeles and Burbank (see page 3-157 of the Final PEIR).
- Response to Comment A7-31: The original comment was referencing the first sentence of the last paragraph: "However, there are several notable aesthetic resources such as parks, recreational areas, and open spaces, many of which offer elevated views of the LA River. Again, per the original comment, there are no elevated views of the LA River from any notable aesthetic resources since the LA River is depressed.
- Response to Comment A7-42: The Final PEIR response has not specifically identified the types of existing structures that may need to be demolished to accommodate a Common Elements Typical Project.
- Response to Comment A7-46: The response has not specifically identified the types of projects that would generate DPM emissions from operation that could result in health risks that exceed SCAQMD's thresholds. The comment was not asking for a quantitative evaluation of potential health risk impacts but for the identification of the types of projects.
- Response to Comment A7-47: How has the County been able to identify a sample project in KOP Category 6 but not in other KOP Categories 1 through 5? Also, how are the design components under KOP Category 6 slightly different from the either KOP categories?

- Response to Comment A7-53: The first sentence of the Final PEIR response seems to contradict the last paragraph of the response. The response states that Figure 3.3-11 is based on the CNDDB and cannot be altered. If Figure 3.3-11 identifies a small patch of southern cottonwood willow riparian forest along the southern boundary of the study area within the City of Burbank, then why did the response state that the community was not present per the CNDDB. This is the discrepancy that was referred to in the original comment.
- Response to Comment A7-55, A7-56, A7-57, A7-58, A7-59: Where in Chapter 3 of the Final PEIR is the effectiveness of the mitigation measures identified? There should be modifications to the "Significance after Mitigation" discussions to identify how the mitigation measures would reduce significant impact to less-than-significant levels. Also, please see additional comments above (A7-24) regarding mitigation measure implementation for projects not carried out by the County. In addition, for jurisdictions or frames that do not support or contain wetland, the PEIR should not be identifying a significant unavoidable impact to result from any project implemented under the Master Plan.
- Response to Comment A7-64: The County's response should be incorporated in the Final PEIR to clarify that unrecorded/ unknown archaeological resources that could be encountered during construction maybe eligible as historical resources or historic properties since the discussion of impacts to historical resources seemed focused on the built environment.
- Response to Comment A7-65: Please explain how impacts to historical resources result in hazardous conditions for visitors caused by water damage.
- Response to Comment A7-66: Where in Chapter 3 of the Final PEIR is the effectiveness of the mitigation measures identified? There should be modifications to the "Significance after Mitigation" discussions to identify how the mitigation measures would reduce significant impact to less-than-significant levels.
- Response to Comment A7-67: The Draft PEIR identified significant impacts to historical resources and associated mitigation measures. However, the Draft PEIR concluded impacts to historical resources during construction and operation would be significant and unavoidable without any discussion of the effectiveness of the mitigation measures. The response to this comment failed to adequately explain why impacts to historical resources were determined to be significant and unavoidable.
- Response to Comment A7-68, A7-69: The discussion of noise and vibration impacts appeared in Section 3.12, Noise, of the Draft PEIR. However, per the original comment, the discussion vibration impacts to historical resources is missing from Section 3.4, Cultural Resources, of the Draft PEIR. There should be a correction in the Final PEIR to include a discussion of vibration impacts to historical resources to create an essential nexus between the mitigation measure and the potential significant impact per CEQA Guidelines Section 15126.4(a)(4)(A).

- Response to Comment A7-70: There should be modifications to the "Significance after Mitigation" discussions to identify effectiveness of the mitigation measures and if impacts could be reduced to less-than-significant levels instead of concluding significant and unavoidable impacts without further analysis of the mitigation measures.
- Response to Comment A7-71: Generally, once construction is completed, no impacts to buried resources occur. Per the original comment, please explain why impacts to archaeological resources and human remains were determined to be significant and unavoidable during project operation.
- Response to Comment A7-72: Please explain how the City of Burbank would be affected by landslides when the LA River itself separates it from the hillsides to the south.
- Response to Comment A7-74, A7-91, A7-93, A7-123, A7-132, A7-134: Where in Chapter 3 of the Final PEIR is the effectiveness of the mitigation measures identified? There should be modifications to the "Significance after Mitigation" discussions to identify effectiveness of the mitigation measures and if impacts could be reduced to less-than-significant levels instead of concluding significant and unavoidable impacts without further analysis of the mitigation measures.
- Response to Comment A7-75: Please refer to additional comments A7-71 and A7-67.
- Response to Comment A7-79: Page 3.7-27 of the Draft PEIR states, "The significance determination is based on the combined GHG emissions generated by both project construction activities and operations activities." If the County's intention is to assess the significance of GHG emission impacts based solely on a sector-by-sector consistency analysis, then p. 3.7-27 should be revised accordingly.
- Response to Comment A7-81: Where in Chapter 3 of the Final PEIR is the guidance regarding next steps for previously undocumented contamination identified?
- Response to Comment A7-82: The only change that was made is the added reference to the DTSC. Please include a bullet that specifically includes a measure to remediate and manage hazardous materials in the manner that is feasible and appropriate for the contaminant and the proposed use.
- Response to Comment A7-89, A7-90: The primary response is regarding the Common Elements Typical Project. The original comment was inquiring about examples of temporary construction impacts that could divide an established community as a result of implementation of KOP Category 6 projects. The discussion in Section 3.10 of the Draft PEIR briefly mentioned temporary road closures and obstructions to community facilities. Please explain whether the road closures would be different from implementation of the Common Elements Typical Projects (i.e., if the roadway affected would be fully closed). Please also describe what types of obstruction to community facilities are envisioned.
- Response to Comment A7-92: There is no meaningful discussion in Section 3.10 of the Draft EIR regarding how larger projects involving off-channel land assets would entail greater levels of construction than the other five KOP categories. Please provide

examples of the types of construction impacts that would conflict with land use plans, policies, and regulations. Also, please refer to additional comments above (A7-74).

- Response to Comment A7-94: The comment is directly related to the regulatory framework regarding noise. Table 3.12-30 of the Draft PEIR only included the section of the City's municipal code related to construction noise. The comment is calling attention to other applicable sections of the City's code that should have been identified in the regulatory framework, including Section 9-3-213.5, to address restrictions on noise uses resulting from the implementation of the Master Plan in proximity to the City's parks.
- Response to Comment A7-95, A7-97: The Final PEIR comment points out that the mitigation measures in the Draft PEIR do not address sensitive receptors that are located immediately adjacent to the LA River right-of-way since the mitigation measures are specific to 200 feet or more and 400 feet or more. Please include a revision to be all inclusive of the distances, particularly when there is no specificity on the potential project locations.
- Response to Comment A7-108: The revisions in the Final PEIR do not specifically state that park fees do not pay for maintenance or operation. Please add such language to make the statement clearer.
- Response to Comment A7-112: The response does not provide any substantiation for the statement that the Master Plan will allow for cross-county commuting and how VMT will be reduced. The response included in the Final PEIR still needs to address the comment, which contains numerous questions, point by point.
- Response to Comment A7-114: There should be modifications to the "Significance after Mitigation" discussions to identify effectiveness of the mitigation measures and if impacts could be reduced to less-than-significant levels instead of concluding significant and unavoidable impacts without further analysis of the mitigation measures.
- Response to Comment A7-115: The questions regarding river trails were not addressed in the Final PEIR response. Please provide a response similar to how the VMT generated by a Common Elements Typical Project was addressed.
- Response to Comment A7-154: The revision has not been made in Chapter 3 of the Final PEIR.

On behalf of the City of Burbank, I want to thank Los Angeles County for providing an opportunity to comment on the responses to the City's Draft PEIR comments for the 2020 LA River Master Plan. If you have any questions about the comments in this letter please feel free to contact me.

Sincerely,

Fred Ramirez

Assistant Community Development Director

David Kriske

Assistant Community Development Director

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California State Senate

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CULTURAL EXCHANGE
CHAIR

June 9, 2022

Los Angeles County Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple St.
Los Angeles, CA 90012

RE: Support for Los Angeles River Master Plan

Dear Members of the Board of Supervisors,

I am pleased to support the adoption of the Los Angeles River Master Plan by the Los Angeles County Board of Supervisors. The 25th District includes several miles of the Los Angeles River through the Cities of Burbank, Glendale, and Los Angeles, and protecting this waterway is a top priority for me as well as for the thousands of local residents whose lives it has enriched.

In the midst of current events that include a pandemic, social justice uprisings, drought, and wildfires worsened by climate change, it is clear that the Los Angeles River is a critical and underutilized public resource. The Master Plan meets the challenges of our time with innovative solutions to address a wide range of goals that go beyond traditional infrastructure planning, resulting in a model for a truly integrated, multi-benefit series of projects informed by community needs.

The Master Plan is comprehensive and thoughtful while reflecting the diversity and complexity of Los Angeles County. Investments in the Los Angeles River are not only drivers of economic growth for our region as we recover from the COVID-19 pandemic, but they are also essential in addressing the disparities between and within our communities, helping residents thrive in their neighborhoods and improving the health of our ecosystem for current and future generations of Angelenos.

I support the vision of the Master Plan for the Los Angeles River to become 51 miles of connected public open space that provides landmark opportunities to reduce flood risk, improve resilience, support healthy and connected ecosystems, address potential adverse impacts to housing affordability and people experiencing homelessness, promote public health, protect safe and clean water, and create jobs while fostering opportunities for arts, culture, and community engagement. These goals have perhaps never been more important than right now, and investment in the Los Angeles River can help us achieve them.

Specifically, I support the Los Angeles River Master Plan's goals and actions to:

- Create an equitable distribution of projects along the Los Angeles River that will generate local jobs over the next 25 years.

- Invest in thousands of acres of publicly accessible open space that will help address public health issues, especially in our most underserved communities.

- Develop and incentivize innovative, multi-benefit projects that assist in mitigating future disasters such as flooding, drought, and extreme heat events while enhancing ecosystem function.

- Support affordable housing and serve persons experiencing homelessness to address displacement in areas vulnerable to gentrification.

- Create a framework of design strategies for communities to consider how to best address the priority of needs in their communities as opposed to a singular, inflexible vision for the entire length of the river.

- Require future community engagement to influence projects built under the plan.

- Prioritize investment in historically underserved communities.

I recognize that updating the Master Plan for all 51 miles of the Los Angeles River was a significant undertaking; I am therefore grateful for your leadership and for all the people who have brought their dedication, innovation, and creativity to help guide this effort and arrive at this landmark moment. I look forward to the adoption of the Los Angeles River Master Plan and the implementation of the goals, actions, and methods to support the people of Los Angeles County and our constituents.

Respectfully,



Hon. Anthony J. Portantino
Senator, 25th District

Friends of Griffith Park
P.O. Box 27573
Los Angeles, CA 90027-0573
friendsofgriffithpark.org

June 12, 2022

Los Angeles County Board of Supervisors:

Re: Los Angeles County River Master Plan - Vote on June 14, 2022

Honorable Supervisors,

Friends of Griffith Park (FoGP) is a non-profit advocacy organization dedicated to Griffith Park. FoGP has previously shared our thoughts regarding the Los Angeles County River Master Plan Update (LARMP), and primarily focused our comments on the Glendale Narrows area. Little that changed in the final has heeded our recommendations.

As proposed, FoGP is opposed to Plan, as it is far from what we and the larger public anticipated. Most had expected a nature-driven transition away from the concrete mistakes of the past. Instead, the proposed Project is a giant and expensive infrastructure "big dig."

The Plan elevates the function of the River as a flood control channel, at the expense of the environmental considerations of habitat restoration and biological connectivity. The proposed Plan does not anticipate climate change and the necessity to incorporate natural solutions to thwart it. The Plan attempts to put in the forefront equitable recreational opportunities; however, more emphasis on nature and biodiversity would only enhance the outdoor experience and accessibility for Angelenos.

Points previously delivered:

1. What happens in and around the river is very important to Griffith Park. Yet there was virtually no request for our knowledge of the Park's habitat and wildlife which may have been a valuable resource to the LARMP. As many know, the scientific studies and surveys of Griffith Park have largely been the work of FoGP. Since part of the River flows through Griffith Park, FoGP should be included in the design and review of projects, at a minimum, where adjacent to the Park. Other stakeholders feel the same; outreach was not adequate, and stakeholders' vision for the River were not considered or distorted.

2. FoGP has expressed concerns about how the LARMP will interact with the city-adopted "Vision for Griffith Park" both broadly and specifically.

3. Although the LARMP briefly references the City of Los Angeles River Revitalization Plan a few times, little heed has been paid to its recommendations. The goal of the City's plan was to

make the Los Angeles River look and act as much like a river as possible within the constraints of the concrete channels. That concept appears to be minimized in the LARMP.

4. FoGP was very surprised to see the bypass tunnel running underneath Griffith Park and residential communities from Headworks to Piggyback Yard. At 40 feet in diameter and 9 miles long, it is a massive and expensive project. This diversion tunnel was one of the alternatives proposed and evaluated for the Los Angeles City River Revitalization Plan, and was soundly rejected due to the excessive cost. Yet, the bypass tunnel remains in the proposed Plan.

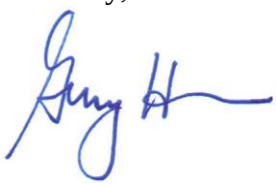
5. The LARMP contains some flood plain restoration opportunities. Each acre of wetlands can store 1-1.5 million gallons of floodwater which would help protect communities like Atwater Village from flooding. This approach has the additional benefit of increasing habitat connectivity from Griffith Park to the River. More opportunities for side channels should have been included in the proposed Project, as they were in the City's Plan.

6. Friends of Griffith Park's proposal for an additional small plan to increase wildlife connectivity and access to the river – a wildlife bridge spanning Forest Lawn Drive from an area just northeast of Mount Sinai Memorial Park to Headworks – was not included in the proposed Plan. This concept was enthusiastically received by Army Corps of Engineer biologists as well as City staff when it was explored in depth a few years ago. An unobstructed connector ramp into the River was also on the table with Army Corps, but does not show up in the Plan.

7. "Platform parks" bear no resemblance to a natural looking river. They make the river look more like an amusement park than a river, and reduce free flow.

These and other reasons are why we ask the Board of Supervisors to go back to the drawing board for revisions. Reject the Plan as proposed.

Sincerely,



Gerry Hans
President

About Friends of Griffith Park:
Friends of Griffith Park (FoGP) is a California non-profit 501(c) (3) dedicated to preserving and protecting Griffith Park's natural habitat, biodiversity, and historic features, for current and future generations. FoGP is committed to ensuring that Griffith Park, a public park and Los Angeles' largest Historic-Cultural Monument, remain open, natural, and free to all citizens of Los Angeles.

Atwater Village NEIGHBORHOOD COUNCIL

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AVNC Officers Co-Chairs: Courtney Morris, Edward Morrissey • Treasurer: Josh Hertz • Secretary: Karen Knapp

March 11th, 2021

RE: Los Angeles County 2020 Los Angeles River Master Plan (LARMP) and Programmatic Environmental Impact Report (PEIR)

Dear Mayor Garcetti, Councilmember O'Farrell, and Councilmember Raman,

The Atwater Village Neighborhood Council requests immediate relief for our community members. Our riverfront community is not represented in the County's 2020 LA River Master Plan.

We are requesting an addendum for our segment of the river. (Miles 26-30) In addition, we request a review extension to properly review the corrected version of the 2020 LA River Master Plan draft. We do not take this request lightly. There are egregious errors in the Master Plan. Due to the burdensome amount of corrections that are needed before an assessment can take place, this situation has placed undue hardship on our community members.

We have been reviewing the immense 2020 LARMP documents for weeks. Our review has revealed dozens of omissions and errors in the plan. Below are a few highlighted concerns: *This is, by far, not the full list of our concerns; it simply reflects many of the larger errors in the plan*.

2020 LA River Master Plan, Atwater Village errors & omissions:

1. Omission: Multiple LA River access points (residential, multifamily, equestrian and multi-use) on the East Bank along our 4 mile border with the river.
2. Incorrect West Bank access labeling
3. Inaccuracies to proposed access/sites
4. Incorrect references to 2007 Los Angeles River Revitalization Master Plan (LARRMP) projects
5. Omission of a known community park on Los Feliz Blvd.
6. Omission of infrastructure connectivity for river trail along the East Bank
7. Clear evidence of lack of outreach to proposed residential and residential adjacent sites
8. Inconsistent mapping throughout main document and technical volume
9. The plan does not address needs of current access points, which have been operational since the late 90-early 2000s
10. Atwater Village Equestrian District not acknowledged: bridle trail (adjacent to multi-use trail), Griffith Park access tunnel and public riding ring.

In addition, the CEQA process has been faulted by missing and incorrect information which should have been included by the project team prior to publication. The public "Atwater Village" is providing basic known LA River information, which should have been included from community members who attended multiple community outreach events conducted by the LA River Master Plan team or in the review of past plans.

Since Atwater Village's community input and information has been excluded from the current Master Plan, the PEIR's foundational information is also incorrect. Therefore any "not significant" impacts in the PEIR for the 4 miles of Atwater Village in frame 6 are questionable, at best.

The following pages point to our Atwater Village specific grievances in the 2020 LA River Master Plan and PEIR.

Planned projects:
We disagree with LA County's underlying notion for a PEIR, that there are no planned projects in the LA River Master Plan. In the LA River Master Plan main document, on page 334, two new projects "Located at Los Feliz Boulevard, this Tier III Gathering Pavilion has left and right bank structures", projects are presented and detailed on pages 334 to 339. These two projects have never been presented to community members.

- **New "planned" project:** your documents incorrectly reference the 2007 LARRMP, project number 149 at the site of the Los Feliz Boulevard River Bridge.

  A "river bridge" is described on page 5-32 of the LARRMP (2007) "Vehicle roadway bridges will continue to serve as a primary means of crossing the River for non-motorized users. As such, they must be retrofitted or expanded to include enhanced bicycle and pedestrian facilities."

  - ➢ Guidelines: as described on page 5-32
    - Create safe bike lanes on bridges according to Los Angeles Department of Transportation (LADOT), CALTRANS HDM, California 2006 MUTCD, and 2003 MUTCD standards for bike paths.
    - Construct overlooks and belvederes to view the River.
    - Include lighting below bridges for safe undercrossings.
    - Integrate modifications to avoid impacting the character of historic River Bridges.
- The 2020 LARMP proposes a Tier III Gathering Pavilion at the same site of the Los Feliz Bridge, described as follows: "The left bank facility utilizes the existing bridge piers to create a unique user experience over the channel and connects to the Los Feliz bridge while providing shade, amenities, and community space."
  - This project clearly and demonstrably conflicts with the Glendale Narrows Flood section, "Bridges In The Narrows", on page 300, under the subheading, "Los Feliz Blvd", stating that, "this bridge is high priority. See the "High Priority Bridges" section for more details."
    - Page 302: Bridge Examples, Los Feliz Boulevard, "The 1-D modeling indicates that the bridge deck will be impacted and possibly overtopped during the 4% flood event, although additional analyses may be needed to confirm this. Modeling indicates that better than 1% flood event capacity can be achieved through modifying the bridge to be clear span,..."
  - This project is at one of only three major roadways to cross the LA River, into and through Atwater Village.
  - This project proposes to be a gathering spot, yet offers no parking, offers no bike lanes on a major thoroughfare which has no parking, no stopping and no loading zones.
- **New, improved access**: The right bank pavilion at the I5 Northbound entrance, which consists of multiple structures providing numerous services such as a café and restrooms. (3 buildings)
  - You have to define what an "improvement" is, this is more than an improvement based on the description. It goes beyond what one would assume to be an improvement.
    - We would summarize this as a S/XS project, due to its scale and impact.
  - River experience: A cafe next to the i5 on ramp is a questionable place to suggest enjoying a coffee or meal by the LA River.
  - See notes above for information on Los Feliz Blvd. as a major roadway and thoroughfare for Atwater Village.
- Proposing a 2nd Cafe at this location would take customers from the river adjacent Golf Course Cafe and divert potential river driven business from our local cafes and eateries on Los Feliz Blvd. one of our main business districts.

Maps:
The maps throughout the documents are difficult to read for understanding of the LARMP projects
- The maps do not clearly show streets.
- Project sites are not labeled;
  - This requires a reader to reference multiple pages for street, location and/or project information.
  - "Dislocation" of information, one must have river knowledge to assess maps and projects.

- Inconsistency in maps, the main document map is different from the tech volume connectivity map, which is different from the existing access point "ruler" mapping (figure 80)… all of which are in need of corrections. (see ERRORS AND OMISSIONS: MAPPING/CONNECTIVITY)

Proposed/Planned projects:
References to the LARRMP are incorrect, changed or non-existent.
(see ERRORS AND OMISSIONS: PROJECT LIST ERRORS)

Lack of community outreach and input: LARMP Goal #7
There has been no opportunity for community members to learn about LARMP proposed projects and locations until this publishing, in 2021. There has been no outreach at proposed sites or adjacent to residential areas. The LARMP as a 25 year plan, fails to acknowledge and address community concerns at residential access sites. Those concerns are typical of "open space" issues which include 24/7/365 access, parking, trash, public safety and noise level increases to name a few. These proposed sites and access improvements include: Tyburn/Ferncroft, Sunnynook River Park & Los Feliz Blvd.

Regarding the communitywide goal of connectivity, LA River connectivity is not realized in this 25 year implementation period. There appears to be no proposed projects to connect over the 4 mile of trail of this plan: Colorado Bridge Underpass, Los Feliz Blvd Overpass (or crosswalk), Glendale-Hyperion (G-H) Bridge Underpass or Fletcher Drive Underpass, all of which are called out in the 07 LARRMP.

Missing the community led **Atwater Village East Bank Riverway.** City of LA planned project, North Atwater Village East Bank Riverway multi-use trail improvement from Doran St. to Los Feliz Blvd. This grant project is supported by the community's work done to connect the trail, Atwater Village East Bank Riverway.

Based on the Master Plan draft, the lack of transparency or community inclusion, we are hard pressed to believe that goal #7 (Foster opportunities for continued community engagement, development, and education) is realistic or honest. (see **Atwater Village participation in 2020 LA River Master Plan Processes****)**

Public Safety: Master Plan and PEIR
On Pg. 161 Master Plan reads — *"Community members named SAFETY as THE TOP reason they do not use the LA River."* If safety is the top reason why the public is not using the river, then we feel that the Master Plan does not do anything significant to prioritize public safety.

From PEIR - Section 3.14 reads *"Public services have been actively developing in tandem with growth in the communities and the region."* This above statement is simply not correct. Law enforcement agencies have not been *"actively developing in tandem with growth."* According to LAPD, there is currently no active law enforcement on the LA River itself. In addition, the LA River is not mapped in the 311 system City of LA residential call system; therefore when a resident tries to place a service request, city agencies often are not able to locate the issue (i.e. trash, graffiti, homeless outreach needs, environmental waste, etc.).

The Master Plan needs to, at the very minimum, prioritize a thorough mapping (with mileage markers and wayfinding signage) on BOTH banks of the river. In addition, we recommend the plan needs to prioritize increased county and city funding for staffing along the river to address public safety, including the placement and upkeep of emergency call boxes along the river.

Connectivity: LARMP Goal #2

1. LA River Master Plan, Public Draft, Jan 2021, Pg 280 states: “After the completion of the 51-mile river trail along one bank, further efforts to have continuous access along both sides of the river, though important, will take many more decades given the spatial restrictions along the right-of-way.”
    a. We believe not addressing connectivity on the East Bank in the LA Master Plan now is a serious omission. Atwater Village shares a 4 mile border with the east bank of the LA River and the connectivity both along its length and into and out of the river in our community is of vital importance.
2. The east bank of the LA River in the community of Atwater Village is highly segmented. Each region is isolated from the other. To pass along the river from one segment to the next a biker or pedestrian would have to either (1) leave the river to the East and enter the neighborhood for as much as a quarter mile to the nearest cross walk, (2) pass under the overpasses on the slopes of the river, or (3) cross a bridge to the west bank and then cross back to the east bank (in Central Atwater the Sunnynook bridge is not designed for bike traffic.)
3. The Atwater Village, East Bank, riverfront is an anomaly! We have more access points along the East Bank’s unconnected trail than the bike path, regarding your statement “Access points, like the path, tend to be located on one side of the river at a time”.
4. The current access points have provided years of service, they should be upgraded for ADA access and public safety, included in the 25 year implementation of this plan. Possibly, including neighborhood gates and regular maintenance. The burden of residential access falls hardest on the connecting streets and first block of residents.
5. Atwater Village shares a significant relationship to the river and is home to many diverse points of interest for the city such as an equestrian district unique in the city of Los Angeles, various parks and planned developments at the Bowtie Parcel and the water treatment facilities. Connecting these valuable city assets together and to the other significant developments just south of Atwater Village’s border at Taylor Yard and 100 Acre Park requires an LA River Master Plan that considers the seamless connectivity along the east bank of the LA River.
6. The current mapping suffers from lack of project explanation and missing information. The only references to the S and XS project are in the Technical Appendix II, and provide a dearth of information, such as the below. More information is needed to effectively evaluate the plan.

XS, S SITES INDEX: RIVER MILE 28.77 - 25.72

RM	Name and Location	Frame	City	Source	Existing Access Points To Improve	Newly Proposed
27.97	**Sunnynook Pedestrian Bridge** Sunnynook Dr / River Right	6	Los Angeles		X	
27.71	**Red Car Park** Ferncroft Rd & Glendale Blvd	6	Los Angeles	LARRMP		
27.71	**Glendale Blvd South** Glendale Blvd at Golden State Fwy / River Right	6	Los Angeles		X	
27.56	**Ferncroft Rd & Tyburn St** Ferncroft Rd & Tyburn St	6	Los Angeles			X
27.13	**Project 153: Silver Lake Boulevard Pocket Park** Silver Lake Blvd	6	Los Angeles	LARRMP		

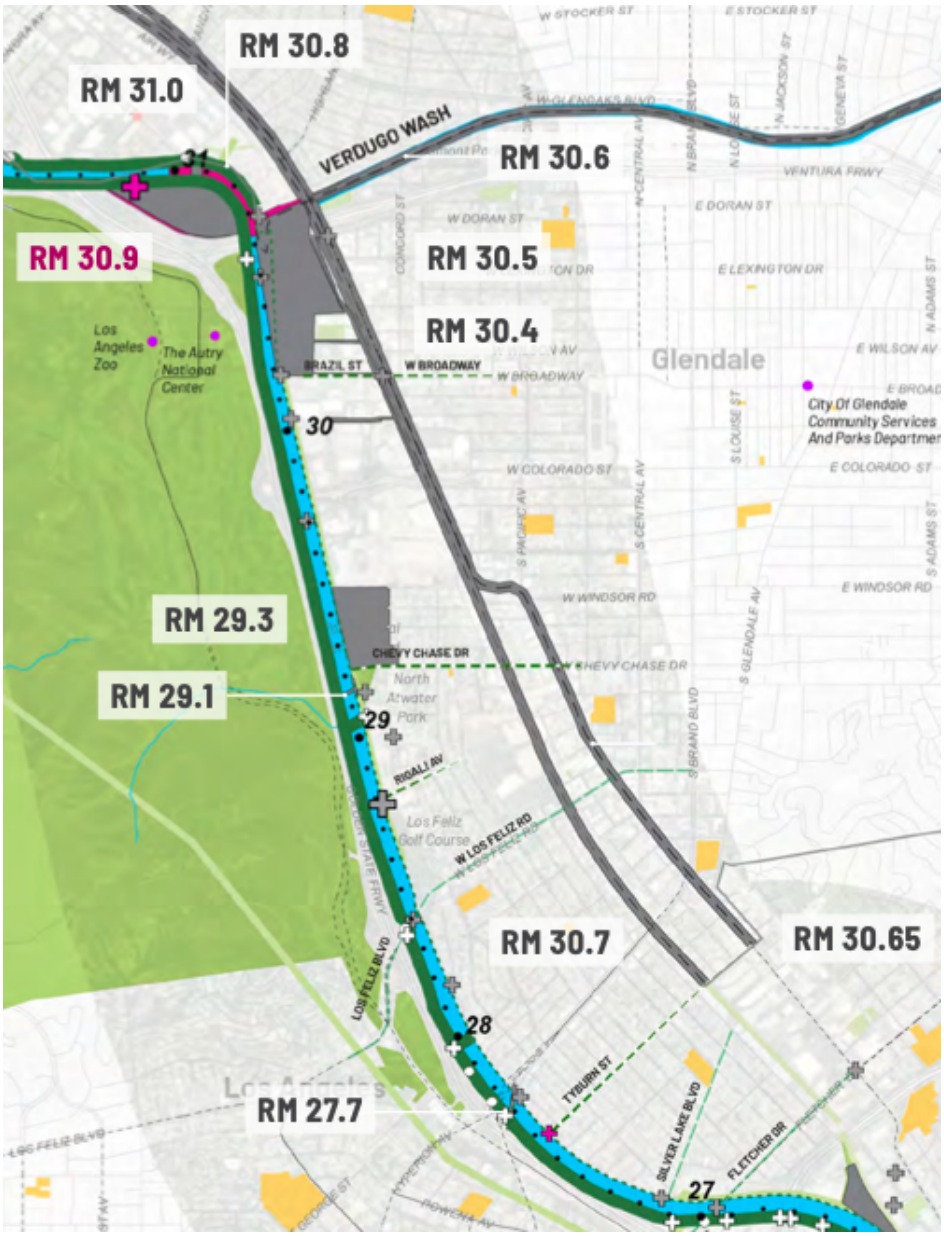
Figure 1: LA RIver Master Plan, Pg. 379





1. Current access points at Dover Street, Legion Lane and Arcesite Street are not shown.
2. Lack of connectivity along multi-use path on the east bank at Colorado, Los Feliz, Glendale and Fletcher not documented.
3. No connected bike paths into any LA River access point from the east bank.
4. Glendale Blvd dedicated bike paths end well before the river access, which is currently only on the west bank, requiring bikers to cross the river on the Glendale-Hyperion Bridge north access road to the 5 highway. Also, the sidewalk for pedestrians is **very narrow.**

Figure 2: LA River Master Plan, Appendix Volume II, Technical Backup Document, Pg. 183



LOCAL CONNECTIVITY: FRAME 6

Existing Conditions

- Municipal Boundaries
- LA River Mile Point
- Tributaries and Streams
- LA River Trail
- Multiuse Trails and Class I Regional Trails
- Local/Protected Bike Lanes
- Local/On-Street Bike Lanes
- Transmission Lines
- Existing Private Right-of-Way
- Existing Park
- School
- Existing Access Point to Remain Unchanged
- Metro Transit Station
- Arts and Cultural Point of Interest

LA River Master Plan Design Proposals

- XS, S Planned Project
- XS, S Proposed Project
- Existing Access Point To Improve
- Metro Transit Station
- LA River Trail
- Multiuse Trails & Class I Regional Trails
- Local/Class IV Trails
- Local/Class II Trails
- Green Streets
- Proposed LARMP Connectivity
- Proposed Regional Connectivity Loops
- M, L, XL Planned Major Project
- M, L, XL Proposed Project Site

Frame 6 Master Plan M, L, XL Sites

31.9	Burbank Western Green Network
31.0	Glendale Riverwalk Non-Motorized Bridge
30.9	Ferraro Fields Side Channel
30.8	Glendale Narrows Riverwalk
30.7	San Fernando Railroad
30.65	San Fernando Path
30.6	Verdugo Wash
30.5	River Glen Wetlands
30.4	River Glen Wetlands
29.3	Central Service Yard
29.1	North Atwater Crossing
27.7	Red Car Bridge
26.2	G1 Bowtie
25.6	G2 Taylor Yard
25.3	Dorris Place Sanitation Yard
25.2	Taylor Yard Non-Motorized Bridge

1. Connectivity at Tyburn is questionable given street size and parking.
2. Please define the San Fernando Railroad and San Fernando Path projects at RM 30.7 and 30.65. Is it being proposed to connect Tyburn to those projects? How is that accomplished given the restricted access created by the rail tracks? Since this is a 25 year plan, why is the trail project not connecting to the City's 100 Acre Park?
3. Consider connecting Glendale Blvd to the river given it is a destination as a commercial high street.

Noise: PEIR 3.12
Atwater Village's community currently experiences excessive noise from Interstate 5 (I5). The PEIR noise study does not represent the current ambient noise in Atwater Village: the LA River bike path, east bank trail or the rail corridor all have planned and proposed sites in the LARMP.

Our community is situated between infrastructure on all sides:
West: Interstate 5 (LA River)
East: Railroad
South: 2 Freeway
North: 134 Freeway

Your study did one short-term measurement, ST8, at the north side of Los Feliz Golf Course, on May 14th, 2020, 2:30 PM for a duration of 20 minutes. On page 3.12-7 you state "ST measurement locations were selected to supplement LT measurements at surrounding land uses". The north corner of the Los Feliz Golf Course is not reflective of our general or sensitive land use areas: residential homes adjacent to the LA River trail, current residential access points or your planned and proposed project sites near sound sensitive areas.

This site, ST8 is not reflective of current access points or future planned and proposed, bike path and riverfront projects. We need a baseline, a long-term sound study in Atwater Village.

On page 3.12-8, Table 3.12-4. Summary of Noise Measurement Results (Short Term)1. The a footnote 1 reads *"It should be noted that field measurements were conducted during the time frame when the COVID-19 Stay-at-Home Order (Executive Order N-33-20) was in effect throughout Los Angeles County. Therefore, traffic volumes along local roadways may have been depressed."*

ST8's date, time and location:

Site#	Location/Frame	Date	Time of Day	Hourly Leq Values (average), dBA	Lmax Values
ST8	Los Feliz Golf Course/6	05/14/20	14:30	64.3	73.3

ST8's 64.3 hourly average with an Lmax high value of 73.3 shows our community needs further study:

- This location is isolated and not reflective of Atwater Village riverfront land uses.
- i5 noise not accurately measured:
    - Thursday afternoon
    - Non-peak travel time of 2:30 PM
    - Stay at home order in effect
- Site not located near any major local roadways in Atwater Village
- Atwater Village has southern(?) afternoon/evening breezes (sound was measured with windscreen)

LARMP and PEIR

- The LARMP (and this study) omits miles of riverfront homes and residential access points
    - Dover Street to Glendale Blvd
    - Glendale Blvd to Silver Lake Blvd
- The LARMP (and this study) omits miles multiunit and single family homes adjacent to, near river parks and mixed use river trail
    - Chevy Chase Drive to Fletcher Drive

- The LARMP (and this study) omits equestrian district access points
    - Noise on mixed use trails which include equestrian use
    - Vol II Tech page 161, 28.77 “Rigali Ave” (Proposed non-motorized bridge) Noise impacts on potential bridge ending at bike path at i5.
        - **North Atwater Crossing horse incident (death), 1/17/20 (due in part to i5 noise)**

- ST8 does not adequately measure for LARMP planned project sites (and future noise from operations)
    - Los Feliz Blvd (LARMP p334-339)
        - Pavilion, Café, Restrooms, Showers, Lockers: at i5 entrance along bike path (river bike path abutting i5 north entrance)
        - Pavilion, Café, Restrooms, Lockers, Showers, Gathering Bldgs.: parallel to Los Feliz Blvd adjacent to i5, Bond Park and the adjacent residential homes
- ST8 does not adequately measure for LARMP “M” project “**San Fernando Railroad** *Glendale Bike Plan”* 4.5 miles impacting residential homes abutting and across from the rails from Los Feliz Blvd to Tyburn St.
- LA River Master Plan omits most of our current East Bank river access sites
- ST8 does not adequately measure for LARMP X/XS Sites (LARMP Vol. II tech pages 161-162)
- ST8 does not adequately measure for LARMP M/L/XL Sites (LARMP Vol. II tech pages 136-139)
- ST8 does not measure LA River bike path and proposed river sites

As we have noted, the LA River Master Plan in its current form is full of errors and omission along Atwater Village’s 4 mile riverfront East Bank, West Bank bike path and along our Rail Road border.

The sound study’s ST8 is incapable of assessing current noise levels in Atwater Village, let alone at future projects along the bike path and adjacent to i5. Projects that include Cafés, Showers, Restrooms, Lockers, Gathering Spaces and etc., will have 24/7/365 access, which also increases the ambient noise all hours of the day. Let's imagine sitting in an outdoor Café, next to i5?

- The success of the LARMP implementation will hinge on community impacts being acknowledged and addressed.
- The success of the LARMP projects will hinge on comfort, usability of bike path and river amenities!

This sound study, as a tool for 25 year planning purposes, fails the present. Therefore, it fails our future, we demand a more robust sound study in Atwater Village. A long term study that measures current access points and future project and access points locations along the LA River and our Railroad border.

- **Mitigation Measure NOI-5: Prepare Focused Noise Study and Implement Findings.**
- **Mitigation Measure NOI-6: Prepare a Noise Study**

FLOOD: LARMP Goal #1
To date, the County and City have not improved or proposed improvements to reduce flood hazard either for Atwater Village or the wider Glendale Narrows. The 1992 LACDA study did not provide any flood risk mitigation measures due to "cost/benefit" analysis that seemingly prioritizes fiscal prudence over human life and property. Due to this lack of action, when FEMA digitized the map lines in 2008, there were 115 parcels added to the Special Flood Hazard Area (SFHA), 3-4 have a LOMA. (Currently the City doesn't acknowledge the SFHA on it's planning site, Zimas).

In 2016 the City/USACE announced the Glendale Narrows "potential SFHA" to all parcels within the potential flood area. In 2017, the City moved forward with the Glendale Narrows LOMR, which begins the FEMA remapping process. If that remapping were to take place the number of Atwater Village parcels would increase exponentially. This could have impacts on housing affordability and displacement issues. The heaviest impact would be felt by South Atwater Village, which is classified as a disadvantaged community.

Page 90 states; It is estimated that approximately 3,300 parcels will be impacted by a 1% flood event [56].

EN# 56 USACE 2016. U.S. Army Corps of Engineers, Los Angeles District: Hydraulics Report, Floodplain Analysis, Los Angeles River: Barham Boulevard to First Street, floodplain Management Services Special Study, Los Angeles, California, October 2016.

Cost of High-Risk Flood Insurance 2021 dollars:
Single family home NFIP $3,400.00
Single family home Private Insurer $1,100.00

Cost rises every year. (Multifamily, non-occupied and commercial rates trend higher, each building must be individually quoted for actual cost)

LA County is the State appointed lead for flood matters and we understand that the County is planning to take over the ARMY Corp controlled river jurisdiction in the Glendale Narrows. Since the county intends to claim this portion of the LA River, it is surprising that there are no planned projects for flood protection.

On page 88 of the 2020 LARMP, the flood hazard is openly and clearly acknowledged, "The Narrows reach (RM 33 to RM 22) has known deficiencies that are exacerbated by the heavy vegetation that has established itself in the soft bottom of the trapezoidal channel. Despite the presence of levees along portions of this reach, the flood capacity level is worse than 2% (50-year), with many regions having worse than 10% flood (10-Year) capacity and as low as 25% flood capacity (4-Year)."

Further explication of floodplain risks, beyond floodwaters, is presented on page 90. Residents and infrastructure within the floodplains may be substantially impacted by flood events. Of paramount importance during such emergencies are critical facilities where emergency operations are conducted, including police and fire stations, medical care facilities, and schools that may be used as evacuation centers. Also of importance are hazardous materials sites, that may pose a significant threat to public safety and health and the environment should they become inundated with water.

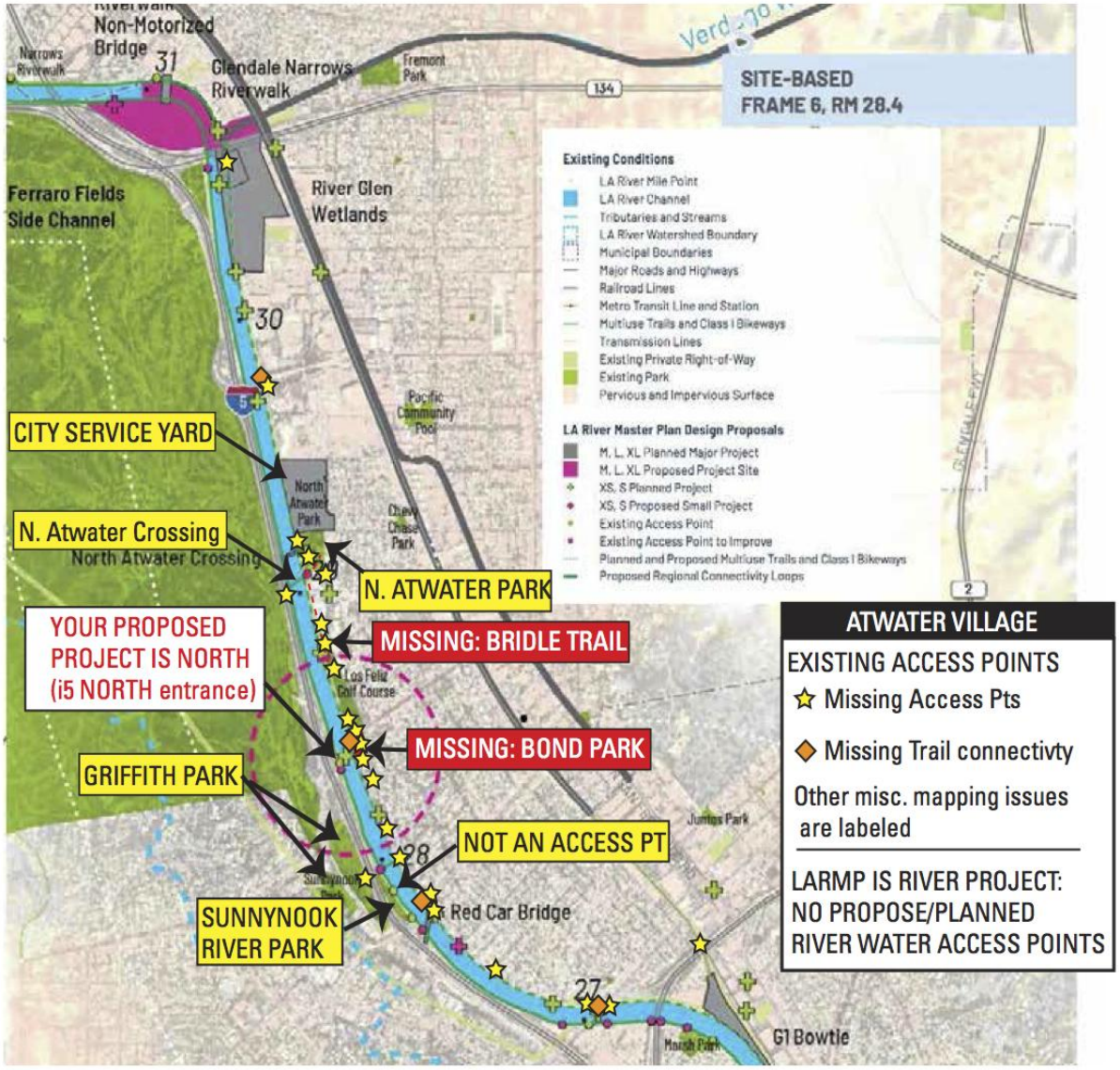
In the flood section pages 288-313, there are over 10 pages dedicated to the Glendale Narrows (p. 292-303) which directly impacts Atwater Village. On page 292, it's stated that "A combination of this approach with other flood risk reduction strategies, including bridge modifications and a bypass tunnel, could potentially bring the LA River in the Narrows up to the 1% flood event capacity goal." None of those items are in the proposed or planned project lists? Furthermore, we question the feasibility of these suggestions/proposals.

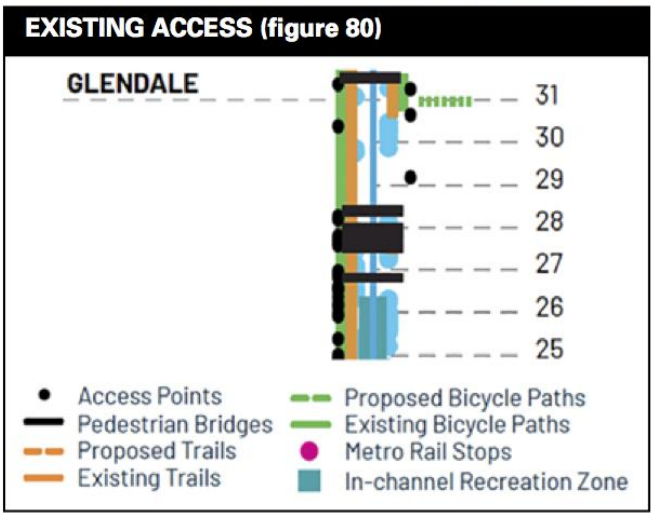
- Channel rehabilitation program:
    - Jurisdiction of ARMY Corp, the county hasn't funded any of these activities. (Channel built as rating is 51-year IF totally cleared)
- Bridge modifications: none are planned in the 25-year LARMP
    - Colorado St
    - Los Feliz Blvd: High Priority Bridge
    - Glendale Blvd: High Priority Bridge
    - Fletcher Dr: High Priority Bridge

- Bypass Channel:
    - What is the County's commitment to this concept? This proposal represents a massive and costly civil engineering effort, with outsized importance in the wider flood reduction effort for the Glendale Narrows portion of the channel, and due to it's high cost, it would likely be the most endangered part of any flood mitigation effort by the County, and hence, not a very plausible solution.
    - We understand that this concept was previously considered, and later dropped by the ARMY Corp due to cost.
- Bypass Channel Alternatives: Flood mitigation and water conservation
    - We would like to see the County couple future flood mitigation efforts together with water conservation and sustainable water practices, and consider smaller public works projects that emphasize water capture and storage along the watershed, in the spirit of the City's Green Streets initiative. In reducing stormwater run-off from ever reaching the river in the first place, this could potentially serve an important role with the City and County's larger mission of achieving independence from imported water and becoming 100% self reliant on local water sources by the year 2050.

Based on the LARMP, we see no commitment to flood risk reduction.

ERRORS AND OMISSIONS: MAPPING/CONNECTIVITY





DUE TO THE QUALITY OF YOUR MAP: ATWATER VILLAGE ACCESS POINTS ARE AN APPROXIMATION - EXACT POINTS CAN BE PROVIDED.

ERRORS AND OMISSIONS: PROJECT LIST ERRORS

XS, S SITES INDEX: RIVER MILE 34.50 - 28.96

RM	Name and Location	Frame	City	Source	Existing Access Points To Improve	Newly Proposed
32.06	**Project 118: Griffith Park River Park Buffer** Between Ventura Fwy & Zoo Dr	7	Los Angeles	LARRMP		
31.97	**Project 117: Burbank Western Channel Non-Motorized Bridge** Burbank Western Channel Confluence	7	Los Angeles	LARRMP		
31.64	**Riverside Dr North** Riverside Dr North	6	Los Angeles	LARRMP		
31.12	**Ferraro Fields** Ferraro Fields	6	Los Angeles			X
30.68	**Project 133: River Glen Opportunity Area Outdoor Classroom** Verdugo Wash Confluence, north of Ventura Fwy	6	Glendale	LARRMP		
30.56	**Project 127: Doran Street and San Fernando Road Enhanced Intersection** Ventura Fwy & San Fernando Rd	6	Glendale	LARRMP		
30.56	**Zoo Drive** Zoo Dr / River Right	6	Los Angeles		X	
30.49	**Project 131: River Glen Non-Motorized Bridge** Verdugo Wash Confluence	6	Los Angeles	LARRMP		
30.17	**Project 137: Brazil Street Paseo** Brazil Street	6	Los Angeles	LARRMP		
30.06	**Project 135: Brazil Street and San Fernando Road Enhanced Intersection** Brazil St & San Fernando Rd	6	Glendale	LARRMP	COMPLETE/HSR IMPACT	
30.03	**Electronics Street Paseo** Electronics Pl	6	Los Angeles	LARRMP		
29.71	**Project 142: Colorado Boulevard Non-Motorized Park** SE of Colorado St Fwy & Golden State Fwy Intersection	6	Los Angeles	LARRMP	REFERENCE ERROR: THIS IS A "BRIDGE"	
29.13	**Project 145: North Atwater Park (River Vista Expansion)** West of North Atwater Park	6	Los Angeles	LARRMP	COMPLETE?	
28.96	**Equestrian Center** Rigali Ave	6	Los Angeles	LARRMP	REFERENCE ERROR	
28.77	**Rigali Ave** Rigali Ave	6	Los Angeles	LARRMP (Proposed non-motorized bridge)	REFERENCE ERROR	
28.39	**Project 149: Los Feliz Boulevard River Bridge** Los Feliz Blvd & LA River	6	Los Angeles	LARRMP	REFERENCE ERROR/ NO OUTREACH	
28.36	**Los Feliz South** Los Feliz Blvd at Golden State Fwy / River Right	6	Los Angeles		NO OUTREACH	
28.15	**Project 150: Legion Lane Park** Legion Ln	6	Los Angeles	LARRMP	PROPERTY SOLD	
27.97	**Sunnynook Pedestrian Bridge** Sunnynook Dr / River Right	6	Los Angeles		NO OUTREACH	
27.71	**Red Car Park** Ferncroft Rd & Glendale Blvd	6	Los Angeles	LARRMP	REFERENCE ERROR	
27.71	**Glendale Blvd South** Glendale Blvd at Golden State Fwy / River Right	6	Los Angeles	G-H RETROFIT PROJECT		
27.56	**Ferncroft Rd & Tyburn St** Ferncroft Rd & Tyburn St	6	Los Angeles		NO OUTREACH	
27.13	**Project 153: Silver Lake Boulevard Pocket Park** Silver Lake Blvd	6	Los Angeles	LARRMP		
27.08	**LA River Bicycle Park at Crystal St** Crystal St / River Right	6	Los Angeles		X	
26.94	**Project 156: Fletcher Drive River Bridge** Fletcher Dr & LA River	6	Los Angeles	LARRMP		
26.91	Clearwater Crystal St & Clearwater St / River Right	6	Los Angeles	ELYSIAN VALLEY	X	
26.74	Gilroy Gilroy St at Glendale Fwy / River Right	6	Los Angeles		X	
26.70	Ripple Ripple Pl at Glendale Fwy / River Right	6	Los Angeles		X	
26.60	Lewis MacAdams Riverfront Park Near Glenedeen St / River Right	6	Los Angeles		X	
26.58	**Project 154: Fletcher Avenue and San Fernando Road Enhanced Intersection** Fletcher Dr & San Fernando Rd	6	Los Angeles	LARRMP		

07 LARRMP Project List

Project Number	Potential Project (see Note 1, below)
121	South Mariposa Street Pocket Park
122	Glendale Riverwalk Non-Motorized Bridge
123	Ferraro Fields Opportunity Area
124	Ferraro Fields Park
125	River Glen Opportunity Area
126	Doran Street Industrial Green Street
127	Doran Street and San Fernando Road Enhanced Intersection
128	Verdugo Wash Non-Motorized Bridge
129	River Glen Wetlands
130	River Glen River Park
131	River Glen Non-Motorized Bridge
132	River Glen Regional Gateway
133	River Glen Opportunity Area Outdoor Classroom
134	River Glen Opportunity Area Riverside Street
135	Brazil Street and San Fernando Road Enhanced Intersection
136	Brazil Street Industrial Green Street
137	West end of Brazil Street Paseo
138	134 Freeway to Colorado Greenway Promenade
139	Acquisition of property near Brazil and the River
140	Electronics Street Industrial Green Street
141	West end of Electronics Street Paseo
142	Colorado Ave Non-Motorized Bridge
143	North Atwater Greenway
144	Goodwin Avenue Primary Local Green Street
145	N. Atwater Park – River Vista Expansion
146	Verdant St. Non-Motorized Bridge
147	Los Feliz Equestrian/ Non-Motorized Bridge
148	Los Feliz Boulevard Arterial Green Street
149	Los Feliz Boulevard River Bridge
150	Legion Lane Park
151	Sunnynook River Park
152	Silver Lake Boulevard Primary Local Green Street
153	Silver Lake Boulevard Pocket Park
154	Fletcher Avenue and San Fernando Road Enhanced Intersection
155	Fletcher Driver Arterial Green Street
156	Fletcher Drive River Bridge
157	Fletcher Avenue and on/off ramp to the 2 Freeway Enhanced Intersection
158	Fletcher Drive under 5 Freeway Portal
159	Silver Lake Primary Local Green Street

THESE COMMENTS ARE PARTIAL: DUE TO MULITPLE LOCATIONS OF YOUR PROJECT INFORMATION.

ATWATER VILALGE COMMENTS CAN BE PROVIDED ON PROJECT EXCEL FILE SHEET

LARMP M, L, XL SITES INDEX:

RM	Project Type	Name and Location	
30.7	M, L, XL SITES	San Fernando Railroad	NO OUTREACH/CITY OF LA NOT NOTED ON PROJECT
30.6	M, L, XL SITES	Verdugo Wash	
30.5	M, L, XL SITES	River Glen Wetlands - M / 4.6 acres	
30.4	M, L, XL SITES	River Glen Wetlands - ULART - L / 57.6 acres	
29.3	M, L, XL SITES	Central Service Yard - City of LA - M / 26.1 acres	
29.1	M, L, XL SITES	North Atwater Crossing - City of LA Bureau of Engineers - M / 0.7 acres	COMPLETED
27.7	M, L, XL SITES	Red Car Bridge - City of LA Bureau of Engineers - M / 0.9 acres	COMPLETED
26.2	M, L, XL SITES	G1 Bowtie - ARBOR Study, State Parks, TNC - M/20.4 acres	

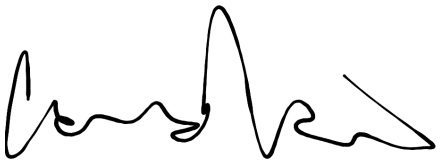
Atwater Village participation in 2020 LA River Master Plan Processes

- Atwater Village community members participated in 2018 and 2019 outreach events
- Atwater Village community members read the NOP PEIR information
- The AVNC sent a NOP letter in support of community member concerns, *with no knowledge of the Master Plan itself, due to County document delivery timing.*
- Atwater Village Community members read the 2020 LA River Master Plan draft
- The AVNC river committee hosted: 2020 LARMP County Planning Team zoom meeting, February 24th
- Atwater Village community members participated in 2020 LA River Master Plan PEIR online public meeting

Atwater Village: involvement in LA River meetings, plans and projects:

- City of LA: LA River Revitalization and Restoration Master Plan
- City of LA/USACE: LA River Ecosystem Restoration Feasibility Study (AKA the ARBOR Study)
- MRCA: Upper LA River and Tributaries Working Group
- HUD Grant: *NELA* Vision Plan The Northeast Los Angeles *Riverfront Collaborative* (*NELA* RC)
- AVNC/NPS technical service Grant: Atwater Village East Bank Riverway (community)
- The Trust for Public Land: Los Angeles River & Verdugo Wash Confluence Feasibility Study
- City of LA: North Atwater Village East Bank Riverway Grant project
- Additional: LARMMP project implementation community meetings, comments and input.

Thank you,





Courtney Morris, Co-Chair

Edward Morrissey, Co-Chair

CC:
Honorable Supervisor Sheila Kuehl Third Supervisorial District County of Los Angeles
Honorable Supervisor Hilda Solis First Supervisorial District County of Los Angeles
Honorable Congressman Adam Schiff 28th Congressional District United States House of Representatives
Honorable State Senator Anthony Portantino
Honorable State Senator María Elena Durazo
Honorable State Assemblymember Laura Freidman
LA County CEQA team: LARiverCEQA@pw.lacounty.gov
LA County LARMP team: LARiver@dpw.lacounty.gov



Figure 312. In this example, a pavilion spans the existing Los Feliz Bridge Piers and the left river bank. This pavilion offers a rare vantage point of the LA River for visitors.

Based on how they are sited, pavilions can create new relationships between people and the river. In this case, the Tier III pavilion cantilevers out over the channel, providing a rare vantage point from which visitors can take in their surroundings. Cafe tables and chairs invite people to gather together with the iconic river as backdrop, or to or sit quietly, watching the water flow by.

The 2020 LARMP proposes a Tier III Gathering Pavilion at the same site of the Los Feliz Bridge
○ This project clearly and demonstrably conflicts with the Glendale Narrows Flood section, "Bridges In The Narrows", under the subheading, "Los Feliz Blvd", stating that, "this bridge is high priority. See the "High Priority Bridges" section for more details."
■ Bridge Examples, Los Feliz Boulevard, "The 1-D modeling indicates that the bridge deck will be impacted and possibly overtopped during the 4% flood event, although additional analyses may be needed to confirm this. Modeling indicates that better than 1% flood event capacity can be achieved through modifying the bridge to be clear span,..."
○ This project is at one of only three major roadways to cross the LA River, into and through Atwater Village.
○ This project proposes to be a gathering spot, yet offers no parking, offers no bike lanes on a major thoroughfare which has no parking, no stopping and no loading zones.



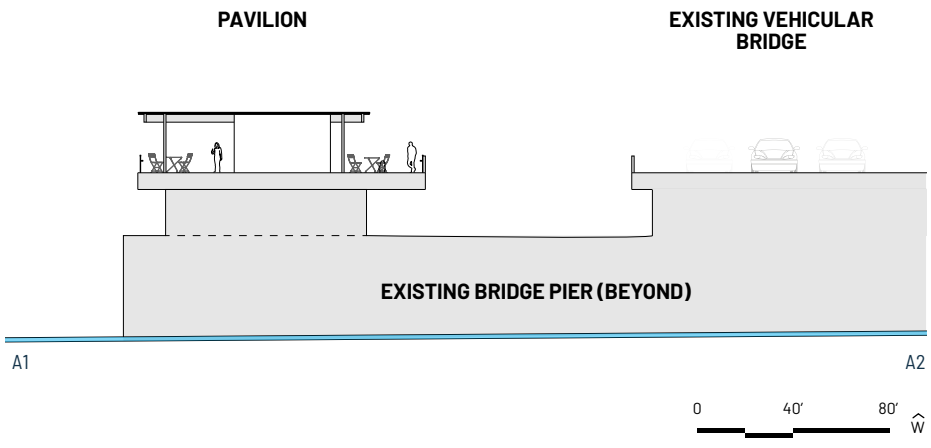


Figure 313. An example section through the Los Feliz Bridge shows how an additional pedestrian river crossing created on the existing bridge piers.

June 10, 2022

Carolina Hernandez, LA County Public Works
Genevieve Osmena, LA County Public Works
Jessica Henson, The Olin Studio
Mark Hanna, Geosyntec Consultants

Via e-mail to: lariver@dpw.lacounty.gov, chernandez@dpw.lacounty.gov, gosmena@dpw.lacounty.gov, jhenson@theolinstudio.com, and mhanna@geosyntec.com

Dear LA River Master Plan Team,

On behalf of the undersigned environmental, environmental justice, and community-based organizations, most of which served as members of the LA River Master Plan ("LARMP" or "Plan") Steering Committee, we are writing to convey that **we do not support the final 2020 LA River Master Plan Update**. The final Plan wholly ignores the many comments that non-profit and community-based organizations raised during the drafting process, and falsely claims that the Plan engaged in robust community engagement and reflects feedback from members of the Steering Committee.

As such, **we are informing you that we are formally removing our organizational names and logos from the Plan. We do not give permission for our organizations' names and logos to be used in support of the Plan in its current form or for any purposes related to participation in the Plan's Steering Committee and community engagement. We expect the County to remove our names and logos from the Plan accordingly, unless and until our organizations are given the ability to make a formal vote and have that vote reflected in the final Plan.**

Throughout the planning process, our groups, and other organizations and community members, have engaged in earnest discussions with the LARMP team and have repeatedly noted our dissent by sharing our concerns about the lack of clear vision in the Plan and the failure to treat the LA River as a natural and living River. Most of the undersigned groups were members of the Steering Committee for the Plan and met with LARMP team members and County officials many times over a period of two years.

Among other things, we pleaded for the LARMP Update team to commit to the following:

> (1) prioritizing community and ecological resilience through nature-based solutions and targeted concrete removal, rather than adding more concrete through platforms and diversion channels;
>
> (2) greening river-adjacent communities with longstanding contamination;
>
> (3) taking a watershed level approach to planning, rather than focusing solely on river-adjacent lands,
>
> (4) achieving community stabilization, through formal requirements and displacement protections for future river projects, and
>
> (5) addressing governance challenges that preclude cohesive management.

Attachment A includes comment letters some of our groups submitted to the County on May 13, 2021 that reflect these concerns.

In addition, community surveys from February 2021 and September 2021 show that residents in river communities prioritize these same values. **Attachment B** includes reports of these past survey results.

To our dismay, the final Plan fails to incorporate our feedback in any meaningful way. The final Plan lacks a coherent vision and merely identifies a menu of possible options for future river projects, most of which would add concrete to the floodplain---including capping the River to build platform parks. The Plan affirmatively reiterates the LARMP team's antiquated and harmful position that the LA River is nothing more than a flood control channel, and that nature-based solutions to remove concrete and remediate contaminated land are infeasible. From a scientific and urban planning perspective, we know it is indeed feasible, less costly, and beneficial to surrounding communities to deploy nature-based solutions when managing floods (see, e.g., the Federal Emergency Management Agency's guidance on Building Community Resilience with Nature-Based Solutions and the U.S. Army Corps of Engineers' ARBOR Study for the LA River). The Plan also fails to require protections to ensure community stabilization for river residents with high pollution burdens and lack of access to park space. In the end, the Plan offers nothing measurable to ensure that future river projects are equitable.

It is inaccurate and disingenuous for the LA River Master Plan team to represent that they engaged meaningfully with the Steering Committee and community members and incorporated our feedback into the Plan. The Plan touts the many meetings with our organizations, yet these meetings were ultimately unproductive as they were conducted without any meaningful consideration of our feedback. The LARMP team refused to appoint a representative from the Gabrieliño Tongva community to the Steering Committee, despite repeated requests from the Gabrieliño Tongva community and allies to do so, leading to the absence of diverse local Indigenous voices. The LARMP team also ignored our repeated requests for the Steering Committee to have the right to vote on the final Plan before it was published, and to have that vote reflected in the final Plan.

The deficiencies in the process and Plan represent the loss of a once-in-a-generation opportunity to reshape the future of the River and adjacent communities to be healthier and more resilient, in ways communities want and need. We are greatly disappointed with the LARMP team's lack of vision under the Master Plan and the failure to prioritize climate resiliency, community stabilization, and community and ecosystem health. The Master Plan sets the County on a path toward a grim future for the LA River, one of continued ecological degradation and one that fails to view the River as anything more than a flood control channel. Our vision for a resilient River is not reflected in the Plan, and we refuse to have our names and logos associated with support for the Plan in its current form.

For these reasons, the County does not have our permission to use our names and logos in the Plan. **We are formally removing our names and logos from the Plan for any purposes related to participation in the Plan's Steering Committee and community engagement unless and until our dissenting vote is included in the final Plan**.

Sincerely,

Laura J. Cortez
Organizer & Co-Executive Director
East Yard Communities for Environmental Justice

Bruce Reznik
Executive Director
Los Angeles Waterkeeper

Marissa Christiansen
President/CEO
Friends of the Los Angeles River

Angela Mooney D'Arcy
Executive Director
Sacred Places Institute for Indigenous Peoples

Katherine Pease
Director of Science & Policy
Heal the Bay

Shona Ganguly
Associate Director, Southern California External Affairs
The Nature Conservancy in California

Tori Kjer
Executive Director
Los Angeles Neighborhood Land Trust

Robin Mark
Los Angeles Program Director
Trust for Public Land

With support from the following groups in solidarity:

Elizabeth Reid-Wainscoat
Urban Wildlands Campaigner
Center for Biological Diversity

Paulina M. Flores
Managing Director
Promesa Boyle Heights

CC:
Supervisor Hilda Solis
Supervisor Holly Mitchell
Supervisor Sheila Kuehl
Supervisor Janice Hahn
Supervisor Kathryn Barger
Assembly Speaker Anthony Rendon
Mark Pestrella, Director, Los Angeles County Public Works
Dan Lafferty, Deputy Director of Water Resources, Los Angeles County Public Works
Michael Affeldt, City of Los Angeles, Riverworks
Brian Baldauf, Chief of Watershed Planning, Mountains Recreation and Conservation Authority
Rita Kampalath, Interim Chief Sustainability Officer, County of Los Angeles

Attachment A

May 13, 2021

Carolina Hernandez, LA County Public Works
Genevieve Osmena, LA County Public Works
Jessica Henson, The Olin Studio
Mark Hanna, Geosyntec Consultants

Via e-mail to: lariver@dpw.lacounty.gov, chernandez@dpw.lacounty.gov, gosmena@dpw.lacounty.gov, jhenson@theolinstudio.com, and mhanna@geosyntec.com

Re: LA River Master Plan Update Draft

Dear LA River Master Plan Team,

On behalf of the undersigned environmental, environmental justice and community-based organizations that served as members of the LA River Master Plan ('LARMP' or 'Plan') Steering Committee, we are writing to express our significant concerns with the Plan as currently drafted. Our concerns fall into three main categories.

- First, we believe the LARMP as drafted is not a proper master plan. It lacks a meaningful vision, adequate prioritization, and metrics necessary to establish a clear future for the River and its adjacent communities.
- Second, by favoring a 'menu approach' of possible actions along the River, we believe the Plan could achieve the worst of all worlds – continued ecological degradation, failure to promote climate resiliency, and failure to protect local communities against displacement and other impacts.
- Third, despite claims that the LARMP reflects community desires provided during extensive community outreach, we believe the County left key constituencies out of the dialogue, and this Plan does not reflect the priorities articulated where the County did outreach.

Our groups greatly appreciate having been invited to serve on the Steering Committee, and the effort that went into coordinating that group over two-plus years. We all came into the LARMP planning process in good faith, ready to roll-up our sleeves and to work on the Plan, eager to engage in the challenging dialogue on how to best balance competing visions and goals for the River, and with the understanding that we would serve - as the Steering Committee designation would imply - as a group that would play a meaningful role in the formation of the Plan.

Unfortunately, this was not what we experienced through this lengthy process. Despite an impressive and diverse group of experts that were brought together, the Steering Committee process did not foster or even allow the opportunity for meaningful input into the Plan's formation. The full group sessions were, by-and-large, information dumps from the County to

the Committee, with very little time for actual discussion. While some dialogue occurred at the subcommittee meetings, these smaller groups were made up of people and groups interested in specific issues (e.g., ecology, water, community), and there was no space made at the subsequent full committee meetings (almost three months later) for report-outs and discussion. This meant that the entire process did not allow for a robust discussion across constituencies on how we can best balance potentially competing priorities. Furthermore, attempts to engage in this type of dialogue - including exploring the pros and cons of particularly contentious and consequential issues like platform parks - were actually quashed at the Steering Committee despite repeated efforts to engage in this type of dialogue. Absent such discussion, it is hard to see how this group could have even been called a Steering Committee. What was additionally disappointing was that we have seen examples where the County led stakeholder processes that much more successfully brought divergent viewpoints together in a meaningful way to craft critical plans, such as efforts around the creation of Measure W (The Safe Clean Water Program) and the OurCounty Sustainability Plan. It is important to note that in both those efforts, the NGO community did not 'win' every argument, but we did feel our viewpoints were heard and helped shape these critical plans...something we do not feel occurred during the LARMP process. As such, it is unfortunately hard to walk away from the LARMP process feeling anything other than that the outcome of this Plan was predetermined to be sufficiently vague to allow anything to occur on and along the River.

In this light, it is important to recognize what the LARMP is and isn't - namely, it *is* an excellent and very thorough compilation of information about the River; it *isn't* a Master Plan for the River. As such, our groups request that Los Angeles County demonstrate much-needed leadership by **committing to fund and support a continued planning effort that meaningfully addresses the significant shortcomings of the current LARMP**, including developing a true plan that outlines a clear vision and prioritized goals and metrics for the River; tackling issues that are critical for the implementation of such a plan, including a holistic governance structure; and reflects meaningful community engagement and input. Such an implementation plan could even be in the form of the County funding a People's Plan for the LA River that takes a more community-oriented approach to ensure that ecological and neighborhood health and resiliency are protected.

We also request that, as Steering Committee members, our concerns about the existing Plan are included in the Plan itself. The current Plan makes no mention of the dissenting opinions of steering committee members and that consensus was not reached on many topics including the fundamental vision for the River. **We therefore request that this comment letter be included, in full, in the LA River Master Plan.** We recommend that an appropriate place would be in Chapter 5, Engagement Summary, on or after page 130 where the summary of Steering Committee meetings is presented. We also ask that wherever the Steering Committee is mentioned throughout the Plan, that a footnote be added to note: "Steering Committee members represented a wide array of views and the final Plan does not necessarily represent the positions of all Steering Committee members. For differing viewpoints of some Members, see page XX [page number in Ch. 5 where letter is]."

Thank you for the opportunity to provide our more detailed comments on the public draft of the LARMP, following, and we look forward to continuing to work with the County to move forward with a Plan that presents a clear and compelling vision for the River that will help safeguard our environment and communities.

Charting a Clear, Compelling Future for the LA River

The Plan suffers from a concerning and profound lack of vision for the River. The 'Reimagined River' vision statement reads like a laundry list of different (and sometimes competing) goals for the River, many elements of which we could say we achieve today:

> "The iconic LA River flows through a 51-mile connected public open space that is seamlessly woven together with neighboring communities. It is an integral part of daily life in LA County—a place to enjoy the outdoors and to get across town, a place to appreciate the serene and to bring all people together, a place to celebrate a thriving urban habitat and understand infrastructure, a place to learn from the past and to shape the future."

While some may view this critique as 'academic', it is actually fundamental to the Plan's shortcomings. A plan's vision statement provides the 'north star' for the rest of the plan (goals, measurable outcomes, actions), and as such is the foundation of any good planning effort. This broad, opaque vision then repeats itself in 9 goals that, while they may sound good on the surface, are similarly not specific (i.e., measurable) or clear, not prioritized, and sometimes at odds with one another.

This lack of clarity and inconsistencies then make their way into the Kit of Parts, which is presented as the pathway to achieve the goals of the Master Plan. The Kit of Parts, similarly, has no prioritization or distinction among the six design components in terms of their impacts on goals, possibility to do harm, and appropriateness reach by reach. In fact, many of the elements included in the Kit of Parts are in conflict with the Plan goals. For example, Crossing and Platforms, as demonstrated by the 'Goals & Design Components' matrices, are noted to achieve elements of Goal 3, 'Support Healthy Connected Ecosystems.' Yet adding concrete to the River channel does not at all support ecosystem function (Action 3.1), encourage cities to adopt sustainability strategies (Action 3.4), or use the River as a living laboratory (Action 3.6). We believe the Kit of Part elements should be prioritized based on the number of Goals they address. Similar to the way the 1996 Master Plan was able to prioritize 17 demonstration projects, ranked by site availability, availability of funding, community support, number of Master Plan goals the project would meet, project implementation timeframe, and willingness of a jurisdiction to maintain, this Plan should do the same. Prioritization adds direction to an otherwise unclear vision.

In short, the lack of clarity, specificity, prioritization or inclusion of any metrics that are at the very foundation of any Plan do not allow the community or decision-makers to assess or easily use the document, and will ultimately allow any future project to be rationalized as being consistent

with the LARMP. Again, one only need to look at something like the OurCounty Sustainability Plan (or LA's Green New Deal) to see examples of plans that include such metrics to meet bold aspirational goals.

Protecting Communities, Ecology and our Future

Prioritizing Climate Resiliency

The biggest threat to all our communities is climate change. We already see the impacts of climate-induced increases in heat, fires, and flooding throughout California. As climate experts warn - and as the current health crisis demonstrates - marginalized communities will undoubtedly continue to be hit first and hardest. Resiliency is discussed in the Plan (it is included in Goal 1), but it is not defined in a clear way and is not a driving factor for how projects throughout the watershed can mitigate climate risks. In truth, the only form of climate resilience that is at all considered in the plan is that of flood mitigation by way of an armored channel. In reality, climate resilience and the effects of climate change we can expect to experience are multi-faceted and go far beyond flooding. Global cities leading the way in climate preparedness design with nature, instead of against it. This plan is the antithesis of that. The Plan should have been developed with diverse approaches to resiliency, such as prioritizing various forms of nature-based solutions combined with some engineered solutions where required. Instead we are presented with precedent studies of large, single-use infrastructure projects (e.g. the TARP project in Chicago) to deal with our current problem of large, single-use infrastructure. After two-and-a-half years of steering committee meetings and millions of dollars of public money, we simply do not see the out-of-the-box, generational shift in philosophy we had expected to emerge from this plan. The County of Los Angeles is beholden to lead the charge in preparing its residents for climate change. This is a missed opportunity that Angelenos will pay for with their lives and property.

Taking a Watershed Approach to Planning

The lack of climate resiliency as stated above stems from the plan's fundamental approach - without a watershed-wide analysis and a watershed-wide planning framework, there is no way to considera more natural channel in any sort of substantive way. While the Plan states that it utilizes a watershed approach in its research and analysis, the focus on the main stem of the LA River precludes inclusion of systematic, nature and Indigenous knowledge-based[1] solutions that

[1] U.S. Fish & Wildlife Service, Traditional Ecological Knowledge Fact Sheet, February 2011. "Traditional Ecological Knowledge, also called by other names including Indigenous Knowledge or Native Science, (hereafter, TEK) refers to the evolving knowledge acquired by indigenous and local peoples over hundreds or thousands of years through direct contact with the environment. This knowledge is specific to a location and includes the relationships between plants, animals, natural phenomena, landscapes and timing of events that are used for lifeways, including but not limited to hunting, fishing, trapping, agriculture, and forestry. TEK is an accumulating body of knowledge, practice, and belief, evolving by adaptive processes and handed down through generations by cultural transmission, about the relationship of living beings (human and non-human) with one another and with the environment. It encompasses the world view of indigenous people which includes ecology, spirituality, human and animal relationships, and more."

would allow for a more naturalized, resilient, and multi-beneficial River. Friends of the LA River took a watershed approach in their River Management Strategies for the Glendale Narrows Feasibility Study (see attachment A). The study presents novel and multi-beneficial solutions that not only protect river adjacent communities from a 100- and 500- year flood event, but also identifies opportunities for channel widening to improve the health and function of the River. By taking a holistic approach, this study proves that flood control is not in conflict with ecological restoration. If we don't assess the entire watershed - tributaries included - for opportunities to relieve the river of storm pressures (i.e. permeability + stormwater detention + diversion tunnels), we are unable to make informed decisions about how best to protect residents from flooding, and we remain blind to where a more naturalized River may be possible. Please note, a 'more naturalized River' does not translate to 51 miles of concrete removal, nor would any member of this coalition ever advocate for widening the channel where it would cause displacement. These are strawman arguments. At this point in the trajectory of the 'River Revitalization Movement' most partners are clear on the limitations of concrete removal given the built out nature of the Los Angeles Basin. Only by examining the entire watershed will we be able to understand where we can make targeted and strategic improvements that will support all communities.

Protecting Local Communities

River-adjacent communities have long demanded community-driven restoration and park access to the LA River. But as we have seen in some areas of the upper watershed (e.g. Atwater Village and the Elysian Valley) just the mention of large scale River investments has sparked gentrification and displacement that has made these historically low-income neighborhoods inaccessible.

As is the LARMP and PEIR does not treat both the ongoing displacement of Black, Indigenous, unhoused, and communities of color as an environmental justice issue and therefore does not analyze nor mitigate potential environmental impacts as a result. The plan lists all the policies and programs that each city, located near the LA River basin, has implemented that specifically respond to housing needs. However, it is very clear and alarming that there are uneven protections across these cities. For example in the Southeast LA cities, there is a lack of strong tenant protections and programs for unhoused and rent-burdened folks. Not all communities have sufficient and comprehensive enough policies and programs to meet housing needs. This is crucial as the "opportunities" cited in the LARMP will definitely increase housing prices, increase policing of these areas which will further criminalize and impact the unhoused, Black, Indigenous and People of Color, and already disenfranchised folks, and will cause further displacement across all these regions. The County needs to work towards increasing these protections and programs so that all the cities and unincorporated areas surrounding the LA watershed have the resources necessary to respond adequately to housing and tenant needs. The plan needs to be clear and direct with its approaches to combat the potential displacement of folks in these communities especially as housing injustices are being exacerbated due to the COVID-19 pandemic. The plan needs to treat this displacement and gentrification as a result of the LARMP as an environmental impact on local communities.

The County must invest heavily in and adopt anti-displacement programs and enforceable policies now, so that they may be implemented before any real project planning is underway. While the County doesn't directly have jurisdiction to control the policies of each individual city along the River, there are opportunities to support smaller cities to develop and implement policies to best address their specific needs. Just as we must protect residents from flooding, the County has the moral obligation to step-up and support our communities to stay in place and thrive, so all folks are able to enjoy the benefits the Plan proposes.

Treating the River Like a River

Fundamentally, this plan continues to treat the LA River as a flood channel, rather than treating it as a river. The Plan does not prioritize the health or ecology of the River; worse, it actually overtly dismisses any prospects of a healthier river. The ecological prebuttal on pages 22-27, which is dedicated to debunking the notion of any level of concrete removal or in-channel restoration, is offensive and we request that it be removed, as it is contrary to the work others have done in this space. While recognizing the challenges of removing concrete in such a developed watershed and where communities have, for generations, lined the River, we do believe opportunities exist - and must be explored rather than foreclosed - to wild some portions of the River without impacting local communities if the County was willing to explore more out-of-box solutions.

Moreover, people regularly visit the River, particularly during the recreational season, to kayak, fish, participate in cleanups, and more. This Plan does not celebrate how Angelenos already engage with the River and lacks solutions to make these activities easier on visitors. Access should not stop at the edge of the River but should extend into the river channel so visitors can experience the River for what it is – a river. One can imagine a climate resilient future where the river provides a much needed respite of shade and urban cooling for those residents who are without air conditioning amidst a catastrophic heat wave. Keeping people out of the channel is to keep people away from a source of relief, refuge, connection, and sustenance.

The LA River Watershed also serves as a refuge for migratory birds along the Pacific Flyway, home for endemic fish species, and wildlife corridor for mammals that continue to be pushed out of their habitat. One particular species that several agencies, organizations, and community members are invested in is the steelhead (*Oncorhynchus mykiss*). If we strive to bring the steelhead back to its ancestral land, the Plan must prioritize the ecological health of the River. Major strides have been made specifically around the LA River Fish Passage and Habitat Structures design project. However, this Plan does not advance the findings of the Final Technical Memorandum and some design components of this Plan could preclude future opportunities to bring the Steelhead and other important riparian species back to the River. We must remember that this is a river plan, and we must also prioritize the other species that call the LA River home.

"What makes the L.A. River so peerlessly amazing is that its city actively "disappeared" it: We stopped calling the river a river. And it all but vanished from our collective memory. ... This act is unparalleled: A major American city redefined its river as infrastructure; decreed that the sole purpose of a river is to control its own floods; and said its river now belongs in the same category as the electrical grid and the freeway system and will forthwith be removed from the company of the Columbia, the Allegheny, the Salmon. In a city with a notorious, extreme tendency to erase both nature and history, L.A.'s ultimate act of erasure has been not just to forget but to deny that the river it was founded on runs 51 miles -- 51 miles! -- right through its heart."

--Jenny Price, LA Explained: The Los Angeles River (LAist)

Greening Adjacent Communities

We must repair the land we have harmed in the past century of industrialization and the centuries of colonialism before that. The Plan has identified contaminated areas along the River but has not prioritized them as opportunity sites. Restoring these lands must be a high priority for the County as a means to deliver on the very goals laid out in the LARMP as well as the environmental justice called for by communities all along the River. By prioritizing contaminated sites we would be able to address numerous Actions such as, 1.8; 2.1; 2.3; 2.5; 2.6; 3.1; 3.2; 3.3; 4.1; 5.4; 6.3; 6.4; 6.5; 6.7; 7.1; 7.2; 7.3; 7.4.

Not including contaminated sites as opportunity areas within this Plan is more than a missed opportunity. It demonstrates a clear disregard for the environmental contamination present throughout many communities along the River and the long-term impacts that contamination presents. But rather than lift up the clear next step to delivering land for parks and increased River access, we see proposals for platform parks that would actually bury large segments of the River, further disconnecting Angelenos from our waterways.

Instead of building over the LA River with platform parks, dozens of locations exist in the vicinity of the planned platform parks that could potentially be transformed into community-based parks. The benefits of building community-based parks rather than one or two large platform park projects include a more dynamic variety of parks and green spaces throughout the community, greater accessibility to parks for more people, and the opportunity to locate parks in areas with the greatest park need (such as those identified in the LA County Parks Needs Assessment). Potential community-based park locations include:

- Several EPA-identified brownfield properties,
- Publicly- and privately-owned industrial lots, and
- Over 100 active public schools in the cities of South Gate, Lynnwood, Paramount, and Compton

It is worth noting that while the LARMP goes out of its way to argue the absolute impossibility of naturalizing *any* segment of the River (no matter what we try to do), curiously there is no similar section that points out the extreme financial and regulatory impracticability (if not impossibility) of burying the River under massive concrete structures (which could also exacerbate flood risks if any support structures are needed within the river channel).

Research conducted by Los Angeles Waterkeeper has shown that similar “platform” park structures such as the 5.2-acre Klydd Warren Park built above a capped, eight lane freeway in Dallas, Texas, had an average cost of approximately $21.2 million per acre[2]. Given that the LARMP suggests a 37-acre park in the Compton-Paramount Connectivity Corridor, the total cost (using the Klydd Warren Park per acre cost as a baseline) would amount to **$785 million**. In contrast, community-based parks typically cost less than $3 million per acre. Examples include the 30-acre Urban Orchard park located in the City of South Gate, which had a total project cost of $22 million or $700,000 per acre, or the 8.5-acre Del Amo Neighborhood Park currently being built on a former superfund site with a total cost of $15 million or $1.8 million per acre. Using the Del Amo Neighborhood Park for comparison, one can conclude that the cost of platform parks can be roughly **12 times greater** than a community-based park of the same size.

With the amount of money necessary for a platform park, we could afford to remediate lands, green heavily-concretized schools that are often at the center of neighborhoods, prepare for climate change, and stem the tide of displacement in river-adjacent communities. An emerging and very local example of this strategy can be seen in the multi-jurisdictional 100-acre partnership which covers three different contiguous parcels owned by separate agencies in the mid-river. These parcels were once operated as railyards and are thus significantly contaminated. The City of Los Angeles, Mountains Recreation and Conservation Authority, and CA State Parks have formed a mutually beneficial partnership to plan for the remediation and restoration of these lands for equitable public use. The City of Los Angeles has recently released an RFI aimed specifically at NGOs and CBOs to lead an equity strategy for the development of these 100 acres. This shows a proactive and creative approach to addressing systemic issues that cross jurisdictional boundaries.

Tackling Governance

While the County has used the excuse that there are many jurisdictions that also have authority over sections of the River and adjacent communities in order to limit the scope of the Plan, this does not have to be the case. Just setting a clear vision and goals will be helpful in charting a new course for the River. Moreover, as was done in the OurCounty Plan, the LARMP could lay out with specificity the actions that it can take within its own purview, recommend what other jurisdictions can do that would help further the Plan’s goals, and identify areas where it could provide support to local jurisdictions to undertake actions that are consistent with the Plan. As long as the LARMP follows a top down governance and implementation approach, does not consult with BIPOC and unhoused communities, and in fact doesn’t take the lead of these communities while tackling governance, this plan and its implementation will replicate ongoing racist and settler colonial structures that created many of the injustices the plan claims to want to address in the first place.

[2]https://www.klydewarrenpark.org/about-the-park/our-story.html#:~:text=The%20%24110%20million%20project%20was,%2416.7%20million%20in%20stimulus%20funds.

Lastly, recognizing that what is done upstream in a River (or watershed) necessarily impacts downstream communities, and the overlapping and byzantine nature of governance of the River undermines cohesive management, the Plan should also consider more creative governance models that include representation from all of the California Native American Tribes[3] with territories along the river and will facilitate achievement of the Plan's goals and vision. We request that an additional section be added to the LARMP that lays out a robust analysis of possible governance structures.

Ensuring Meaningful Community Participation

California Native American Tribes, Tribal Sovereignty, Free, Prior, and Informed Consent and Meaningful Engagement with California Native Nations and Indigenous Peoples

California Native American Tribes are sovereign nations and there are multiple scenarios, including related to watershed management, river restoration, and development, which require state and local agencies to engage in government-to-government consultation with Native American Tribes as part of the planning process.

The United Nations Declaration on the Rights of Indigenous Peoples, adopted by the UN General Assembly in 2007, supported by the United States in 2010, adopted by California Assembly Joint Resolution 42 in 2014, and ratified by the Organization of American States in 2016, uplifts the concept of Free, Prior and Informed Consent in Article 32[4], Section 2:

> "States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources."

While applauding the County for bringing together a diverse group of experts as part of the LARMP Steering Committee, there were some constituencies missing from the group. Most glaring in absence was the lack of a representative from the Tongva, Indigenous Peoples with some of the longest relationships with the LA River. As you know, Indigenous Peoples have lived in the LA Basin for thousands of years. However, a diversity of Indigenous voices has not been included throughout the process, but rather in concentrated and separated outreach efforts that have left few visible fingerprints on the plan and its language. While there was one tribal representative on the Steering Committee, it is unacceptable that there was no Tongva representation, specifically, in the group. The LA County team needs to consult with and include all California Native American tribes with territories along the River, as part of a revamped

[3] California Native American Tribe is defined in California Public Resources Code Section 21073 "California Native American tribe" means a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52

[4] UNDRIP Article 32, 1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources. 2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

LARMP or future implementation plan to ensure that tribal perspectives are lifted up, and Traditional Ecological Knowledge and tribal cultural and ceremonial spaces along the River are prioritized.

Additionally, the County has repeatedly claimed that the current draft Plan reflects community priorities. But closer scrutiny demonstrates that this claim cannot be supported. At the direction of LA Waterkeeper, CSUN Urban Planning graduate student Sulayman Jawaid undertook a detailed assessment of community responses from the 13 in-person community meetings held as part of the LARMP process (see attachment B). The first finding from this assessment was that even with 13 meetings and slightly more than 1,000 people providing input, several communities were underrepresented in these outreach efforts. These include some of the neighborhoods and cities most impacted by current and planned development, including Atwater Village, Boyle Heights, Huntington Park, and Maywood.

That said, of those 1,000+ people that did participate, some very clear themes emerged from meetings along all stretches of the River. Specifically, environmental protections and nature-based approaches to the River and adjacent communities consistently ranked as the top priorities for River planning. This was true for questions with specific prompts, where choices like ‘parks and open space’, ‘healthy connected ecosystems’, ‘healthy, safe, clean water’, ‘native habitat’, providing ‘local water supply’, ‘how the river benefits and supports the environment’, ‘ecology, habitat & vegetation’, and ‘current hydrology’ all were highly ranked answers for various questions (in many instances THE #1 choice). The same results were found in more open-ended narrative questions, where ‘environment’ was the most common theme (mentioned in 24% of responses), with the majority of those comments (59%) being related to conservation specifically.

Yet, the Plan as currently drafted does not reflect a similarly strong emphasis on ecological or community health. Just conducting community workshops does not mean that communities are being listened to, nor does it mean the Plan reflects community desires. And when a plan seems to run directly counter to what community members overwhelmingly say, such outreach runs the risk of seeming like window dressing for predetermined outcomes.

Lastly, the plan is too confusing, relies too heavily on engineering/landscape architecture jargon, and is far too lengthy to truly be read by anyone other than professionals. Additionally, the WiFi bandwidth required to download the document is far beyond what most residents in LA County have access to. If this plan is to be truly rooted in community feedback, you must actually talk to the community. And not just through large design development meetings, but through a varied series of events from larger community-wide meetings to smaller focus group gatherings that can support a direct dialogue with residents. Moreover, even the ways in which the County is soliciting feedback - through an online portal where interested parties have to reference specific page numbers and proposed changes - undermines meaningful public feedback on the Plan. Such a portal is geared more for experts to provide very technical comments, rather than hearing community voices who might just want to note their preference for the future of the River (which may be better accomplished through a short letter, which is not allowable with the current portal).

Next Steps

In closing, we would like to recognize the County and planning team on the tremendous effort that went into the planning process. We appreciate the vast amount of data that was expertly compiled into a Plan that now serves as a wonderful repository of information on the LA River, as well as the efforts to engage the community in the process. However, the deficiencies in the process and Plan represent a lost opportunity to take advantage of the expertise and community voices that were gathered, as well as a lost once-in-a-generation opportunity to reshape the future of the River and adjacent communities to be healthier and more resilient.

Rather than trying to correct the existing plan to make it something it clearly is not, we renew our call for Los Angeles County to build upon the excellent compilation of information included in the current Plan, and **commit to fund, support and immediately embark on a continued planning effort that meaningfully addresses the significant shortcomings of the current LARMP** (possibly through support of a People's Plan), and:

- Provides a clear and compelling vision for the River and riverfront communities, including prioritization *of*, and measurable outcomes *for*:
    - Greening surrounding neighborhoods (improving air quality, cooling communities, reducing flood risk, enhancing outdoor recreation, etc.) to promote healthy and vibrant communities
    - Preventing displacement of current river-adjacent residents through enforceable requirements and investing in affordable housing
    - Enhancing ecosystem health of the River, including fully incorporating existing greening plans and not pursuing projects that foreclose future restoration opportunities
- Fully assesses and takes all steps needed to minimize the impact that our changing climate will have on our River and riverfront communities, including maximizing greening of communities throughout the LA River watershed to reduce flood pressures on the River
- Tackles the critical issue of River governance (e.g., through a JPA or other management structure) to ensure cohesive management of the entirety of the River (among all jurisdictions with a management role of the River) that also incorporates community input (e.g., public seats) in a meaningful way
- Brings together diverse stakeholders with different interests, as well as community voices from along the *entirety* of the River, to foster a meaningful dialogue to inform such a (People's) Plan

Again, the County does not need to look far for a recent, successful example of such a process - we think the OurCounty Plan effort was a much more community-informed process that might provide a good example for how to move forward.

Thank you for your consideration; we look forward to a continued dialogue on how we can build on the efforts to date to provide a truly compelling vision for a healthy and resilient LA River and surrounding communities.

Sincerely,



Marissa Christiansen
President/CEO
Friends of the Los Angeles River



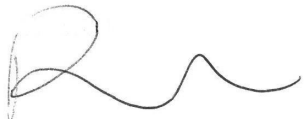
Shelley Luce
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Shona Ganguly
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The Nature Conservancy



Robin Mark
Los Angeles Program Manager
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Executive Director
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Sacred Places Institute

CC:
Supervisor Hilda Solis
Supervisor Holly Mitchell
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Supervisor Janice Hahn
Supervisor Kathryn Barger
Assembly Member Anthony Rendon
Mark Pestrella, Director, Los Angeles County Public Works

Dan Lafferty, Deputy Director of Water Resources, Los Angeles County Public Works
Michael Affeldt, City of Los Angeles, Riverworks
Brian Baldauf, Chief of Watershed Planning, Mountains Recreation and Conservation Authority
Gary Gero, Chief Sustainability Officer, County of Los Angeles


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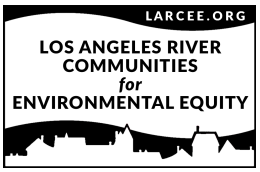

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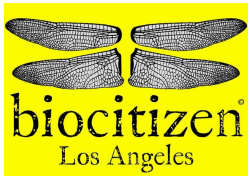

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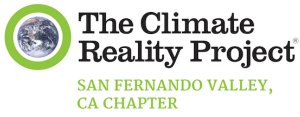

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OURWATERLA


Audubon
Audubon Center
at Debs Park


LA RIVER X
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E
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LA RIVER
KAYAK SAFARI


WISE

May 13, 2021

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Genevieve Osmena, LA County Public Works
Jessica Henson, The Olin Studio
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Via e-mail to: chernandez@dpw.lacounty.gov, gosmena@dpw.lacounty.gov, jhenson@theolinstudio.com, mhanna@geosyntec.com, and lariver@dwp.county.gov

Dear LA River Master Plan Team:

On behalf of the 45 environmental, environmental justice, and community-based groups listed below, we are writing to express our concerns with the LA River Master Plan (LARMP) as currently drafted. Our concerns fall into three main categories.

First, we believe the LARMP as drafted is not a proper master plan. It lacks a meaningful vision, adequate prioritization, and metrics necessary to establish a clear future for the River and its adjacent communities.

Second, by favoring a 'menu approach' of possible actions along the River, the Plan could achieve the worst of all possibilities– continued ecological degradation, failure to promote climate resiliency, and failure to sufficiently protect local communities.

Third, despite continued claims that the LARMP reflects community desires provided during extensive community outreach, the County left key constituencies out of the dialogue, and this Plan does not reflect the priorities articulated where the County did outreach.

We request that Los Angeles County demonstrate much-needed leadership by **making substantial changes to the Plan before its final adoption or instead committing to an implementation plan that meaningfully addresses the significant shortcomings of the current LARMP.** Specifically, we ask for the following three changes to the LARMP or for their incorporation into a robust implementation plan:

1. **Chart a Clear, Compelling Future for the LA River**

The Plan lacks any profound vision for the River. The Plan should spark the imagination and set a bold course for our living waterway that prioritizes restoration, addressing past harms, and opportunities for future generations. The Plan's vision statement, goals, and Kit of Parts do not accomplish these things and are at times contradictory. The Plan's lack of clarity, specificity, prioritization, or inclusion of any metrics prohibits the community and decision-makers from assessing the document and will ultimately allow any future project to be rationalized as consistent with the LARMP.

2. **Protect Communities, Ecology, and our Future**

Prioritizing Climate Resiliency

The biggest threat to all our communities is climate change. We already see the impacts of increased heat, fires, and flooding throughout California. Resiliency is discussed in the Plan, it is part of Goal 1, but it is not a driving factor for how projects throughout the watershed can mitigate the risks. The County should have developed the Plan with diverse approaches to resiliency, such as various forms of nature-based solutions combined with engineered solutions where required.

Taking a Watershed Approach to Planning
While the Plan states that it utilizes a watershed approach in its research and analysis, the focus on the main stem of the LA River precludes the inclusion of systematic, nature-based solutions that would allow for a more naturalized, resilient, and multi-beneficial River. If we do not look at the entire watershed, tributaries included, we cannot make informed decisions about how best to protect residents from flooding and where a more naturalized River may be possible. Only by examining the entire watershed will we be able to understand where we can make targeted and strategic improvements that will support all communities.

Protecting Local Communities
River-adjacent communities have long demanded community-driven restoration and park access to the LA River. But as we have seen in some areas of the upper watershed, just the mention of large-scale River investments has sparked gentrification and displacement that has made historically low-income neighborhoods inaccessible. The same is now occurring in the lower portion of the LA River. As is, the plan does not adequately address past harms which leave these communities vulnerable to ongoing land speculation and gentrification due to the LA River revitalization, and it fails to adequately protect these communities from future displacement. The County and river-adjacent cities must invest heavily in anti-displacement programs, no longer criminalize the actions of community members seeking community stability, and adopt enforceable policies now, so that they may be implemented before any real project planning is underway.

Treating the River Like a River
Fundamentally, this Plan continues to treat the LA River as a flood channel, rather than treating it as a living river. Not only does the Plan not prioritize the health or ecology of the River, but it also affirmatively dismisses any prospects of a healthy river in its prebuttal (pg.22-27). This Plan doesn't celebrate how Angelenos already engage with the River and lacks solutions to make direct river access easier.

Greening Adjacent Communities
We must repair the land we have harmed in the past century of industrialization. The Plan has identified contaminated areas along the River but has not prioritized them as opportunity sites. Not including contaminated sites as opportunity areas within this Plan is more than a missed opportunity. It demonstrates a clear disregard for the environmental contamination present throughout many communities along the River and the long-term impacts that contamination presents.

Tackling Governance
The LA Watershed abides by geography, not governance. Recognizing that the River is part of a larger system, the Plan should consider more creative governance models to establish cohesive management over the watershed, as was done in the OurCounty Plan.

3. **<u>Ensure Meaningful Community Participation</u>**

While applauding the County for bringing together a diverse group of experts as part of the LARMP Steering committee, the most glaring in absence was the lack of a representative from the Tongva. Diversity of Indigenous voices has not been included throughout the process but rather in concentrated and separated outreach efforts that have left few visible fingerprints on the Plan and its language. While there was one tribal representative on the Steering Committee, it is unacceptable that there was no Tongva representation.

Closing/Next Steps

In closing, we recognize the County for the effort that went into the planning process. However, the deficiencies in the process and Plan represent the loss of a once-in-a-generation opportunity to reshape the future of the River and adjacent communities to be healthier and more resilient.

As such, we stand with our allied partners to call for a substantially revised Master Plan or commitment to immediately embark on a more community-focused implementation plan that includes prioritization *of* and measurable outcomes *for*: community stabilization, climate resiliency, and community and ecosystem health.

Thank you for your consideration and the opportunity to provide comments. We look forward to future cooperation with the County.

Sincerely,

Marissa Christiansen
President/CEO
Friends of the Los Angeles River

Shelley Luce
Executive Director
Heal the Bay

Bruce Reznik
Executive Director
Los Angeles Waterkeeper

Shona Ganguly
External Affairs Advisor
The Nature Conservancy

Robin Mark
Los Angeles Program Manager
The Trust for Public Land

Alessandro Negrete
Director of External Affairs
East Yard Communities for EJ

Tori Kjer, PLA
Executive Director
Los Angeles Neighborhood Land Trust

Jack Eidt
Co-Founder
SoCal 350 Climate Action

Jessica Aldridge
Founder/Executive Director
Adventures in Waste

Lisa Hart
Steering Board Member
Neighborhood Council Sustainability Alliance - Steering Board

Julia Meltzer
Executive Director
Clockshop

Patricia Pérez
Board Chair
Los Angeles River State Park Partners

Philip Murphy
Co-President
Citizens Committee to Save Elysian Park

Mark Kenyon
Executive Director
North East Trees

Christine Louise Mills
Director
LA River Communities for Environmental Equity

Azucena Hernandez
Co-Director for Community Transformation
Promesa Boyle Heights

Jessica Carmichael
Regional Director
Biocitizen Los Angeles

Graham Hamilton
Los Angeles Manager
Surfrider Foundation

Dennis Loya
Chapter Chair
Sierra Club - Angeles Chapter

Elizabeth Reid-Wainscoat
Urban Wildlands Campaigner
Center for Biological Diversity

Cynthia Strathmann
Executive Director
Strategic Actions for a Just Economy

Susanne Browne
Senior Attorney
Legal Aid Foundation of Los Angeles

Jiyoung Carolyn Park
At-Large Representative
Silver Lake Neighborhood Council

Andy Hattala & Tara Barauskas
Co-Chairs
Los Angeles Chapter of Climate Reality

Bill Przylucki
Executive Director
Ground Game LA

Helene Schpak
President
Glassell Park Improvement Association

Scott Culbertson
Executive Director
Friends of Ballona Wetlands

Nina Suarez
President
East Hollywood Neighborhood Council

Claire Robinson
Managing Director
Amigos de los Rios

Elizabeth Lambe
Executive Director
Los Cerritos Wetlands Land Trust

James Suazo
Executive Director
Long Beach Forward

Martha Camacho Rodriguez
Educator/Director
Social Eco Education-LA

Scott Ammons
SoCal Regional Experiences Manager
REI Co-op

Diana Weynand
Chapter Chair
San Fernando Valley Climate Reality Chapter

Hilda Gaytan
President/Co-Founder
Puente Latino Association

Marcos Trinidad
Center Director
Audubon Center at Debs Park

Robert Jan van de Hoek
President
Ballona Institute

Belen Bernal
Coordinator, OurWaterLA
Executive Director, Nature for All

Tilly Hinton, PhD
Founder and Curator
LA River X/El Rio de Los Angeles X

Amy Valenzuela
President
Riverpark Coalition

Corliss Lee
Eastside Voice
President Eastside Voice

Rae Gabelich, Chair
Joe Sopo, Vice Chair
Neighborhoods First

Kenny Allen
Hub Coordinator
Sunrise Movement, Long Beach

Renee Lawler
President
Equestrian Trail Assn of So CA (HETASC)
Equestrian Assn of Wrigley Heights

Steven Appleton
Founder/Director
LA River Kayak Safari
Water Institute of Science Policy

CC:
Supervisor Hilda Solis
Supervisor Holly Mitchell
Supervisor Sheila Kuehl
Supervisor Janice Hahn
Supervisor Kathryn Barger
Assembly Member Anthony Rendon
Mark Pestrella, Director, Los Angeles County Public Works
Dan Lafferty, Deputy Director of Water Resources, Los Angeles County Public Works
Michael Affeldt, City of Los Angeles, Riverworks
Brian Baldauf, Chief of Watershed Planning, Mountains Recreation and Conservation Authority
Gary Gero, Chief Sustainability Officer, County of Los Angeles
Alessandro Negrete & Jessica Prieto, East Yard Communities for Environmental Justice
Shona Ganguly, The Nature Conservancy
Shelley Luce, Heal the Bay
Bruce Reznick, Los Angeles Waterkeeper
Robin Mark, Trust for Public Land
Tori Kjer, Los Angeles Neighborhood Land Trust
Marissa Christiansen & Liliana Griego, Friends of the LA River

Attachment B

An Analysis of Community Engagement for the LARMP

S. Jawaid, Feb 2021

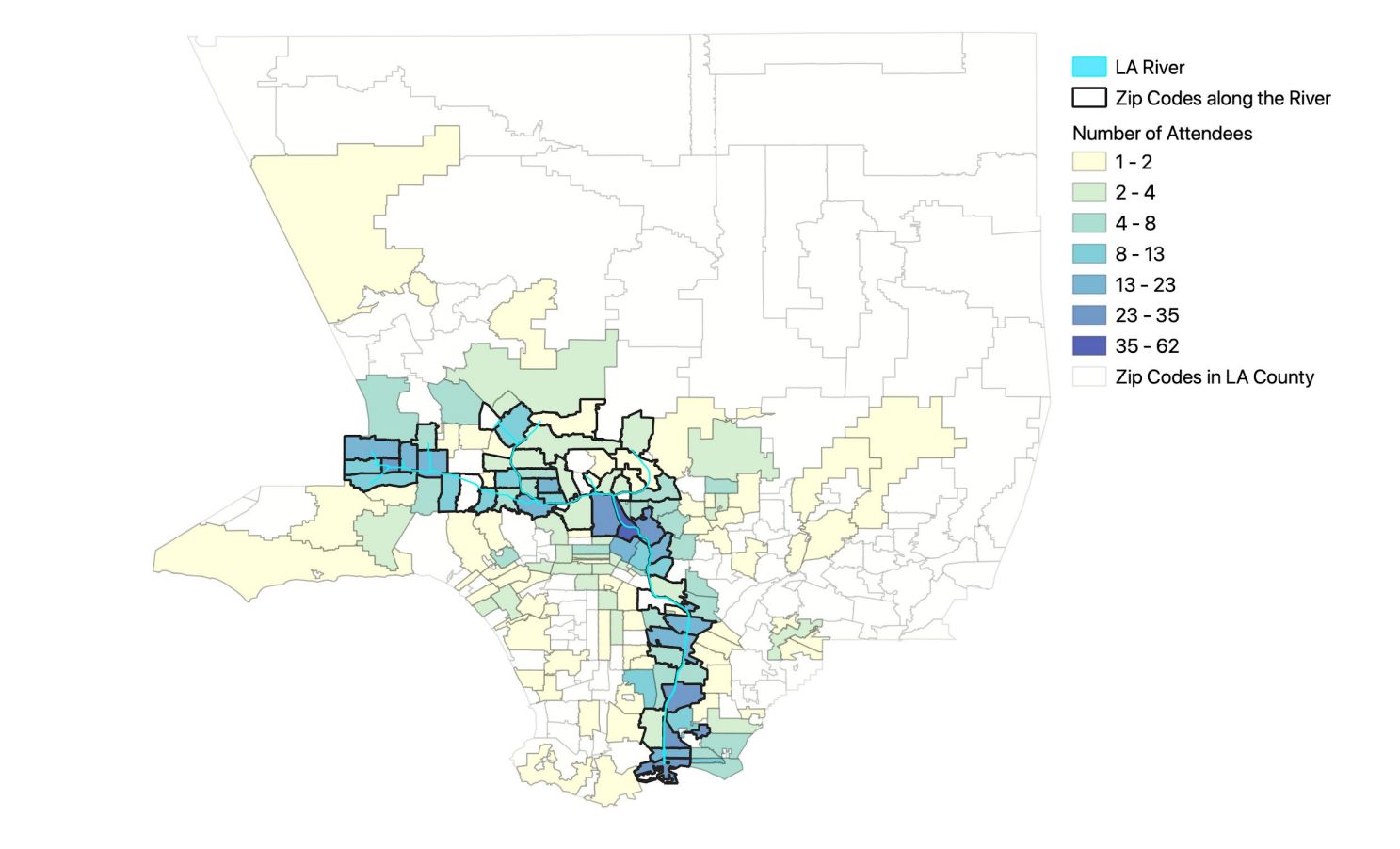
Community Meetings

Meeting Location	Date
Canoga Park	7/25/2018
Cudahy	8/22/2018
Long Beach	10/24/2018
Friendship Auditorium (Griffith Park/Los Feliz)	11/13/2018
North Hollywood Studio City	12/13/2018
West Valley	02/13/2019
South Gate	3/28/2019
Compton	4/24/2019
Pacoima	5/5/2019
Glendale	06/12/2019
Canoga Park 2	10/15/2019
North Long Beach	10/16/2019
Central LA	10/17/2019

Total Meetings: 13

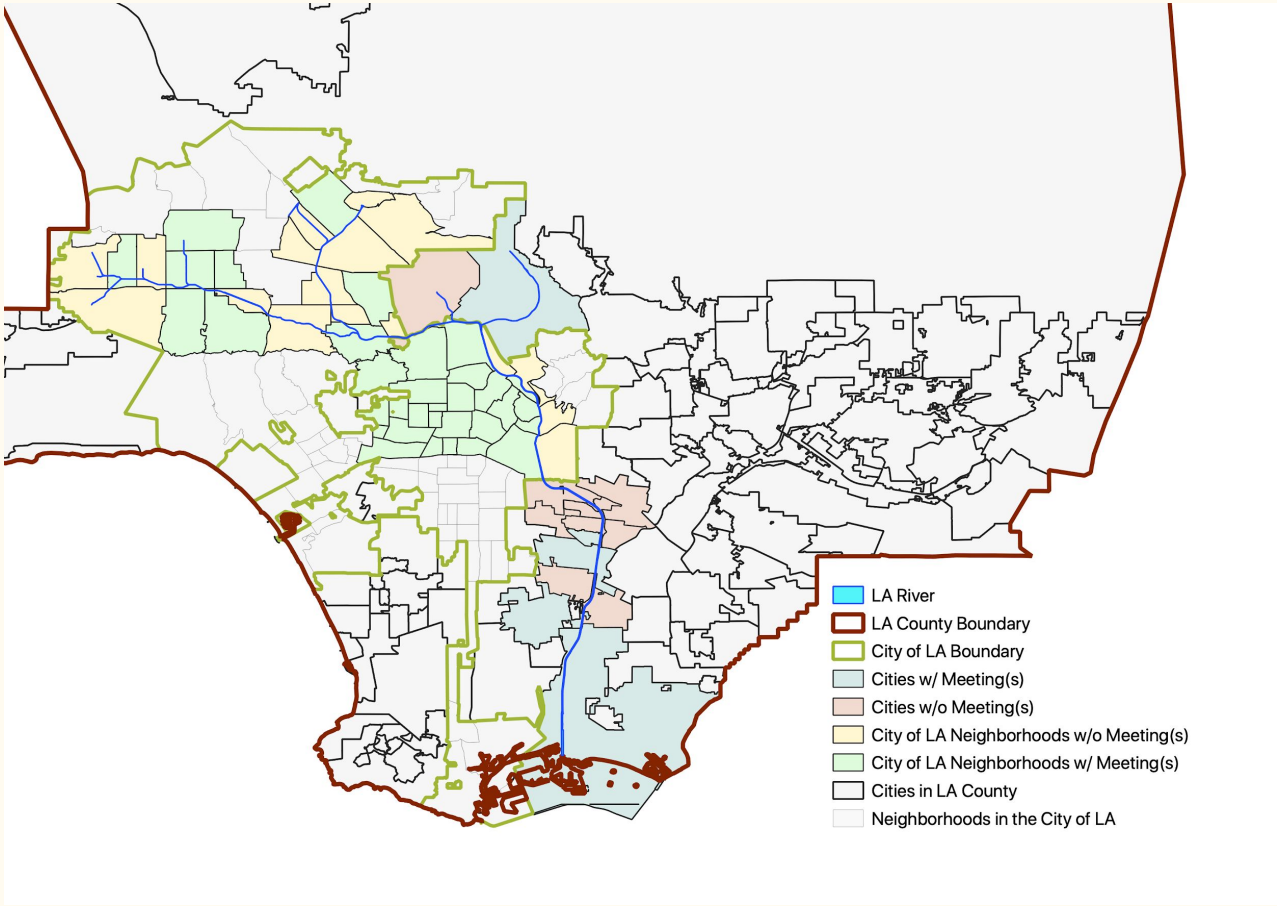
Total Attendees: 1,017

Attendees by Zip Code



Where did the meetings take place?

- Green represents neighborhoods in the City of LA that did have community meeting(s)
- Yellow represents neighborhoods in the City of LA that touch or border the LA River, but did not have a community meeting
- Blue represents cities in LA County (not including the City of Los Angeles) that did have community meeting(s)
- Red represents cities in LA County that touch or border the LA River, but did not have a community meeting
- Certain community meetings in the City of LA (e.g. West Valley, Central LA) covered multiple neighborhoods



City of LA Neighborhoods with/without meetings

Neighborhoods Along the River			
Arleta	Encino	Reseda	Valley Glen
Atwater Village	Glassell Park	Sepulveda Basin	Valley Village
Boyle Heights	Griffith Park	Shadow Hills	West Hills
Canoga Park	Hansen Dam	Sherman Oaks	Winnetka
Chinatown	Hollywood Hills	Silver Lake	Woodland Hills
Cypress Park	Lincoln Heights	Studio City	Lake Balboa
Downtown	Northridge	Sun Valley	
Elysian Park	Pacoima	Tarzana	
Elysian Valley	Panorama City	Toluca Lake	

consulted	not consulted

Certain community meetings (e.g. West Valley, Central LA) covered multiple neighborhoods

Cities along LAR with/without Meetings

Cities Along the River		
Bell	Glendale	Maywood
Bell Gardens	Huntington Park	Paramount
Burbank	Long Beach	South Gate
Commerce	Los Angeles	Unincorporated
Compton	Lynwood	Vernon
Cudahy		

consulted	not consulted

Specific Questions from the Community Surveys

Which of the following goals for the LA River are most important to you?

40.1% of respondents listed goals with an emphasis on the environment/nature

Response	n Responses	% Responses
Provide equitable, inclusive, and safe parks, open space, and trails.	757	17.7%
Support healthy, connected ecosystems	673	15.7%
Promote healthy, safe, clean water	541	12.7%
Provide protective and resilient flood management	496	11.6%
Improve local water supply reliability	428	10.0%
Embrace local arts and culture and strengthen communities	410	9.6%
Address potential adverse impacts to housing	333	7.8%
Enhance opportunities for equitable access to the river corridor	326	7.6%
Foster learning and opportunities for education	312	7.3%
Total	4276	100.0%

Lines highlighted in green represent environment related responses

When it is not raining, there is still flow in the LA River. What do you think is a better use for this water instead of letting it flow to the ocean?

61.4% of respondents chose uses with an emphasis on the environment/nature

Response	n Responses	% Responses
Native Habitat	491	33.2%
Local water supply (groundwater recharge, recycled water)	417	28.2%
Recreation	173	11.7%
Direct irrigation of nearby landscapes	172	11.6%
Nothing. It should continue to flow to the ocean	123	8.3%
Fountains, streams, and water features	101	6.8%
Total	1477	100.0%

Lines highlighted in green represent environment related responses

What do you think is most important for people to learn about the LA River?

59.1% of respondents were interested in learning about environment/nature

Response	n Responses	% Responses
How the river benefits and supports the environment	750	24.5%
Ecology, habitat, and vegetation	644	21.1%
Current hydrology, sources, and uses of the river	413	13.5%
Cultural history	375	12.3%
Current communities along the river	329	10.8%
Hydrologic history	314	10.3%
Flood history	230	7.5%
Total	3055	100.0%

Lines highlighted in green represent environment related responses

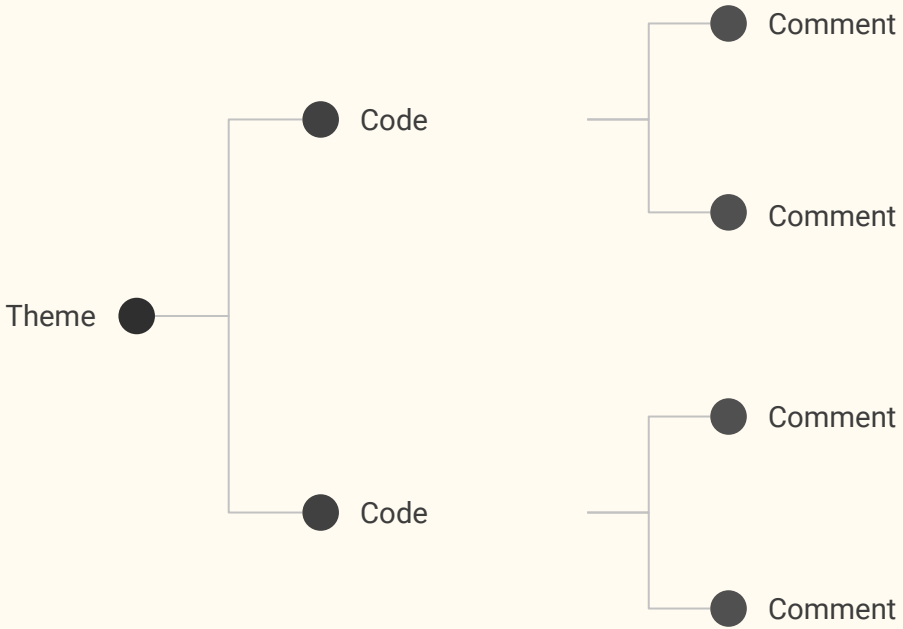
Text Analysis of Additional Comments from the Community Survey

Anything we missed?

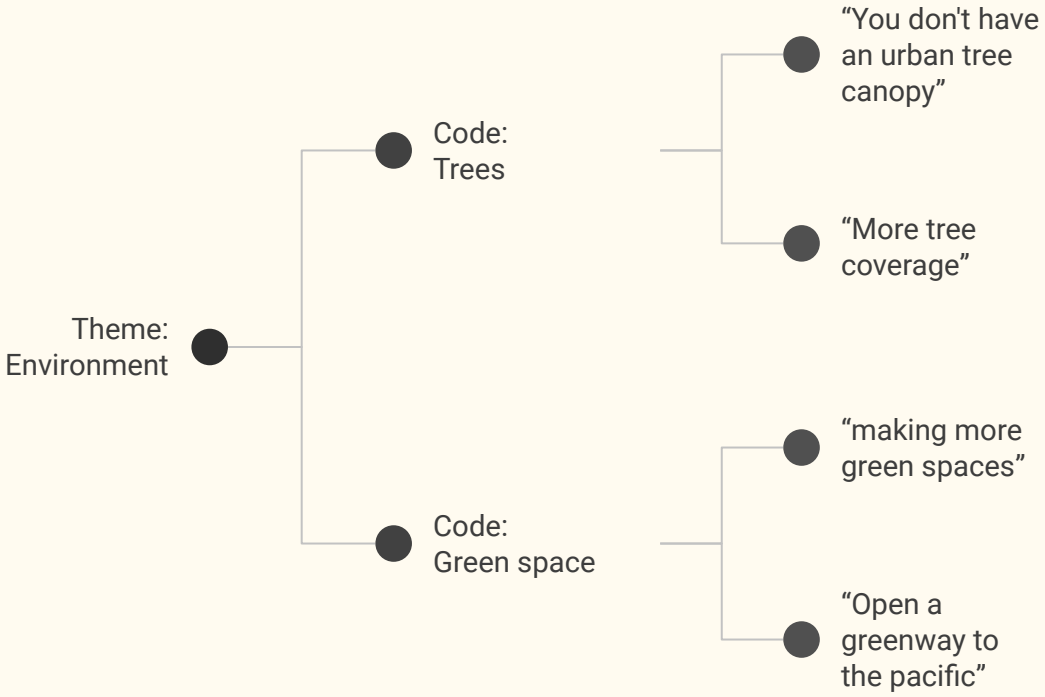
- From the 466 additional comments submitted, 25 distinct themes were identified via text mining
- Right: word cloud of top 13 themes weighted by frequency
- Top 4 Themes:
  1. environment (24.0%)
  2. access/connectivity (12.7%)
  3. homelessness (8.8%)
  4. diversity/equity/inclusion (8.2%)



Text Analysis: Methodology

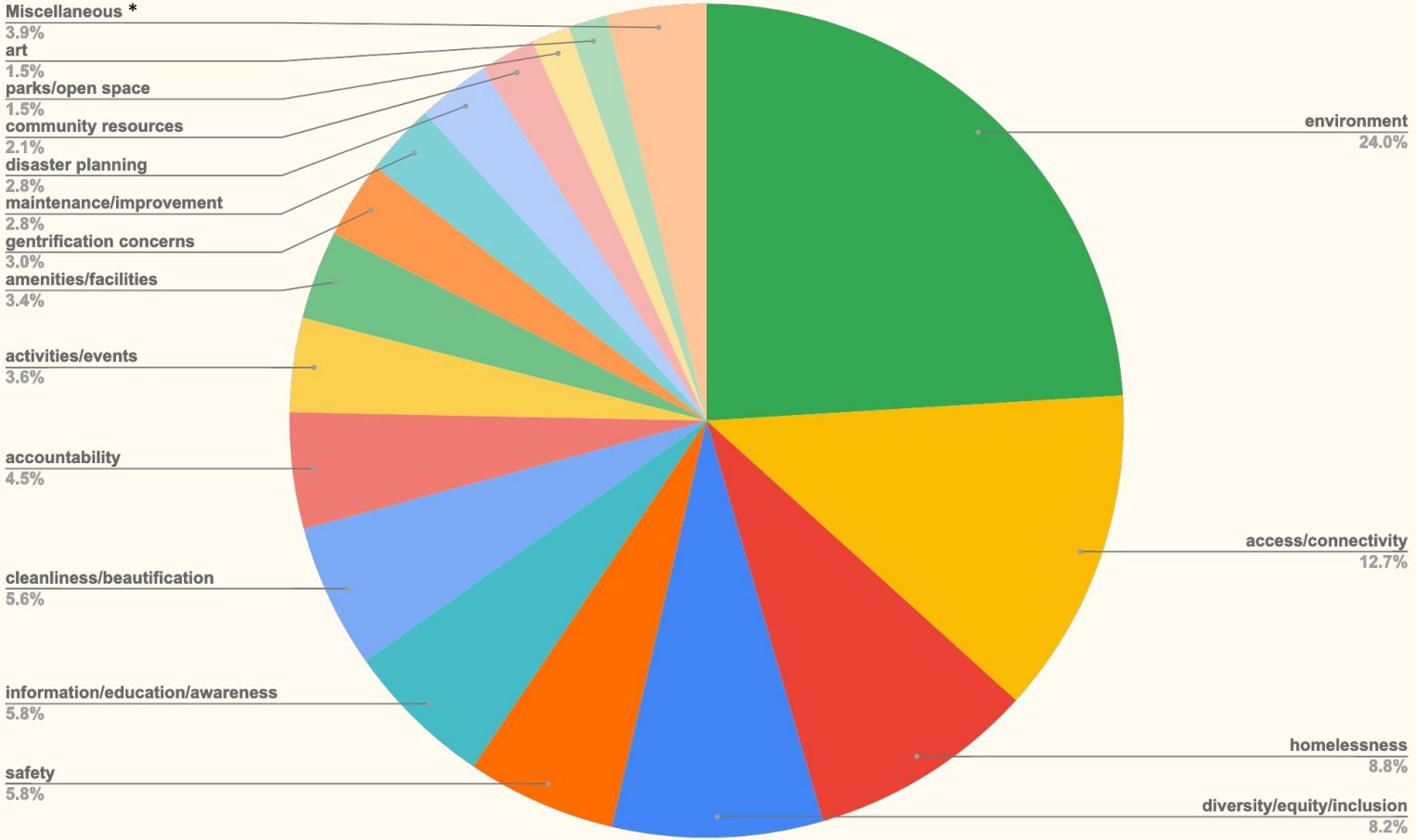


Text Analysis: Example



Other Important Themes from the Additional Comments

Themes by % of comments



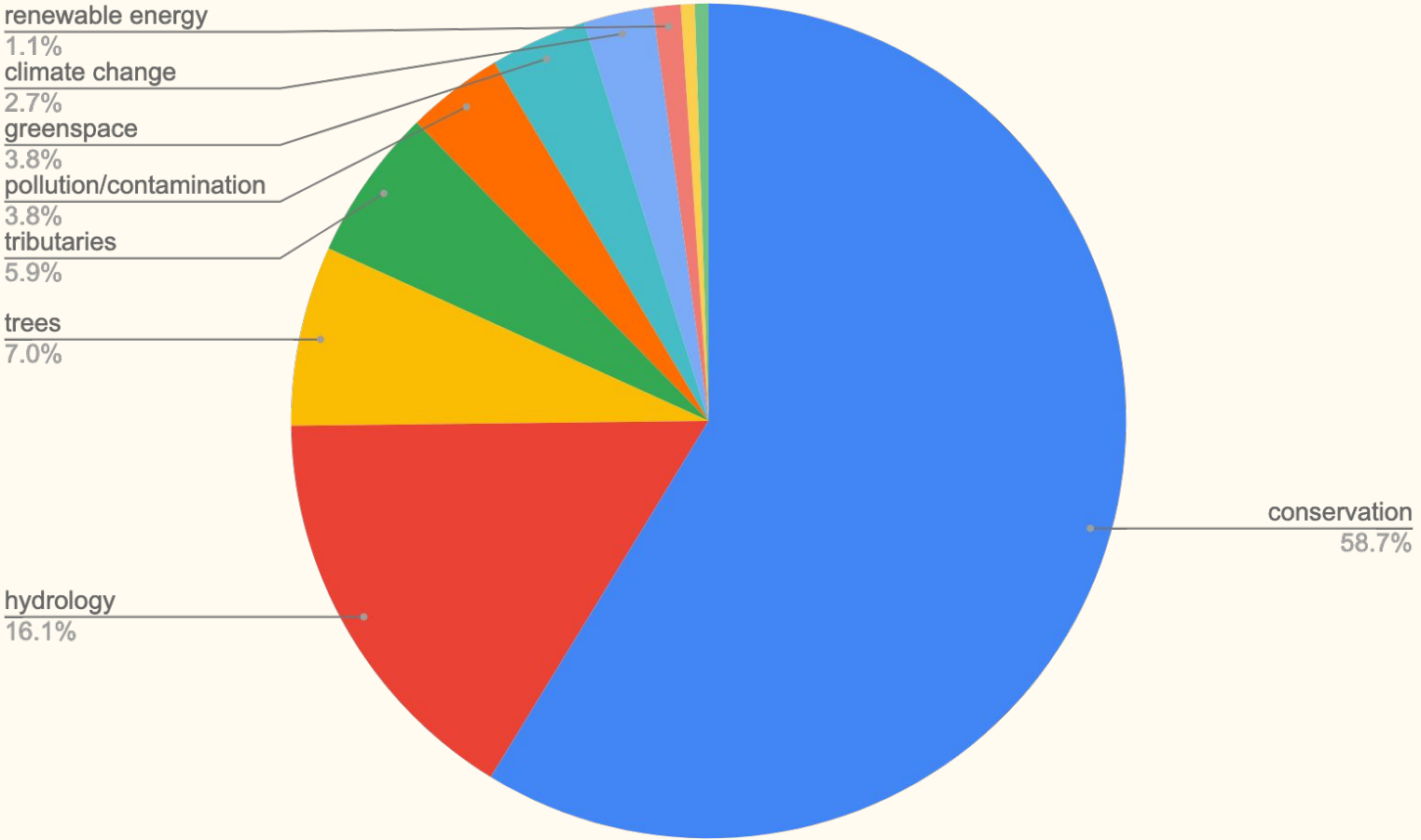
*Any theme that had <=1% frequency was categorized as miscellaneous

Theme Frequency Table

Theme	n Comments	% Comments
environment	112	24.0%
access/connectivity	59	12.7%
homelessness	41	8.8%
diversity/equity/inclusion	38	8.2%
safety	27	5.8%
information/education/awareness	27	5.8%
cleanliness/beautification	26	5.6%
accountability	21	4.5%
activities/events	17	3.6%
amenities/facilities	16	3.4%
gentrification concerns	14	3.0%
maintenance/improvement	13	2.8%
disaster planning	13	2.8%
community resources	10	2.1%
parks/open space	7	1.5%
art	7	1.5%
miscellaneous	18	3.9%
Total	**466**	**100.0%**

Codes under the Environment Theme

Environment Codes by % of Comments



All Codes under the Environment Theme

Environment Codes	n Comments	% Comments
conservation	66	58.7%
hydrology	18	16.1%
trees	8	7.0%
tributaries	7	5.9%
pollution/contamination	4	3.8%
greenspace	4	3.8%
climate change	3	2.7%
renewable energy	1	1.1%
public health	1	0.5%
CEQA	1	0.5%
Total	**112**	**100.0%**

Environment code: Conservation

- Conservation included comments pertaining to protecting and maintaining nature, biodiversity, ecosystems, and wildlife
  - 58.7% of environment comments
  - 14.1% of total comments
- Notable comments:
  - “Environment should be #1 - we need more shade and trees - nature for the sake of nature”
  - “Use of projects to increase native biodiversity.”
  - “Need to address protection of established wildlife and habitat during transition periods for redevelopment and revitalization”
  - “Include also health of animals/wildlife (no destroying of wildlife habitat)”
  - “let it be "wild" wherever it can be wild and naturalized inside and alongside the channel”
  - “Native plants & trees everywhere. Have connected areas for native wildlife, insects, birds, fish, mammals”

Environment code: Hydrology

- Hydrology included comments pertaining to water quality, watershed management, and water conservation
  - 16.1% of environment comments
  - 3.9% of total comments
- Notable comments:
  - “Focus on water quality!”
  - “Providing more soft bottom sediment areas for groundwater recharge in Los Angeles County”
  - “Use greywater (treated and reclaimed) to fill watershed for aquatic habitat connectivity”
  - “Collect water in aquifers”
  - “There is opportunity to capture and spread water in Verdugo Wash to increase relocation and recharge in the Verdugo Basin which two communities rely on”

Other Important Themes from the Additional Comments

Other themes: Access/Connectivity

- The access/connectivity theme contained codes pertaining to trails/paths (pedestrian, biking, equestrian), and accessibility to the river
  - 12.7% of total comments
- Notable comments:
  - “Continuous 51 mile bike path! (pls)”
  - “More contiguous bike paths”
  - “Pedestrian access/more obvious entrance to park”
  - “Equestrian access and safety”
  - “Hopefully there will be running trails along the way”
  - “Vital to have connected bike/walking paths - continuous and contiguous - long stretches”
  - “Accessibility for people of different needs/abilities”

Other themes: Homelessness

- Homelessness was a major concern expressed in the additional comments
  - 8.8% of total comments
  - Homelessness is one of the most pressing issues in Los Angeles
- Notable comments:
  - “Integrate homeless folks, don't just push them out under guise of "clean up"”
  - “funding to address homelessness and when funding river projects don't just kick out homeless population”
  - “Accommodation for the homeless, especially in west Long Beach. Nothing was mentioned about addressing the people who are homeless and living on the riverbed.”
  - “"Address homelessness" what does this mean? it should mean connecting to services + coordinating w/ other agencies, housing, mental health, substance use”
  - “Don't get rid of people who don't have homes, let's create solutions!”

Other themes: Gentrification

- Gentrification and displacement of current residents was an important concern in the additional comments
  - 3.0% of total comments
  - Despite it being a not as frequent as other themes, this is important to note, considering LA's housing crisis
  - Lower-income, communities of color who may face the pressures of rising rents are often underrepresented at community meetings
- Notable comments:
  - "making sure existing communities along the LA River are not displaced or pushed out due to rising rent as a result of the revitalization/development of the river (maybe some sort of rent control is needed)"
  - "How will you prevent gentrification?"
  - "don't raise our rent"
  - "What can realistically be done to prevent skyrocketing property values and neighbors being able to remain in their homes?"

Key Takeaways

1. There could have been greater effort for community outreach
    a. Only 13 total meetings were held with a total of 1,017 attendees over the course of roughly 1.5 years
    b. Key neighborhoods and cities along the river such as Atwater Village, Boyle Heights, Huntington Park, and Maywood should have had specific meetings for their communities
2. The environment was the overwhelming priority of the community
    a. People hope to see the river return to a more natural state and improvements in water quality/capture
3. The community feedback on homelessness focused on finding solutions, not “just kicking out” the people experiencing homelessness
4. Gentrification fears must be taken into account in planning river restoration
    a. Equitable development needs to be integrated into the master plan
5. The community wants easy and safe access to a network of connected trails/paths

About

Sul Jawaid is deeply interested in issues of equity and environment. He is getting his master's degree in Urban Planning at CSU Northridge, and works at Binti - a mission-driven company building modern software for foster care agencies.

Zaynab Jawaid is a freshman at Diablo Valley College studying Environmental Science. She hopes to use her education in work that helps conserve California wildlife.



Public Opinion on the Los Angeles River

StudyLA's 2021 Los Angeles River Survey

Summer 2021

Thomas and Dorothy Leavey Center for the Study of Los Angeles (StudyLA)
Loyola Marymount University

LMU
Loyola Marymount University

StudyLA advocates for a better, more equitable Los Angeles through research, student mentorship, and engagement with residents and leaders.

About this Study

StudyLA conducted the 2021 Los Angeles River Survey to measure public opinion on various topics related to the LA River.

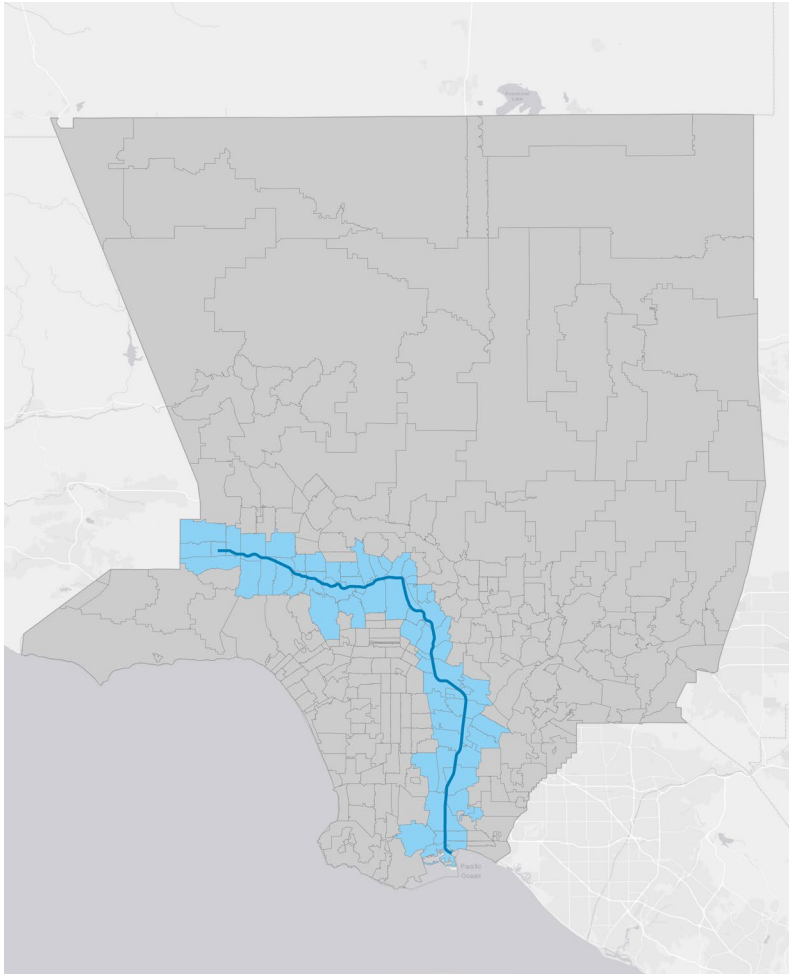
The survey involved 15-minute telephone sessions and online surveys with 600 adults living in Los Angeles County (124 respondents are in zip codes located within one mile of the Los Angeles River, indicated by the light blue area on the map). Data collection took place from July 7 to July 19, 2021. The survey was administered in English, Spanish, Mandarin, and Korean. The margin of error is +/- 4% for the entire sample. More on the methodology for this study can be found in the data brief, available lmu.edu/studyLA.

This report presents toplines (total responses for each question) and crosstabs (all questions crossed by major demographics) pertaining to substantive questions. All questions were asked of the entire sample except for the questions asking respondents if they had ever been to the Los Angeles River (asked only of those who said they were aware of it; n=505) and what activities they had done there (asked only of those who said they had been there; n=257). Numbers may not total 100% due to rounding.

For questions about this and other StudyLA research, please contact Brianne Gilbert, Managing Director, at brianne.gilbert@lmu.edu.

Recommended Citation

Thomas and Dorothy Leavey Center for the Study of Los Angeles (2021). *Public Opinion on the Los Angeles River: 2021 Los Angeles River Survey*. Loyola Marymount University, Los Angeles, California.



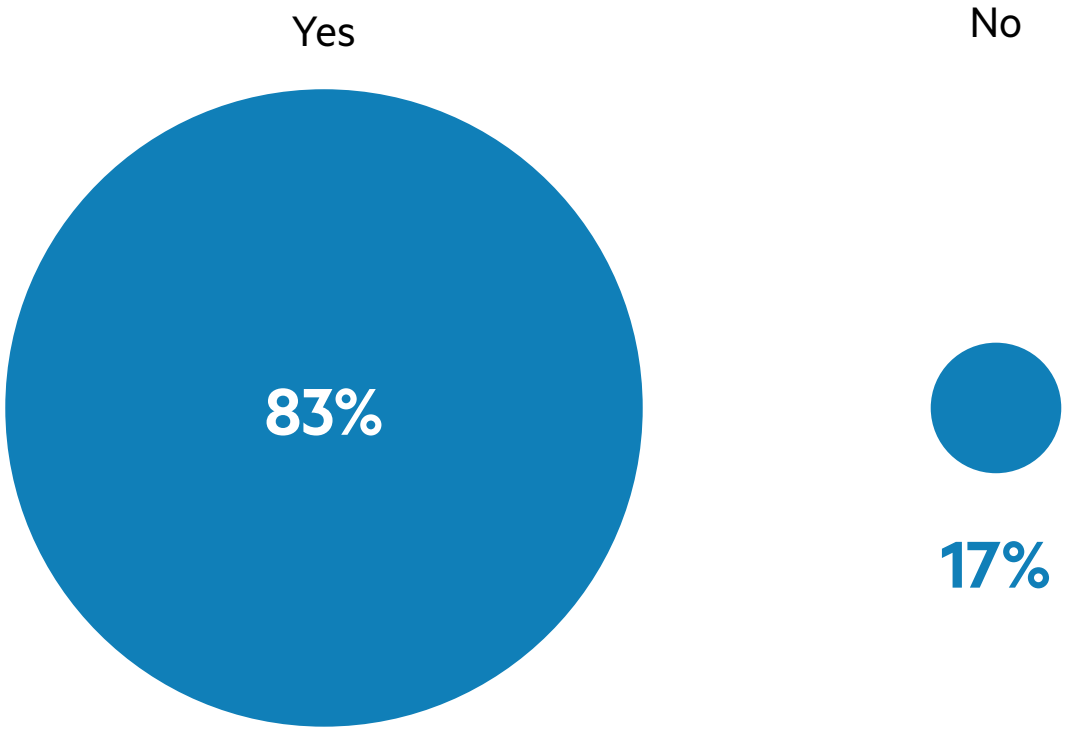
Four in five residents are familiar with the Los Angeles River

Residents who have lived in Los Angeles for 26 years or more (91%) have more awareness of the Los Angeles River compared to residents who have lived here 16-25 years (78%), 6-15 years (75%), or 5 years or less (57%).

Similarly, residents ages 45 and older (88%) have more awareness of the Los Angeles River compared to residents ages 18 to 44 (78%).

Residents who live more than a mile from the river (82%) are as familiar with it as people who live within a mile from it (84%).

Are you aware that there is a river called the Los Angeles River that runs from the San Fernando Valley, through Downtown LA, and empties out into the Pacific Ocean in Long Beach?



2021 Los Angeles River Survey of 600 adult Los Angeles County residents conducted July 7-19, 2021.
Margin of error is +/- 4% for the entire sample. Numbers may not total 100% due to rounding. | **lmu.edu/studyLA**

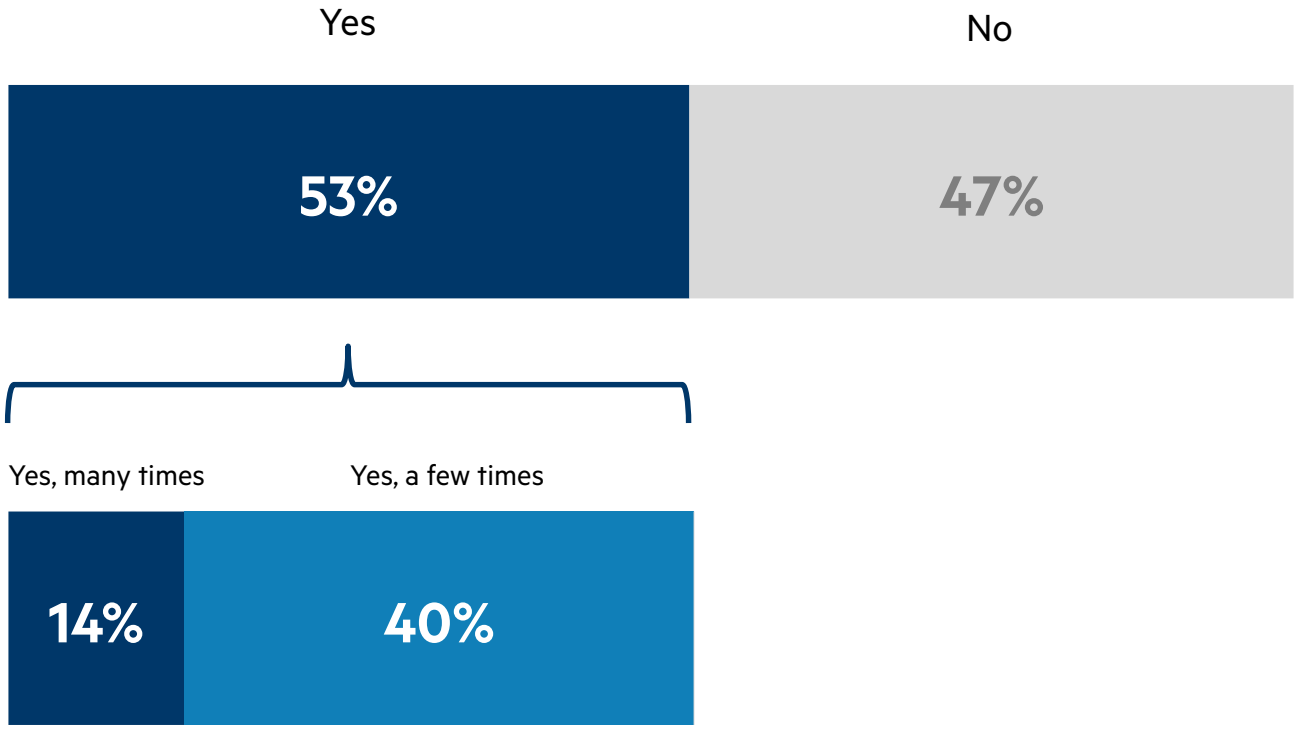
Only half of residents who are aware of the Los Angeles River have been to it

Residents who have lived in Los Angeles for 5 years or less (47%) are less likely to have visited it compared to residents who have lived in the area longer.

By race and ethnicity, Asian residents (40%) are the least likely to have visited the river while White residents (60%) are the most likely to do so. Black and Latina/o residents are evenly split.

Have you ever been to the Los Angeles River?

Asked only of those who said they were aware of the river in the previous question



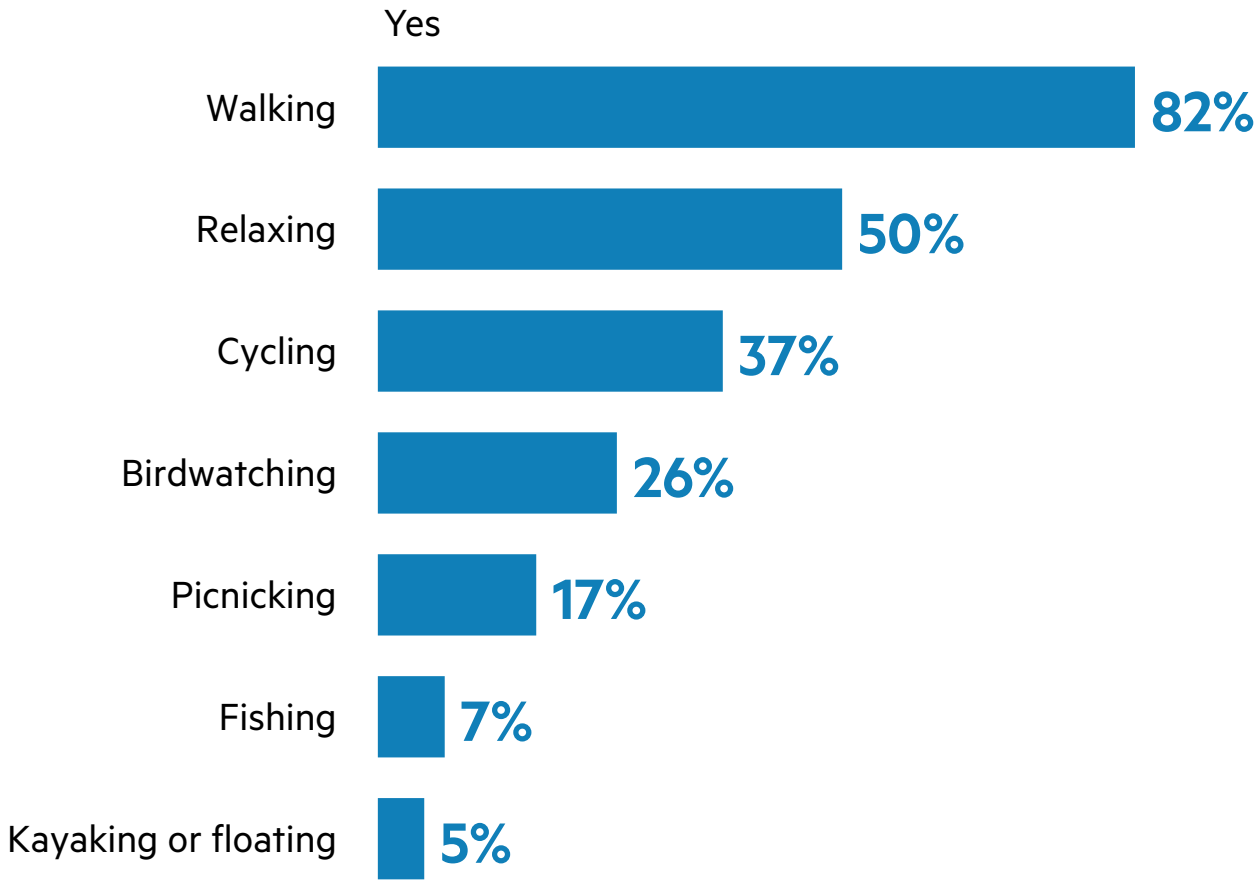
2021 Los Angeles River Survey of 600 adult Los Angeles County residents conducted July 7-19, 2021. Question only asked of those who said they were aware of the Los Angeles River in previous question (n=505). Margin of error is +/- 4% for the entire sample. Numbers may not total 100% due to rounding. | **lmu.edu/studyLA**

Most residents have visited the river for walking, and half have visited it for relaxing

Residents with children in their household are more likely to have done these activities than residents with no children in their household. Notably, 58% of residents with children in their household have visited the Los Angeles River for relaxing compared to 46% of residents with no children in their household. Further, 36% of residents with children in their household have visited for birdwatching compared to 22% of residents with no children in their household.

Have you ever done the following at the Los Angeles River?

Asked only of those who said they had been to the river in the previous question

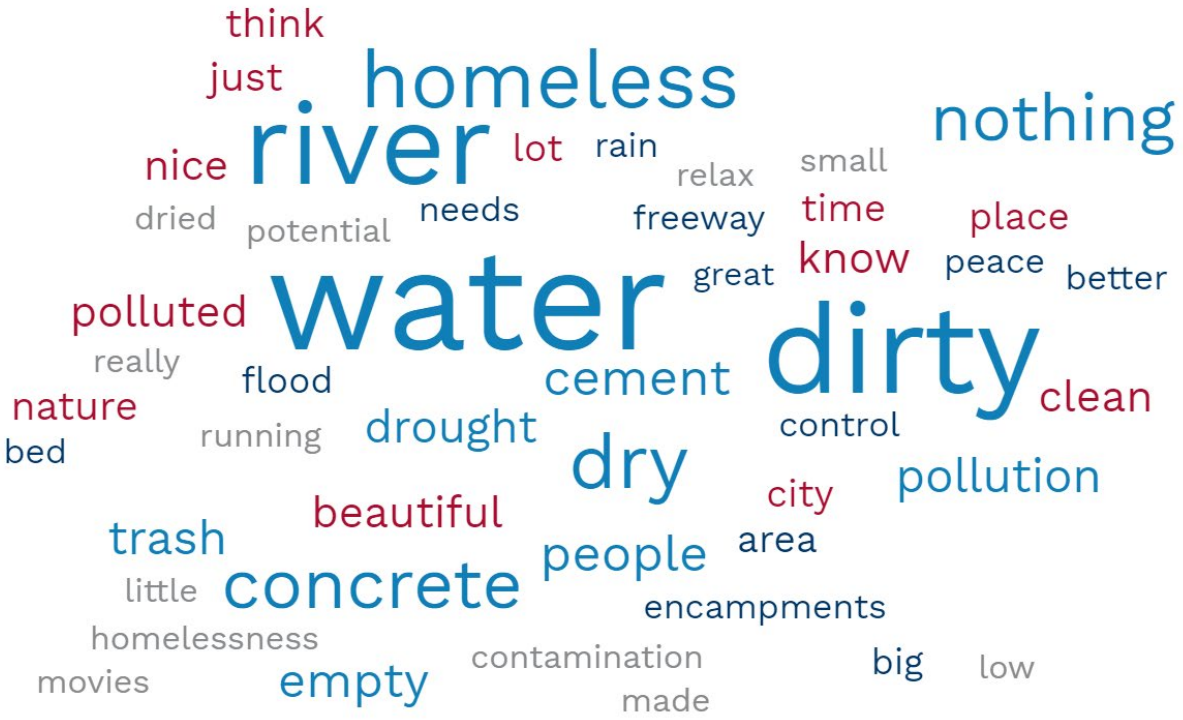


2021 Los Angeles River Survey of 600 adult Los Angeles County residents conducted July 7-19, 2021. Question only asked of those who said they had been to the Los Angeles River in previous question (n=257). Sub-question order randomized. Margin of error is +/- 4% for the entire sample. | **lmu.edu/studyLA**

“Water,” “dirty,” and “concrete” are among the top words that come to mind when thinking about the Los Angeles River

This open-ended question was asked of all respondents. In the image to the right, the larger size indicates a higher frequency of mentions.

What comes to mind when you think of the Los Angeles River?

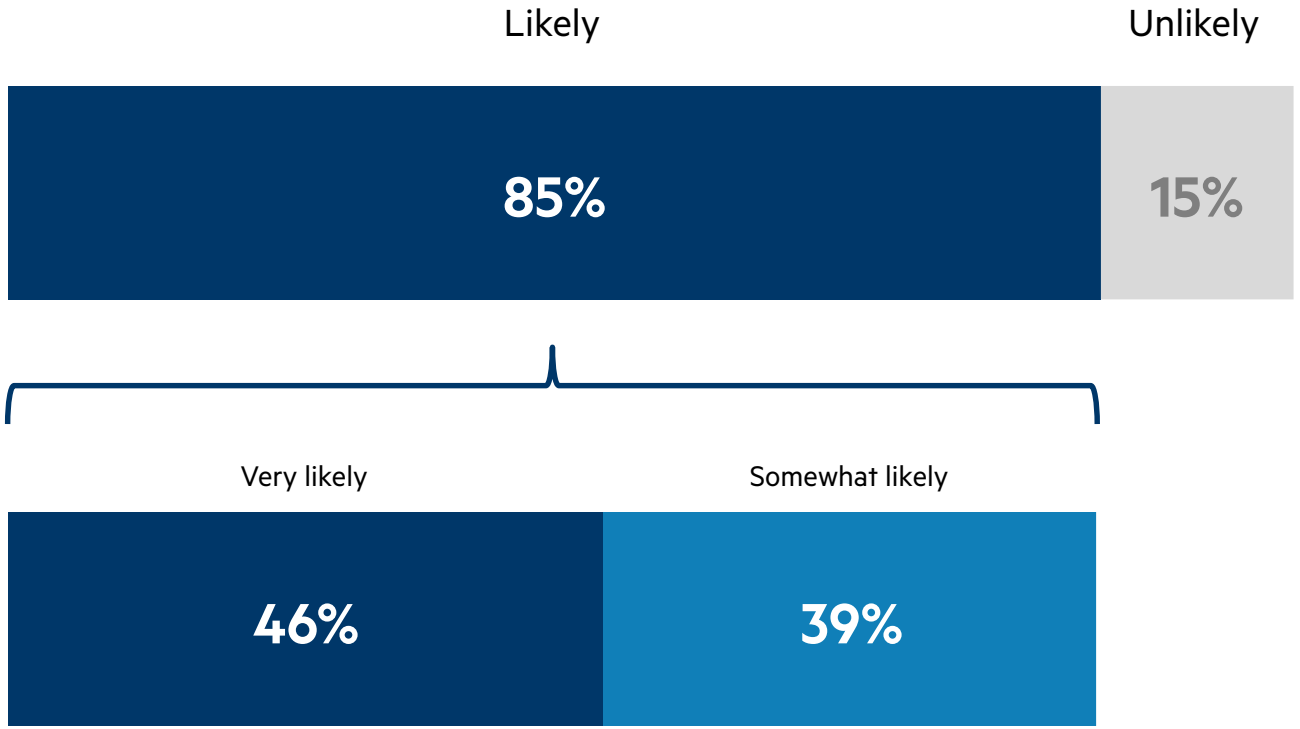


Most residents would likely visit the river if it had more opportunities for recreational and cultural activities

Residents ages 18-29 (85%) would be more likely to visit compared to residents ages 65 and older (72%).

Residents with children in their households (94%) would be more likely to visit compared to residents with no children in their households (81%), though the likelihood of visits by both groups is high.

If the vision of a Los Angeles River with more parks, natural areas, access to paths, and recreational and cultural opportunities were achieved, how likely would you be to visit the river?



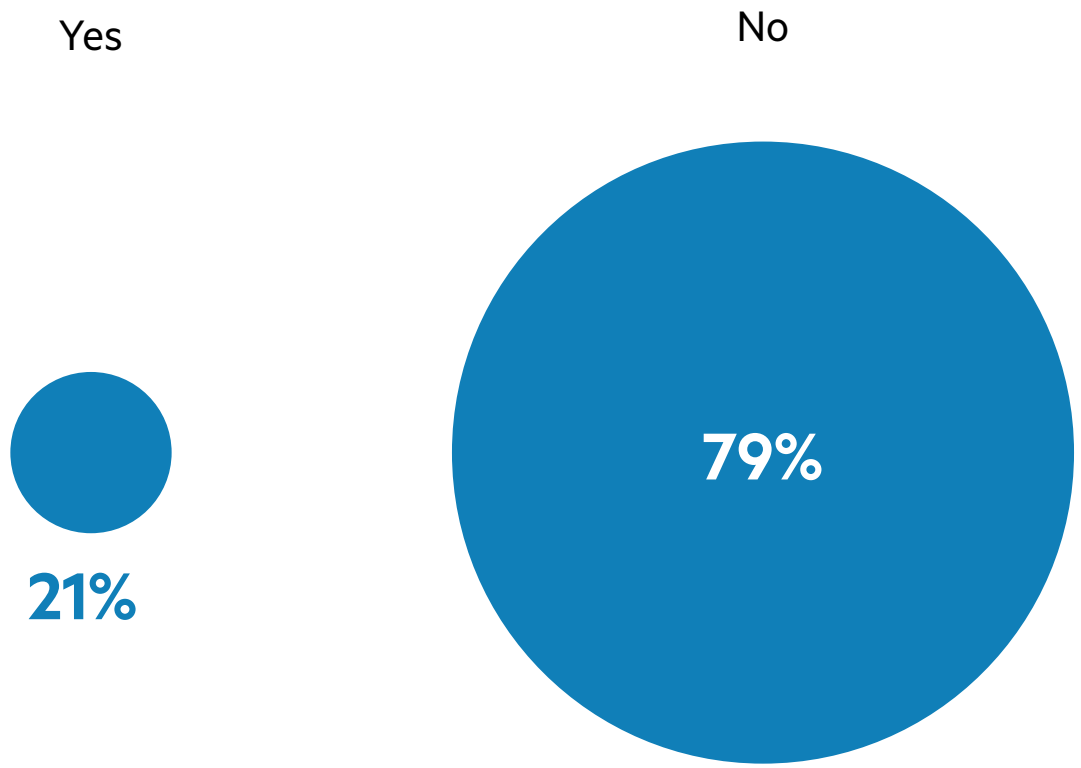
2021 Los Angeles River Survey of 600 adult Los Angeles County residents conducted July 7-19, 2021.
Margin of error is +/- 4% for the entire sample. Numbers may not total 100% due to rounding. | **lmu.edu/studyLA**

Most residents are not aware of the new county master plan to revitalize the river

Latina/o residents (14%), renters (14%), Korean speakers (13%), residents with household incomes under $40K (13%), Spanish speakers (10%), residents ages 18-29 (10%), and non-registered voters (8%) are among the least knowledgeable of the new master plan to revitalize the river.

By race and ethnicity, White residents (31%) are more likely to be aware of the new master plan compared to Asian (21%), Black (19%), and Latina/o (14%) residents.

Are you aware that there is a new county master plan to revitalize the Los Angeles River, which was released earlier this year?

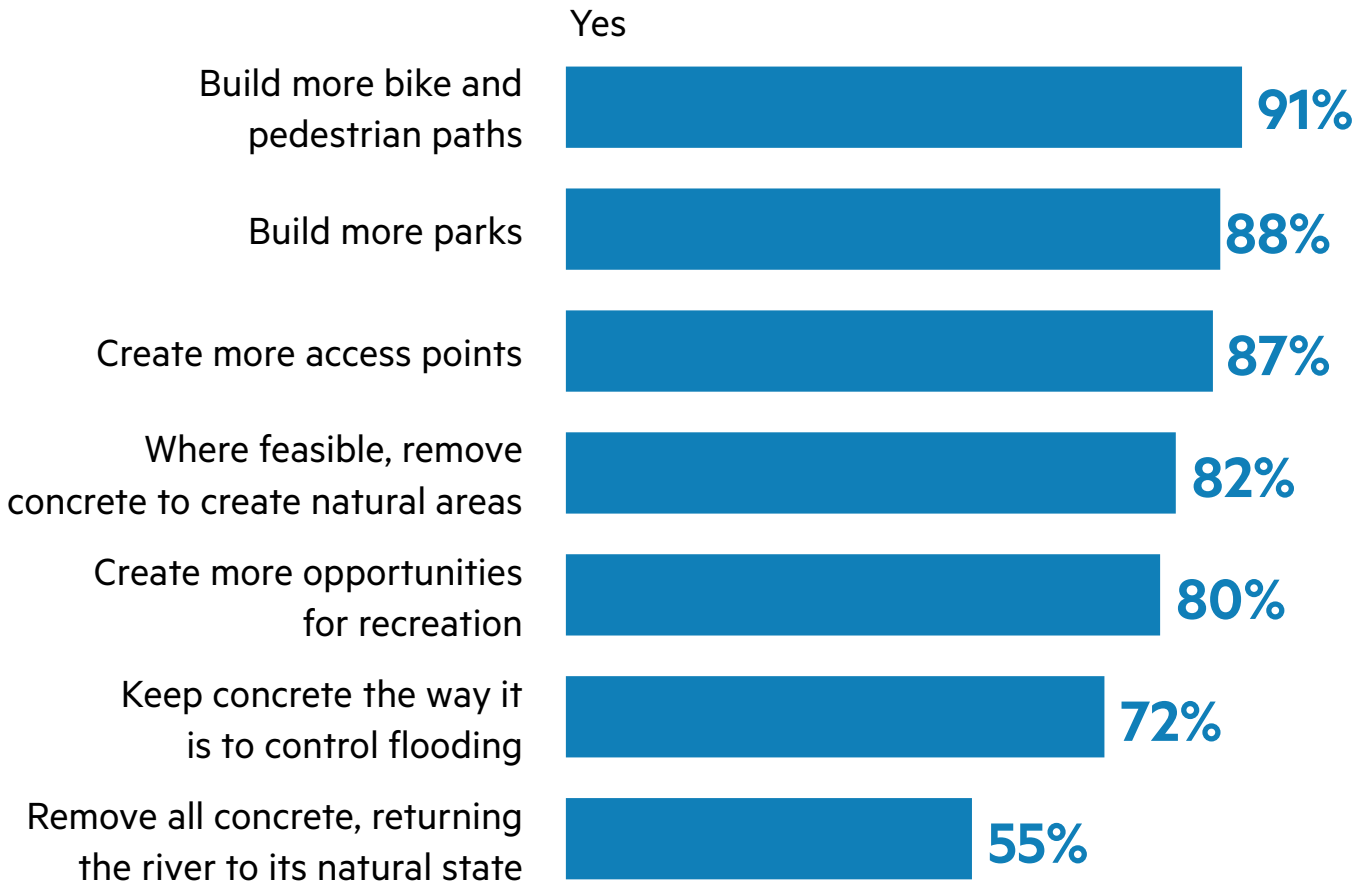


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Building more bike and pedestrian paths, building more parks, and creating more access points are highly desired proposals for river revitalization

Four in five residents are also in favor of removing concrete to create natural areas and creating more opportunities for recreation, such as kayaking and floating.

The master plan includes many proposals for river revitalization. Would you like to see the following happen on the Los Angeles River?

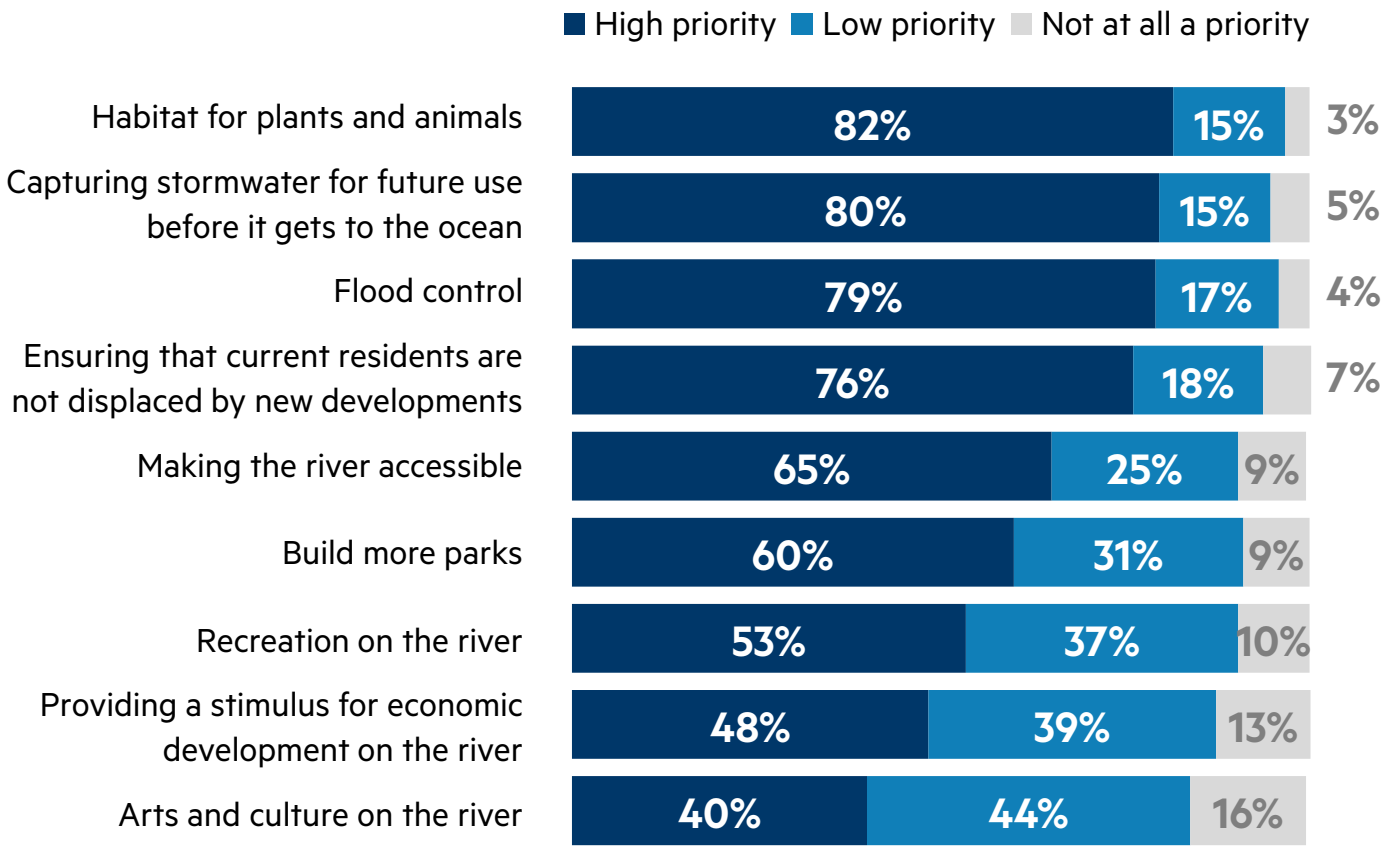


2021 Los Angeles River Survey of 600 adult Los Angeles County residents conducted July 7-19, 2021. Sub-question order randomized. Margin of error is +/- 4% for the entire sample. | **lmu.edu/studyLA**

Four in five residents believe creating a habitat for plants and animals, capturing stormwater for future use, and flood control should be high priorities for river revitalization

Three in four residents also believe ensuring that current residents are not displaced by new developments should be a high priority.

Should the following be a high priority, low priority, or not at all a priority for the revitalization of the Los Angeles River?



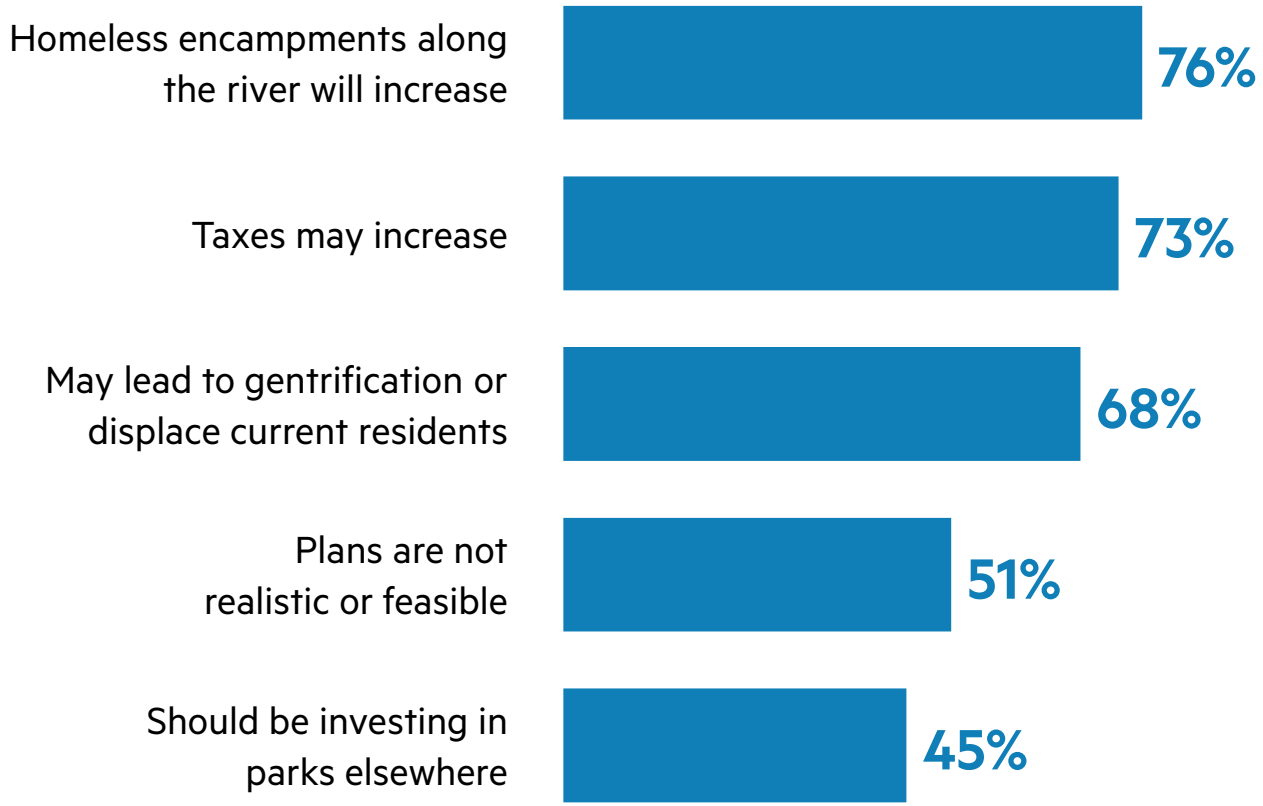
2021 Los Angeles River Survey of 600 adult Los Angeles County residents conducted July 7-19, 2021. Sub-question order was randomized. Margin of error is +/- 4% for the entire sample. Numbers may not total 100% due to rounding. | **lmu.edu/studyLA**

Three in four residents are concerned that river revitalization may lead to an increase of homeless encampments

Two in three residents (68%) are concerned that river revitalization may lead to gentrification or displacement of current residents.

Residents with household incomes under $40K are equally concerned about homeless encampments (78%) as they are gentrification or displacement (79%).

In the coming years, millions of dollars from local, state, and federal sources are slated to be spent revitalizing the Los Angeles River. Are the following a concern you have about efforts to revitalize the Los Angeles River?



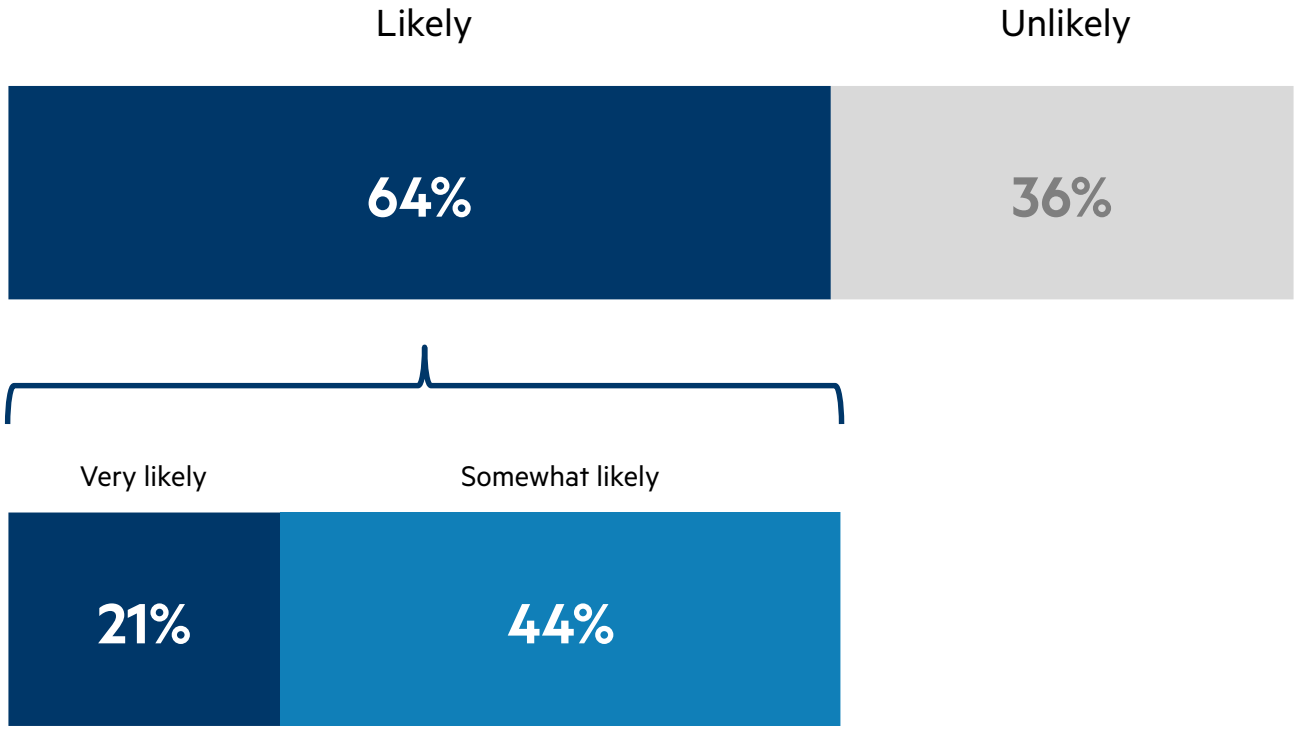
2021 Los Angeles River Survey of 600 adult Los Angeles County residents conducted July 7-19, 2021. Sub-question order randomized. Margin of error is +/- 4% for the entire sample. | **lmu.edu/studyLA**

Nearly two-thirds of residents think the river could become a world-class attraction

Residents ages 18-29 (70%) and 30-44 (69%) are more likely to think the river could become a world-class attraction compared to residents ages 45-64 (63%) and 65 and older (49%).

By race and ethnicity, Latina/o residents (76%) are much more hopeful in the river becoming a world-class attraction than other groups.

Many large cities have turned their once degraded urban rivers into world-class attractions. How likely do you think it is that the Los Angeles River could become a world-class attraction, like rivers in San Antonio, Texas; Seoul, Korea; and Madrid, Spain?

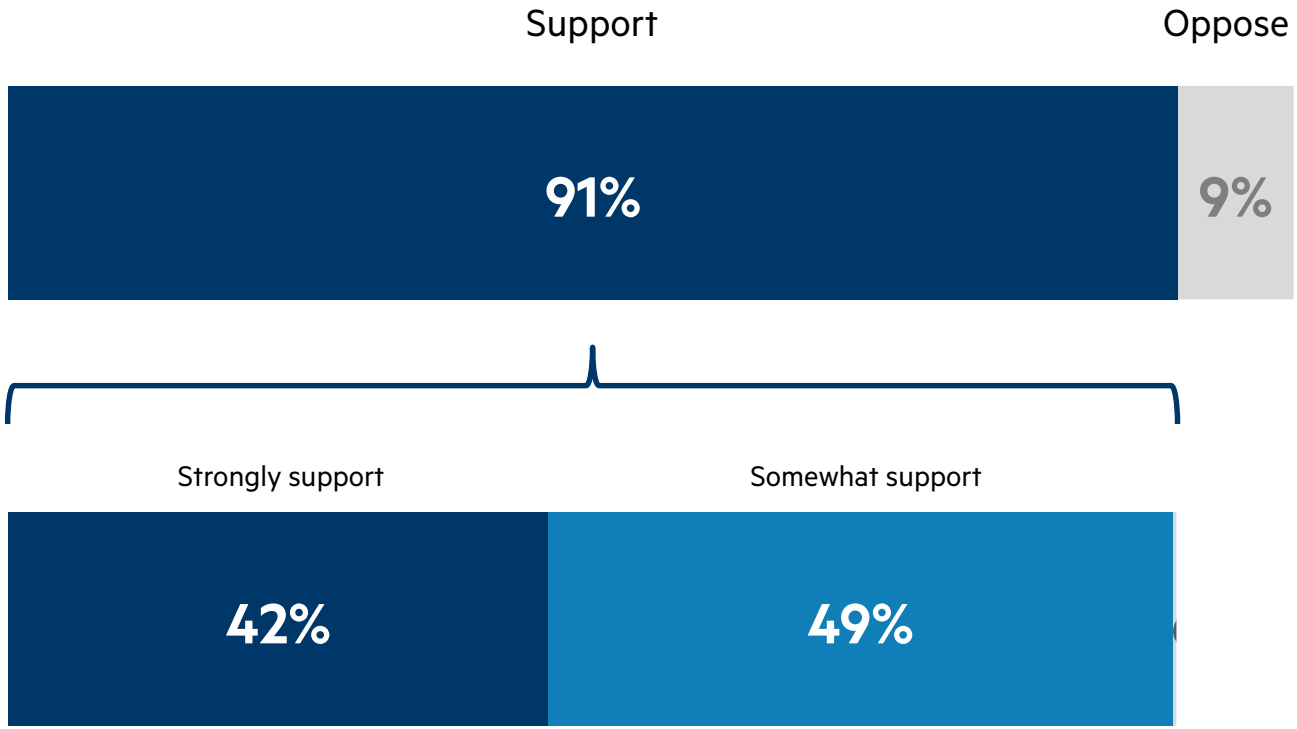


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An overwhelming number of residents support efforts to revitalize the river

Support for river revitalization is high — 82% or higher for all demographic groups.

Do you support or oppose efforts to revitalize the Los Angeles River?



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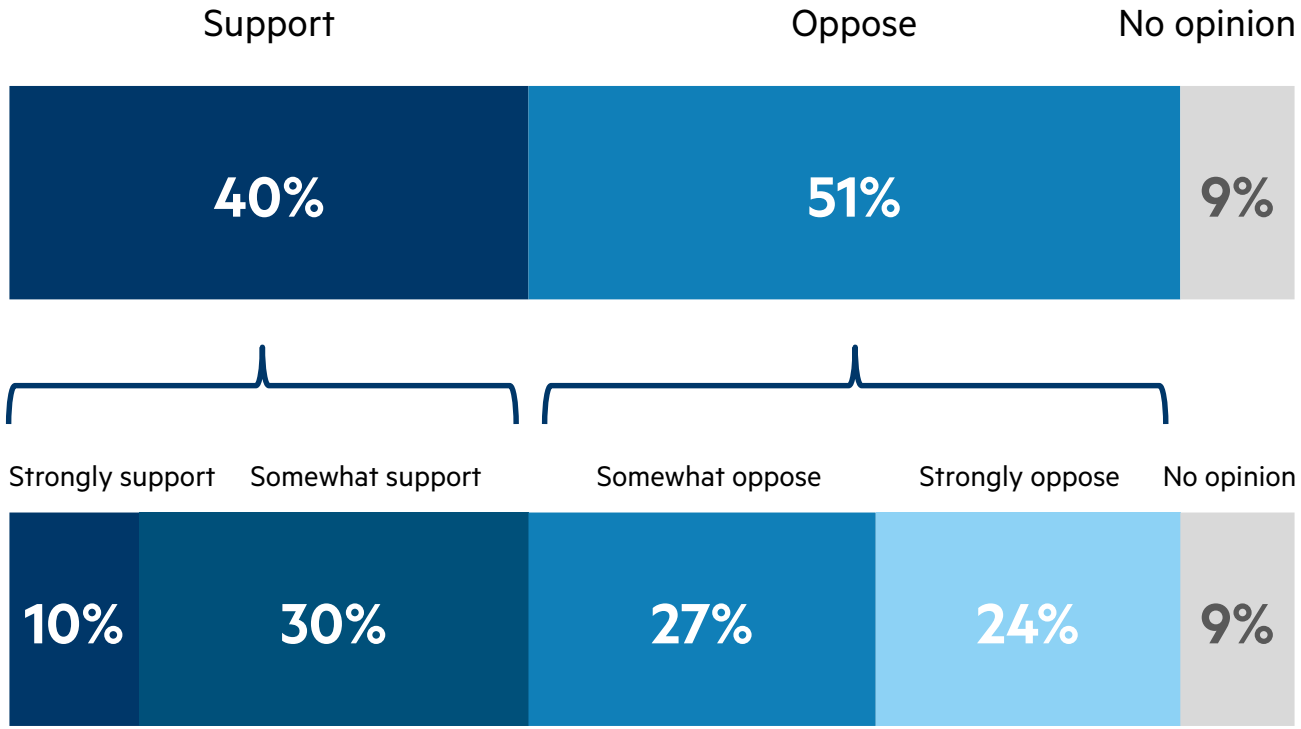
Only four in ten residents supports a tax increase to revitalize the river

Latina/o residents (49%) are split on their support for a tax increase whereas Black, White, and Asian residents are all more likely to oppose it.

Residents who are in zip codes within one mile of the river show the same levels of support as residents who live further from it.

Residents who said they support river revitalization (see previous question) are split over a tax increase to do it: 48% would support a tax increase while 52% would oppose it.

Would you support or oppose a tax increase to revitalize the Los Angeles River?



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Loyola Marymount University

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For more information about this or other StudyLA research,
please contact Managing Director Brianne Gilbert at brianne.gilbert@lmu.edu.

LOS ANGELES COUNTY SANITATION DISTRICTS
Converting Waste Into Resources

Robert C. Ferrante
Chief Engineer and General Manager

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Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

June 7, 2022

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors,

LA River Master Plan – Board Adoption Support Letter

On behalf of the Los Angeles County Sanitation Districts (Sanitation Districts) we are pleased to support the adoption of the LA River Master Plan by the Los Angeles County Board of Supervisors. The Sanitation Districts serve the wastewater collection and treatment needs of approximately 5.6 million residents in the Los Angeles Basin, Santa Clarita Valley, and Antelope Valley. We operate eleven inland water reclamation plants which discharge to inland rivers, including the LA River watershed, and the Joint Water Pollution Control Plant (JWPCP) which provides secondary treatment prior to ocean discharge. An important part of our mission is to convert waste into resources such as recycled water, energy, and recycled materials.

In the midst of current events that include drought and wildfires worsened by climate change, it is clear that the LA River is a critical and underutilized public resource. The LA River Master Plan meets these challenges with an innovative plan to address a wide range of goals that go beyond traditional infrastructure planning, resulting in model for a truly integrated, multi-benefit series of projects informed by community needs. The plan is comprehensive, thoughtful and reflects the diversity and complexity of LA County.

We support the vision of the LA River Master Plan for the LA River to become 51 miles of connected public open space that provides landmark opportunities to reduce flood risk, improve resiliency, support healthy and connected ecosystems, promote public health, and protect safe and clean water while fostering opportunities community engagement. Specifically, we support the LA River Master Plan Goals 1 (reduce flood risk and improve resiliency), 3 (support healthy, connected ecosystems), and 8 (improve local water supply reliability).

We know that updating the Master Plan for all 51 miles of the LA River was a significant undertaking. We are grateful for your leadership and all the people who have brought their dedication, innovation, and creativity to help guide this effort and arrive at this landmark moment. We look forward to the adoption and implementation of the LA River Master Plan.

Please contact me at rtremblay@lacsd.org or at (562) 908-4288, extension 2701 if the Sanitation Districts can be of any assistance as you work toward implementation of the LA River Master Plan.

Very truly yours,

Ray Tremblay
Raymond L. Tremblay
Department Head
Facilities Planning

RLT:pb

cc: Ramy Gindi RGINDI@dpw.lacounty.gov
Genevieve Osmena gosmena@dpw.lacounty.gov

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OF LOS ANGELES COUNTY
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The Honorable Board of Supervisors
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Los Angeles, California 90012

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