

Alianza de los Pueblos del Río
c/o 1055 Wilshire Blvd., Suite 1660
Los Angeles, CA 90017

March 27, 2007

Dr. Carol Armstrong
City of Los Angeles
Department of Public Works
Bureau of Engineering
1149 S. Broadway, Suite 600
Los Angeles, CA 90015

Re: Public Comments on Draft Los Angeles River Revitalization Master Plan

Dear Dr. Armstrong:

1. Introduction

These comments are submitted by Anahuak Youth Sports Association, The City Project, Mujeres de la Tierra, REMAPPING-LA, and the William C. Velazquez Institute -- the Alianza de los Pueblos del Río.

The purpose of this letter is to submit public comments on the Draft Los Angeles River Revitalization Master Plan (draft Plan.) A second letter presents public comments on the Draft Programmatic Environmental Impact Report/Programmatic Environmental Impact Statement (DEIR/S). We incorporate the public comments on the DEIR/S by reference here.

We support the revitalization of the Los Angeles River. We appreciate the efforts by the Los Angeles River Ad-Hoc Committee, its Chairman Councilman Ed Reyes, and many agencies and staff members for developing the draft LARRMP.

Our purpose here is to help improve the draft Plan by ensuring that the benefits and burdens of river revitalization are distributed fairly. Revitalizing the Los Angeles River while ensuring the fair treatment of people of all colors, cultures, and incomes can help transform Los Angeles into a more livable, democratic, and just community, and provide a replicable model for community redevelopment elsewhere.¹

2. Demographics of River Communities

The Los Angeles River stretches 52 miles through diverse communities from Canoga Park to the ocean. The demographics along the river are shown in Map 1001 and Chart 1001C, and in the following table.

Demographics for a three mile radius of the Los Angeles River²

	3 Mile Raduis		Within the City		Outside the City	
	Count	%	Count	%	Count	%
Total Population	2,918,541	-	1,482,145	51%	1,436,396	49%
Children	847,448	29%	380,892	45%	466,556	55%
NonHispanic Whites	787,330	29%	497,954	36%	289,376	21%
Hispanic	1,583,322	54%	720,876	49%	862,446	60%
African American	213,527	8%	47,077	3%	139,450	10%
Asian	261,846	9%	151,058	11%	110,788	8%
Living in Poverty	637,221	22%	319,492	22%	317,729	22%
HS degree or less	991,325	56%	509,763	54%	481,562	59%
No Car Access	157,863	17%	92,325	18%	65,538	16%

The socioeconomic data and analyses in the draft Plan and DEIR/S appears to be invalid for several reasons. First, the DEIR/S defines the river corridor too narrowly as a quarter mile, half mile, or one mile radius along the river (the Plan and DIER/S are not clear which). Second, the draft Plan and DEIR/S rely on zip codes rather than census blocks or block groups, which more accurately measure demographic ground truth. There appears to be no good reason for relying on zip code data. Third, the zip code analysis for the Taylor Yard opportunity area is based on the wrong zip codes.³ See generally DEIR/S 3-128 to 3-171; 4-155 to 4-182.

We recommend a 3 mile radius along the river using 2000 census block groups to more accurately assess the impact of revitalization.⁴ The socioeconomic and environmental justice analyses in the DEIR/S and draft Plan need to be revised accordingly.

3. Human Health, Active Recreation, and Equal Justice

The draft Plan lists 239 projects including 82 parks. Only two parks are explicitly described as active recreation facilities, the Sepulveda Basin Sports Complex (#47) and the East Side Soccer Fields Complex (#210). The draft Plan acknowledges the need for parks to reduce obesity (page 2-3), but does not address how river revitalization can improve human health. The draft Plan goes so far as to dismiss the need for active recreation at Taylor Yard on the mistaken grounds that “additional active recreation space would be redundant given the large state park being constructed.” (page 6-22).

Los Angeles is park poor, and there are unfair park, school field, and health disparities. (Map 801, Chart 801C).

Creating over 80 parks and five to twenty opportunity areas (each with more parks) offers the opportunity to create places for physical activity and active recreation to improve human health, reduce obesity and diabetes, promote youth development and academic performance, and increase public safety.

Public support for parks for active recreation along the river is strong. For example, when surveyed about what they would like to see along the river, 48% of Latinos living near the river said parks, 32% said schools, 27% open green space, 21% California style trees and plants, and 20% said soccer and baseball fields.⁵

Child Obesity and Human Health. The levels of child obesity are intolerably high for children even in the

best neighborhoods along the river -- ranging from 23% to 40%. See Map 403. In the Los Angeles Unified School District (LAUSD), 87% of students were not physically fit, according to state fitnessgram tests in 2004.⁶

The obesity and inactivity crisis costs the United States \$117 billion in lost productivity and medical costs.⁷ Overweight and unfit children face a greater risk of developing lung disease, diabetes, asthma, and cancer. Type 2 diabetes now affects millions of overweight and inactive children at younger and younger ages.⁸ Children are more likely to suffer long range effects including death, loss of limbs, and blindness. Children, adolescents, and adults need places to play and be physically active in parks and schools.⁹ Physical inactivity is more prevalent among women than men, among blacks and Hispanics than whites, among the less affluent than the more affluent, and among older than younger adults.¹⁰

The most frequently used facilities for physical activity are informal and include streets, parks, and beaches.¹¹ Health costs should inform river revitalization decisions in the creation of parks, land use, and transit alternatives.¹² “[A]pplying public health criteria to land-use and urban design decisions could substantially improve the health and quality of life of the American people.”¹³

Youth Development. Sports and after school activities can promote positive choices and help reduce antisocial behavior.¹⁴ Sports and recreation build character, pride, self esteem, teamwork, leadership, concentration, dedication, fair play, mutual respect, social skills, and healthier bodies; help keep children in school; help develop academic skills; and increase access to higher education.¹⁵ Physically fit students perform better academically.¹⁶

Active recreation programs prevent gang violence, crime, prostitution, drug abuse, and teen sex. A study by the Los Angeles County District Attorney concluded that young people join gangs for the expected reasons, including the fact that they “have been excluded by distance and discrimination from adult-supervised park programs.” The study recommends that “alternative activities like recreation” should be part of every gang prevention strategy.¹⁷

Public Safety. The best way to ensure that parks are safe is to give people a sense of ownership of their parks. A diversity of people using parks differently at different times of the day and night will help drive away crime and criminals.¹⁸

Cultural Diversity, Parks, and Recreation. Diverse communities along the river are entitled to places that serve their needs.¹⁹ The draft Plan includes specific information on passive recreation (for example pages 3-10 and 3-11 focus on habitat), but virtually none about active recreation.²⁰ The Plan should provide for balanced parks that serve diverse needs.

People from different racial and ethnic groups use parks differently. According to a UCLA study of cultural differences in the use of urban parks, parks are primarily social gathering places for Hispanics. African Americans, more than any other racial group, tend to engage in sports in parks. Non-Hispanic whites tend to value a park solely for its passive qualities—its greenness, landscaping, and natural elements. They tend to engage in solitary, self-oriented uses. Asian-American (specifically, Chinese) families were rare in parks studied. This does not mean that Asians do not value parks; this may reflect the failure of the parks to meet the needs of the Asian-American community.²¹ Most studies on leisure and urban recreation have focused on non-Hispanic whites.²² Other studies have reached similar conclusions about how Hispanics use forests and other natural public places differently.²³

Improving Parks and Recreation along the River. The recent audit of recreation and parks by the Los

Angeles City Controller documents systemic management failures, and provides a blueprint for reform. For example, parks provide better programs in wealthy communities, and funding policies exacerbate rather than alleviate inequities. The audit highlights the need for: a strategic plan to improve parks and recreation programs in every neighborhood, and eliminate unfair disparities; standards to measure equity and progress in achieving reform; a community needs assessment now and every five years; a fair system of park financing and fees; shared use of parks and schools; and improved park safety.²⁴ A USC study documents that the allocation of park bond funds exacerbates park inequities.²⁵ The Plan should provide for implementing the recommendations of Controller Chick's audit to improve parks and recreation along the river.

We wish to make clear that we support balanced river revitalization that includes both active and passive recreation. Los Angeles neighborhoods, most dramatically in communities of color, lack access to playing fields and to natural public places. Active recreation facilities need not all be single-purpose; grass fields and concrete basketball courts may be designed to flood in large storms. Shared use of parks and schools along the river can serve these purposes.

The draft Plan should explicitly include human health and physical activity including active recreation in its vision, its recommendations, its opportunity areas, its parks, and its other projects. In addition, the missions of the governing bodies should explicitly include human health and physical activity including active recreation. Governing bodies should partner with local community organizations to manage balanced recreation programs along the River.²⁶

4. Economic Vitality

According to Dan Rosenfeld, a consultant on the draft Plan, "the biggest question and the biggest challenge for us as a community will be to deal with the issue of gentrification. And gentrification, the term itself, is sort of a mask for what is really feared, and that's displacement." (Transcript of video *El Rio de Nuestra Señora La Reina de Los Angeles de Pociúncula*, Plasmatic Concepts, 2006, included as attachment 7.)

River revitalization must ensure the fair allocation of the economic benefits of public work projects including jobs and affordable housing, and prevent gentrification.

4.1 Affordable Housing

The Plan should set specific numerical goals for affordable housing along the river (for example, setting aside 30% of new housing for affordable and work force housing). The draft Plan should call for inclusionary zoning along the river, and for affordable housing subsidized through municipal bonds.

The draft Plan proposes removal of affordable housing, including in both alternatives for Canoga Park (page 6-8 to 6-13), and in the preferred alternative for the Chinatown-Cornfield Opportunity Areas (page 6-30 to 6-33). The Chinatown-Cornfield preferred alternative proposal, for example includes "potential redevelopment" of the William Mead Housing Project, a 416-unit housing complex that provides 92% of the affordable housing in the opportunity area (DEIRS 4-180). The DEIR/S recognizes that this would result in high and potentially significant impacts that would likely require mitigation, but does not specify what the mitigation would be.

The draft Plan briefly acknowledges that lack of affordable housing is expected to be a consequence of the Plan. For mitigation, the draft Plan contains only a noncommittal listing of possible "density bonuses,

inclusionary zoning, and other regulatory mechanisms” that should be considered as part of the future River planning process (page 7-5).

The draft Plan proposes relocation of housing only in communities of color, and not in other river communities, such as Studio City or Toluca Lake.

In order to promote affordable housing, the draft Plan should be explicit in planning a vision that includes sufficient affordable housing, minimal community displacement, and, if necessary, fair relocation.

Building on lessons from the injustices of past displacement of communities of color throughout the history of Los Angeles, including nearby Chavez Ravine, the draft Plan should explicitly commit to promote affordable housing and minimize displacement. In the rare instances where draft Plan projects displace housing, there must be a clear and explicit commitment to fair and just relocation processes. Some components of a fair and just relocation process would include are: minimum 2 years notice, generous relocation compensation, professional staff to assist tenants, etc. Any relocation must improve accommodations for displaced families.

We strongly oppose the "redevelopment" of William Mead Housing. The families residing in the William Mead Homes have born the burdens and nuisances of the stark concrete downtown river, hence they should be the first to reap the benefits of its revitalization. We urge the city to consider a hybrid of alternatives CC-A and CC-B which would leave the William Mead Housing intact (shown in alternative CC-A), and enhance them by their proximity to the naturalized side-channel (shown in alternative CC-B.)

In addition, the mission of governance bodies should explicitly include affordable housing. Currently this is mentioned as merely as “potential” (page 9 10.) River governance bodies, especially including the Los Angeles River Revitalization Corporation, are capable of breaking through the “silo” mentality of many single-purpose governmental agencies. The Revitalization Corporation can acquire land to develop projects that include housing, park, businesses and other components – where a parks or housing agency may be limited to developing only a single-purpose amenity at the site.

4.2 Gentrification

The draft Plan briefly acknowledges gentrification on pages 3-20 and 7-5, but merely states that “Sound community planning should address these concerns on a neighborhood-by-neighborhood basis.” That is not enough.

Latinos showed little support for “gentrification-oriented development,” with 25% supporting affordable housing and only 2% market rate housing, only 3% tourism-related development, and only 3% condominiums and penthouses, according to the WCVI survey.²⁷

The Plan should explicitly address the need to mitigate gentrification. Anti-gentrification provisions could include:

- fostering affordable housing (see above),
- establishing community benefit agreements to ensure that benefits from development will flow to affected local communities,
- meaningful community review of projects, both public and private, through the establishment of a Community Oversight Committee which would include local residents
- minimizing out-of-scale developments (such as excessive road width and parking),

- working with community-based organizations, such as community development corporations, community land trusts, and non-profit developers.

In addition, the mission of governance bodies (especially the Revitalization Corporation) should explicitly include minimizing the negative effects of gentrification.

4.3 Local Jobs and SBEs

River revitalization can be expected to create publicly funded jobs and contracts. The Plan should specify goals for local jobs for local workers – such as 30% of jobs for workers who live within five miles of a river project -- and an even playing field for small business enterprises. This is especially true for the proposed Los Angeles River Revitalization Corporation, which should include local sourcing in its mission.

5. Shared Opportunities in Schools and Parks along the River

Though the draft Plan acknowledges the goal of providing educational opportunities and plans some facilities including outdoor classrooms (page 5-21) and the re-purposing of schoolyards (page 2-5), the draft Plan neglects the siting of schools in the River corridor.

The WCVI survey showed a great deal of support, especially from Latino residents, for new schools as part of river revitalization. The planned high school at Taylor Yard can serve as a best practice example for other opportunity areas and river sites. The education of students at Taylor Yard can be enriched through the use of nearby recreation fields, habitat areas, bikeways, and more. Joint use agreements can make school facilities serve multiple community needs, for example, by keeping playing fields open after school and on weekends. Schools sites can include open creeks and other multiple-benefit watershed management features.

The shared use of parks and schools can alleviate the lack of places to play and recreate, while making optimal use of scarce land and public resources. Unfortunately, only 103 out of 605 LAUSD schools have five acres or more of playing fields, and those tend to be located in areas that are disproportionately white and wealthy and have greater access to parks. *See* Maps 401, 404. LAUSD provides 71% more play acres for non-Hispanic white students than for Latino students in elementary schools.²⁸ There were only 30 joint use agreements between LAUSD and the City of Los Angeles Recreation and Parks Department as of April 2006.²⁹

The Plan should provide for shared use of parks and schools in each opportunity area (and other medium and large scale sites). The Plan should call for coordination between the City of Los Angeles, LAUSD, and other municipalities and school districts for shared use of schools and parks.

6. Diverse Public Art and Cultural Resources

We applaud the call for public art in the draft Plan. We applaud the specific references to the Great Wall of Los Angeles by Judith F. Baca and SPARC (the Social and Public Art Resource Center), and to Leo Limon's work as examples of public art that enhances the river and engages youth.

Public art and cultural programs can engage youth, teach important life skills, and present positive alternatives to antisocial behavior. Cultural programs promote activities that enhance public safety by providing “eyes on the river.” Public art, cultural centers and related programs can include or be similar to the Chiparaki Center for Civic and Cultural Computing at the junction building across from the State

Historic Park at the Cornfield, SPARC programs, the Bilingual Foundation for the Arts, Elysian Valley United, Echo Park Film Center, and the Bresee Foundation.

We respectfully submit that the Heritage Parkscape should be included in the list of river revitalization projects in the Plan. The purpose of the Heritage Parkscape is to link the Los Angeles River, the Los Angeles State Historic Park at the Cornfield, El Río de Los Angeles State Park at Taylor Yard, El Pueblo Historic District, and 100 other cultural, historical, recreational, educational, and environmental resources in the heart of Los Angeles. *See* Map 104. The Heritage Parkscape is inspired in part by the Olmsted plan, the Cornfield Advisory Committee Report calling for linked parks and resources and listing potential sites, and the proposed continuous greenway along the Los Angeles River.³⁰ The Heritage Parkscape reflects a frank recognition of the need to build great urban parks by linking smaller, non-contiguous parcels together because few large parcels are left in urban areas. This is the example set by the Gateway National Recreation Area linking the parks of New York Harbor, the Golden Gate National Recreation Area linking natural public places in the Bay Area in Northern California, and the Santa Monica Mountains National Recreation Area in Southern California.³¹ Prof. Judy Baca and SPARC are working with The City Project to produce pilot projects of the Heritage Parkscape along the Los Angeles River, and to restore and extend the Great Wall of Los Angeles, with the generous support of the Santa Monica Mountains Conservancy. UCLA Prof. Fabian Wagmister and REMAPPING-LA are working with The City Project to produce Heritage Parkscape materials on the web.

The draft Plan (page 5-33) recommends “a River Arts Program that reflects and celebrates the history of the River and the diverse cultures of its surrounding neighborhoods.” This aptly describes the Heritage Parkscape project.

The Plan should include the Heritage Parkscape in the LARRMP list of projects. The Plan should set specific measures for progress for public art and other cultural opportunities that serve diverse populations, in particular youth along the river, and intergenerational programs. The Plan should include public art and culture centers and programs in its vision, its recommendations, its opportunity areas, and its list of projects. The missions of the governing bodies should explicitly include diverse public art and cultural centers and programs. The vision should include public art and cultural activities for and by youth, and intergenerational programs. Governing bodies should partner with local community organizations to achieve these goals.

7. Transit

River revitalization should include transit to move people along the river greenway and to other public natural places. Low cost transit service like the 25 cent DASH should link El Pueblo, the Cornfield and Taylor Yard as part of the Heritage Parkscape. Transit would serve all the people who travel to or along the river, but would be particularly useful to the working poor with limited or no access to cars, who are disproportionately people of color and low income.³² Transit would reduce traffic congestion and parking problems, improve air quality, and reduce run-off of polluted water into rivers and the ocean. It would also reduce dependency on the automobile and fossil fuels. Similar transit services should link other parks and opportunity areas along the river and beyond in a "Transit to Trails" program. The Plan should explicitly call for transit to accomplish these goals.

8. Riverbed Vegetation

The draft Plan calls for multi-benefit watershed management measures that will enhance floodwater storage (see, e.g., page 4-3). This approach in the river corridor and throughout the watershed will result in multiple benefits for communities and the environment.

While reducing peak flows, enhancing flood protection and reducing velocities are worthwhile and will support higher quality restoration of ecological functions, it does not follow that they are a necessary prerequisite for reestablishment of vegetation in the riverbed.

The draft Plan appears to set the bar too high for meaningful revegetation of the riverbed. The draft Plan states that it is necessary to reduce flow velocities to less than 12 feet per second to support the maintenance and reestablishment of vegetation (Page 4-7). We disagree. There are flows between 15 and 19 feet per second in the vegetated stretches of the Glendale Narrows. (See map on page 3-4.) This shows that a great deal of vegetation can be reestablished with velocities greater than 12 feet per second.

An additional example of setting the bar too high is the map/diagram on page 4-6, which shows the additional acre-feet of storage needed to reduce peak velocities. The map/diagram implies that it is necessary to create flood detention basins totaling more than 15,000 acre feet before the riverbed can be revegetated. (At the stated depth of 10 feet, this would be more than 1,500 acres--more acreage than Griffith Park.) 1,500 acres or more of off-channel flood storage represents an unrealistic and unattainable goal. Flood storage outside the channel could be combined with other measures, including reconfiguring channel geometry to add peak flow capacity (as has been done on the Guadalupe River in the city of San Jose).

We acknowledge that establishing vegetation in the riverbed is very difficult and should be approached with great caution especially in regard to preserving (or, preferably, enhancing) flood capacity. Un-paving as much of the riverbed as feasible remains the most important ecological restoration goal. Removing channel-bottom concrete to allow complex riparian interactions between water and earth is the only real restoration of riparian functions, especially for fish habitat.

The details of concrete removal, riverbed restoration and flood capacity are project-specific and site-specific and certainly beyond the scope of the programmatic draft Plan. Nonetheless the draft Plan recommendations should be re-worded in such a way that channel-bottom re-vegetation should not be dismissed, but evaluated on a project basis to determine where and to what extent it will be feasible.

9. Bridge Widening

The draft Plan envisions bridge-widening in several places. For example, the Chinatown-Cornfield preferred alternative (page 6-33) states that “[w]idened arterial street bridges include bicycle lanes and generous sidewalks.”

We support fostering walking, bicycling and transit in the revitalized river corridor, but we disagree that bridge-widening is necessary for this. Some proposed bridge- and road-widening projects have treated river neighborhoods as pass-through areas for outsiders. Bridge-widening is controversial and site-specific, and should not receive broad endorsement in the draft Plan. In addition, historic Los Angeles River bridges are valuable cultural assets that should be preserved.

The draft Plan should be reworded to allow for further study to determine if bridge widening might be needed.

10. Revitalizing the Full 52 Mile River

The draft Plan focuses on the 32 miles of the river that flow through the city. However, children of color

living in poverty without access to a car, and with the worst access to parks and to school fields, disproportionately live along the lower 20 miles of the river.³³ The city, county, and other municipalities and agencies should work together to ensure equitable distribution of the benefits and burdens of revitalizing the entire river to achieve compliance with clean water and civil rights laws and social justice concerns.

The draft Plan shows the network of River parks and green streets extending outside the city of Los Angeles' jurisdiction into Burbank and Glendale, but neglects extending its network downstream to Vernon and downstream communities. Extending the Los Angeles River greenway to the ocean will bring revitalization to underserved areas. It will benefit residents of the city of Los Angeles by connecting them with downstream and coastal areas. Downstream connections are also important for habitat, especially for fish.

The draft Plan should be revised to identify green street improvements to connect downstream into Vernon and to Maywood. The draft Plan should specify connecting the Los Angeles River Bikeway with the South County Los Angeles River Bike Trail (which ends at Atlantic Boulevard in Vernon).

The missions of the river governance bodies should explicitly include collaboration with the county and downstream cities to ensure that the emerging greenway serves all communities along the River.

11. Transparent and Democratic Public Process

The Plan should provide for river revitalization processes that continue to be transparent and engage public participation, particularly for underserved stakeholders who reside near proposed projects.

Additionally, all three River governance entities (described in chapter 9) should explicitly commit to transparent public processes that include meaningful input from stakeholders.

12. Taylor Yard-Cornfield El Pueblo Opportunity Area

Members of the Alianza and other community organizations were instrumental in the successful struggles to create great urban parks at the Rio de Los Angeles State Park at Taylor Yard and the Los Angeles State Historic Park at the Cornfield. The opportunity area from Taylor Yard to the Cornfield to El Pueblo de Los Angeles should serve as a best practice example of river revitalization, as per the recommendations above. Adjacent projects should include public schools, mixed-income housing, mixed-use projects, transit-oriented development, and local jobs for local workers. The area's natural-bottom riverbed supports abundant fish, birds, and habitat restoration. Such features should be replicated in other areas of the river.

13. Miscellaneous

13.1 Images

The draft Plan's images send a message as to who will be served by river revitalization. The images do not reflect the demographics of Los Angeles or the river corridor. The images contain few people of color, show no team sport activities, and no large families. The images should be revised to reflect the diversity of river communities.

13.2 Errors

Attachment 12 contains a list of errors in the draft Plan that should be corrected.

14. Principles for Equal Justice and River Revitalization

Fundamental principles of equal justice and democracy underlie each of the concerns above. The unfair disparities in access to natural public places based on race, ethnicity, youth, income, poverty, and access to transportation have been extensively documented.

As a matter of simple justice, the benefits and burdens of river revitalization should be distributed equally. All people are entitled to equal access to the benefits of river revitalization. People are entitled to natural public places along the river that serve the diverse needs of diverse users. Public dollars should not be spent in ways that discriminate unfairly against people of color and low income communities. The river revitalization process should provide full and fair information and public participation in planning and investing resources.

We recommend the following principles to ensure that everyone—especially people of color and others in low-income communities—benefits equally from river revitalization.

Principle 1. Infrastructure decisions involving the revitalization of the Los Angeles River have widespread impacts on health, housing, development, investment patterns, and quality of life. The process by which those decisions are reached, and the outcomes of those decisions, must be fair and beneficial to all.

Principle 2. River revitalization investments should be guided by a regional vision for a comprehensive and coherent web of communities, parks, schools, rivers, and other natural public places to achieve results that are equitable; promote human health, the environment, and economic vitality; and serve diverse community needs.

Principle 3. River revitalization areas should be planned together in complementary rather than conflicting ways to serve health, education, and human service needs; to fulfill critical governmental and societal responsibilities; and to produce equitable results. For example, green parks can be used as flood control basins and can clean water and mitigate polluted storm water runoff. Shared use of schools and parks can provide places and policies for physical activity and healthy eating to improve health. Transit can provide access to trails to the river.

Principle 4. Budget priorities along the river should be thoroughly assessed through an equity lens. For example, there is a need for both active and passive recreation in natural public places. Urban and wilderness park advocates should work together rather than at cross purposes. Schools along the river should develop the body, mind, and character of the child through physical education as well as academics.

Principle 5. Employment and economic benefits associated with river revitalization should be distributed fairly among all communities. Local jobs with livable wages should go first to local residents. Job training should be provided for those who need it to qualify for jobs. There should be a level playing field for small, women, and minority business enterprises. Affordable housing should be provided near parks and schools that are revitalizing neighborhoods, in order to prevent gentrification.

Principle 6. Revenues to support river revitalization should be collected and allocated fairly to distribute the benefits and burdens of these projects. Resources for river revitalization should be allocated to

overcome the continuing pattern and history of unfair park, school, and health disparities along the river and throughout Los Angeles.

Principle 7. Infrastructure decision-making should be transparent and include mechanisms for everyone to contribute to the planning and policymaking process. For example, full environmental impact reports and statements, and health impact assessments, for river revitalization are necessary to provide full and fair information and enable effective public participation in deciding the future of the river. River management should provide mechanisms for transparent and democratic participation. Community oversight bodies should be part of river revitalization.

Principle 8. Standards for measuring equity and progress should be articulated and implemented in the final Plan to hold agencies accountable for building healthy, livable communities for all along the river.

Principle 9. In making river revitalization investments and decisions, the City of Los Angeles should proactively comply with federal and state laws designed to achieve equal access to public resources, including Title VI of the Civil Rights Act of 1964 and its implementing regulations, California Government Code 11135, and the California statutory definition of environmental justice. Compliance with civil rights and environmental laws should be combined.

Principle 10. Government agencies and the philanthropic community should dedicate resources to enable community based organizations to serve their communities and actively participate in river revitalization planning and investments.

CONCLUSION

Applying the principles, recommendations, and laws above and in the accompanying public comments on the DEIR/S will help create healthy, livable, communities for all along the Los Angeles River.

Sincerely,

Robert García
Executive Director
The City Project

Joseph Linton
Director of River Projects
The City Project

Raul Macias
Founder and President
Anahuak Youth Sports Association

Irma Munoz
President and Founder
Mujeres de la Tierra

Antonio Gonzalez
President
William C. Velazquez Institute

Fabian Wagmister
REMAPPING-LA

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1. We incorporate by reference here ROBERT GARCIA AND AUBREY WHITE, POLICY REPORT: HEALTHY PARKS, SCHOOLS, AND COMMUNITIES: MAPPING GREEN ACCESS AND EQUITY FOR THE LOS ANGELES REGION (2006), submitted as attachment 1.
 2. Source: 2000 census data census block groups, GreenInfo Network.
 3. The DEIR/S left out two zip codes for the Taylor Yard Opportunity Area, zip codes 90031 and 90065, and questionably includes zip code 90026.
 4. See generally GARCÍA AND WHITE, SUPRA, HEALTHY PARKS, SCHOOLS, AND COMMUNITIES: MAPPING GREEN ACCESS AND EQUITY FOR THE LOS ANGELES REGION, at 8-12, 14-16.
 5. Phone survey by the William C. Velazquez Institute, September 2006, available at http://www.wcvi.org/latino_voter_research/polls/ca/2006/lariverpoll_91106.html.
 6. Cal Dep't. of Ed. website, at www.cde.ca.gov/ta/tg/pf/index.asp; Cara Mia DiMassa, *Here's the Skinny: Most Students Aren't*, L.A. TIMES, Nov. 25, 2004.
 7. U.S. DEPT. HEALTH & HUMAN SERVICES, THE SURGEON GENERAL'S CALL TO ACTION TO PREVENT AND DECREASE OVERWEIGHT AND OBESITY 9-10 (2001).
 8. GOLD COAST COLLABORATIVE, A HEALTH CRISIS IN PARADISE 18 (Sept. 2003).
 9. See U.S. Dept. of Health and Human Services and U.S. Department of Education, *Promoting Better Health for Young People Through Physical Activity and Sports*, available online at <http://www.cdc.gov/nccdphp/dash/presphysactrpt> (Fall 2001).
 10. U.S. DEPT. OF HEALTH AND HUMAN SERVICES, PHYSICAL ACTIVITY AND HEALTH: A REPORT OF THE SURGEON GENERAL [hereinafter SURGEON GENERAL, PHYSICAL ACTIVITY] 200 (1996); Patricia Barnes, *Physical Activity Among Adults: United States, 2000*, Advance Data, No. 333, U.S. Dept. Health and Human Services (May 14, 2003); POLICY LINK, REGIONAL DEVELOPMENT AND PHYSICAL ACTIVITY: ISSUES AND STRATEGIES FOR PROMOTING HEALTH EQUITY 9-12 (Nov. 2002) [hereinafter HEALTH EQUITY].
 11. B. Giles-Corti, et al. *The relative influence of individual, social and physical environment determinants of physical activity*, 54 SOC. SCI. & MED. 1793 (2002).
 12. See Richard J. Jackson, MD, MPH & Chris Kochtitzky, MSP, *Creating a Healthy Environment: The Impact of the Built Environment on Public Health*, SPRAWL WATCH CLEARINGHOUSE MONOGRAPH SERIES, PUBLIC HEALTH/LAND USE MONOGRAPH 5, available at <http://www.sprawlwatch.org/Jackson>; HEALTH EQUITY, supra, at 15.
 13. Jackson, supra, at 5.
 14. See Russell R. Pate et al., *Sports Participation and Health-Related Behaviors Among US Youth*, ARCHIVES PEDIATRICS & ADOLESCENT MED. (Sept. 2000); see also U.S. Dep't. of Health and Human Services, *Physical Activity Fundamental to Preventing Disease* [hereinafter *Physical Activity Fundamental*] 9 (June 20, 2002).
 15. Id. See Anastasia Loukaitou-Sideris & Orit Stieglitz, *Children in Los Angeles Parks: A Study of Equity, Quality, and Children Satisfaction with Neighborhood Parks*, 73 (4) TOWN PLANNING REV. 1-6 (2002).
 16. Ca. Dep't of Ed., Press Release, Dec. 10, 2002.
 17. *Gangs, Crime and Violence in Los Angeles: Findings and Proposals from the District Attorney's Office* (1992).
 18. See Loukaitou-Sideris, *Urban Form and Social Context*, supra, at 89-102; Jane Jacobs, *The Death and Life of Great American Cities* 89-111 (1992).
 19. See generally ROBERT GARCÍA, ET AL., POLICY REPORT, DREAMS OF FIELDS: SOCCER, COMMUNITY, AND EQUAL JUSTICE 17 (2002), available at www.cityprojectca.org/publications/index.html.
 20. The draft Plan includes a series of 32 recommendations (the first 16 are summarized on page 4 3 and the subsequent 16 are summarized on page 5 3.) Many of these recommendations focus on worthwhile habitat restoration, but none of them mention active recreation. For example, recommendation #4.10 states "Create a variety of public spaces, including small pocket parks, natural areas, and urban plazas and civic spaces in "reclaimed" areas of the channel." In listing these types of parks, the recommendation omits active recreation. The draft Plan (sidebar page 2 3) states that the River can "provid[e] space for active and passive recreation." The accompanying narrative (page 2 3 columns 1 and 2) fails to mention active recreation. It includes descriptions of passive recreation, stating "where children can skip a stone, see the reflection of the sky, listen to the sounds of the croaking frogs or the rustle of willow leaves . . ." The same page mentions the lack of open space in predominantly minority neighborhoods and the correlation of these with public health epidemics of obesity and diabetes, but fails to connect these inequities with active recreation.
 21. Anastasia Loukaitou-Sideris, *Urban Form and Social Context: Cultural Differentiation in the Uses of Urban Parks* [hereinafter *Urban Form and Social Context*], 14 J. PLANNING & ED. & RESEARCH 89, 100-02 (1995). See also Anastasia Loukaitou-Sideris & Orit Stieglitz, *Children in Los Angeles Parks*, supra, at 1-6.
 22. Loukaitou-Sideris, *Urban Form and Social Context*, supra, at 92-96.
 23. SETHA LOW, DANA TAPLIN, & SUZANNE SCHIEDL, RETHINKING URBAN PARKS, supra, at 40-43; Deborah J. Chavez, *Mexican-American Outdoor Recreation: Home, Community & Natural Environment*, proceedings paper, Hawaii International Conference on Social Sciences 5, 41-43 (2003); Deborah J. Chavez, *Adaptive Management in Outdoor Recreation: Serving Hispanics in Southern California*, 17 (3) WEST. J. APPLIED FORESTRY 132 (July 2002); Deborah S. Carr & Deborah J. Chavez, *A Qualitative Approach to Understanding Recreation Experiences: Central American Recreation in the National Forests of Southern California* in CULTURE, CONFLICT, AND COMMUNICATION IN THE WILDLAND-URBAN INTERFACE 181, 184-94 (A.W. Ewert, D.J. Chavez, A.W. Magill eds., 1993); Patrick T. Tierney, et al., USDA, Forest Service, Pacific Southwest Research

Station, *Cultural Diversity of Los Angeles County Residents Using Undeveloped Natural Areas 5* (1998); Regina Austin, "Not Just for the Fun of It!: Governmental Restraints on Black Leisure, Social Inequality, and the Privatization of Public Space, 71 S. CAL. L. REV. 667, 694, 711-12 (1998).

24. The audit of Recreation and Parks is available in three parts at www.cityprojectca.org/blog/wp-content/fiscalmanagementCityParks11102005_01.pdf; www.cityprojectca.org/blog/wp-content/RecreationandCommunityServicesAudit.pdf; and www.cityprojectca.org/blog/wp-content/MaintanceAudit01092006.pdf.

25. JENNIFER WOLCH ET AL., *PARKS AND PARK FUNDING IN LOS ANGELES* (2002).

26. Proposed wording suggestions for this and other sections appear in attachment 14.

27. Phone survey by the William C. Velazquez Institute, September 2006, available at http://www.wcvi.org/latino_voter_research/polls/ca/2006/lariverpoll_91106.html.

28. Testimony and Powerpoint presentation by Michael Strumwasser, an attorney for LAUSD, before the LAUSD Citizens' School Bond Oversight Committee, November 17, 2004.

29. Juliet Howland, Francine Young, Jon Erdsieck, Bunny Tucker, University of Southern California Geography Department, *Access to Recreational Space: Joint Use Agreements in the Los Angeles Unified School District* (2006) (on file with The City Project).

30. ROBERT GARCÍA, ERICA S. FLORES, JULIE EHRLICH, *POLICY REPORT, THE CORNFIELD AND THE FLOW OF HISTORY* (2004), available at www.cityprojectca.org/publications/index.html; Cornfield State Park Advisory Committee, *Recommendations Report: A Unified Vision for Cornfield State Park, Appendix I: Cultural, Historical, and Recreational Links* (2003), available at www.parks.ca.gov/pages/21299/files/recommendationsreport.pdf.

31. *RETHINKING URBAN PARKS*, *supra*, at 203-04.

32. *See generally* Robert García and Thomas A. Rubin, *Cross Road Blues: Transportation Justice and the MTA Consent Decree*, chapter in Karen Lucas, ed., *Running on Empty: Transport, Social Exclusion and Environmental Justice* 221-56 (2004).

33. *See* Map and Chart 1001.

Alianza de los Pueblos del Río
c/o 1055 Wilshire Blvd., Suite 1660
Los Angeles, CA 90017

March 27, 2007

Dr. Carol Armstrong
City of Los Angeles
Department of Public Works
Bureau of Engineering
1149 S. Broadway, Suite 600
Los Angeles, CA 90015

Re: Comments on Draft Los Angeles River Revitalization Master Plan and Draft Environmental Impact Report/Draft Environmental Impact Statement

Dear Dr. Armstrong:

These comments are submitted by Anahuak Youth Sports Association, The City Project, Mujeres de la Tierra, and REMAPPING-LA.

The purpose of this letter is to provide public comments on the Los Angeles River Revitalization Master Plan Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/S). We incorporate by reference the accompanying public comments on the Draft Los Angeles River Revitalization Master Plan (draft Plan).

We support the revitalization of the Los Angeles River. We appreciate the efforts by the Los Angeles River Ad-Hoc Committee, its Chairman Councilman Ed Reyes, and many agencies and staff members for developing the DEIR/S.

Our purpose here is to help improve the DEIR/S by ensuring that the benefits and burdens of river revitalization are distributed fairly, and that the EIR/S process provides full and fair information and public participation in deciding the future of the river. Revitalizing the Los Angeles River while ensuring the fair treatment of people of all colors, cultures, and incomes can help transform Los Angeles into a more livable, democratic, and just community, and provide a replicable model for community redevelopment elsewhere.¹

The DEIS/DEIR was prepared to fulfill the requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). NEPA has twin aims. "First, it places upon an agency the obligation to consider every significant aspect of the environmental impact of a proposed action. Second, it ensures that the agency will inform the public that it has indeed considered environmental concerns in its decisionmaking process." *Baltimore Gas & Electric Co., v. NRDC*, 462 U.S. 87, 97 (1983); *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332 349-50 (1989) (an EIS serves an "informational role" and provides a "spring board for public comment"). Similarly, the basic purpose of an EIR under CEQA "is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made." *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal.3d 553, 564 (1990).

The DEIR/S fails to comply with the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21000 *et seq.*; the CEQA Guidelines, California Code of Regulations, title 14, section 15000 *et seq.* (“CEQA Guidelines”); the National Environmental Policy Act (“NEPA”) 42 U.S.C 4321; 40 C.F.R. 1500.1; and the civil rights and environmental justice laws discussed below. The DEIR/S should be recirculated. The DEIR/S cannot properly form the basis of a final EIR/S.

1. Socioeconomics

The Los Angeles River stretches 52 miles through diverse communities from Canoga Park to the ocean. The demographics along the river are shown in Map 1001 and Chart 1001C, and in the following table.

Demographics for a three mile radius of the Los Angeles River²

	3 Mile Raduis		Within the City		Outside the City	
	Count	%	Count	%	Count	%
Total Population	2,918,541	-	1,482,145	51%	1,436,396	49%
Children	847,448	29%	380,892	45%	466,556	55%
NonHispanic Whites	787,330	29%	497,954	36%	289,376	21%
Hispanic	1,583,322	54%	720,876	49%	862,446	60%
African American	213,527	8%	47,077	3%	139,450	10%
Asian	261,846	9%	151,058	11%	110,788	8%
Living in Poverty	637,221	22%	319,492	22%	317,729	22%
HS degree or less	991,325	56%	509,763	54%	481,562	59%
No Car Access	157,863	17%	92,325	18%	65,538	16%

The socioeconomic data and analyses in the draft Plan and DEIR/S appears to be invalid for several reasons. First, the DEIR/S defines the river corridor too narrowly as a quarter mile, half mile, or one mile radius along the river (the Plan and DIER/S are not clear which). Second, the draft Plan and DEIR/S rely on zip codes rather than census blocks or block groups, which more accurately measure demographic ground truth. There appears to be no good reason for relying on zip code data. Third, the zip code analysis for the Taylor Yard opportunity area is based on the wrong zip codes.³ *See generally* DEIR/S 3-128 to 3-171; 4-155 to 4-182.

We recommend a 3 mile radius along the river using 2000 census block groups to more accurately assess the impact of revitalization.⁴ The socioeconomic and environmental justice analyses in the DEIR/S and draft Plan need to be revised accordingly.

2. Environmental Justice and Civil Rights

In addressing environmental justice--which is a central concern for revitalization in light of the demographics of people of color and low income communities along the river--the DEIR/S contains only a cursory reference to the Executive Order 12898 on Environmental Justice and Executive Order 13045 on Protection of Children from Environmental Health Risks and Safety. The DEIR/S fails to analyze other relevant federal and state civil rights and environmental justice laws.

Federal and state laws prohibit both intentional discrimination and unjustified discriminatory impacts for which there are less discriminatory alternatives in the provision of public resources, including access to parks and other public lands. An important purpose of the statutory civil rights framework is to ensure

that recipients of public funds do not maintain policies or practices that result in racial discrimination.⁵

Title VI of the Civil Rights of 1964 and its implementing regulations prohibit both (1) intentional discrimination based on race, color or national origin, and (2) unjustified discriminatory impacts for which there are less discriminatory alternatives, by applicants for or recipients of federal funds, including municipalities such as the city of Los Angeles.⁶

California law also prohibits intentional discrimination and unjustified discriminatory impacts by recipients of state funds under Government Code section 11135, which is analogous to Title VI and its regulations.⁷ In addition, California law defines environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.”⁸

Then-Secretary Andrew Cuomo of the United States Department of Housing and Urban Development recognized that the principle of equal justice must be implemented through parks and recreation in Los Angeles. Secretary Cuomo withheld federal funding for proposed warehouses at the site of what is now the Los Angeles State Historic Park at the Cornfield unless the city of Los Angeles and the developers conducted a “full-blown” assessment of the impact of the proposed development on communities of color and low-income communities, including the park alternative.⁹

The city has the opportunity to affirmatively comply with state and federal civil rights and environmental justice laws by revising the DEIR/S and draft Plan to analyze the impacts of river revitalization under these standards using accurate socioeconomic data and information.

3. Inadequate No Project Alternative Sections

The discussion of No Project Alternative is inadequate in the environmental justice and public health sections. The discussions should analyze current trends in environmental justice and public health that would continue if river revitalization is not implemented. For example, unfair park, school, and health disparities will continue. The discussions about transportation, noise, and hydrology, for example, are much more thorough. The DEIR/S should be revised accordingly.

4. Recreation and River Revitalization

The DEIR/S discussion of recreation states that river revitalization will have an adverse effect on parks in Los Angeles because it will increase demand for recreation at existing parks, and that such demand would have to be mitigated (*see, e.g.*, page 4-96). We disagree.

Increased places for recreation along the river can help meet the demand for parks and recreation throughout Los Angeles, and alleviate unfair park, school and health disparities. The DEIR/S should be revised to analyze the benefits of river revitalization for recreation, and how revitalization can alleviate these disparities.

5. Housing Displacement and Gentrification

The DEIR/S fails to adequately study and mitigate the impact of housing displacement and gentrification and the need for affordable housing. We incorporate by reference the discussion of these issues in our public comments on the draft Plan. The DEIR/S should be revised to study and mitigate these impacts.

6. Transportation

The DEIR/S states that no federally funded transportation facilities will be constructed as part of future river revitalization projects, and that therefore no analysis of federal regulations is required (page 4-134). That proposition is incredible and must be wrong. Federal transportation funds have been used in the past for river revitalization projects including bikeways and bridges. Federal funds presumably will be available for transportation projects related to the river in the future. It is not clear why the DEIR/S turns its back on federal funding. The DEIR/S should be revised and should analyze applicable federal regulations and potential federal funding for transportation projects.

The DEIR/S makes multiple references (pages 4-137, 4-138, 4-143) to “mitigation actions described in Section 4.12.10,” but that section is missing. The DEIR/S must be revised to include this section.

The discussion of potential transportation impacts on transit impacts in the Chinatown-Cornfield Alternative A (CC-A) contains numerous errors (page 4-141). It references “Verdugo Wash” and “San Fernando Road” which are not in the CC area, and fails to include the Metro Gold Line in its list of rail lines in the area. The text appears to be copied from a River Glen section without having been updated to reflect local Chinatown-Cornfields specifics. The DEIR/S should be revised.

The DEIR/S asserts that implementation of trails and bikeways “would likely result in additional public service needs related to police protection and emergency medical treatment” (page 4-157). This speculative statement is unfounded and incorrect.

Bicycling and walking trips are expected to offset car trips, thereby increasing physical activity and public health and decreasing automotive trips that are far more dangerous than bicycling or walking and more likely to result in the need for police and emergency medical treatment. In addition, fostering non-motorized transportation has many additional beneficial environmental impacts, including improving air and water quality, and reducing traffic congestion, resource depletion and global warming. Reducing the overall adverse environmental impacts would result in reduced socioeconomic costs.

The DEIR/S should be revised to properly analyze these matters.

7. Inadequate Discussion of Impacts to Historic/Cultural Resources

The section of the DEIR/S exploring Historic and Cultural Resources (page 3-173 to 3-187) omits many of the most prominent historic structures located in the Opportunity Areas. The most glaring omission is that the listing for the Downtown Industrial Opportunity Area (3-186 to 3-187) does not include any historic bridges.

Especially in the greater downtown area, the Los Angeles River is a central historical feature, running through Los Angeles’s earliest neighborhoods. The revitalization of the river presents an important opportunity to bring attention to the city’s heritage. Discussion of historic and cultural resources must be taken very seriously. As projects progress, thorough surveys and reviews must be performed and historic structures must be honored, celebrated and preserved.

We respectfully request that the DEIR/S review of Cultural Resources be revised to include the following items. This list is by no means exhaustive.

- Add the Historic American Engineering Record (HAER) on page 3-174. This is especially pertinent as, in 2000, the City of Los Angeles Bureau of Engineering worked with HAER to document 15 historic bridges, including 12 over the River.
- While the River Glen Opportunity Area section on Cultural Resources (page 3-181), probably correctly notes that there are no designated cultural resources in that area, it may be worth noting the presence of the 1939 San Fernando Road Bridge over the Verdugo Wash.
- The listing of Taylor Yard Opportunity Area Cultural Resources (page 3-183) omits Dorris Place School (1928), a beautiful and very well-preserved Romanesque-style brick building (see http://www.laschools.org/historic-survey/survey_report.pdf).
- The listing of Chinatown-Cornfields Opportunity Area Cultural Resources (page 3-184 to 3-185) omits the HAER-designated North Spring Street Bridge (1927) and incorrectly includes the Macy Street Viaduct that is located outside the area boundaries.
- The listing of Downtown Industrial Opportunity Area Cultural Resources (page 3-186 to 3-187) omits the HAER-designated historic bridges at First, Fourth, Sixth, and Seventh Streets.
- Portions of the concrete channel encasing the River are more than 50 years old, and it has been asserted (in environmental reviews by the County of Los Angeles) that the channel structures themselves may be considered historic. We do not assert that this should prevent alterations to the channel, but that there should be acknowledgement and commemoration of the unprecedented flood control engineering feat that the concrete structures represent. (See page 3-180.)

8. Missing Benefits to Hydrology, Floodplain, and Water Quality

The draft Plan will lead to significant positive benefits to hydrology, flood capacity and water quality (see, e.g., page 4-3 and chapter 6).

The DEIR/S analysis of Hydrology, Floodplain, and Water Quality largely misses the beneficial environmental impacts. Indeed, its summary lists only negative impacts (page 4-228). For example, in the discussion of vegetation of the riverbed (page 4-32), the DEIR/S states the problems with potential uprooted vegetation, but not the vegetation's ability to remove and break down pollutants resulting in beneficial impact to water quality. (See also the discussion of trash below.)

By omitting the beneficial impacts discussed in the draft Plan, the DEIR/S implies that implementing the draft Plan would adversely impact hydrology, flood capacity and water quality. This implication is false. The DEIR/S should be revised to include the Plan's beneficial impacts for the riparian environment.

9. Trash in the River

The DEIR/S asserts that project features that attract people to the river could also result in more trash making its way into the Los Angeles River (page 4-31). Project features could be more likely to do the opposite – to result in less trash making its way into local waterways. As specified in the draft Plan (page 410), revitalization projects will include “treatment terrace” infrastructure features that will be designed to improve water quality, including screening trash.

In addition to infrastructure with beneficial impacts on water quality, implementing the Plan will result in non-structural beneficial impacts on behavior. For example, with increased recreational use of the river, many residents are likely to become more aware of the negative impacts of trash and other pollutants and will then be less likely to throw trash on the ground that will make its way into the river. If Canoga Park residents enjoy fishing in their stretch of the river, they will be less likely to litter in it.

We commend the DEIR/S for including trash in its Water Quality analysis. Trash is indeed an important environmental impact to consider, perhaps even among the most diffuse and difficult pollutants to keep out of our waters. The DEIR/S correctly states waterborne trash's adverse effects on public health and aesthetics. Properly designed river projects will beneficially impact water quality by preventing trash problems. The DEIR sections on trash should be revised accordingly.

10. Water Safety

The DEIR/S states an increased risk of drowning as a potentially significant adverse impact (page 4-121), but fails to mention mitigation measures to address this impact. Water safety mitigation measures are well established on other rivers, and are described adequately on page 4-15 of the draft Plan, and in the subsequent summary of this section on page 4-236 of the DEIR/S. It is vitally important that these safety features be incorporated in all river projects to mitigate drowning dangers.

Additional mitigation (as specified in the draft Plan on page 4-7), especially in the long run, includes watershed management (including flood peak storage outside the channel) with channel naturalization will reduce flow velocities, making the river less dangerous.

11. A DEIR/S Project is not in the draft Plan

The Edenhurst Avenue project is discussed in the DEIR/S (*see, e.g.*, page 2-25) but not in the draft Plan. The project should be either deleted from the DEIR/S or added to the DLARRMP.

12. Other Errors

Attachment 13 contains a list of errors in the DEIR/S that should be corrected.

CONCLUSION

For the reasons stated and under the authorities cited above and in the public comments on the draft Plan, the DEIR/S should be revised and recirculated.

Sincerely,

Robert García
Executive Director
The City Project

Joe Linton
Director of River Projects
The City Project

Raul Macias
Founder and President
Anahuak Youth Sports Association

Irma Munoz
President and Founder
Mujeres de la Tierra

Fabian Wagmister
REMAPPING-LA

1. We fully incorporate by reference here ROBERT GARCIA AND AUBREY WHITE, POLICY REPORT: HEALTHY PARKS, SCHOOLS, AND COMMUNITIES: MAPPING GREEN ACCESS AND EQUITY FOR THE LOS ANGELES REGION (2006), submitted as attachment 1.

2. Source: 2000 census data census block groups, GreenInfo Network.

3. The DEIR/S left out two zip codes for the Taylor Yard Opportunity Area, zip codes 90031 and 90065, and questionably includes zip code 90026.

4. *See generally* GARCÍA AND WHITE, SUPRA, HEALTHY PARKS, SCHOOLS, AND COMMUNITIES: MAPPING GREEN ACCESS AND EQUITY FOR THE LOS ANGELES REGION, at 8-12, 14-16.

5. *See generally* GARCÍA AND WHITE, SUPRA, HEALTHY PARKS, SCHOOLS, AND COMMUNITIES: MAPPING GREEN ACCESS AND EQUITY FOR THE LOS ANGELES REGION; *Guardians Ass'n v. Civil Service Comm'n*, 463 U.S. 582, 629 (1983) (Justice Marshall, concurring in part and dissenting in part).

6. 42 U.S.C. § 2000d (2004). *Cf.* 43 C.F.R. 7.30 (nondiscrimination statement for recipients of federal funds from the Department of Interior, which has jurisdiction over National Parks and other public lands). *See also* Executive Order 12,898 on Environmental Justice (Feb. 11, 1994). The Equal Protection Clause of the Fourteenth Amendment to the United States Constitution also prohibits intentional discrimination. *See also* Section 1983 of the Civil Rights Act of 1871.

7. *See* Cal Gov. Code § 11135 *et seq.*; 22 CCR § 9810.

8. Cal. Gov. Code § 65040.12.

9. Letter from Office of the Secretary, United States Department of Housing and Urban Development, to Los Angeles Deputy Mayor Rocky Delgadillo Re: City of Los Angeles – Section 108 Application – Cornfields B-99-MC-06-0523, Sep. 25, 2000, on file with The City Project.