



May 25, 2007

Minh Thai
Planning Services Manager
City of El Monte (City Hall West)
11333 Valley Boulevard
El Monte, CA 91731

Dear Mr. Thai:

The City Project submits these public comments on behalf of Titan Group regarding the draft Environmental Impact Report (DEIR) for the El Monte Transit Village (the Transit Village or the Project). The Center for Law in the Public Interest as part of a coalition previously submitted comments regarding parks and active recreation in a letter and report on parks to the City of El Monte on February 15, 2005. The Titan Group has responded to those comments and has retained The City Project as a consultant regarding the DEIR.¹

I. Overview

The diversity of the City of El Monte is important in analyzing the benefits and impacts of the El Monte Transit Village. This redevelopment project provides a mix of housing, park, transit, and commercial/office uses. The benefits of the Transit Village can serve to mitigate adverse impacts of transportation/congestion and air quality.

The City of El Monte is 72% Hispanic, 18% Asian, and 7% non Hispanic White, according to the El Monte web site citing 2000 United States Census data. Over 22% of individuals live below the poverty line and more than 37% of households live on less than \$25,000 annually. 53% of households have an estimated annual income under \$35,000.²

The City of El Monte Community Redevelopment Agency, in cooperation with the Titan Group, requested the City of El Monte to consider approval of a Specific Plan for the El Monte Transit Village. The Redevelopment Agency identified the area where the project is located as an area that would benefit from redevelopment assistance. The Transit Village is designed to provide the benefits of a highly urban living environment with a reduced emphasis on automobile transportation. The project is considered a transit-oriented development (TOD) because it is designed to maximize access to existing high volume transit operations available at the El Monte Station Transit Center. The Transit Village is a redevelopment project that will use property that is already developed and replace it with the higher intensity development described in the DEIR. DEIR at 1-1.

1. The Center for Law in the Public Interest closed in November 2006. The City Project, formerly a part of the Center, then became a part of Community Partners. The present comments are not submitted by or on behalf of the Center or the coalition.
2. City of El Monte website, www.ci.el-monte.ca.us/aboutem/aboutem.html.

Some of the major objectives and benefits of the Transit Village include the following, as described in the DEIR at 1-2 to 1-3 and 3-2 to 3-3.

1. The Transit Village is a model for Transit Oriented Development. Density, transit accessibility, and pedestrian oriented features are core components of this concept.
2. The Transit Village goes beyond normal building code requirements to incorporate green design. Leadership in Energy and Environmental Design (LEED) certification criteria will be implemented on development activities.
3. The Transit Village will improve the urban park, open space, and recreational experience, as discussed below.
4. The Transit Village has the potential to improve connectivity to the Metro Transit Center, generate new economic activity, and increase bus ridership.
5. The Transit Village will provide badly needed housing in a region of severe overcrowding and extremely high housing costs. Of the 1850 dwelling units proposed, approximately two-thirds will be for sale and one-third will be rental. A goal has been established to make 15% to 20% (DEIR at 1-3, 4-142) of the housing affordable to low and moderate income households.
6. The Transit Village will create significant employment opportunities for the residents of El Monte, both during and after construction. An estimated range of 1,500 to 3,500 (*see, e.g.*, DEIR at 1-3, 3-3) jobs are forecasted to be created depending on the proposed retail commercial and office professional space.³ The Transit Village will establish strategic alliances with the Rosemead-El Monte Adult School, the Rio Hondo Community College, the Workforce Improvement Board, and other service providers to identify job opportunities and recruit local residents into job training programs designed to qualify participants for the jobs that the project will create.
7. The Transit Village will provide a number of features to help establish a regional educational center to provide life long learning opportunities for residents of the Transit Village and the larger community. In addition to a child development center, the Transit Village will include satellite classroom space for use by community colleges, Cal State Los Angeles, and other public educational institutions.
8. The Transit Village will help satisfy other community needs, including choices in retail and restaurants, a full-service grocery store, and public gathering places.

Providing these benefits alone and cumulatively to the diverse population of El Monte can help mitigate adverse impacts in transportation/circulation and air quality.

3. The DEIR uses different numbers at different pages and should clarify the range.

II. Socioeconomics

The DEIR does not analyze the demographics of the City of El Monte. The DEIR should analyze socioeconomics and demographics to clarify the benefits and impacts of the Transit Village, particularly since this is a community redevelopment project. Other environmental impact reports and statements analyze socioeconomics and demographics, including the recent Final Program Environmental Impact Report/Statement for the Los Angeles River Revitalization Master Plan at sections 3.14, 4.14, 3.15 and 4.15 (April 2007).

III. Environmental Justice

The DEIR does not explicitly analyze environmental justice aspects of the Project. The DEIR should, particularly since this is a community redevelopment project with benefits and impacts on diverse communities. Other environmental impact reports and statements analyze human health, environmental justice and civil rights matters, including the recent Final Environmental Impact Report/Statement for the Los Angeles River Revitalization Master Plan at sections 3.15, 4.15, 3.14 and 4.14 (April 2007).

Federal and state laws guard against intentional discrimination and unjustified discriminatory impacts for which there are less discriminatory alternatives by recipients of public funds. Title VI of the Civil Rights of 1964 and its implementing regulations guard against 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 such as the City of El Monte.⁴

Executive Order 12,898 (Feb. 11, 1994) provides in relevant part: "To the greatest extent practicable and permitted by law . . . each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."

California law also guards against intentional discrimination and unjustified discriminatory impacts by recipients of state funds such as the City of El Monte under Government Code section 11135, which is analogous in relevant part to Title VI and its regulations.⁵

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."⁶

4. 42 U.S.C. § 2000d (2004). *Cf.* 49 C.F.R. 21 (Title VI regulations by United States Department of Transportation).

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

6. Cal. Gov. Code § 65040.12.

IV. Parks, Active Living, and Health

The Project will reconfigure local parks, provide funding for parkland acquisition, provide places for physical activity and active recreation, enhance the Rio Hondo Specific Plan, and provide connectivity consistent with the Emerald Necklace Plan for the Rio Hondo and San Gabriel River. The Transit Village is designed to promote active living more broadly through walkable neighborhoods, mixed land use, and access to transit -- key features of transit oriented design. Titan has responded to concerns raised about parks and active recreation submitted by a coalition in the letter and report on parks to the City of El Monte on February 15, 2005.

The DEIR does not analyze physical activity, active recreation and human health, and it should. The recent Final Los Angeles River Revitalization Master Plan (April 2007) recognizes the links between parks, active recreation, and health at page 5-26. “[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.”⁷

The increase in residential units in the Transit Village has the potential to create demand for additional parkland to meet the City's minimum goal of 3.0 acres of parkland per 1,000 residents.⁸ The final EIR should specify that Titan will provide fees to the City under the Quimby Act for the acquisition of that parkland. The final EIR should specify that the City will in fact use those funds for new parkland acquisition, and not for other purposes.

According to the DEIR, the City currently provides a total of 1.6 acres of parkland per thousand residents (DEIR 4-158). The DEIR should break down that figure to make clear that the 1.6 figure includes the shared use of 45 acres of parks and 161 acres of school playing fields, and not just parks.

The project will reconfigure Pioneer Park, Fletcher Park, and the Santa Fe Trail Historical Park, which are located within the project site. The project will reconfigure these parks to create a 15.1 acre park, for an increase of .31 acres (DEIR Table 4.15-1). The reconfiguration of the park will increase the available green space for active recreation, increase available parking, and enhance the aesthetics of the area by placing the parking lot underground. The proposed reconfiguration will raise the elevation of the park and make the space more visible to attract users and deter antisocial and unlawful activity. The project will replace the ball fields sequentially to allow continuous access to the same amount of field space as is currently available. The new fields will be built on top of a 200-plus space underground parking structure

7. 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>, cited in Final Los Angeles River Revitalization Master Plan at page 5-26 (April 2007). *Accord*, Policy Link, Regional Development and Physical Activity: Issues and Strategies for Promoting Health Equity 15 (Nov. 2002).

8. DEIR at 4-152. The DEIR refers to 7.4 and 11.1 acres at 4-158 and the correct figure should be determined. The DEIR should specify the amount of Quimby funds to be used for acquisition of parkland and for improving recreation opportunities and facilities within El Monte. See DEIR at 4-161,

that will provide more parking than is currently available. Improving access to the parks is a positive impact.

Recent evidence-based research cited below suggests that the Transit Village can benefit the diverse population of El Monte through the creation of new parkland and reconfiguration of existing parks to provide opportunities for improved physical activity and active recreation.

Physical activity among youth can help prevent childhood obesity and related conditions. There is a correlation between children who are physically fit and better academic performance in school. After engaging in physical activity, children perform better on tasks requiring concentration. The precipitous decline in children's physical activity levels, and escalating rates of childhood obesity and diabetes, are alarming national health trends. More than one out of every four adolescents in California (29%) -- nearly one million teenagers -- get less than the recommended levels of physical activity. Inactivity and obesity are even more significant in ethnic and low income minority groups.

Access to safe parks or other places for physical activity, along with other characteristics of the neighborhoods where adolescents live, have an important effect on whether teens meet recommendations for physical activity, and whether they get any activity at all. In California, the percent of teens engaging in regular physical activity is higher when teens have access to a safe park than when they have no access. In addition, the percentage of teens who get *no* physical activity at all is higher among those with no access to a safe park than among those who have access to a safe park.

Regular physical activity, along with a healthful diet, is key to preventing obesity and many chronic health conditions associated with obesity. Insufficient physical activity contributes to obesity and to risk of complications and death from chronic conditions, such as Type 2 diabetes, heart disease, hypertension, and some cancers. It is also associated with greatly increased costs for medical care and lost productivity, estimated to cost California approximately \$13 billion a year.

Adolescents living in multi-unit apartment buildings get less physical activity than those living in houses. Having access to a safe park significantly increases the prevalence of regular physical activity for such adolescents, and it cuts in half the percent getting no physical activity. Adolescents from low income families get less physical activity than those from more affluent families. Access to a safe park makes more of a difference for teens from moderate and low income families than for those with higher income families.

The evidence based research discussed above includes Susan H. Babey et al., *Teens Living in Disadvantaged Neighborhoods Lack Access to Parks and Get Less Physical Activity* (UCLA Center for Health Policy Research 2007); Susan H. Babey et al., *Access to Safe Parks Helps Increase Physical Activity among Teenagers* (UCLA Center for Health Policy Research 2006); Robert García and Aubrey White, *Healthy Parks, Schools, and Communities: Mapping Green Access and Equity for the Los Angeles Region* 8-10, 19 (The City Project Policy Report 2006);

Neal Kaufman et al., *Evidence-based Programs to Promote Physical Activity among Youth* (UCLA Center for Health Policy Research, Sept. 9, 2005).

Active recreation and team sports can also promote positive choices and help reduce youth violence, crime, drug abuse, and teen pregnancy. Sports and recreation can provide life-long lessons in team work, build character and improve academics.⁹

The DEIR should specify, as does the Specific Plan, that the parks described above will be nodes of the Emerald Necklace Plan. Enhancement of the Rio Hondo Bike Path is an essential element of connectivity for the Transit Village, to promote non-automobile transit to and from the site, and to provide active recreation. The Emerald Necklace Plan envisions a 15-mile bike path greenway loop that connects more than 1,500 acres of parks and open space along the Rio Hondo and San Gabriel Rivers. The Emerald Necklace Plan includes Pioneer Park, Fletcher Park, and Santa Fe Trail Historical Park as nodes along the Rio Hondo Bike Path. DEIR 4-161.

The DEIR recognizes the significant cultural resources in the project area, including historical resources in the existing parks and the end of the Santa Fe/Old Spanish Trail (DEIR at 4-61 to 4-62). Interpretive elements in the parks and along the Emerald Necklace should reflect the cultural and historical resources. Contemporary research discusses the need for cultural sensitivity in such planning efforts, as discussed in the Final Los Angeles River Revitalization Master Plan at 5-37 (April 2007).

The EIR could address multiple benefit green space projects as part of the improvement of the existing parks, creation of new parkland, shared use of parks and schools, and the connectivity with the Emerald Necklace. For example, green parks, schools, and sports fields can provide clean water through natural percolation, prevent polluted water runoff, and improve water retention. The new Rio de Los Angeles State Park along the Los Angeles River is a best practice example of a balanced park that has active and passive recreation in harmony with native vegetation and serves clean water functions.

In short, the Transit Village will improve opportunities for active living through reconfiguration of existing parks, new park creation, enhancement of the Rio Hondo bike path, connectivity with the Emerald Necklace, walkable neighborhoods, mixed land use, and access to transit.

VI. Housing

Over 22% of individuals in the City of El Monte live below the poverty line and more than 37% of households live on less than \$25,000 annually. 53% of households have an estimated annual income under \$35,000.¹⁰

9. See generally Russell R. Pate et al., *Sports Participation and Health-Related Behaviors Among US Youth*, Archives Pediatrics & Adolescent Med. (Sept. 2000); U.S. Dep't. of Health and Human Services, *Physical Activity Fundamental to Preventing Disease* 9 (June 20, 2002); *Gangs, Crime and Violence in Los Angeles: Findings an Ca. Dep't of Ed.*, Press Release, Dec. 10, 2002.d *Proposals from the District Attorney's Office* (1992); 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); WILLIAM G. Bowen & Sarah A. Levin, et al., *Reclaiming the Game: College Sports and Educational Values* (2003).

The Transit Village will provide housing in a region of overcrowding and high housing costs. According to the DEIR, a goal has been established to make 15 or 20% of the housing affordable to low and moderate income households as this is a redevelopment project. The Transit Village will include 1,850 dwelling units, approximately 65% as ownership and 35% as rental. No housing currently exists within the Specific Plan site, so no people or housing will be displaced.

The EIR should specify the numeric goals for affordable housing, including the percentage of affordable housing, and define the standard of affordability. *See* Final Los Angeles River Revitalization Master Plan at 10-8 to 10-9 (April 2007). Affordable housing should be well integrated with other housing to minimize differences. The EIR should specify mitigation measures for residences within 500 feet of the freeway (DEIR at 4-39).

VI. Job Creation

The Transit Village will create employment opportunities for the residents of El Monte, both during and after construction. According to the DEIR, a forecasted range of 1,500 to 3,500 jobs are to be created, depending on the proposed retail commercial and office professional space for the Transit Village. (*See, e.g.*, DEIR at 1-2 to 1-3 and 3-2 to 3-3.) The Transit Village will establish strategic alliances with the Rosemead-El Monte Adult School, the Rio Hondo Community College, the Workforce Improvement Board, and other service providers to identify job opportunities and recruit local residents into job training programs designed to qualify participants for the jobs that the project will create.

The DEIR discusses SCAG policies as follows at page 4-112: "Encourage employment development in job-poor localities through support of labor force retaining programs and other economic development measures." This project is neutral with regard to this policy."

The EIR should analyze jobs more thoroughly, including short term jobs in construction and long term jobs resulting from the Project. The EIR should specify goals for local jobs for local workers, job assistance and training programs, and an even playing field for women, minority, and veteran owned enterprises. *See* Final Los Angeles River Revitalization Master Plan at 10-8 (April 2007). Wealth creation through affordable housing and jobs can help guard against displacement in connection with induced demand for housing and changes in employment arising from community revitalization. *See* Final Program Environmental Impact Report/Statement for the Los Angeles River Revitalization Master Plan at section 4.14.2.3 (April 2007).

Respectfully submitted,

Robert García
Executive Director