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November 16, 2009

National Park Service
San Gabriel Special Resource Study
Park Planning and Environmental Compliance
1111 Jackson Street, Suite 700
Oakland, CA 94607

via email: pwr_sangabriel@nps.gov

Re: San Gabriel Watershed and Mountains Special Resource Study

Dear San Gabriel Watershed and Mountains Special Resource Study Team:

The undersigned members of a diverse and growing alliance submit these public comments on the draft alternative concepts presented in the San Gabriel Watershed and Mountains Special Resource Study. We recommend the creation of a diverse and robust San Gabriel Mountains National Recreation Area. We present our recommendations below in support of what the San Gabriel Mountains Forever Campaign is calling the maximum benefit alternative national recreation area. We focus here on diversifying support for and access to the San Gabriel Watershed and Mountains and proposed National Recreation Area. We recommend that you include that alternative and the following recommendations in your Draft Report to be issued next year.

We summarize our recommendations here. Detailed analyses are contained in each of the attached documents, which we fully incorporate by reference here.

1. “J-O-B-S,” Economic Stimulus, and Green Space for All

The nation remains in the worst economic crisis since the Great Depression, and unemployment continues to rise over one year after President Barack Obama was elected President in November 2008. The unemployment rate is the highest in 25 years, and probably the highest since the Great Depression, although records do not go back that far (see chart on page 3 below).

One of the most successful New Deal programs, the Civilian Conservation Corps (CCC), provides valuable lessons for what should be done in the San Gabriels to help get the region and the nation back to work. The Corps employed three million young men (but very few women and very few people of color), planted two billion trees – more than half of all the trees planted in the United States up until that time – developed 800 new state parks, and slowed soil erosion on 40 million acres of farmland. Visits to National Parks increased 600 percent from less than 3.5 million people in 1933, to 21 million by 1941. The rise in visitors was due to the increased facilities for recreation afforded by the completion of trails, campgrounds, roads and other projects by the CCC. The work of the CCC appealed to people across the political spectrum and across class lines. The work projects appealed to foresters in the West, to farmers in the Dust

Bowl and in the soil-eroded South, and to easterners who could recreate in new national and state parks. Unemployed urban youths who enrolled in the program got paid, and their minds and bodies grew stronger as they learned the benefits of hard work, conservation and recreation. Working-class families received CCC paychecks every month. Business owners sold goods and services to CCC camps and rural families benefited economically from the nearby camps. President Franklin Delano Roosevelt relied on the work relief of the CCC to raise support among the American people, on the local and national levels, and on the political Left and Right, to knit together an ideologically diverse political constituency to support the New Deal.

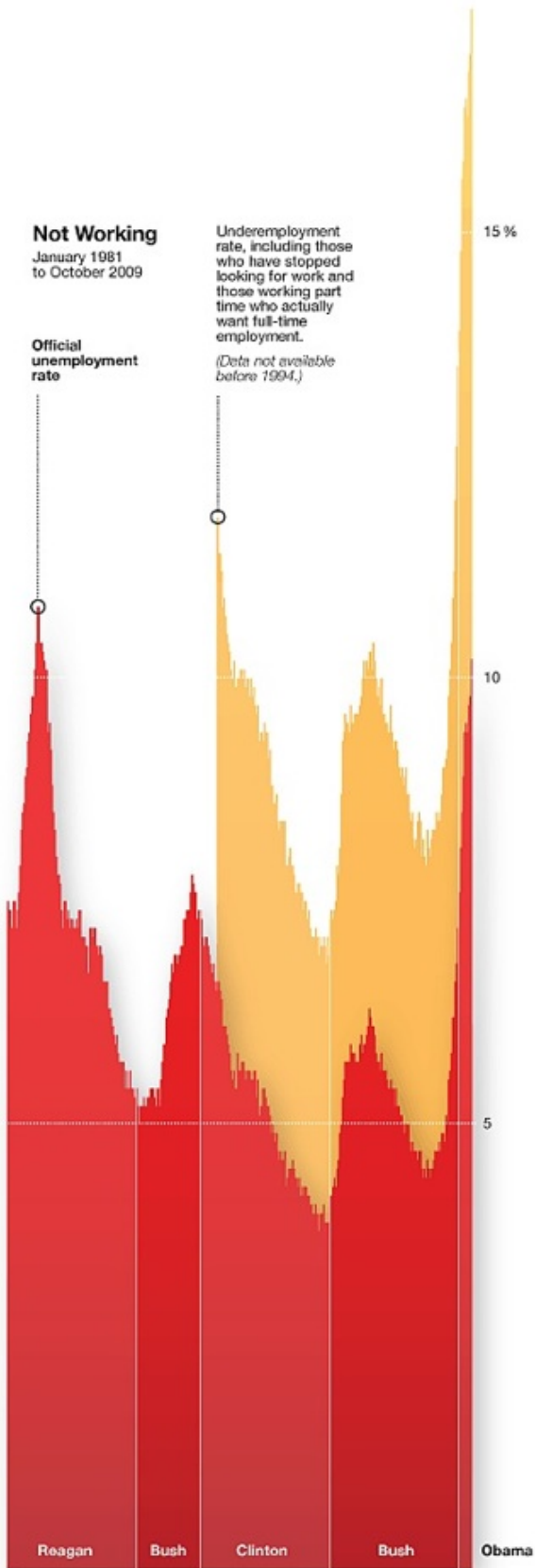
The San Gabriel plan should incorporate similar goals and programs to create local green jobs through Civilian Conservation Corps-type programs, including jobs for youth of color and low income youth, while improving parks and recreation and promoting the diverse values at stake. The San Gabriel plan should set standards to measure progress and equity and to hold public officials accountable. Numerical standards are suggested by the New Deal data cited above.

These concerns are addressed in the attached reports, which are fully incorporated by reference here: The City Project Policy Report, *Economic Stimulus, Green Space and Equal Justice* (2009), available at <http://www.cityprojectca.org/blog/archives/1450>; California Green Stimulus Coalition, *Green Space and Equal Justice* (2009), available at <http://www.cityprojectca.org/blog/archives/1611>; and The City Project Policy Brief, *Nature's New Deal, the California Budget, and President Obama's Success*, available at <http://www.cityprojectca.org/blog/archives/1633>.

See the unemployment chart from the New York Times on the following page, and available on the web at <http://www.cityprojectca.org/blog/archives/2775/>.

The New York Times

November 7, 2009



2. Transit to Trails

The San Gabriel plan should implement a Transit to Trails program to take inner city children on fun, educational and healthy trips to mountains, beaches, rivers and other natural green space throughout the nation, for no or low cost. Transit to Trails should enrich their education about land, water, wildlife, and cultural history, and the importance of physical activity and healthy eating for life-long health.

Transit to Trails, a pilot project in Los Angeles, is the result of a creative collaboration that includes Mountains Recreation and Conservation Authority, NPS, The City Project, and community groups including Anahuak Youth Sports Association and others. Secretary of the Interior Dirk Kempthorne hiked with Anahuak youth on a Transit to Trails trip in April 2007, as seen in the attached Policy Brief.

Although the inner city children on Transit to Trails trips in Los Angeles live only an hour from the mountains and beaches, many have never been there, because parents often work two or more jobs, and do not have access to cars or to information to plan trips. We are diversifying access to and support for mountains, beaches, and rivers -- and having fun doing it!

A national Transit to Trails program would serve all people, but would be particularly useful to the working poor with limited or no access to cars. Transit to Trails provides choices to people who have none. Transit to Trails would help reduce traffic congestion and parking problems, improve air quality, and reduce run-off of polluted water into rivers and the ocean. It would also help reduce dependency on the automobile and fossil fuels.

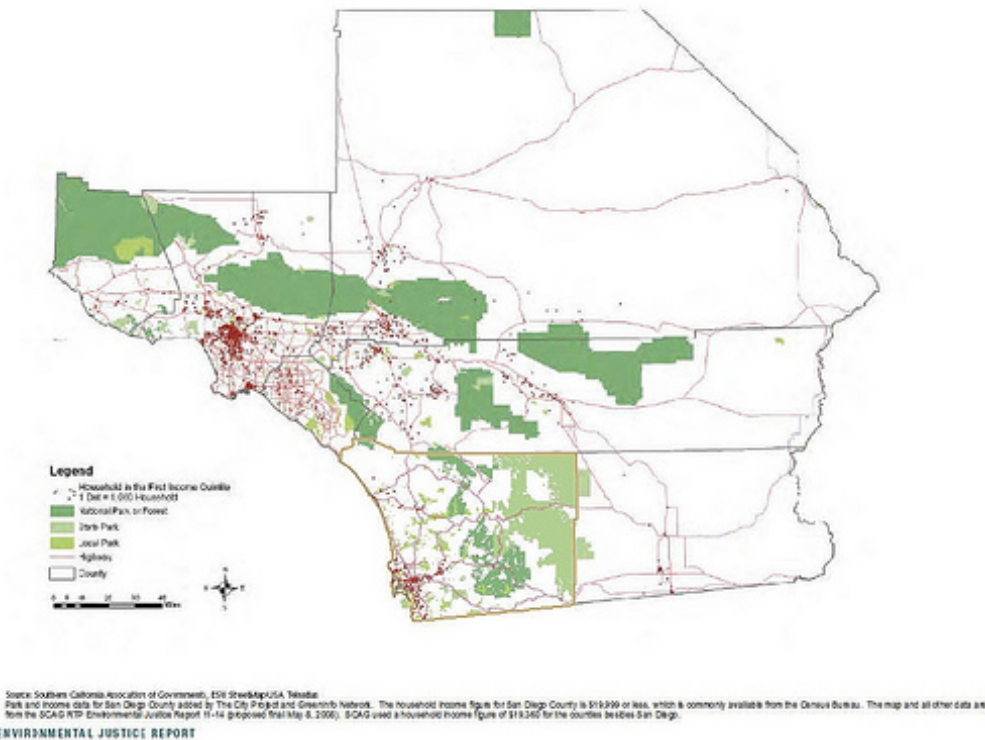
Diversifying access is important to build support for parks and green space in urban and rural areas. National park attendance has eroded for years. The number of annual visitors to Yosemite has dropped 20 percent since 1996. Overnight park stays in particular have declined. California is a "majority- minority" state, but park attendance does not reflect the demographics of the state and has not expanded enough among seniors, foreign tourists, and non- Hispanic white families. The Angeles National Forest provides 78% of the public space in the Los Angeles region, and lies within an hour's drive of most of Los Angeles, but few people of color go there. Recreation is the predominant use of the forests in Southern California. Yet only 1% of the visitors to the forest are black, and only 11% are Hispanic. Zero percent of the visitors to the wilderness areas of the Angeles National Forest are black. Transit to Trails will diversify access to and support for the national parks and national forests, and create the environmental stewards of tomorrow.

The Southern California Association of Governments (SCAG) calls for public transportation to improve access for all to parks throughout Southern California in the 2008 Regional Transportation Plan (RTP) Environmental Justice Report. “[A] **multi-agency effort must be undertaken in order to further address and remedy the issue of inequity of park access.**” See SCAG RTP Environmental Justice Report 11-14, 24. The Report is available at <http://tinyurl.com/yacdal9>. (Emphasis added.) One remedy is Transit to Trails.

In response to public comments by The City Project and others calling for healthy parks, schools, and communities, SCAG conducted additional and new analysis on access to parks. “Public parks serve all residents. . . . However, not all neighborhoods and people have equal

access to these public resources,” including local, state, and national parks. The following map shows the unequal distribution of parks and low income neighborhoods in the Southern California counties of Los Angeles, Ventura, San Bernardino, Riverside, Imperial, and San Diego. The map is available at <http://tinyurl.com/y98p8af>.

MAP 1: DISTRIBUTION OF PARKS AND LOW-INCOME HOUSEHOLDS



“Research has found a complete lack of public transportation services into National Parks, but this also appears true for State Parks. There is almost no access to national parks and very limited access to state parks by transit across all income groups” SCAG cites the policy report by USC students prepared for The City Project as part of Transit to Trails. The Policy Report *Public Transportation to Local National Forests* is available on the web at <http://www.cityprojectca.org/pdf/uscgeogstudy.pdf>.

The San Gabriel plan should develop Transit to Trails standards to measure progress and equity and hold public officials accountable, including most importantly the number of children served by Transit to Trails trips and overnight camping stays, and the quality of the educational materials on the environment, cultural history, active recreation, and healthy eating distributed as part of the program.

The attached report is fully incorporated by reference here: The City Project, *Transit to Trails* (2009). The Report available at <http://www.cityprojectca.org/blog/archives/2793>.

3. Monuments, Diversity and Democracy

The San Gabriel plan should incorporate the mission statement of Manzanar National Historic Site. Manzanar is a best practice example of how historic sites can celebrate diversity, democracy and freedom.

The mission statement at Manzanar provides as follows:

Manzanar National Historic Site preserves the stories and resources of Manzanar for this and future generations. We will facilitate a park experience that weaves the stories of the various occupations of Manzanar faithfully, completely, and accurately. Manzanar Historic Site will provide leadership for the protection and interpretation of associated sites. From this foundation, the park will stimulate and provoke a greater understanding of, and dialogue on, civil rights, democracy, and freedom.

The San Gabriel plan should provide for sites that preserve the stories and resources of diverse people for this and future generations. Sites should facilitate a park experience that weaves the stories of diverse people faithfully, completely and accurately. The San Gabriel plan should provide leadership for the protection and interpretation of diverse sites. The San Gabriel plan should stimulate and provoke a greater understanding of, and dialogue on, civil rights, democracy and freedom.

The National Park Service (NPS) publishes the report *Five Views: An Ethnic Site Survey for California* (originally produced by the California Parks and Recreation Department) based on the public's need to become more aware of cultural diversity and its tangible manifestations on the land. The survey was originally conceived to broaden the spectrum of ethnic community participation in historic preservation activities and to provide better information on ethnic history and associated sites. The information can help planners identify and evaluate ethnic sites, which have generally been underrepresented in historic property surveys. Most sites and surveys commemorate widely known historical events, or architecturally distinguished or famous buildings, but ethnic sites are often important because of people or events that are less familiar to many in the dominant culture. The public needs the opportunity to become more aware of then nation's cultural diversity and its tangible manifestations on the land. This report can serve as a best practice example for what the San Gabriel plan should do. The report is available at http://www.nps.gov/history/history/online_books/5views/5views.htm.

NPS undertook a cultural heritage needs assessment to gain a better understanding of cultures of color and what the federal government can do to address this heritage in 1994, but the status of that study is unclear. See Ned Kaufman, *Cultural Heritage Needs Assessment: Phase I* (April 8, 2004) (on file with The City Project).

Native American sites must be preserved and celebrated as part of the diverse heritage of the region and nation.

The San Gabriel plan should articulate standards to measure progress and equity and hold public officials accountable. The San Gabriel should fully reflect the diversity of the region, and

include a mission statement based on the Manzanar statement.

See the attached letter from The City Project and diverse allies to the Los Angeles City Planning Commission, June 11, 2009, for other best practice examples.

4. The San Gabriel Plan Should Promote Human Health and Youth Development through Physical Activity and Healthy Eating in National Parklands

The San Gabriel plan should address improving human health, including physical activity and healthy eating to reduce obesity, in the strategic plan. Human health includes more than reducing obesity and diabetes and includes the contributions of the built environment to the full development of the person and community through youth development and gang and crime prevention.

This is the first generation in the history of the country in which children could have a lower life expectancy than their parents if obesity is not reversed. The Centers for Disease Control and the President's Council on Fitness and Sports have targeted increasing the proportion of adolescents who engage in moderate physical activity for at least 30 minutes on five or more of the previous seven days by 2010. The Robert Wood Johnson Foundation has committed \$500 million to stop and reverse child obesity by 2015. The San Gabriel plan should promote progress towards such goals to measure progress and equity and hold public officials accountable.

Publicly funded youth programs – including green job corps programs like those discussed above -- can keep students in school and out of the regular job market while developing permanent career opportunities. Active recreation and team sports can promote positive choices and help reduce youth violence, crime, drug abuse, and teen pregnancy. Sports and recreation can provide life-long lessons in teamwork, build character and improve academics. Additional benefits of engaging youth include nurturing future National Parks stewards and visitors; appreciation of the outdoors, nature and wildlife; instilling civic participation; and internalizing the importance of individual responsibility for being a steward of the earth and its people.

These human health concerns are addressed in the attached Policy Report *Economic Stimulus, Green Space and Equal Justice* at pages 12-13, and fully incorporated by reference here.

5. Proactively Complying with Equal Justice Laws

The San Gabriel plan should affirmatively address proactive compliance with equal justice laws. This includes promoting equal justice by federal agencies such as NPS, and by recipients of federal funds such as the state of California or private organizations involved in the process.

Unfair inequities exist in the distribution of environmental benefits, including green space, and environmental burdens, including toxic sites, between less affluent and disadvantaged communities, and between communities of color and non-Hispanic whites. These trends have been documented across the nation and in California. The California legislature explicitly recognized the need to address disparities in green space when it enacted legislative criteria for investing park funds in park poor (less than three acres of parks per thousand residents) and income poor communities (below \$48,000 median household income).

Nationally, there are disparities in access to safe places to play based on race, ethnicity, income,

and poverty. While 87% of non-Hispanic respondents reported that “there are safe places for children to play” in their neighborhood, only 68% of Hispanics, 71% of African Americans, and 81% of Asians agreed, according to the Census Bureau survey “A Child’s Day.” Almost half (48%) of Hispanic children under 18 in central cities were kept inside as much as possible because their neighborhoods were perceived as dangerous. The same was true for more than 39% of black children, 25% of non-Hispanic white children, and 24% of Asian children. Non-Hispanic White children and youth were most likely to participate in after school sports, with Hispanic children and children in poverty least likely. Children involved in sports and extracurricular activities tend to score higher on standardized tests and are less likely to engage in antisocial behavior.

Parks and recreation programs should serve the diverse needs of diverse users. Numerous studies document how people attach different values to green space and use green space differently, both in urban and non-urban contexts.

Recipients of public funds are prohibited from engaging in practices that have the intent or the effect of discriminating based on race, color or national origin. 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 recipients of federal financial assistance. Intent to discriminate is not required under the regulations. *Accord*, the President’s Order on Environmental Justice, Executive Order 12898, available at <http://www.ejnet.org/ej/execorder.html>.

The Office of Management and Budget has circulated guidance specifying that federal agencies are to enforce Title VI of the Civil Rights Act of 1964 and other equal opportunity laws and principles. See Peter R. Orszag, Director, Office of Management and Budget, Memorandum re: *Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009*, April 3, 2009, at page 2 and Guidance at page 6, available at http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-15.pdf. The United States Department of Justice has emphasized the need for federal agencies to enforce Title VI and its regulations. See memo from Loretta King, Acting Assistant Attorney General for Civil Rights, to Federal Agency Civil Rights Directors and General Counsels re: *Strengthening of Enforcement of Title VI of the Civil Rights Act of 1964* (July 10, 2009), available at http://www.usdoj.gov/crt/lep/titlevi_enforcement_memo.pdf; Memo from the Assistant Attorney General to Executive Agency Civil Rights Directors, *Enforcement of Title VI of the Civil Rights Act of 1964 in Block Grant-Type Programs* (Jan. 28, 1999), available at <http://www.usdoj.gov/crticorlPubslblkgmt.php> (best practice examples); *Rosemere Neighborhood Ass’n v. United States Environmental Protection Agency*, No. 08-35045 at 13510 (9th Cir. Sept. 17, 2009) (condemning EPA’s failure to conduct timely investigations of environmental justice complaints); U.S. Dep’t Justice, Civil Rights Division, *Title VI Legal Manual* at 49-53 and authorities cited (Sept. 1998).

The San Gabriel plan should implement standards to measure progress and equity to proactively comply with equal justice laws. Programs such as those described in these public comments in sections 1 through 4 above would serve to achieve equal access to the benefits of national parklands, forests, and green space.

Conclusion

We look forward to working with the Study Group and NPS to incorporate equal justice, democracy and livability for all through the San Gabriel plan.

Very truly yours,

Robert Bracamontes, Acjachemen Nation, Juaneño Tribe

Marty Martinez, Policy Director, California Pan Ethnic Health Network

Robert García, President and Counsel, The City Project

Fran Gibson, President of the Board, Coastwalk California

Al Hernandez-Santana, Executive Director, Latino Coalition for a Healthy California

Irma Muñoz, President/CEO, Mujeres de la Tierra

cc: Woody Smeck, Superintendent, Santa Monica Mountains National Recreation Area, NPS

Jody Noiron, Superintendent, Angeles National Forest