

# APPROVED

June 20 2021

## BOARD OF RECREATION AND PARK COMMISSIONERS

**BOARD REPORT**

**NO.** 24-149

**DATE** June 20, 2024

**C.D.** 4, 13

### BOARD OF RECREATION AND PARK COMMISSIONERS

**SUBJECT:** US ARMY CORPS OF ENGINEERS (USACE), LOS ANGELES (L.A.) RIVER TOE ACCESS ROAD REPAIR PROJECT - AUTHORIZATION TO ISSUE A TEMPORARY RIGHT-OF-ENTRY PERMIT TO ACCESS TWO L.A RIVER PROJECT SITES FOR THE DURATION OF THE USACE TOE REPAIR PROJECT - CATEGORICAL EXEMPTION FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE 19, SECTION 15304(e) [MINOR TEMPORARY USE OF LAND HAVING NEGLIGIBLE OR NO PERMANENT EFFECTS ON THE ENVIRONMENT] OF CALIFORNIA CEQA GUIDELINES AND ARTICLE III, SECTION 1, CLASS 4(6) OF CITY CEQA GUIDELINES

|             |       |                       |           |
|-------------|-------|-----------------------|-----------|
| B. Aguirre  | _____ | M. Rudnick            | _____     |
| B. Jones    | _____ | for *C. Santo Domingo | <u>DF</u> |
| C. Stoneham | _____ | N. Williams           | _____     |

\_\_\_\_\_  
General Manager

Approved   X   Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

### RECOMMENDATIONS

1. Approve a temporary non-exclusive Right of Entry Permit for access to and use of park sites for staging and/or laydown areas as it relates to the US Army Corps of Engineers (USACE) emergency "L.A. River TOE Access Repair Project (Project), attached hereto as Attachment 1 showing the multiple sites identified by the USACE requiring repair of approximately 31,800 linear feet on both sides of the river for a total of 63,600 linear feet or approximately 12 miles collectively, to be known as the (Property);
2. Authorize the granting and execution of the non-exclusive Right of Entry Permit granting access as needed to portions of Los Feliz Golf Course (identified as Laydown Area 4), and Betty Davis Park Sites (identified as Laydown Area 2), as shown on Attachment 1, in cooperation and coordination with City staff review and approval;
3. Request that USACE, upon completion of each Phase of the project improvements, to return to the Board of Recreation and Park Commissioners with updates and or additional information as needed to request approval of the designated various project sites and or approval from the Department of Recreation and Parks (RAP) in connection with any activities of USACE involving RAP property;

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4. Determine that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15304(e) [Minor temporary use of land having negligible or no permanent effects on the environment] of California CEQA Guidelines and Article III, Section 1, Class 4(6) of City CEQA Guidelines and direct staff to file a Notice of Exemption (NOE) with the Los Angeles County Clerk and the California Office of Planning and Research; and,
5. Authorize the RAP Chief Accounting Employee to prepare a check to the Los Angeles County Clerk in the amount of \$75.00 for the purpose of filing an NOE.

### SUMMARY

As a result of erosion and storms, the L.A. River (LAR) bottom and the various access points are in need of repair. The USACE's L.A. River Toe Access Repair Project (Project) is a project affecting the lower grouted embankment and concrete toe slop/floor access road of the river on the left bank. The repair work will address repairs to grouted stone toe and collapsed toe and embankment sections within the grouted-stone embankment of the levee system as described in more detail below. The TOE is the bottom section or lower section of the river reached through an access road that allows access to the river that needs repair.

As part of this initial phase of work, the project will require the USACE to secure site control to portions of the Los Feliz Golf Course (Laydown Area 4) and Betty Davis Park (Laydown Area 2) for staging and laydown. USACE is requesting access to these areas in advance of the actual improvements and/or repair work being made in order to conduct site assessments and to secure as quickly as possible contractors to begin the pre-construction work and assessment work that will be necessary. This includes establishment of staging and laydown areas for the project. This portion of the proposed work will be the first phase of the overall repair project. The USACE has stressed and indicated to RAP staff that the access is urgent and necessary to meet deadlines and budgets goals and assessments necessary to secure contracts for the needed repairs to the L.A. River as part of the USACE's flood control responsibilities.

### Project Scope

USACE has indicated that this project will restore the damaged, aging sections of the levee's grouted stone TOE to original line and grade. This project will repair approximately 18,810 LF (3.6 miles) of the degraded TOE on the left embankment, bringing the project back to as-built condition. Concrete sections under the Los Feliz Blvd., Glendale Blvd., and Fletcher Dr. bridges will not be disturbed. The repaired TOE abuts the existing concrete sections. Repairs to the original design configuration are necessary to maintain integrity of the structure, minimize flood risks, and to facilitate access for routine operations and maintenance. As prescribed by the applicable laws, regulations and policies that govern operations and maintenance (O&M) of USACE owned and operated projects, the USACE is required to conduct annual maintenance activities at all of its dam facilities in order to maintain the system's performance by conducting annual maintenance as required within Operations work areas along the LAR.

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In January 2024, the USACE informed RAP that it must secure site control/access to the specified RAP park property to meet its project deadlines, including a deadline for the RAP Board to grant a Right of Entry (ROE) Permit to the USACE by July 15, 2024. RAP staff and USACE staff continue to work together with the goal of establishing a plan that will provide RAP staff needed information to address all impacts to RAP park property. The information has helped RAP Staff coordinate safely, and effectively the impacts related to programming, maintenance and operations functions at the affected park property and or project areas. The anticipated duration of the ROE permits is for three years.

### Right of Entry Permit.

As previously noted, the required work of this and other L.A. River (LAR) related projects are an essential part of flood control operation and maintenance for the continued safety of the residents of Los Angeles, especially along the LAR. The Project is one of many USACE projects for which the USACE has requested access to City property along the LAR; and one of many projects that are part of the larger City of Los Angeles River Revitalization Master Plan. The USACE has been working with RAP in providing project details and information on future proposed LAR improvements and or development projects.

RAP has granted USACE ROE permits for similar work in the past. The language of previous ROE(s) were approved by City Attorney and USACE legal counsel. The language of the proposed ROE will be substantially similar to language of previous ROE(s). Upon approval of this report, RAP staff will work with City Attorney and USACE on ROE permits for the two locations.

The initial granting of the ROE Permit will allow USACE to plan and secure the project schedules for additional phases of the project and determine any additional project areas needed if any. USACE will provide additional information as the Project progresses and will request additional access if required.

The USACE has indicated that as custodians of the L.A. River and its responsibilities for flood control, all work in this area is a priority and paramount over all other purposes and rights. The USACE does hold easements on RAP Property that allow the USACE to maintain and operate the L.A. River. Both RAP staff and USACE understand the urgency and importance of maintaining the area and therefore are working together to achieve the goal of protecting the citizenry of Los Angeles. The USACE has also indicated that as it completes its initial review and assessments, it will return to RAP to either update and report progress and/or changes to the Project, and as well as obtain as needed approval from the City and RAP when possible.

The granting of authorization to the USACE to access RAP/City property is in keeping with the City of Los Angeles River Revitalization Master Plan which acknowledges cooperation with other entities including the USACE and other City Departments and Agencies.

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### ENVIRONMENTAL IMPACT

The US Army Corps of Engineers has determined that the Los Angeles River Reaches 2-6 (Left Bank) Toe Repair Project is categorically excluded from the provisions of the National Environmental Protection Act (Attachment 1). The Board of Recreation and Parks Commissioners does not have jurisdiction over the toe repairs, but has jurisdiction over the Right of Entry permit and the use of park property for temporary access and staging areas. Such Project consists of minor temporary use of land having negligible or no permanent effects on the environment.

According to the parcel profile report retrieved on May 16, 2024, the areas included in this project reside in a liquefaction zone. The temporary use of the sites as access and staging areas will not create conditions that could lead to liquefaction. These sites are not within coastal or methane zones, so there is no reasonable possibility that the proposed Project may impact on an environmental resource of hazardous or critical concern or have a significant effect due to unusual circumstances. No other known projects would involve cumulatively significant impacts, and no future projects would result from the proposed Project. As of May 16, 2024, the State Department of Toxic Substances Control (DTSC) (Envirostor at [www.envirostor.dtsc.ca.gov](http://www.envirostor.dtsc.ca.gov)) and the State Water Resources Control Board (SWRCB)(Geotracker at <https://geotracker.waterboards.ca.gov/>) have not listed the Project sites or any contaminated sites near the Project area (within 1,000 feet). According to the Caltrans Scenic Highway Map there is no scenic highway located within the vicinity of the proposed Project or within its site. Furthermore, the proposed Project sites are located within Griffith Park, a City of Los Angeles Historic Cultural Monument (HCM#942). Neither site is a contributing element to the historic determination and the temporary access and staging area will not cause any substantial adverse change in the significance of any historical resource.

Based in this information, RAP staff recommends that the Board determines that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15304(e) of California CEQA Guidelines and Article III, Section 1, Class 4(6) of City CEQA Guidelines. Staff will file a Notice of Exemption with the Los Angeles County Clerk and the California Office of Planning and Research upon Board's approval.

Therefore, staff recommends that the Board take no further CEQA action.

### FISCAL IMPACT STATEMENT

There will be no impacts on the RAP General Fund as the cost associated with this Project will be provided for by USACE.

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STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP's Strategic Plan by supporting:

**Goal No. 1:** Provide Safe and Accessible Parks

**Outcome No. 1:** Every Angelinos has walkable access to a park in their neighborhood

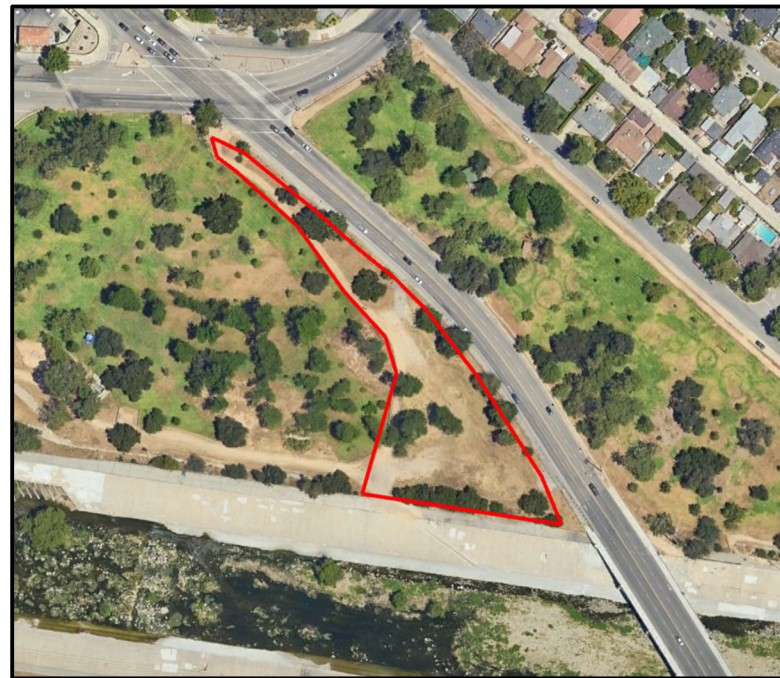
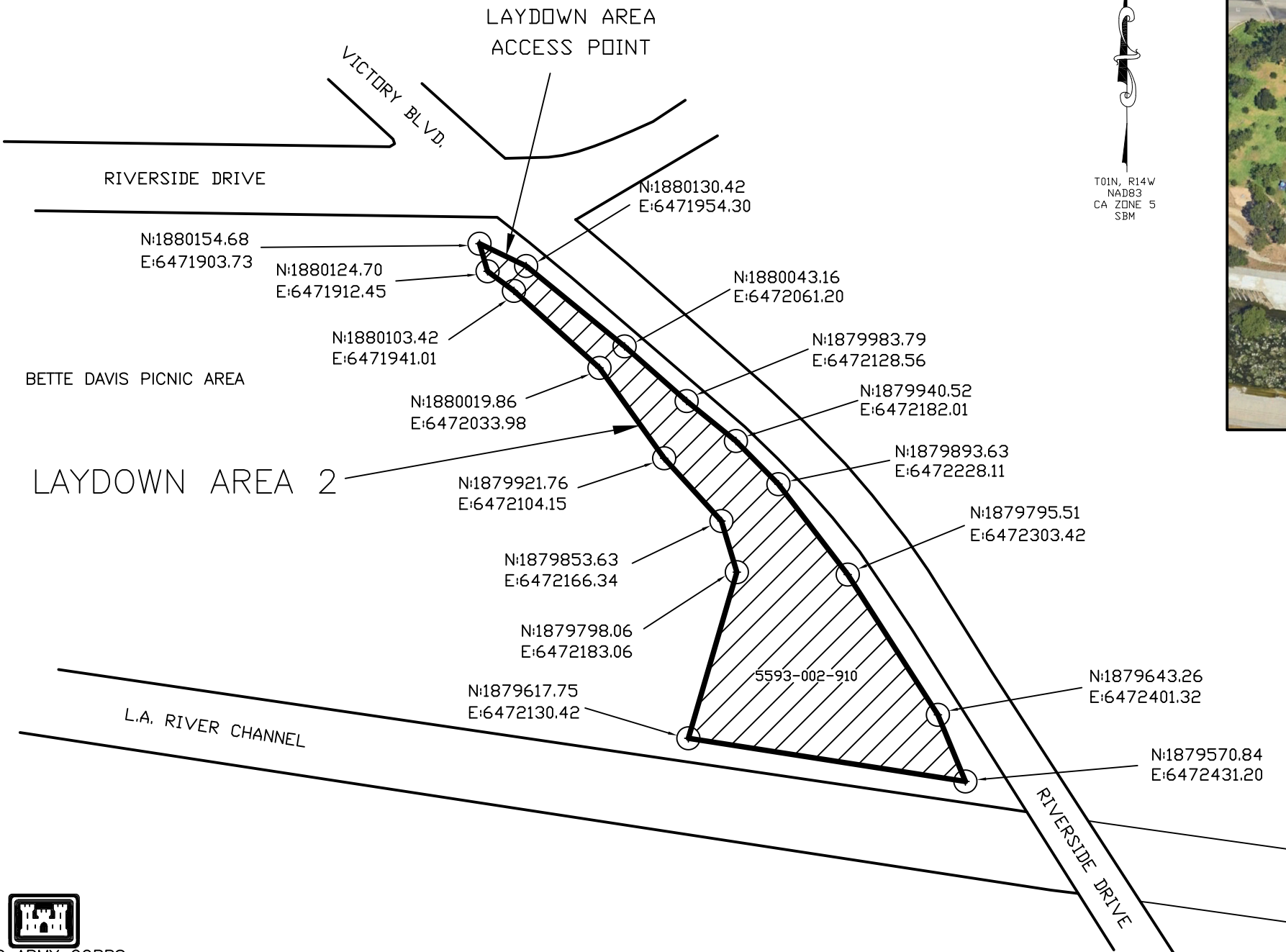
**Result:** Offer Affordable, Equitable, Healthy, Environmentally safe open space

This Report was prepared by John Barraza, Management Analyst, Real Estate and Asset Management Section.

LIST OF ATTACHMENTS

- 1) Attachment No. 1 – Map of Proposed Laydown Areas

LOCATION MAP



TO1N, R14W  
NAD83  
CA ZONE 5  
SBM

NOTES:

1. COORDINATES ARE DERIVED FROM EXTERNAL SOURCES. THESE COORDINATES ARE ONLY APPROXIMATE IN LOCATION AND USED AS A GENERAL REFERENCE.
2. APN INFORMATION IS DERIVED FROM LANDVISION REAL ESTATE MAPPING SOFTWARE.
3. PUBLIC LAND SURVEY SYSTEM INFORMATION IS DERIVED FROM BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY INFORMATION FOUND IN EARTHPOINT.US FOR RECORD KEEPING, MAPPING, GRAPHICS AND PLANNING PURPOSES.
4. PHOTO OVERLAYS ARE TAKEN FROM GOOGLE EARTH IMAGERY DATED ON AUG 2023 AND USED AS A GENERAL REFERENCE.
5. NOT FOR SURVEY USE. GAPS AND IRREGULARITIES ARE MATHEMATICALLY FILLED WITHOUT THE BENEFIT OF A GROUND SURVEY. SHOULD YOU NEED MORE DEFINITIVE INFORMATION FOR THE GROUND LOCATION OF THESE PARCELS, CONTACT THE SURVEY DEPARTMENT U.S. ARMY CORPS OF ENGINEERS.



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, SOUTH PACIFIC DIVISION  
LOS ANGELES DISTRICT, REAL ESTATE DIVISION,  
CIVIL WORKS TECHNICAL SERVICE & REAL PROPERTY SUPPORT

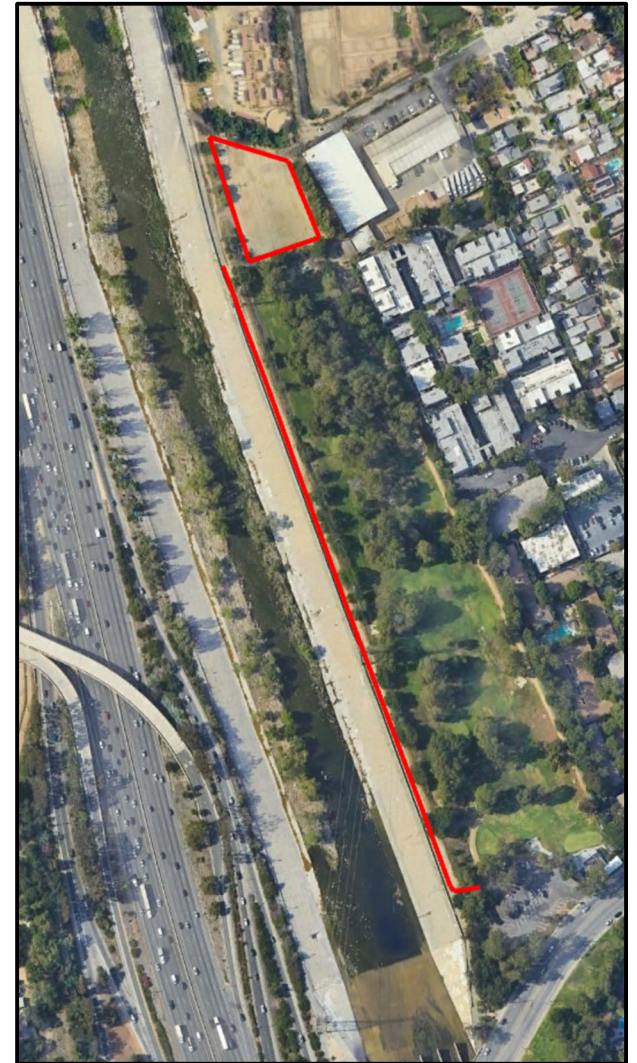
**COORDINATE INFORMATION**  
LOS ANGELES COUNTY, CALIFORNIA

DWG NO. N/A      DRAWN BY: D A R  
15 APRIL 2024      SHEET 1 OF 2

LOCATION MAP

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T01N, R13W  
NAD83  
CA ZONE 5  
SBM

N:1868908.53  
E:6479341.77

N:1868857.61  
E:6479508.23

5593-002-907

N:1868696.40  
E:6479573.79

N:1868646.33  
E:6479425.56

LAYDOWN AREA 4

L.A. RIVER

ACCESS ROAD

LOS FELIZ GOLF COURSE

ACCESS ROAD

5593-002-907

PARKING AREA

N:1867327.22  
E:6479916.59

ACCESS GATE

LOS FELIZ BLVD.



US ARMY CORPS  
OF ENGINEERS  
LOS ANGELES  
DISTRICT

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, SOUTH PACIFIC DIVISION  
LOS ANGELES DISTRICT, REAL ESTATE DIVISION,  
CIVIL WORKS TECHNICAL SERVICE & REAL PROPERTY SUPPORT

COORDINATE INFORMATION  
LOS ANGELES COUNTY, CALIFORNIA

DWG NO. N/A  
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DRAWN BY: D A R  
SHEET 1 OF 2