

**DATE:** March 23, 2015

**TO:** RMC Governing Board

**FROM:** Mark Stanley, Executive Officer

**SUBJECT:** Item 11: Consideration of a resolution supporting Assembly Bill 530 (Rendon) regarding the Lower Los Angeles River Working Group.

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**RECOMMENDATION:** That the RMC Board approve a resolution in support of AB530 (Rendon) regarding the creation of the Lower Los Angeles River Working Group.

**ANALYSIS:** Existing law provides for the protection, enhancement, and restoration of rivers in throughout the state. Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for the purpose of, among others, providing for the public's enjoyment and enhancement of low-impact recreational and education experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River. This bill would require the Secretary of the Natural Resources Agency to appoint, in coordination with the Los Angeles County Board of Supervisors, a local working group to develop a revitalization plan for the Lower Los Angeles River, called the Lower Los Angeles Working Group. The bill would specify a prescribed membership for the working group, including, among others, representatives from the County of Los Angeles, a staff member from the Rivers and Mountains Conservancy, a representative from the 1<sup>st</sup> Supervisorial District (Supervisor Solis) and elected officials of the cities riparian to the Los Angeles River.

The bill would require that the working group be developed by March 1, 2017 and the primary goal would be to develop a revitalization plan that addresses the unique and diverse needs of the Lower Los Angeles River. This plan would be consistent with and incorporated into the Los Angeles River Master Plan, approved by the LA County Board of Supervisors in June 1996 and will include watershed education programs. By imposing additional duties on local officials, the bill would impose a state mandated local program. The bill would require that the RMC provide staffing to assist the working group.

The creation of this working group creates a mechanism by which various key stakeholders can come together to address some of the pertinent issues surrounding the Lower Los Angeles River including challenging issues such as maintenance of completed projects by both cities and non-profit organizations, limited access and connectivity from the cities adjacent to the River, signage and way-finding along the River, crime, homelessness, graffiti along bike path, and a slew of other issues that have resonated throughout the years. As many river stakeholders are aware, the upper section of the Los Angeles River has a guiding document known as the LA River Revitalization Master Plan which was completed in 2007. However, that plan only covered the 31 mile stretch of the Los Angeles River within the boundaries of the City of Los Angeles. The remaining 21 miles along the Lower portion of the Los Angeles River was not included in that plan and there is therefore a gap in planning. This working group would be tasked, among other things, with creating a master plan which could result in legislative findings and declarations as to the necessity of a special statute for the Lower portion of the River.

There is also synergy with the existing Gateway Cities Urban Greening Master Plan which the WCA is about to kick off, anticipated in the Spring 2015. The idea for that plan is to identify greening opportunities from the Gateway Cities which will include the Lower LA River as well as

the San Gabriel River. This plan can help inform this working group as it becomes established and the various plans collected are incorporated and reviewed for implementation.

RMC staff is working closely with Assemblymember Anthony Rendon, specifically by providing background information and context of the unique needs of the Lower portion of the Los Angeles River. The Assemblymember understands the complexities of the River and this is one mechanism by which attention will be focused on this section of the river. RMC staff will continue to communicate with the bill's author and will monitor the progress as it moves through the legislative process.

The funding source associated with this program has not been identified as of yet, but it is anticipated that funding will be pooled from among the various groups that will make up the working group, as well as the local Supervisorial office. This bill was introduced on March 5, 2015 where it was referred to the Committee on Water, Parks, and Wildlife.

See the attached Summary of AB530 (Rendon).

**FISCAL INFORMATION:** Not applicable.

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL****No. 530**

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**Introduced by Assembly Member Rendon**  
(Principal coauthor: Senator Lara)

February 23, 2015

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An act to add Chapter 6 (commencing with Section 32622) to Division 22.8 of the Public Resources Code, relating to the Los Angeles River.

## LEGISLATIVE COUNSEL'S DIGEST

AB 530, as introduced, Rendon. Lower Los Angeles River Working Group.

Existing law provides for the protection, enhancement, and restoration of rivers in this state. Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for the purpose of, among others, providing for the public's enjoyment and enhancement of recreational and education experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River.

This bill would require the Secretary of the Natural Resources Agency to appoint, in coordination with the Los Angeles County Board of Supervisors, a local working group to develop a revitalization plan for the Lower Los Angeles River, called the Lower Los Angeles River Working Group. The bill would specify a prescribed membership for the working group, including, among others, representatives from the County of Los Angeles, and elected officials of the cities riparian to the Los Angeles River. The bill would require, by March 1, 2017, the working group to develop, through watershed-based planning methods, a revitalization plan that addresses the unique and diverse needs of the Lower Los Angeles River, that is consistent with, enhances, and is

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incorporated into the County of Los Angeles’s Master Plan, and that includes watershed education programs. By imposing additional duties on local officials, the bill would impose a state-mandated local program. The bill would require the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to provide any necessary staffing to assist the working group.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Lower Los Angeles River.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The Los Angeles River has a complex ecological and  
4 political history. The river originally ran freely along an alluvial  
5 flood plain, which today is the City of Los Angeles. In the 1930’s,  
6 destructive flooding led the United States Army Corps of Engineers  
7 to design and build facilities to minimize the impacts of future  
8 floods, a process that included lining most of the river with  
9 concrete. Since then, the city, county and federal government have  
10 all played a role in restoring the Los Angeles River, including the  
11 county’s 1996 adoption of a master plan for developing and  
12 restoring the entire Los Angeles River. The City of Los Angeles  
13 developed a “revitalization plan” to restore the Upper Los Angeles  
14 River, which lies within the city’s boundaries. Most recently, the  
15 Corps of Engineers approved “Alternative 20,” a substantial  
16 restoration and infrastructure project along the Upper Los Angeles  
17 River.

18 (b) The City of Los Angeles was given responsibility for  
19 managing the river’s resources through a charter by the King of  
20 Spain at the end of the 18th century. After serious floods in the

1 1930's, the federal government, through the United States Army  
2 Corps of Engineers, stepped in to take responsibility for building  
3 and managing infrastructure projects to reduce the risk and damage  
4 from flooding, with the county as the local partner. The county  
5 also works with the city in managing the Upper Los Angeles River,  
6 where court decisions have held that the King of Spain's charter  
7 gives the city "pueblo" water rights with authority to manage the  
8 Upper Los Angeles River's resources. The courts have not given  
9 the city authority over the Lower Los Angeles River.

10 (c) The State of California retains its sovereign authority to  
11 manage the rivers within its boundaries, including the Los Angeles  
12 River. Historically, however, it has not exercised that authority,  
13 due to the dominance of the federal Army Corps of Engineers in  
14 partnership with the county. The county's master plan addresses  
15 the entire river but is close to two decades old, and would benefit  
16 from renewed attention to resources and development, especially  
17 on the lower river. The Lower Los Angeles River has many cities,  
18 but not one city with the responsibility and the resources to invest  
19 in restoration of that part of the Los Angeles River. There is  
20 therefore opportunity and need for the State to aid in the  
21 development and implementation of the county's Master Plan,  
22 especially for the Lower Los Angeles River.

23 (d) In 2014, California voters approved the Water Quality,  
24 Supply, and Infrastructure Improvement Act of 2014, which  
25 included \$60 million for the Los Angeles River, authorizing  
26 funding for both the Santa Monica Mountains Conservancy, which  
27 has responsibility for the Upper Los Angeles River, and the San  
28 Gabriel and Lower Los Angeles Rivers and Mountains  
29 Conservancy, which has responsibility for the Lower Los Angeles  
30 River. The Water Quality, Supply, and Infrastructure Improvement  
31 Act of 2014 allocated \$30 million to each conservancy for the  
32 purpose of multibenefit water quality, water supply, and watershed  
33 protection and restoration projects for the watersheds.

34 SEC. 2. Chapter 6 (commencing with Section 32622) is added  
35 to Division 22.8 of the Public Resources Code, to read:

36  
37 CHAPTER 6. LOWER LOS ANGELES RIVER WORKING GROUP

38  
39 32622. (a) The Secretary of the Natural Resources Agency  
40 shall appoint, in coordination with the Los Angeles County Board

1 of Supervisors, a local working group to develop a revitalization  
2 plan for the Lower Los Angeles River, called the Lower Los  
3 Angeles River Working Group. The working group shall include,  
4 but need not be limited to, representatives from the conservancy,  
5 the County of Los Angeles, the Gateway Cities Council of  
6 Governments, the Los Angeles Gateway Region Integrated  
7 Regional Water Management Joint Powers Authority, elected  
8 officials of the cities riparian to the Los Angeles River, and  
9 non-profit organizations serving the Los Angeles River region.

10 (b) On or before March 1, 2017, the working group shall  
11 develop, through watershed-based planning methods, a  
12 revitalization plan that addresses the unique and diverse needs of  
13 the Lower Los Angeles River and the communities through which  
14 it passes. The plan shall be consistent with, enhance, and be  
15 incorporated into, the County of Los Angeles's Master Plan for  
16 the entire Los Angeles River. The plan shall include watershed  
17 education programs that help the Los Angeles River communities  
18 recognize the value of the river and the importance of protecting  
19 the river's watershed resources and its vitality to their communities.

20 (c) The conservancy shall provide any necessary staffing to the  
21 working group to assist in the development of the plan.

22 (d) The development and implementation of the revitalization  
23 plan may be eligible for funding from any public or private source,  
24 including, but not limited to, funding pursuant to Section 79735  
25 of the Water Code. Entities that are eligible to implement the  
26 revitalization plan include, but are not limited to, state agencies,  
27 local agencies, and non-profit organizations, and may be eligible  
28 for state funding.

29 SEC. 3. The Legislature finds and declares that a special law  
30 is necessary and that a general law cannot be made applicable  
31 within the meaning of Section 16 of Article IV of the California  
32 Constitution because of the Lower Los Angeles River's complex  
33 ecological and political history and the unique obstacles the local  
34 governments of the Lower Los Angeles River encounter when  
35 managing the river and its surrounding areas.

36 SEC. 4. If the Commission on State Mandates determines that  
37 this act contains costs mandated by the state, reimbursement to  
38 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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March 23, 2015 – Item 11

RESOLUTION NO. 2015-09

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) SUPPORTING ASSEMBLY BILL 530 (RENDON)

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, which provides funds for the RMC grant program; and

WHEREAS, Assembly Member Anthony Rendon has introduced Assembly Bill 530 to create the Lower Los Angeles river Working Group; and

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

*Therefore be it resolved that* the RMC hereby:

1. FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.
2. FINDS that the grant is consistent with the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, which provides funds for the RMC grant program.
3. FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
4. SUPPORTS the staff report dated March 23, 2015 indicating support of AB530 (Rendon).

~ End of Resolution ~

Motion \_\_\_\_\_ Second: \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstentions: \_\_\_\_\_

Resolution 2015-09

Passed and Adopted by the Board of the  
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS  
CONSERVANCY on March 23, 2015

\_\_\_\_\_  
Frank Colonna, Chair

ATTEST:

\_\_\_\_\_  
Terry Fujimoto  
Deputy Attorney General