

REPORT OF GENERAL MANAGER

APPROVED
MAY 16 2007

NO. 07-110

DATE May 16, 2007

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SEPULVEDA BASIN RECREATION AREA - PROPOSED BULL CREEK CHANNEL ECOSYSTEM RESTORATION PROJECT - JOINT ENVIRONMENTAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION AND PROJECT COOPERATION AGREEMENT WITH THE U.S. ARMY CORPS OF ENGINEERS

R. Adams	_____	J. Kolb	_____
J. Combs	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<u>Cher f. M.S.</u>

[Signature]
General Manager

Approved *[Signature]*

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Review, consider and adopt the joint final Environmental Assessment/Mitigated Negative Declaration (EA/MND) prepared and adopted by the U.S. Army Corps of Engineers for the proposed Bull Creek Channel Ecosystem Restoration project as described in the body of this report;
2. Find that there is no substantial evidence that the project will have a significant adverse effect on the environment, and all potentially significant environmental effects of the project have been properly disclosed and evaluated in the EA/MND in compliance with the California Environmental Quality Act (CEQA) and the City and State CEQA Guidelines, and that the document reflects the City's independent judgment and analysis;
3. Adopt the Mitigation Monitoring Program (MMP) contained in the EA/MND in accordance with the requirements in Section 21081.6 of CEQA, which specifies mitigation designed to reduce or eliminate the potentially significant environmental impacts identified in the MND;
4. Direct the Staff to file a Notice of Determination with the Los Angeles County Clerk and with the Los Angeles City Clerk within five days of the Board's adoption of the EA/MND;

REPORT OF GENERAL MANAGER

PG. 2

NO. 07-110

5. Approve the Project Cooperation Agreement (PCA) with the U.S. Army Corps of Engineers, on file in the Board Office, subject to approval by the Los Angeles County Board of Supervisors (County Board) of the allocation of \$2,000,000 in Proposition A Funds, to jointly fund the proposed Bull Creek Channel Ecosystem Restoration Project;
6. Direct the Board Secretary to forward the PCA to the Mayor's Office for approval in accordance with Executive Directive No. 3 and the City Attorney's Office for approval as to form and legality;
7. Authorize the Board President and Secretary to execute the PCA upon receipt of all the necessary approvals including the allocation of Proposition A funding by the County Board; and,
8. Authorize the General Manager, subject to Council approval, to execute any necessary grant contracts or agreements required to secure the Proposition A grant funds.

SUMMARY

The Sepulveda Flood Control Basin (Sepulveda Basin), located in the San Fernando Valley is federally-owned property under the jurisdiction of the U.S. Army Corps of Engineer (Corps). It encompasses 2,097 acres, of which 1,527 acres are leased to the Department for a 75-year term, ending on January 4, 2042 (in accordance with Supplemental Agreement No. 4 executed in 2002) for the development, operation and maintenance of public recreational lands and facilities. In addition to a variety of established recreational areas, the Sepulveda Basin contains wildlife areas and other natural resources, including Bull Creek Channel.

Bull Creek is a perennial stream that receives surface runoff and other water flows from an approximate 25 square mile drainage area. The length of the southern-most reach of Bull Creek that traverses the Sepulveda Basin is approximately 3,000 feet. The physical and biological conditions of this reach have been significantly altered by the effects of urbanization including grading activities, increased stream flow velocities, channelization, and agricultural and recreational development. Armoring of the lower and upper ends has occurred through the placement of boulders, rip-rap and other related materials. Currently the channel is characterized by a relatively straight (low sinuosity), deeply incised streambed (15-20 feet deep) and steep, unstable banks, with an associated highly disturbed riparian ecosystem dominated by castor bean, giant reed (*Arundo donax*) and other invasive plant species. The low biological diversity of the ecosystem makes it difficult to attract and support native and migratory wildlife.

REPORT OF GENERAL MANAGER

PG. 3

NO. 07-110

The importance of preserving and enhancing the wildlife habitats and values along the Bull Creek Channel and other riparian areas within the Sepulveda Basin was emphasized in the resource use objectives set forth in the Sepulveda Basin Master Plan and Final Environmental Impact Report/Statement (March 1981). The Water Resources Development Act of 1986 (as amended) authorizes the Secretary of the Army to review the need for water resources projects, including ecosystem restoration projects (Section 1135(b)). The funding requirements for these projects calls for the federal costs to be 75% of the total project cost with the remaining 25% to be provided by a non-federal local sponsor with non-federal funds.

In 1994, the Office of the Assistant Secretary of the Army requested the Corps (Los Angeles District) to recommend potential 1135(b) ecosystem restoration projects. The Los Angeles District recommended restoration of the portion of the Bull Creek Channel within the Sepulveda Basin. As a first step, they prepared a Preliminary Restoration Report (PRR) in November 1999, to evaluate the overall feasibility of the project, including assessing the biological and physical conditions of the stream corridor, defining a conceptual restoration approach, identifying and quantifying the project's net environmental benefits and/or detriments, and estimating construction costs. The PRR was reviewed by the Department, resource agencies, and interested stakeholders and was approved by the Commander of the Corps' South Pacific Division in February 2000.

The Corps was authorized to prepare a Detailed Project Report (DPR) in April 2000, to identify alternative restoration plans; to evaluate the technical feasibility, costs and environmental impacts of implementing these plans; and to recommend the most optimal plan. The DPR is ultimately used as the basis for developing the project plans and specifications. A draft DPR was reviewed by the Department, other agencies, and interested stakeholders in February 2003, and a final draft DPR was released in June 2005. The final DPR, dated April 2006, was approved by the Corps' South Pacific Division on November 9, 2006. The DPR identified and evaluated four restoration alternatives: Alternative 1, No Project Alternative; Alternative 2, Braided Stream Concept; Alternative 3, Braided Stream with Islands Concept; and, Alternative 4, Oxbow Concept. The Oxbow Concept (Alternative 4) was recommended as the optimal restoration plan for improving the ecological conditions of the Bull Creek Channel and for providing the greatest incidental aesthetics, recreational and environmental education/interpretation benefits. It also increases the flood control capacity of the channel.

The Oxbow Concept encompasses approximately 28 acres, and the project area consists of the Bull Creek stream bed and banks plus the degraded riparian and upland vegetative communities situated off both banks. It is bounded by Victory Boulevard on the north, Anthony C. Beilenson Park, and its 26-acre Lake Balboa on the east, the Los Angeles River on the south, and the Cherry Tree groves on the west. The main elements of the Oxbow Concept are shown on Attachment A and include:

REPORT OF GENERAL MANAGER

PG. 4

NO. 07-110

1. recontouring the main stream channel to form a gentler meandering geometry and excavating an oxbow configuration (a C-shaped side channel) in the upper reach creating a one acre island;
2. regrading the banks of the main channel to lessen the steep gradients;
3. installing a sediment basin and trash removal structure at the north end;
4. installing a pipeline to convey reclaimed water from Lake Balboa to the oxbow channel to supplement urban runoff during the dry season;
5. creating a multipurpose trail system for pedestrians and service vehicles, with bridges for island access, safe stream crossings, and use as scenic overlooks;
6. providing interpretive nodes with environmental and nature awareness opportunities; and,
7. creating a more biologically diverse and aesthetically-pleasing ecosystem through the removal of invasive plant species and the establishment of five predominantly native vegetative communities that will provide a valuable wildlife habitat consisting of:
 - a. aquatic/emergent wetland,
 - b. riparian woodland,
 - c. Coast live oak/California walnut woodland,
 - d. Grassland, and
 - e. buffer habitat.

The project will be designed and constructed by the Corps with construction projected to begin in September 2007 and to be completed in one year.

The project is estimated to have a total cost of \$6,381,000 and will be primarily funded by the U.S. Army Corps of Engineers Civil Works Program Fund. The Department of Recreation and Parks represents the City as the local sponsor and is required to provide a 25% local match for the project, currently estimated at \$1,595,250. The 1996 Safe Neighborhood Parks legislation (Proposition A) specified \$2,800,000 be used for the development, restoration and/or improvement of recreation facilities and the restoration of natural lands at the Sepulveda Basin Recreation Area, specifically in an amount not less than \$1,000,000 for bicycle trails, excluding trails along the Los Angeles River, and an amount not less than \$1,000,000 for the restoration of the Sepulveda Basin Wildlife Area and the development of a native plant/wildlife area west of the existing wildlife area. The amount of \$800,000 was committed to the Sepulveda Basin Recreation Area Garden Center Facility project (Grant No. 58F6-02-1323); however, the \$1,000,000 for the restoration of natural lands and the \$1,000,000 for bicycle trails were not committed to a specific project. The uncommitted Proposition A funds, a total of \$2 million, are available for designation to a specific project and are intended to satisfy the federal match requirement for the Bull Creek Restoration Project. Although the current estimated match amount is \$1,595,250, an application for the allocation of the full uncommitted funds has been submitted to the County in the event the actual project costs exceed the current estimate. The County Board's consideration of the project and funding is scheduled for May 22, 2007 and will also constitute a request for an alternative plan for expenditure, which is the

REPORT OF GENERAL MANAGER

PG. 5

NO. 07-110

mechanism by which the County can reallocate the remaining \$2,000,000 to the Bull Creek Project. The County Board will also be considering the County's recommendation that the Proposition A funds be placed in an escrow account from which eligible project costs can be drawn as needed. Any residual funds remaining after project completion may be reallocated to a new project, subject to the Board of Supervisors' approval.

The Project Cooperation Agreement (PCA) spells out the duties and responsibilities of each party in the design and construction of the Bull Creek Ecosystem Channel Restoration Project. The Corps is responsible for the design and construction of the proposed project, as well as the environmental monitoring commitments. The City will have an opportunity to review the design of the project. After completion of the project, the improvements will be maintained by the Department in accordance with its lease agreement with the Corps. The Corps will provide 75% of the required funding to complete the project. The Department/City is obligated to provide 25% of the required funding.

The draft DPR included a joint Environmental Assessment (EA)/Initial Study (IS) to ensure compliance with both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). Based on the evidence and conclusion in the environmental documentation and the project record, Staff determined that a Mitigated Negative Declaration (MND) should be prepared in accordance with State CEQA Guidelines. The EA/MND was circulated for public review and comment for 35 days from July 25, 2005 to August 30, 2005. A Finding of No Significant Impacts (FONSI) was signed by the Corps in July 2006, in compliance with NEPA. The Department, acting as the CEQA Lead Agency, requires no further CEQA documentation prior to the approval of the project. In addition, there have been no substantial changes to the project as proposed or the circumstances of its implementation that would result in a significant impact on the environment. A Notice of Determination (NOD) to document the adoption of the EA/MND will be filed within five days of the Board's final decision.

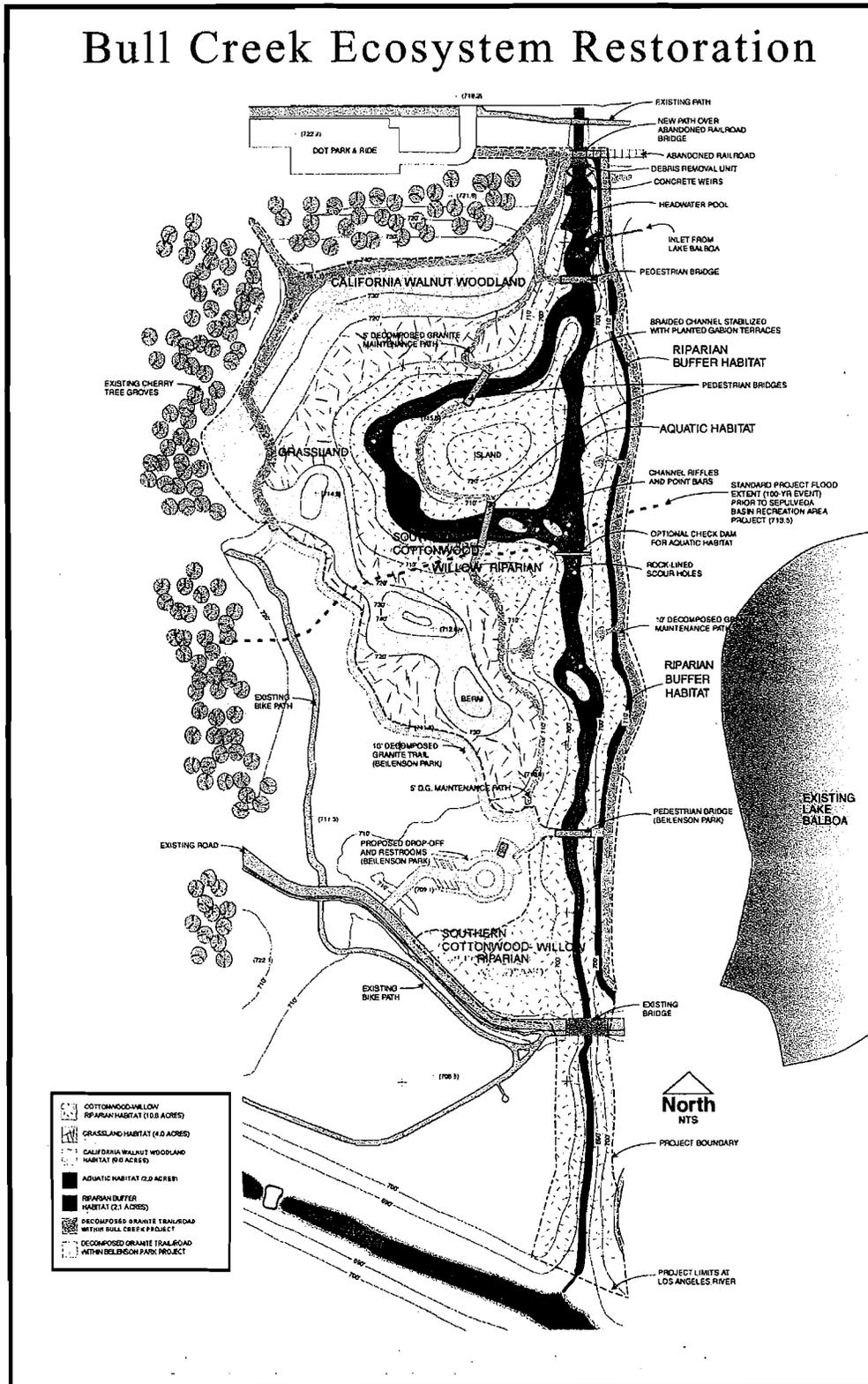
The Assistant General Manager for West Operations and the Office of Councilmember Tony Cardenas, Council District 6 have been consulted and concur with Staff's recommendations.

FISCAL IMPACT:

There is no fiscal impact to the General Fund as necessary funding for the completion of the project is coming from the Corps' Civil Works Program Fund and Proposition A funding administered by the County.

This report was prepared by David Attaway, Environmental Supervisor, Environmental Management Section, Planning and Development Division, and Charlie Maranan, Management Analyst II, Grants Administration.

Bull Creek Ecosystem Restoration



Oxbow Concept (Alternative 4)