

AMENDED IN ASSEMBLY APRIL 23, 2013

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 735**

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**Introduced by Assembly Member Gomez**

February 21, 2013

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An act to add Chapter 10.5 (commencing with Section 5845) to Division 5 of the Public Resources Code, relating to the Los Angeles River.

LEGISLATIVE COUNSEL'S DIGEST

AB 735, as amended, Gomez. ~~Los Angeles River Rehabilitation Project. *Greenway Initiative*.~~

Existing law, ~~the Los Angeles County Flood Control Act, establishes the Los Angeles County Flood Control District and authorizes the district to control and conserve the flood, storm, and other wastewater of the district. Under existing law, the act includes in the objects and purposes of the district to provide for public use of navigable waterways under the district's control that are suitable for recreational and educational purposes, when these purposes are not inconsistent with the use thereof by the district for flood control and water conservation. Existing law also establishes various plans and programs intended to preserve, protect, and rehabilitate lands adjacent to rivers in the state.~~

~~This bill would, until July 1, 2020, require the Secretary of the Natural Resources Agency to establish a Los Angeles River Rehabilitation Project policy committee, which would include members of appropriate public agencies, nonprofits, stakeholders, developers, cities, and environmental organizations to assist in the development and~~

rehabilitation of the Los Angeles River. The bill would require that the secretary collaborate with and establish a cooperative working relationship with public agencies that are affected by the project and consider all existing Los Angeles River rehabilitation plans in effect in implementing actions pursuant to the provisions of the bill. The bill would require that the Natural Resources Agency use existing state resources and available federal funds to implement the provisions of the bill and would authorize the agency to apply for and accept grants, donations, and other financial support from public or private sources for purposes of those provisions.

*This bill would establish the statewide Greenway Initiative, which is intended to promote the development of greenways along rivers in the state, including the development of a greenway along the Los Angeles River. The bill would define the term “greenway” for purposes of the bill, and would authorize a city, county, city and county, or other local government entity to designate lands along a river in its jurisdiction, upon approval of its legislative body by ordinance or resolution, or by incorporating such a designation into an adopted general plan element or adopted river master plan and to apply for public or private funding available for the development of a greenway in its jurisdiction, to the extent any funds secured for that purpose are used in a manner consistent with state laws.*

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

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

- 1 SECTION 1. (a) The Legislature hereby finds and declares
- 2 all of the following:
- 3 ~~(1) A Los Angeles River Rehabilitation Project would foster~~
- 4 ~~job creation by investing in parks and multiuse public trails.~~
- 5 ~~(2) The Los Angeles River Rehabilitation Project would improve~~
- 6 ~~the conditions of daily life along the river in a safe environment~~
- 7 ~~that promotes walking, jogging, biking, recreation, and living along~~
- 8 ~~the Los Angeles River.~~
- 9 ~~(3) The Los Angeles River Rehabilitation Project would directly~~
- 10 ~~improve the quality of life in Los Angeles by providing important~~
- 11 ~~recreational, — open-space, — wildlife, — flood-management,~~
- 12 ~~water-quality, and urban waterfront revitalization benefits to~~
- 13 ~~communities.~~

1 ~~(4) The Los Angeles River Rehabilitation Project would foster~~  
2 ~~livable communities through placemaking that provides public~~  
3 ~~amenities, links communities, reduces residential segregation, and~~  
4 ~~facilitates healthy behaviors.~~

5 ~~(5) The Los Angeles River Rehabilitation Project would support~~  
6 ~~linkages to community and economic development similar to other~~  
7 ~~transit-oriented developments.~~

8 *(1) Open-space land is necessary not only for the maintenance*  
9 *of the economy of the state, but for, among other purposes, the*  
10 *enjoyment of scenic beauty, for recreation, and for the use and*  
11 *preservation of natural resources. Moreover, the growing*  
12 *population of the state makes it important that existing open-space*  
13 *resources be preserved and well maintained, and that access to*  
14 *those resources be ensured for the health benefits and well-being*  
15 *of the state's population. The preservation of open-space land is*  
16 *especially critical in urban areas where the amount of usable*  
17 *open-space land is limited.*

18 *(2) Open-space land provides relief from the effects of urban*  
19 *congestion and opportunities for relaxation, exercise, community*  
20 *interaction, and the observation and appreciation of wildlife, which*  
21 *helps to combat both physical and psychological stress by offering*  
22 *outdoor, open-space land for recreation and physical activity in*  
23 *urban areas. Trees located on open-space land also provide shade*  
24 *and help reduce ambient temperatures and restore oxygen to the*  
25 *atmosphere.*

26 *(3) Greenways are public infrastructure located along natural*  
27 *landscape features such as urban watercourses, which, because*  
28 *of their linear structure, help to physically and psychologically*  
29 *connect various neighborhoods with one another while providing*  
30 *a means of habitat connectivity.*

31 *(4) Greenways can directly improve the quality of life in*  
32 *communities by providing important recreational, open-space*  
33 *land, wildlife, flood management, water quality, air quality,*  
34 *transportation, emergency response, and urban waterfront*  
35 *revitalization benefits to those communities.*

36 *(5) Greenways can foster livable communities by utilizing public*  
37 *lands for multiple, complementary purposes, such as placemaking,*  
38 *connecting diverse communities, reducing dependence on*  
39 *automobiles, expanding nonmotorized transportation networks*  
40 *with safer routes to jobs, homes, and schools, encouraging more*

1 *transit-oriented development, and facilitating healthier behaviors*  
2 *by providing opportunities for exercise and the maintenance of a*  
3 *healthy, active lifestyle.*

4 (6) *Greenways can be complemented and enhanced by installing*  
5 *public amenities and public-serving retail and services that provide*  
6 *additional access to historically underserved urban communities.*  
7 *Greenways also attract residents and visitors, and increase public*  
8 *safety by fostering improved civic vigilance. Other public-private*  
9 *partnerships in greenways in cities throughout the world have*  
10 *demonstrated the effectiveness and benefits of sustainable and*  
11 *successful public-private partnerships.*

12 (7) *Greenways encourage healthier residential communities by*  
13 *facilitating development that allows people to live closer to job*  
14 *centers and use public transportation alternatives.*

15 (8) *Greenways reduce the amount of parking necessary for*  
16 *small businesses because of reduced automobile traffic, encourage*  
17 *the development of affordable housing in urban areas, and promote*  
18 *walking and cycling and increased community interaction.*

19 (9) *Greenways encourage economic investment and community*  
20 *revitalization by connecting people in new ways.*

21 (b) *The Legislature finds and declares the following with regard*  
22 *to the development of a greenway along the Los Angeles River:*

23 (1) *The Los Angeles River is a site that is particularly suited*  
24 *for the development of a greenway. A Los Angeles River greenway*  
25 *that focuses on public-private partnerships aimed at establishing*  
26 *a continuous pedestrian bikeway along the Los Angeles River and*  
27 *its key tributaries would foster job creation, economic development,*  
28 *and community revitalization.*

29 (2) *A Los Angeles River greenway that establishes a continuous*  
30 *pedestrian bikeway along the Los Angeles River and its key*  
31 *tributaries would encourage community revitalization by investing*  
32 *in an efficient cycling and walking recreational transit route*  
33 *following the 51-mile Los Angeles River corridor. The greenway*  
34 *would also connect existing communities along the Los Angeles*  
35 *River to a network of parks and multiuse public trails.*

36 (3) *A Los Angeles River greenway would build upon a long*  
37 *history of support for a multiuse greenway network along the most*  
38 *significant river in the nation's second largest city. Since the 1980s,*  
39 *residents of the Los Angeles area have been advocating for the*  
40 *development of a trail network along the Los Angeles River. The*

1 *County of Los Angeles' Los Angeles River Master Plan in 1996,*  
2 *the City of Los Angeles' Los Angeles River Revitalization Master*  
3 *Plan in 2007, the City of Los Angeles Bicycle Plan in 2010, the*  
4 *County of Los Angeles Bicycle Plan in 2012, and President*  
5 *Obama's prioritization of the Los Angeles River trail system in*  
6 *the President's America's Great Outdoors Initiative in 2012 all*  
7 *promote the development of a river trail system along the Los*  
8 *Angeles River.*

9 (4) *A Los Angeles River greenway would build upon a long*  
10 *history of investment by the state in the development of parks and*  
11 *trails along the Los Angeles River, including Rio de Los Angeles*  
12 *State Park and Los Angeles State Historic Park. Moreover, a Los*  
13 *Angeles River greenway would complement the work of key state*  
14 *entities, including the Santa Monica Mountains Conservancy and*  
15 *various other state rivers and mountains conservancies.*

16 (5) *Because of its ability to leverage private investments to*  
17 *match commitments of public funds, the development of a Los*  
18 *Angeles River greenway by the City of Los Angeles would allow*  
19 *the state to concentrate and streamline investments it has already*  
20 *made in communities adjacent to the Los Angeles River, and would*  
21 *provide a funding model for types of investments funding*  
22 *greenways that may be replicated in other priority urban*  
23 *waterways in the future.*

24 (6) *Given the current fiscal constraints facing public agencies,*  
25 *it is time for the state to acknowledge and take advantage of the*  
26 *ability of private sector investments to sustain public infrastructure*  
27 *at all levels. Efforts to promote investment in the Los Angeles River*  
28 *trail system should be encouraged to prevent partial, disjointed,*  
29 *and inefficient development of the trail system.*

30 (7) *A Los Angeles River greenway would provide a social and*  
31 *natural resource amenity that would be complete and accessible*  
32 *to the public in the next seven years, and would be a resource that*  
33 *will be able to be utilized and enjoyed by children in the Los*  
34 *Angeles area during their childhood years.*

35 (8) *A Los Angeles River greenway would improve the conditions*  
36 *of daily life in Los Angeles' urban communities and would increase*  
37 *the value of the state's investments while providing critically*  
38 *needed, tangible urban waterway revitalization in the Los Angeles*  
39 *area.*

1 (9) A greenway should be established in the area encompassing  
 2 the Los Angeles River from its headwaters in the Community of  
 3 Canoga Park to a point of discharge into the Pacific Ocean at San  
 4 Pedro Bay in the City of Long Beach, with a width of one-quarter  
 5 to one mile on both banks and at least one mile upstream along  
 6 both banks of its tributaries, as feasible. Within the City of Los  
 7 Angeles, the greenway could be coterminous with the area included  
 8 in the Los Angeles River Improvement Overlay district.

9 (10) The County of Los Angeles’ Los Angeles River Master Plan  
 10 and the City of Los Angeles’ Los Angeles River Revitalization  
 11 Master Plan call for the development of a greenway along the Los  
 12 Angeles River.

13 (b)

14 (c) It is therefore the intent of the Legislature in enacting  
 15 Chapter 10.5 (commencing with Section 5845) of Division 5 of  
 16 the Public Resources Code to ~~support rehabilitation and~~  
 17 ~~development along the Los Angeles River.~~ *promote the*  
 18 *development of greenways along rivers in the state through public*  
 19 *and private partnership, including the development of a greenway*  
 20 *along the Los Angeles River.*

21 SEC. 2. Chapter 10.5 (commencing with Section 5845) is added  
 22 to Division 5 of the Public Resources Code, to read:

23

24 CHAPTER 10.5. ~~THE LOS ANGELES RIVER~~  
 25 ~~REHABILITATION PROJECT GREENWAY INITIATIVE~~

26

27 ~~5845.~~ (a) For purposes of this chapter, “agency” means the  
 28 Natural Resources Agency.

29 (b) ~~For purposes of this chapter, “secretary” means the Secretary~~  
 30 ~~of the Natural Resources Agency.~~

31 ~~5845.1.~~ (a) ~~The secretary shall establish a Los Angeles River~~  
 32 ~~Rehabilitation Project policy committee, which shall include~~  
 33 ~~representatives from appropriate agencies, nonprofits, stakeholders,~~  
 34 ~~developers, cities, and environmental organization, to assist in the~~  
 35 ~~development and rehabilitation of the Los Angeles River.~~

36 (b) ~~The secretary shall collaborate with and establish a~~  
 37 ~~cooperative working relationship with public agencies that are~~  
 38 ~~affected by the project, and shall consider all existing Los Angeles~~  
 39 ~~River rehabilitation plans in effect pursuant to subdivision (a) of~~  
 40 ~~Section 5753 in implementing actions pursuant to this chapter.~~

1     ~~5845.2. The agency shall use existing state resources and~~  
 2 ~~available federal funds to implement this chapter. If state or federal~~  
 3 ~~funds are not available or sufficient, the office may apply for and~~  
 4 ~~accept grants and receive donations and other financial support~~  
 5 ~~from public or private sources for purposes of these sections.~~

6     ~~5845.3. This chapter shall become inoperative on July 1, 2020.~~

7     5845. For purposes of this chapter, “greenway” means a  
 8 pedestrian and bicycle, nonmotorized vehicle transportation, and  
 9 recreational travel corridor that meets the following requirements:

10     (a) Is a travel corridor that is separated and protected from  
 11 shared roadways that parallels an urban waterway and  
 12 incorporates both ease of access to adjacent communities and an  
 13 array of amenities and services for the users of the corridor and  
 14 nearby communities.

15     (b) Is publicly accessible and located on a combination of public  
 16 and private lands, if public access to those lands is provided by  
 17 lands owned in fee simple, leases, or easements.

18     (c) Reflects design standards with appropriate widths,  
 19 clearances, and setbacks from obstructions, and centerlines  
 20 protecting directional travel, where appropriate.

21     (d) Incorporates appropriate landscaping, lighting, public  
 22 amenities, and art.

23     5845.1. (a) A city, county, city and county, or other local  
 24 government entity may designate lands along a river in its  
 25 jurisdiction as a greenway, upon approval of its legislative body  
 26 by ordinance or resolution, or by incorporating such a designation  
 27 into an adopted general plan element or an adopted river master  
 28 plan.

29     (b) A city, county, city and county, or other local government  
 30 entity may adopt ordinances that regulate public health and safety  
 31 or traffic within a designated greenway in its jurisdiction.

32     5845.2. A city, county, city and county, or other local  
 33 government entity may apply for public or private funding available  
 34 for the development of a greenway in its jurisdiction, to the extent  
 35 any funds secured for that purpose are used in a manner consistent  
 36 with applicable state laws.