

Department of Recreation and Parks

STAFF REPORT

SUBJECT: Response to the CEQA Section 21151(c) Appeal Re the Board's February 20, 2019 determination that the Griffith Park-Lake Hollywood and Upper Vista Outdoor Improvements Project (Project) is categorically exempt under CEQA.

RECOMMENDED ACTION:

For the reasons stated herein as to all points raised in the appeal, and in light of the whole record of the project proceedings, the Staff of the Department of Recreation and Parks recommends that the City Council:

1. DENY the CEQA 21151 (c) appeal;
2. DETERMINE that the Griffith Park-Lake Hollywood and Upper Vista Outdoor Improvements Project (Project) is categorically exempt under CEQA after considering the Notice of Exemption on file and the response included in this report;
3. ADOPT AND CONCUR with the Project as approved by the Board of Recreation and Park Commissioners; and,
4. DIRECT Department Staff to file a new Notice of Exemption with the Los Angeles City Clerk and with the Los Angeles County Clerk.

SUMMARY

On February 20, 2019, The Board of Recreation and Park Commissioners at its regular meeting approved the Griffith Park-Lake Hollywood and Upper Vista Outdoor Improvements Project (Board Report 19-039). In compliance with the California Environmental Quality Act (CEQA), the Board also determined that the project was exempt from CEQA. Pursuant to Article III, Section 1 of the City CEQA Guidelines, the project was determined to be exempt under categories Class 1(3) for minor alterations to existing walkways, Class 3(6) for new accessory structures, Class 4(3) for new tree plantings, and Class 4(12) for minor trenching and backfilling. These exemptions are also specified the Article 19, Sections 15301(c), 15303(e), 15304(b), and 15304(f) of the California State CEQA Guidelines.

At the project hearing, the Board modified the Board Report as part of the approval to remove all references "fencing" because the fencing would have been placed within the public right-of-way that was outside of the jurisdiction of the Board. Therefore, categorical exemption Class 3(6) for new accessory structures did not apply. On March 7, 2019, Department Staff filed a Notice of Exemption for the project with the Los Angeles County Clerk. However, On March 4, 2019, the Office of the City Clerk accepted an appeal of the decision to the City Council under Section 21151(c) of CEQA within the 35-day statute of limitation (ending April 8, 2019). Any action on this project has been set aside pending the validation and hearing of the appeal.

The proposed project, as approved, consists essentially of new landscaping including trees and large bushes, and irrigation. Other related improvements include a new decomposed granite surface, as well as other plantings as needed to fill in the landscape. In a letter of support from

Council District 4, the purpose of the project was to plant the dirt clearing off Mulholland Drive known as the Upper Vista to obscure the view of the Hollywood Sign to prevent drivers who are tempted to stop on the curvy two-lane road to take a picture of the sign. This was a strategy recommended in a study by Dixon Resources Unlimited commissioned by the Council Office of the western portion of Griffith Park to identify strategies to improve access, safety and mobility around the Park and the Hollywood Sign. Fencing was also a strategy recommended by the Dixon Report to prevent cars from jumping the curb into the dirt clearing for parking, as this stretch of the highway is No Stopping Anytime. However, the Board's final decision eliminated this recommendation as outside their jurisdiction for placement structures within the public right-of-way.

On March 4, 2019, legal representatives on behalf of the Committee to Save the Hollywoodland Specific Plan ("Appellant") filed an appeal of the Board approval of the Project. The Appellant asserts that the Project is just one of series of actions to change mobility and access in the Park to promote a series of Hollywood Sign view sites. Consequently, the Project requires an environmental review that addresses the cumulative impacts of the entire series of actions. Therefore, the Appellant is alleging that the Board is segmenting or piecemealing the Project in order to reduce or eliminate any cumulative impacts. However, this claim lacks merit because the Appellant incorrectly asserts that CEQA requires that the implementation of all actions set forth in the 2017 Dixon be part of one project. CEQA clearly permits the City to move forward independently with implementation of activities, such as the Project, that serve purposes that differ from other actions described in the Dixon report. The subject Project is stand-alone in nature and designed to improve public safety at the subject location as described above. The Project thus has independent utility, and that utility does not depend on the future implementation of other components of the Dixon report.