

Andrea Ventura  
4111 Chevy Chase Drive  
Los Angeles, CA 90039

January 28, 2013

Councilman Ed P. Reyes  
Ad Hoc River Committee  
Los Angeles City Council  
200 N. Spring Street, Room 410  
Los Angeles, CA 90012

Re: Los Angeles River Recreational Zone Pilot Program

Dear Councilman Reyes and Members of the Ad Hoc River Committee:

As a resident of Atwater Village who uses the Los Angeles River daily, I oppose the current Los Angeles River/Glendale Narrows Recreation Zone Pilot Program dated January 15, 2013. The draft program prohibits "dogs and pets" from using the "new recreational zone." If implemented as is, this prohibition will likely violate the Public Trust Doctrine as well as equal protection rights guaranteed by the State and Federal Constitution.

After I purchased my house on Chevy Chase Drive four years ago, I have been walking or running with my dog along the Los Angeles River daily. As part of my daily recreational exercise, I encounter dozens of other residents or visitors walking their dogs along the river as well. Not once have I witnessed any destruction or safety problems as a result of any dog for the past four years. All the dog owners and dog walkers I meet thoroughly enjoy the river with their pet. This daily observation supports what I witnessed for decades in the past, when I would come to the Los Angeles River to walk before I adopted my dog from the pound. Not once in the past 15 years have I found any habitat destroyed or safety threatened by a dog.

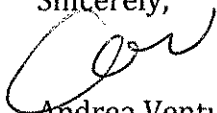
I am not against a plan to encourage kayakers and boaters to enjoy and use the Los Angeles River. I fully support it. But I am against a plan to promote kayaking at the expense of walking and/or running dogs along the river. The latest draft of the Los Angeles River/Glendale Narrows Recreation Zone Pilot Program prohibits dogs entirely. In essence, this prohibition restricts one form of public use to promote another. This is unfair.

Moreover, this particular proposed prohibition is not required under the Mountains Recreation and Conservation Authority Ordinance, which apparently governs this new pilot. Rather, section 3.9 of the Ordinance provides for owners to bring dogs to park lands as long as the owners and dogs comply with certain

restrictions. One restriction allows dogs with leashes. Another allows a dog off leash "so long as the owner or person in possession of the dog (1) exercises the degree of control that enables such person to recall the dog on command and (2) has a leash on his person at all times so as to be able to restrain the dog if necessary." (MCRA Ordinance §3.9(g).) This is exactly what I have done with my dog along the Los Angeles River for the past four years. It is what hundreds, or even thousands, of residents have done for decades.

Moreover, as currently worded, the new regulations prohibit dogs from the recreational zone but not horses (unless horses are considered "pets"). Currently, dogs walk and run along the river with their owners. So do horses. If the plan prohibits dogs and not horses, there are equal protection violations at issue with these new regulations. Accordingly, it would be sound to reconsider this particular prohibition. It will disrupt not only my daily enjoyment of the Los Angeles River but hundreds or even thousands of others who currently enjoy the Los Angeles River.

Sincerely,



Andrea Ventura  
Atwater Village Resident  
Attorney at Law



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## **CORRECTED Council File 11-1403, LA River Recreation Zones - in committee 1-28-13 - Partial Support**

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**Diane Edwardson** <diane.edwardson@gmail.com>

Fri, Jan 25, 2013 at 8:39 PM

To: [eric.villanueva@lacity.org](mailto:eric.villanueva@lacity.org), [councilmember.reyes@lacity.org](mailto:councilmember.reyes@lacity.org), [councilmember.garcetti@lacity.org](mailto:councilmember.garcetti@lacity.org),  
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Cc: [lupe.m.vela@lacity.org](mailto:lupe.m.vela@lacity.org), [adrian.vazquez@sen.ca.gov](mailto:adrian.vazquez@sen.ca.gov), The Eastsider LA <[theeastsiderla@gmail.com](mailto:theeastsiderla@gmail.com)>

**Corrected City Council File # 1403** - an earlier version of this letter was sent with the incorrect City Council File, please disregard the earlier version, the corrected letter with photos is also attached. I apologize for any confusion, the content of the letter has not changed, just the file #.

On Fri, Jan 25, 2013 at 1:48 PM, Diane Edwardson <diane.edwardson@gmail.com> wrote:

City Councilmember Ed Reyes  
Ad Hoc LA River Committee  
200 N. Spring St  
Los Angeles, CA 90012

RE: **City Council File 11-1403**, Draft report LA River Recreational Zone  
Pilot Program  
In Committee 1-28-13

Submitted to City Clerk via email  
Copy below, letter with photos attached

Date: January 25, 2013

Councilmember Reyes,

While I support the opening of our part of the river to recreational boating, I strongly oppose the arbitrary ban on dogs in the channel. I also have concerns regarding traffic in Elysian Valley.

1. I urge you to modify the arbitrary ban on dogs in the channel per Attachment 4, Policies & Regulations set forth by the MRCA. It should be required for dogs to be on-leash and for owners to pick up after their dogs.

I have walked the LA River through Elysian Valley & Atwater for the better part of 20 years with my dogs on short leash. I pick up after my dogs. I prefer to walk down in the riverbed because it is quieter and more interesting than walking up on the path. I have rarely, if ever encountered off-leash dogs in the riverbed (I think most people don't want their dogs being swept away at any time of year).

Since the advent of the official bike path on the river, it has become increasingly difficult to walk the path with a dog without constantly looking over my shoulder for bikes, especially in Elysian Valley where the path is so narrow. The risk for tragic accident with a dog and bike incursion is extremely high and really stressful for all

(responsible) parties as we pass one another on the path.

Looking ahead to two upcoming bridges crossing the river means there will be more bike traffic on the path on both sides of the river and those of us with dogs will have nowhere to walk safely if you ban us from the riverbed.

I attended the community presentation of the Recreational Zone Pilot Program on January 24, 2013 at the LA River Center. The only evidence presented for need for a ban on all dogs was one photo of a woman and her dog at the water's edge. You could not tell if the dog was on or off leash from the angle of the photo. This is not enough evidence to ban all dogs from the channel.

Do not allow a complete ban on dogs to pass at this time - it will not easily be reversed. Many women, like myself, who walk alone in the river, only do so because we have our dogs with us. Our dogs make us feel safe. Do not take our security from us.

2. Traffic issues in Elysian Valley. As a 23 year resident of the area, I hear the voice of my good friend, Elysian Valley activist Rey Dominguez (RIP) saying, "How are you going to get traffic in and out of Marsh Park on our residential streets?" Some of the money spent on signage should be spent directing traffic clearly on the least residential streets to & from Marsh Street. It is very easy to get turned around and lost in that part of Elysian Valley.

A traffic management plan needs to be worked out with the neighborhood council with direct input solicited from neighbors on the affected streets. Appropriate signage all the way out to freeway on and offramps needs to be in place too.

I understand the rush to get the boating program off the ground before you leave office, but don't let this program trample over the neighborhoods and neighbors who already use the river responsibly.

Sincerely,  
Diane Edwardson  
21 year community leader  
23 year resident

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CF 1403 Rec Zone Pilot Program LA River Edwardson Response 2013-01-25 CORRECTED.pdf  
471K



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## Council File 11-1403, LA River Recreation Zones - in committee 1-28-13

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Gary Vlahakis <wickerbill@mac.com>

Sun, Jan 27, 2013 at 10:19 AM

To: "eric.villanueva@lacity.org" <eric.villanueva@lacity.org>

council member reyes,

I've just heard about

this measure and can't believe that includes banning leashed dogs from the river except on upper pathways.  
that seems RIDICULOUS!

what possible reason could there be to halt what i and many have been doing safely for years? I understand that kayaking will be allowed soon in some sections and am DOUBLY disappointed as my dog also kayaks with me.  
not a single person I have spoken with on the subject understands the logic behind this idea.

if your concern is dog poop I would guess your concern would be better placed with people poop, as they generally aren't cleaned up after.

I ask that you reconsider this certainly very unpopular measure...

sincerely.....

gary vlahakis

263/ corralitas dr.

los angeles, ca 90039

213-393-3153

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CP 11-1403

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## Comments to Ad Hoc River Committee Special Agenda No. 3-LA River Recreational Zones

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Joyce Dillard <dillardjoyce@yahoo.com>

Mon, Jan 28, 2013 at 2:17 PM

Reply-To: Joyce Dillard <dillardjoyce@yahoo.com>

To: "Eric.villanueva@lacity.org" <Eric.villanueva@lacity.org>

MRCA has no jurisdiction under Tidelands Trust. State Lands Commission would need to exercise jurisdiction. With that, the US Army Corps has jurisdiction in the flood control channel.

According to the Public Trust Doctrine document on the California State Lands Commission website then

*The Legislature, acting within the confines of the common law public trust doctrine, is the ultimate administrator of the tidelands trust and often may be the ultimate arbiter of permissible uses of trust lands*

The Legislature would then have permitting functions as Administrator. They do not.

The US Army Corps of Engineers has permitting functions and use.

The LA River is a flood control channel. There are Public Health and Safety issues that should come FIRST AND FOREMOST.

The recreational zone is for private use. It is not for broad public access.

Mountains Recreation and Conservation Authority MRCA, as a Joint Powers Authority, is empowered to:

*acquire, develop, and conserve additional park and open space lands with special emphasis on recreation and conservation projects, the protection and conservation of watersheds, and the development of river parkways*

Tideland Trust land cannot be acquired. The Flood Control Channel is not a Park and Open Space Land . SB 1201 ignores the US Army Corps of Engineers oversight of the channel itself as a navigable waterway, a federal function. LA County Flood Control has oversight above the channel at access points.

Neglected in this discussion is the environmental protection necessary for the Public Health and Safety of humans, fish and wildlife. The River receives water from reclamation plants.

LA Regional Water Quality Control Board authorizes MS4 NPDES Permits. No consideration has been given to the requirements in that permit. LA River is considered a concrete flood control channel; and no discharge of pollutants occurs when water flows from an improved into an unimproved portion of a navigable waterway.

MRCA is not a current NPDES permittee.

If US Army Corps takes responsibility for this project, then they should take the liability including the NPDES outfall or discharge monitoring requirements and compliance. Upland issues such as fires that may affect usage of the river.

If a recreational user becomes ill or dies, who will ultimately be responsible for any liability incurred?

Joyce Dillard  
P.O. Box 31377  
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