



Board Report

File #: 2021-0556, File Type: Motion / Motion Response

Agenda Number: 35.

**REVISED**  
**EXECUTIVE MANAGEMENT COMMITTEE**  
**NOVEMBER 18, 2021**

**SUBJECT: RESPONSE TO JUNE 2021 BOARD MOTION 49: LA RIVER BIKE PATH PROJECT DELIVERY**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. NEGOTIATE and enter into a funding agreement between Metro and the City of Los Angeles in the amount not to exceed \$60 million for design and construction of the LA Riverway in the San Fernando Valley.
- B. NEGOTIATE and conditionally enter into a Cooperative Agreement with Los Angeles County Department of Public Works (LACDPW), City of Los Angeles and City of Vernon for Metro to manage and coordinate on final design and construction of the LA River Path through downtown Los Angeles. The conditions to be negotiated include:
  - 1. Accessibility to right of way owned by each entity for construction permits
  - 2. Commitment from each entity on cooperative engagement on securing additional funding when needed;
  - 3. Metro will partner with the City, County, and Federal agencies with ownership and responsibility in the LA River corridor in regards to the overall management structure of the completed project, but will not assume any financial responsibility for operating and maintaining the completed project. ~~Cities and County with ownership in the LA River corridor to partner and assume responsibility for operating and maintaining the completed project~~
- C. ENTER into a Funding Agreement with LACDPW in the amount not to exceed \$773,870 to support LACDPW to perform and lead the environmental clearance for the Lower LA River Bike Path.

**ISSUE**

In June 2021, the Board approved Motion 49 (Attachment A), directing staff to report the status of

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each of the following three projects (Attachment B) regarding funding plans, sustainability, equity assessments, milestone schedules, and execution of agreements with partner agencies.

- A. LA Riverway in the San Fernando Valley: Within the jurisdictions of the City of Los Angeles and led by the City, this project known as Complete LA River Bike Path in the Measure M Expenditure Plan will close a series of gaps in active transportation on a 12-mile stretch along the LA River from Canoga Park to Studio City.
- B. LA River Path through downtown Los Angeles: A Metro-led project known as the LA River Waterway & System Bike Path in the Measure M Expenditure Plan will close an eight-mile continuous gap between Elysian Valley and Vernon, through downtown Los Angeles.
- C. Lower LA River Bike Path in the Gateway Sub-region: Consisting of one or more elements defined by Motion 22.1 (Attachment C) authored by Supervisor Solis in October 2015. This project is within the jurisdiction of LACDPW.

## **BACKGROUND**

Bicycle and pedestrian paths already exist along much of the LA River, but large gaps in the LA River bicycle corridor make it impossible to travel along the entire length of the river. To close these gaps and provide additional bicycle facilities along the river, at least three distinct bike projects are planned, which are at different stages of development. When complete, these Active Transportation infrastructure along the LA River can act as a spine for Class I bicycle infrastructure throughout the river's 51-mile length across the county, thus providing a low-cost alternative mode of transportation to Angelenos and in turn creating a transportation system that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions. In addition to these benefits, active transportation infrastructure provides low-cost transportation that supports public health while protected and separated infrastructure improves traffic safety for all users and provides a safe space for all ages and the ability to exercise more.

Because the LA River passes through many of the historically underserved and marginalized communities that Metro has defined as Equity Focused Communities (EFC), completing a contiguous bike path along the river's 51 miles is a goal of both the County and the City of Los Angeles. This effort is supported through several planning documents, including the 2020 LA River Master Plan, City of Los Angeles General Plan Mobility Element (Mobility 2035), Metro's 2020 Long Range Transportation Plan, and 2016 Active Transportation Strategic Plan (ATSP).

## **DISCUSSION**

- A. LA Riverway in the San Fernando Valley  
The LA Riverway project in San Fernando Valley encompasses a 12-mile series of gap closure projects along this portion of the LA River Bike Path. The City of Los Angeles Public Works' Bureau of Engineering (LABOE) is the Lead Agency for these projects which are in various stages of project development. The project between Vanalden Avenue and Balboa Boulevard is the furthest along and nearing completion of the design phase, while the remaining projects are ready to begin the design phase.

The City of Los Angeles currently estimates the total project cost at \$154 million. The City has contributed \$5.5 million in local funds to date and Metro has programmed the \$60 million of Measure M funds in Fiscal Years (FY) 2022-2026. Attachment D shows the proposed distribution of Measure M funds for each fiscal year (FY22 through FY26). Per Measure M, the project is expected to be completed by FY27. The pursuit of additional funding will be led by the City of Los Angeles with support by Metro.

The design of these segments will be consistent with the LA River Master Plan and will employ sustainability strategies such as native landscaping elements to treat stormwater runoff, pervious hardscape to facilitate water conservation, and a bike-with-greenway approach to help lessen the urban heat island effect and serve as a greenhouse gas “sink.” The project will help to mitigate the elevated temperatures found in the San Fernando Valley by using vegetation and green infrastructure to increase permeability and greenhouse gas absorption and provide shade to cool temperatures. Furthermore, this project will support more sustainable travel mode choices than single-occupancy car driving by improving the viability and safety of active transportation and increasing connectivity to other public transit systems.

**B. LA River Path through downtown Los Angeles**

In September 2019, the Metro Board approved the Conceptual Design Report and authorized the project to enter into environmental clearance. In October 2019, the Notice of Preparation was published, and subsequently, four scoping meetings were held in November 2019. Staff is now preparing various environmental technical studies to support the evaluation of three alternatives as part of the Draft Environmental Impact Report (EIR) and advancing the design development to 15%.

On the administrative side, Metro has entered into Memorandum of Agreements (MOAs) with the United States Army Corps of Engineers (USACE) for issuance of Section 408 and Section 404 permits. Since the USACE currently operates and maintains the river as a flood control channel, both Section 408 and 404 permits are needed to deliver the project. In addition, staff is preparing draft Cooperative Agreements that will be vetted by County Counsel and partner agencies, including the City of Los Angeles, LACDPW to define roles and responsibilities of each partnering agency to facilitate efficient project delivery.

Metro anticipates releasing its Draft EIR in late 2022. Final EIR and selection of a Locally Preferred Alternative (LPA) are anticipated in late 2023. After the selection of the LPA, the project team will advance the LPA to at least 60% design for a NEPA Environmental Assessment (EA) to support the permitting process from USACE. Metro anticipates project completion in 2028 (following final design and construction).

One of the biggest limitations for Metro to construct this project is Metro’s insignificant share of right-of-way (ROW) along the 8-mile corridor. While the City of Los Angeles (including Los Angeles Department of Water and Power (LADWP)) and the County of Los Angeles (including LA Flood Control) in total own approximately 80% of the ROW along the corridor, Metro ownership is less than 1%. Of the remaining 20%, most is held as private ownership. Hence, the permitting agencies other than USACE which has flood control jurisdiction over the river,

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will be the City of Los Angeles and the County of Los Angeles. As a result, Metro would require firm commitments from both entities on their active role in facilitating an efficient process and cooperation during permitting and construction of the project.

Upon completion of construction, Metro will partner with City, County, and Federal agencies with ownership and responsibility in the LA River corridor in regards to the overall management structure of the completed project. transfer the project to the City and County of Los Angeles and the City of Vernon, and the projects's operational governance post-construction must be negotiated between these three entities. However, Given that Metro owns less than 1% of the project ROW, Metro will not be responsible for future operation and maintenance of the project, including both funding and labor. a partner, administrative, financially, or otherwise, in the future operation and maintenance of the project. In addition, as the designs and cost estimates progress, Metro will may evaluate other cost reduction strategies such as shorter segmentation.

The project is currently funded through Measure M (\$365 million in 2015\$). Based on in-progress 15% engineering and cost estimate efforts, the cost range for constructing this project, depending on the alternative, varies between \$392 million and \$486 million (2021\$). This early estimate points to a substantial funding shortfall of at least \$142 million (2021\$). Cost estimates will be further refined as design progresses. As the project moves forward through the environmental and early design process, Metro anticipates seeking partnership with the City and County of Los Angeles, as well as with City of Vernon and other potential funding partners to pursue additional funding, as needed.

Metro's 10-year Strategic Plan - Moving Beyond Sustainability (MBS) created the Sustainability Engagement Team to facilitate project specific sustainability assessments for major capital projects to help realize Metro's MBS goals. The LA River Path project will work with the Sustainability Engagement Team to identify opportunities to integrate sustainability elements into the project where feasible and cost effective.

C. Lower LA River Bike Path in the Gateway Sub-region

In October 2015, Motion 22.1 directed Metro staff to study three new Class I bike paths noted as items G, H, and I. In April 2017, Motion 5.1 (Attachment F) directed staff to advance Item J from Motion 22.1 into environmental review based on preliminary designs. From these motions, four items are listed below:

Motion 22.1 Item G: Construction of a new, 8-foot, Class I bike path and access points within the Los Angeles Flood Control District right-of-way on the western levee of the LA River Channel from the Pacific Coast Highway [Long Beach] to Imperial Highway [South Gate] (*approximately 10 miles*) to connect with the existing Los Angeles River Bike Path;

Motion 22.1 Item H: Construction of a new 8-foot, Class I bike path and access points within Southern California Edison (SCE) right-of-way, roughly parallel to Greenleaf Blvd. (*approximately 8 miles*) between the Los Angeles Blue Line and Sportsman Drive;

Motion 22.1 Item I: Construction of a new 8-foot, Class I bike path and access points within

SCE and LADWP right-of-way from Willow/TL Freeway [Long Beach] to connect with the Rio Hondo Bike Trail at Garfield Avenue [South Gate] (*approximately 7 miles*);

Motion 22.1 Item J: Upgrades to the existing Los Angeles River Bike Path consisting of safety, landscaping, hardscape, lighting, access enhancements, and fix-it stations between Ocean Boulevard [Long Beach] and its northern terminus at Slauson Avenue [Vernon] (*approximately 15.5 miles*).

Metro staff completed the I-710 Bike Path Project Definition Study in 2017 as an initial step in responding to Motion 22.1. Aside from proposed improvements to the existing facility (Item J), the study proposed three new bike path projects identified as Western Levee (Item G), Compton Boulevard (Item H), and Terminal Island Freeway to Rio Hondo (Items I). The Compton Boulevard bike path, due to higher benefits and opportunities, was proposed in place of the SCE right-of-way paralleling Greenleaf Boulevard that was initially identified in Item H. Metro staff met with the City of Compton Public Works staff in July 2018 and were informed of a Complete Streets Plan in place for Compton Boulevard, which included bike path upgrades. As such, the need to pursue a bike path on Compton Boulevard in the City of Compton was obviated, leaving Items G and I as two new bike path options for further consideration. Therefore, Items G, I, and J, remain three options from Motion 22.1 to consider for the Lower LA River Path.

Furthermore, Metro intended to lead and perform the environmental clearance for Items G, I, and J for LACDPW. Coordination and discussion between Metro and LACDPW took place on several occasions during spring/summer of 2018 to determine a workplan involving staff support and oversight from Los Angeles County. Agreement on the amount to reimburse LACDPW for their support during the Metro-led environmental clearance was not reached, and efforts stalled.

As the Lower LA River Path is within the jurisdiction of LACDPW and LACDPW is the agency of record for environmental clearance and will construct, own, and maintain the project, staff recommends LACDPW to perform the environmental clearance for one or more Items (G, I and J) from Motion 22.1. In addition, the County of Los Angeles, through LACDPW, is the Lead Agency for the Programmatic EIR for the 2020 LA River Master Plan. LACDPW could also consider improvements recommended in the 2020 Plan.

The cost to develop the three independent bikeway projects initiated by Motion 22.1 was approved for \$1,196,596 as part of a contract modification for the I-710 South Corridor Project (Attachment G). Measure R Administrative Funds were budgeted for this effort under Cost Center 4730 (Highway Programs B). The completion of the I-710 Bike Path Project Definition Study drew down \$422,726 from the approved \$1,196,596, and \$773,870 remains under that contract. Staff recommends the reimbursement of \$773,870 to LACDPW. Discussions with LA County are ongoing, and should this initial amount be under their needs, staff will return to the Board to request additional funds. Should this amount be over their needs, remaining funds will stay with Metro.

To advance subsequent design and construction phases, LACDPW's identified project(s) for the Lower LA River Bike Path will be considered in the discussion and collaboration with corridor jurisdictions, stakeholders and the Gateway Cities Council of Governments on the I-710 Early Action Program and future Measure M funding allocations.

### **DETERMINATION OF SAFETY IMPACT**

- A. LA Riverway in the San Fernando Valley  
The implementation of this project will improve safety for active transportation users and the general public by providing a new shared-use path separated from vehicle traffic along High-Injury Network corridors, including Ventura Boulevard and Victory Boulevard. Staff will continue to coordinate with the City of Los Angeles on the development and eventual construction of the project to ensure that it does not adversely impact the continued safety of staff, contractors, and the public.
- B. LA River Path through downtown Los Angeles  
Currently, the action will have no impact on the safety of Metro's customers and/or employees since the project is in early stages of design and in the environmental phase. Subsequently, when the project advances into the construction phase, staff will continue to oversee construction activity to ensure the safety of staff, contractors and the public and ensure that steps are in place to mitigate any adverse effects during construction.
- C. Lower LA River Bike Path in the Gateway Sub-region  
The action will have no impact on the safety of Metro customers and/or employees as the project is still in the early planning phase.

### **FINANCIAL IMPACT**

- A. LA Riverway in the San Fernando Valley  
The LA River Bike Path in the San Fernando Valley subregion is a Measure M funded project funded yearly through the annual budget up to the approved programming amount. This is a multi-year contract/project, and the Project Manager, the Cost Center Manager, and the Chief Program Management Officer are responsible for budgeting in future fiscal years.
- B. LA River Path through downtown Los Angeles  
The FY 2022 proposed budget includes \$7 million in Cost Center 4310 (Mobility Corridor 1), Project 474303 (LARVR WaterWay Sys Bike Path). Since this is a multi-year effort, the Cost Center Manager and Chief Planning Officer (CPO) will be responsible for budgeting funds in future years. The recommended action, however, will have no impact on the overall project cost. The project is identified as one of Mayor Garcetti's "Twenty-Eight by '28 Initiative" and is considered a regionally-significant infrastructure project funded through Measure M (\$365M in 2018\$).
- C. Lower LA River Bike Path in the Gateway Sub-region  
Funding for completing the environmental clearance work by LACDPW will be programmed

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under the appropriate Cost Center as a subsidy using the Measure R Administrative funds consistent with the #2015-1656 action. Project 462316 subsequently budgeted funds for the I710 Bike Path Study. However, a new project number will be established for the Lower LA River Bike Path. Further coordination with LACDPW is needed to identify which one or more elements from Motion 22.1 (Items G, I, J) would be pursued and what associated costs would be funded. In addition, LA County could consider improvements recommended in the 2020 LA River Master Plan.

### Impact to Budget

- A. LA Riverway in the San Fernando Valley  
There are no impacts to the FY22 budget. Staff will fund the project on an annual basis up to the approved programming amount.
- B. LA River Path through Downtown Los Angeles  
The Board's decision will have no impact on the FY22 budget.
- C. Lower LA River Bike Path in the Gateway Sub-region  
There are no impacts to the FY22 budget. Staff will need to identify budget and future programming years.

### EQUITY PLATFORM

- A. LA Riverway in the San Fernando Valley  
The project will benefit disadvantaged communities by providing increased mobility/connectivity, safety, access to opportunities, improved sustainability, and public health. The project will add new separated biking and walking facilities that will provide a safer alternative route to nearby High Injury Network streets including Ventura Boulevard and Victory Boulevard where active transportation users experience disproportionate traffic injuries. The new path will connect Equity Focus Communities in Reseda, Canoga Park, and Burbank to many jobs and services in areas such as Ventura Boulevard and Universal City. The project will also improve access to recreational facilities along the river via sustainable modes for improved public health in communities including Lake Balboa and Reseda, which already have higher transit and bike mode share, but experience disparities in environmental quality with CalEnviroScreen scores above the 80th percentile. The project may potentially cause a burden through temporary construction impacts and potential gentrification and displacement pressures. However, these will be mitigated by construction management plans and continued community engagement throughout the project development process.

The City of Los Angeles conducted community engagement for this project through the City's LA River Revitalization Master Plan, the Bicycle Plan, and Feasibility Study Report; and included numerous public workshops, multilingual and accessible communications. These engagement efforts informed the plans. Metro will continue to support the City in ongoing efforts to ensure vulnerable communities are engaged as the project implementation advances.

B. LA River Path through downtown Los Angeles

This project will provide benefits including enhanced mobility and regional access to jobs, education, and other recreational opportunities for underserved populations within the Project area. A recent study for Parks Needs Assessment showed that Boyle Heights has the highest need for parks and open spaces in the areas directly adjacent to the river, followed by downtown Los Angeles.

For context, approximately 29% of the population within 3-miles of the project lives in poverty, with 92% of the population being people of color (BIPOC) with limited English proficiency. Moreover, 79% of the population is Latino and more than 22% of the population relies on multi-modal transportation options for getting to work, including walking, bicycling, and taking public transit.

The benefits, however, without proper protections, may increase the risk of displacement for existing residents and small businesses during construction and due to potential gentrification. To mitigate these impacts and ensure Metro can advance transit equity, the Project engaged the community early on during Conceptual Design phase and will continue to involve the community and other stakeholder groups in the decision-making process during environmental and final design phase. The Project team will further partner with Community Based Organizations (CBO) to support this work, and advance equity - the exact nature of engagement is yet to be defined. Finally, during construction, the team will work with Metro's Homeless Task Force and existing Metro programs and policies that address temporary interruptions to affected small businesses due to Metro project construction.

C. Lower LA River Bike Path in the Gateway Sub-region

The Lower LA River Path aims to increase safe active transportation facilities, enhance connections to transit, increase transportation choices for people with limited mobility options, encourage fewer car trips, promote active, healthy living, and connect to major activity centers and destinations. Analyzing Metro EFC data found that of the 24-mile cumulative project distance, nearly 14 miles intersect or touch EFC areas.

High-Injury network locations exist within one-mile of the study area for bicycle-auto collisions, particularly in Long Beach's Downtown, Eastside communities and the City of South Gate. Pedestrian collisions in the 2-mile study area notably occurred in Downtown, East and North Long Beach, and in the Cities of Huntington Park and South Gate. The study area's approximate 122 square miles are also major employment destinations for industrial facilities and shipping warehouses, generating close to 500,000 jobs. Additionally, 11 Metro A Line stations are within 1-2 miles of the Lower LA River from Compton to Long Beach. This information can help LACDPW further evaluate potential benefits through an equity lens and consider what projects will be environmentally cleared.

Metro staff will work with LACDPW to address equity concerns and potential burdens or negative impacts through the environmental work and specific project location(s) led and identified by LACDPW. Staff will coordinate and recommend incorporating equity focused terms and conditions in the funding agreement and provide support through administrative oversight and project monitoring.



## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The three bike paths along the LA River discussed in this board report contribute to implementing multiple goals of Metro's Vision 2028 Strategic Plan. In particular:

- Goal 1: Provide high-quality mobility options that enable people to spend less time traveling;
- Goal 3: Transform LA County through regional collaboration and national leadership; and
- Goal 4: Provide responsive, accountable, and trustworthy governance within the Metro organization.

## **ALTERNATIVES CONSIDERED**

- A. LA Riverway in the San Fernando Valley  
The Board may choose not to approve the recommended action. This option is not recommended as it may hinder Metro's ability to deliver the Measure M Expenditure Plan on schedule. The recommended action will enable Metro to expend Measure M funds during the programmed year of FY22-23 for segments of the San Fernando Valley portion that have the most project-readiness.
- B. LA River Path through downtown Los Angeles  
The Board may choose not to approve the recommendations, however, doing so may delay the delivery of this Measure M project by 2028. In addition, it will also be an impedance in fulfilling the City and County of Los Angeles' common goal of providing low cost and low impact alternative transportation options to marginalized communities.
- C. Lower LA River Bike Path in the Gateway Sub-region  
The Board may choose not to approve the recommended action. This option is not recommended as it further hinders the ability to meet common goals, projects and programs identified by various plans including the LA River Master Plan led the County of LA and Metro's Long-Range Transportation Plan and Active Transportation Strategic Plan.

## **NEXT STEPS**

- A. LA Riverway in the San Fernando Valley:  
Staff will finalize and execute the Funding Agreement between Metro and the City of Los Angeles to establish the scope, expenditure plan, and schedule. Staff will continue to administer the executed Funding Agreement to ensure project delivery.
- B. LA River Path through downtown Los Angeles:  
Staff will finalize Cooperative Agreements delineating roles and responsibilities of LACDWP, cities of Los Angeles and Vernon and execute the same to facilitate collaboration through all phases of this project, especially during permitting and construction.

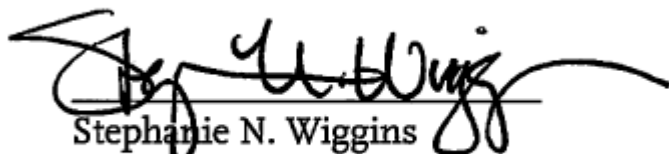
- C. Lower LA River Bike Path in the Gateway Sub-region:  
Staff will coordinate with LACDPW to identify updated costs for completing environmental clearance and budget needed for programming.

### **ATTACHMENTS**

Attachment A - Legistar File #: 2021-0436  
Attachment B - LA River Bike Path Projects  
Attachment C - Legistar File #: 2015-1595  
Attachment D - Proposed Measure M Expenditure  
Attachment E - Legistar File #: 2019-0443  
Attachment F - Legistar File #: 2017-0270  
Attachment G - Legistar File #: 2015-1656

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