

APPROVED
AUG 12 2009

REPORT OF GENERAL MANAGER

NO. 09-207

DATE August 12, 2009

**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: EYLSIAN PARK - AUTHORIZATION TO GRANT AN EASEMENT AND RIGHT OF ENTRY PERMIT TO THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (MTA) FOR ACCESS ONTO PARK PROPERTY FOR THE PURPOSE OF PERFORMING SLOPE STABILIZATION WORK

R. Adams	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
V. Israel	_____	*M. Shull	<i>MS</i>

V. Israel

General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve MTA's proposed Elysian Park Slope Stabilization Project;
2. Authorize staff to issue a Right of Entry (ROE) permit, substantially in the form on file in the Board Office, to MTA for access to a portion of the Department of Recreation and Park's (RAP) Elysian Park as described in the body of this report, in order to perform survey work and safety improvement work to the slope;
3. Authorize the drafting of a permanent easement deed and granting of same easement to MTA for the purpose of the installation and maintenance of steel netting for slope stabilization, subject to review and recommendation for approval from the Department of General Services (GSD) and the City Attorney's Office once easement documents are drafted by MTA;

SUMMARY:

In late 2008, MTA approached RAP with a request for assistance in obtaining access and permission to stabilize the eastern portion of Elysian Park. MTA has indicated to the RAP that slope failure has occurred on several occasions and currently poses a safety hazard to those that work in the area. Different size boulders have crashed down onto the MTA's maintenance

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facility causing damage to MTA's real and personal property. MTA has indicated that they have to continuously maintain and clear the area of fallen debris because of the slope's instability.

MTA has approached RAP with a request for access onto Elysian Park to perform slope stabilization work to the eastern portion of Elysian Park adjacent to MTA's Division 21 maintenance facility (see Figure 1). The purpose of the slope stabilization work is to install safety netting to the slope to stabilize the hill and prevent damage to existing facilities and rail tracks from falling rocks and mud, and to prevent injury to personnel who work and use the access roads and buildings in the area.

MTA has indicated that they will need access through the park to access the area where the slope stabilization work will take place. The slope stabilization work will take place in the east portion of the park along the property line boundary. The slope area affected by the installation of netting is identified as Section 1 and Section 2, which are separated by 100 feet in distance (see Figure 2). Two types of netting will be installed on the slope; a double-twisted wire mesh, and spider drapery netting. The two netting designs will allow for the preservation of trees in the impacted areas. The netting design will allow for the uninhibited growth of plants, and allow shrubs to grow back, further stabilizing the slope area.

The double-twisted wire mesh is designed to allow rocks to fall to the bottom of the slope, where they can be removed at a later time. The double-twisted wire mesh will be anchored at the top of the slope with $\frac{3}{4}$ inch rope anchors that will be embedded approximately four feet into the ground (see Figure 3). The netting will drape over the side of the hill to the bottom of the hill, and will be designed to go around most of the trees in the area so as to not disturb, and thus preserve the trees.

The spider drapery netting is designed to prevent any rock movement and is anchored at key locations throughout the slope as needed. The netting is anchored by $\frac{3}{4}$ inch anchor bolts which are embedded at least four feet into the ground (see Figure 4). This type of netting is also designed to preserve most trees in place.

MTA's proposed slope stabilization project report findings indicate that the project will require the removal of three mature trees and some shrubs, all of which are acceptable to the community and RAP staff given the importance, urgency, and safety hazard that this project improvement is designed to address. The trees removed will impact both Sections 1 and 2 (see Figure 5 and Figure 6). One Canary Island date palm and one Peruvian pepper tree are to be removed from Section 1. One Peruvian pepper tree will be removed in Section 2. No other trees are planned to be removed. MTA will provide a 1:1 ratio tree replacement. The community has requested that oak trees be planted within Elysian Park.

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MTA has indicated that only routine inspection maintenance will be required once the netting is in place. The routine inspection will occur only once a year and require only one vehicle for transportation to and from the slope stabilization project site and surrounding park areas. The Easement Deed will be drafted to indicate that all maintenance work related to the project and slope will be the responsibility of the MTA. The slope stabilization project is projected to begin in August, 2009 and to be completed by the end of the year. All project related costs will be incurred by MTA. MTA will pay for the survey cost for the easement and costs associated with the design, installation and maintenance of the netting. There will not be any cost incurred by RAP for this project.

RAP would like to grant MTA access to the park via a ROE permit. This ROE permit would allow MTA access to the park when necessary. The term of the permit would be indefinite until such a time when MTA would no longer require access for the intended purposes that the permit would be granted for or would terminate upon the execution of an easement deed. As part of this project, RAP staff is recommending that an easement be granted to MTA for the purpose of access, installation, and maintenance of the netting.

Staff has determined that the subject project will consist of the issuance of a ROE permit and the granting of an easement to allow minor alterations to an existing park involving negligible or no expansion of use, including the addition of safety devices in conjunction with existing topographical features. Therefore, the action is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1 (6) of the City CEQA Guidelines (Section 15301 (f) of the State CEQA Guidelines as adopted in Article I of the City CEQA Guidelines). A Notice of Exemption was prepared by MTA (the applicant) and filed with the Los Angeles County Clerk in accordance with CEQA on June 5, 2009. Staff concurs with this exemption and finds that no further CEQA documentation is required for approval of the project and associated actions.

This project has support from the Councilmember for the First Council District. In addition, Assistant General Manager and Superintendent for the Metro Region have been consulted and concur with staff's recommendations.

FISCAL IMPACT STATEMENT:

There will not be any fiscal impact on the Department's General Fund as a result of these recommendations. Any cost associated with the granting of this permit or easement will be incurred by MTA.

This report was prepared by John Barraza, Management Analyst II, Real Estate and Asset Management Unit.

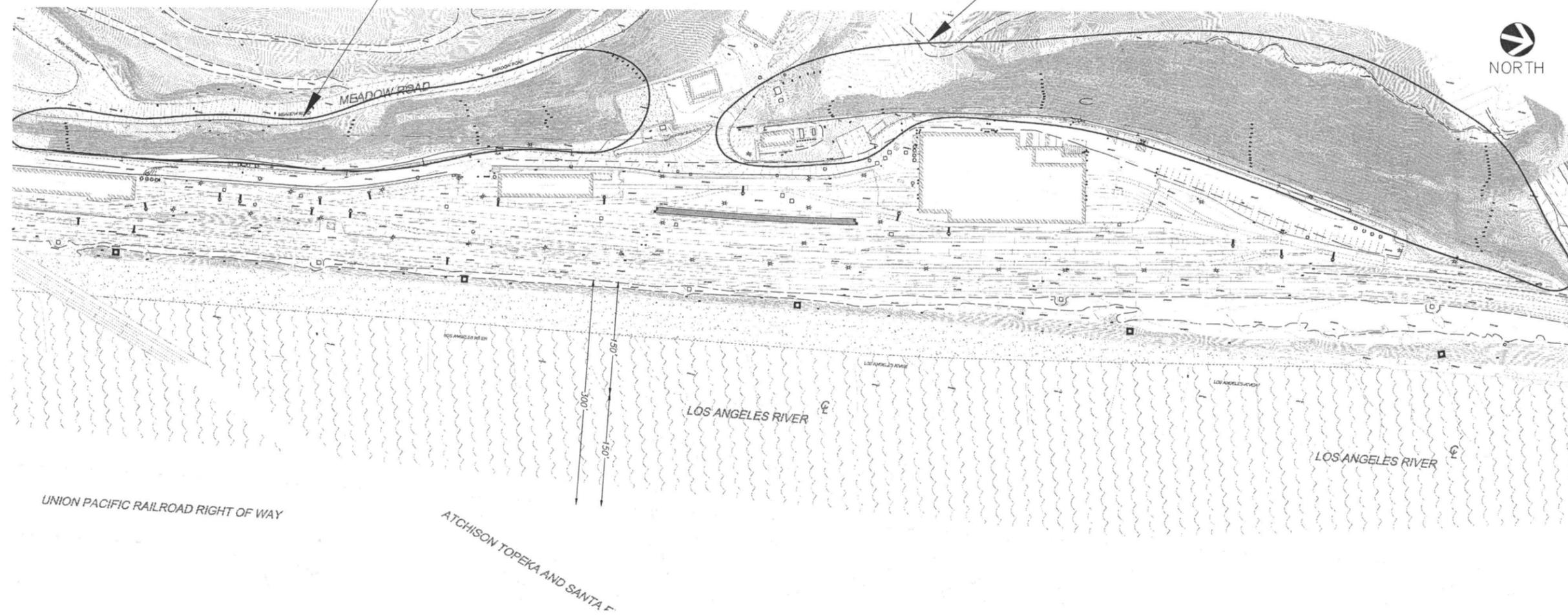
Figure 1

TOPOGRAPHICAL MAP

COMBINED SECTIONS

SECTION 1
(SOUTHERN)

SECTION 2
(NORTHERN)



REV.	DATE	BY	APP.	REG. NO.	EXPIRES	SEAL HOLDER	DESCRIPTION

DESIGNED BY
William F. Kane
DATE
01-15-2009

DRAWN BY
Douglas Ross
DATE
01-15-2009

CHECKED BY
William F. Kane
DATE
01-15-2009

DATE
01-15-2009

M Metro **LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

T.R.C. Companies Inc. RECOMMENDED DATE _____ APPROVED DATE _____

L.A. METRO DIVISION 21
1800 Baker Street
Los Angeles, California 91311

CONTRACT NUMBER **COXXX**

DWG. NO. 2 REV. _____

SCALE AS SHOWN SHEET NO. 2

Figure 2: Proposed Project Vicinity

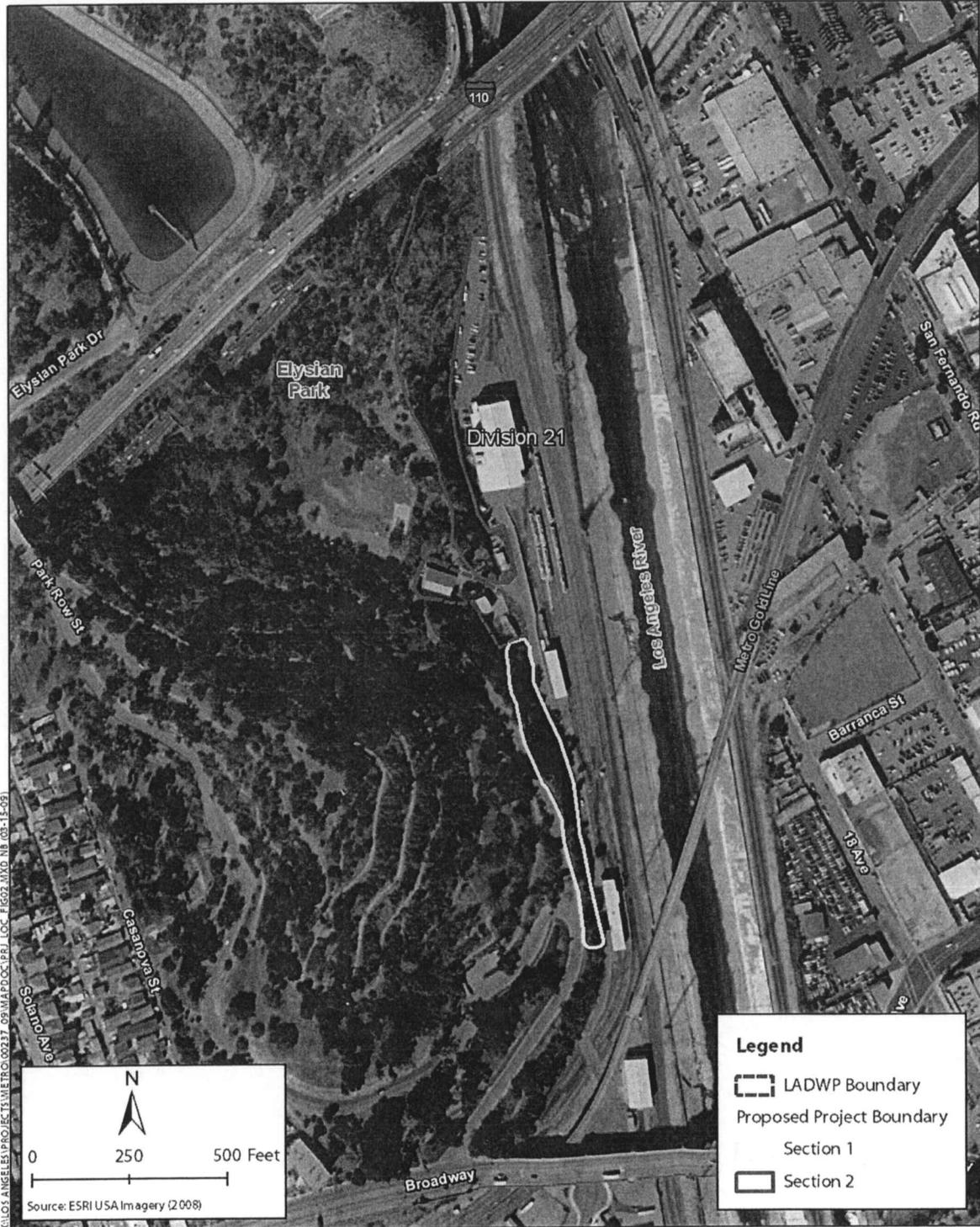


Figure 3: Proposed Steel Netting Installation

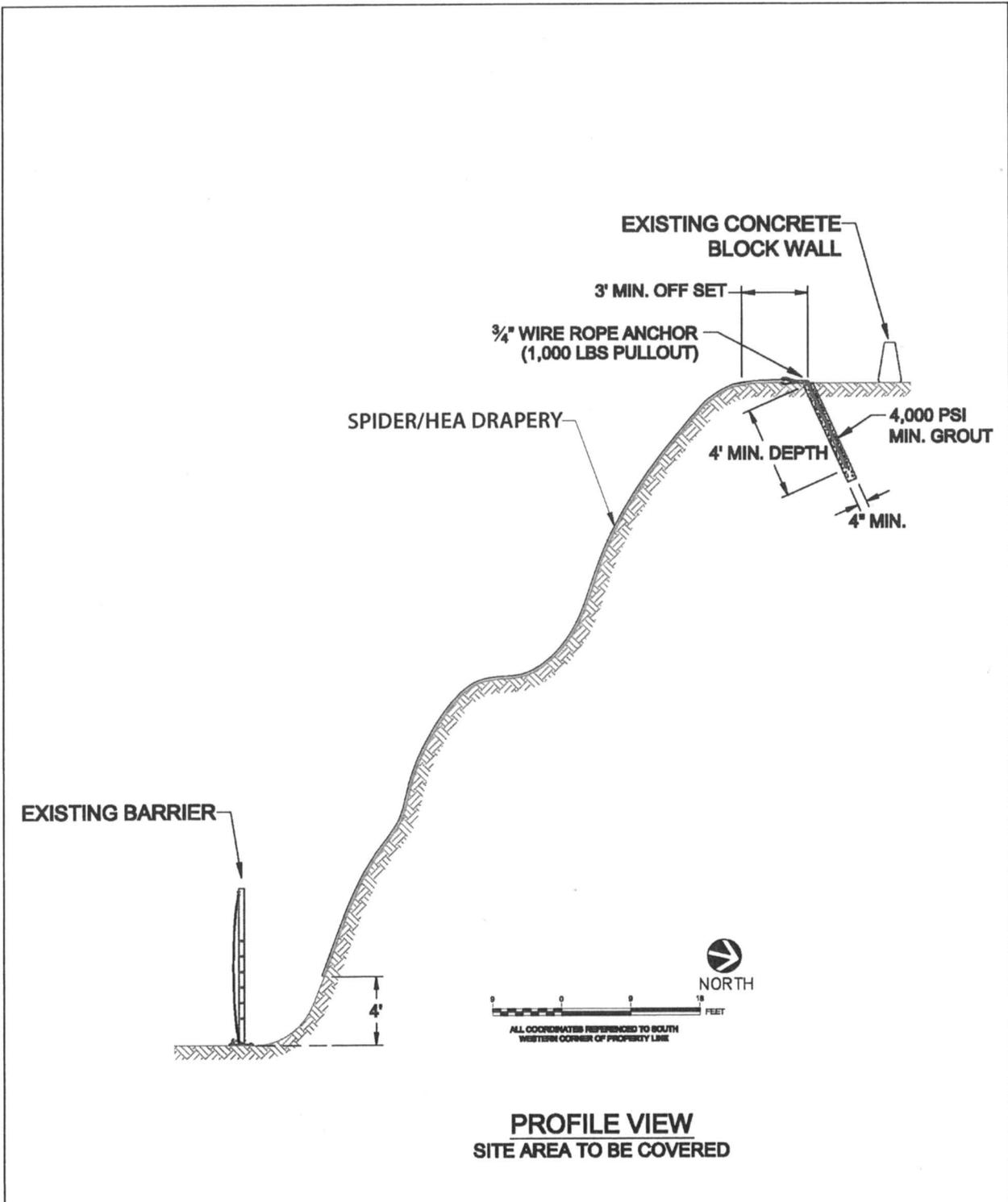


Figure 4: Spider Drapery Details

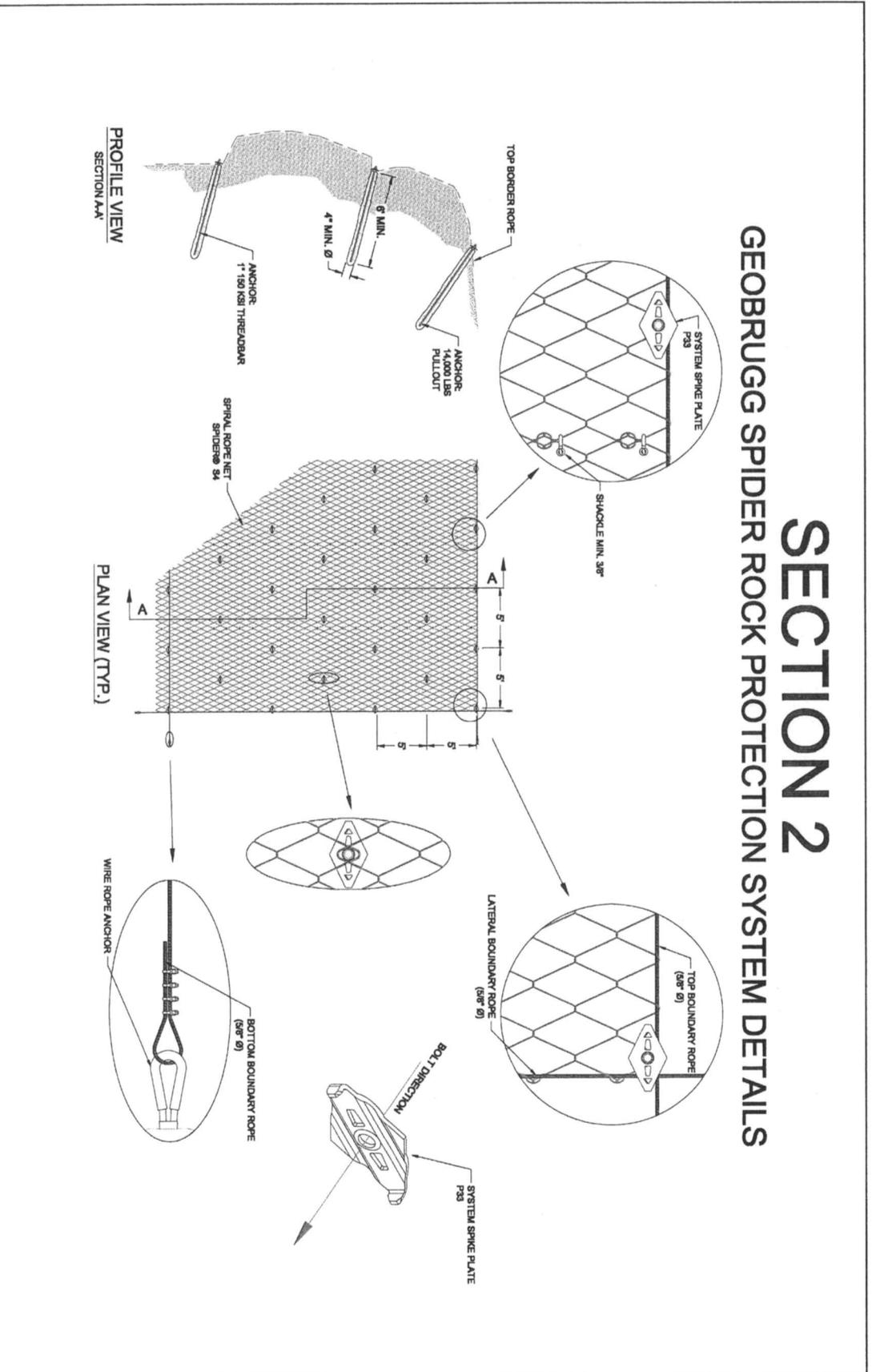


Figure 5: Tree Removal – Section 1

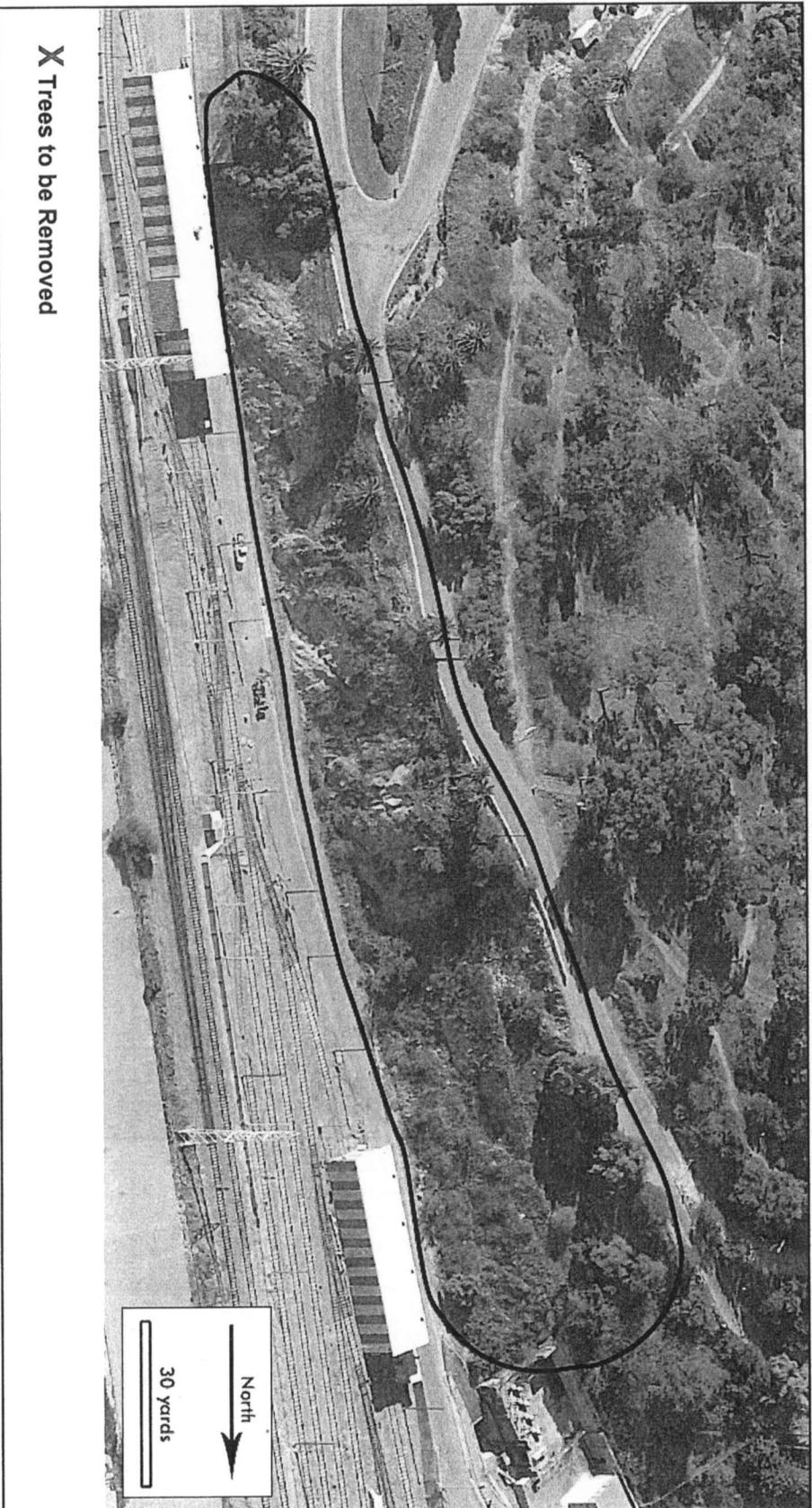


Figure 6: Tree Removal – Section 2

