



November 10, 2004

Mr. Gerald R. Miller, City Manager
City of Long Beach
13th Floor, City Hall
333 West Ocean Blvd
Long Beach CA 90802

Subject: Scherer Park Conversion
(Land & Water Conservation Fund Grant, LWCF #06-01163), 55th Way Park Site

Dear Mr. Miller:

Thank you for your August 6, 2004, response on the status of Scherer Park and the replacement site at 55th Way.

While informative, the documents included with the your letter raise questions about the City of Long Beach's (City) ability to meet its contractual obligations under the Land and Water Conservation Fund program (LWCF). The City's completed environmental review, provided as evidence of compliance with the California Environmental Quality Act (CEQA), and the Final Post Closure Land Use Proposal for the 55th Way replacement site, indicate that City has taken some steps toward fulfilling its LWCF obligations.

The "adopted budget with appropriate funding" for the replacement site is an unnumbered, undated, and unsigned resolution from City's Redevelopment Agency. The memorandum attached to this resolution shows budget line items for the North Police Station Budget totaling more than \$10,000,000, yet the replacement site at 55th Way has just one line item showing that \$3,000,000 has been allotted to this project.

National Park Service (NPS) conversion regulations require the satisfactory completion of an environmental evaluation for compliance with CEQA and the National Environmental Protection Act (NEPA). The City's Environmental Impact Report (EIR) shows a record of public meetings, a list of concerns expressed by citizens, and the plan to mitigate environmental impacts, yet the documents lack community input.

These documents do not demonstrate that City has complied with CEQA or NEPA. In addition, CEQA requires the Lead Agency to disclose the agencies, organizations, and individuals whom it consulted. As Trustee Agencies, Department of Parks and Recreation (DPR) and the NPS should have been included in City's circulation of the draft EIR.

The 1997 property appraisal from R. P. Laurain and Associates does not meet the requirements specified in the LWCF Conversion Policy. The City is obligated to provide a valid appraisal under the terms of City's LWCF contract with DPR. The appraisal must comply with uniform appraisal standards for federal land acquisition (UASFLA).

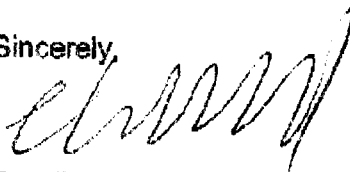
A memorandum dated September 27, 2004, submitted to our office mentions a "significant budget shortfall" concerning park construction at 55th Way. Paragraph four states that "[City] staff has preliminarily identified the necessary money to fully fund the construction of the park." This statement appears to conflict with the resolution from City's Redevelopment Agency, which was cited as evidence of funding for 55th Way.

To comply with the LWCF conversion process, please submit the following items:

1. List the source of funds for the replacement site development.
2. A detailed budget for the improvements at the replacement site.
3. A copy of City's NEPA documents. If not yet available, please provide a timeline showing the key steps in the compliance process and the date when the City will complete NEPA.
4. A site plan showing the proposed principal features at 55th Way Park and a copy of the construction drawings. Draft documents are acceptable.
5. A revised 6(f)(3) map showing the new boundaries of Scherer Park. The actual acreage of the portion removed from the park must also be shown on this map. Similarly, the replacement site at 55th Way must have its own 6(f)(3) map. The City is obligated to maintain the replacement property identified in the 6(f)(3) map in perpetuity for outdoor public recreation.

We look forward to receiving clarification to our questions and the submittal of the information we have requested. If you have any questions, please contact me by email at cwill@parks.ca.gov, or by telephone at (916) 651-8597.

Sincerely,



Charlie Willard, Chief
Office of Grants and Local Services
CA Department of Parks and Recreation

cc: Ray Murray, Chief, Partnership Program, NPS
Jonathan B. Jarvis, Regional Director, Pacific West Region, NPS