

**From:** Holly K <hollydk@gmail.com>  
**Sent:** Monday, February 02, 2015 4:30 PM  
**To:** City\_Council  
**Cc:** Jomsky, Mark  
**Subject:** Preserve the Lower Arroyo Archery Range

Hello Pasadena City Council,

I'd like to take this opportunity to ask you to support the continued operation of the historic archery range in Pasadena's Lower Arroyo park.

As the one of the very first field archery ranges and the oldest surviving field range in the US, the Lower Arroyo Archery Range can be said to be the historic home of the sport of Field Archery. Such a distinction coupled with the use of this range by olympic grade atheletes adds to the cultural significance and greatness of the City of Pasadena.

This archery range is not only a historic site with a perfect safety record, but it also brings people and revenue from all over the greater LA area into Pasadena. After archery lessons on a Saturday, a tournament on Sunday, or practice during the week many archers routinely go out to eat or go shopping in Pasadena before heading home.

Please allow the Lower Arroyo Archery Range to continue to operate and be enjoyed 7 days a week as it has for the last 79 years.

Thank you very much,  
Holly Knevelbaard

**From:** Ken Villars <toxophileken@yahoo.com>  
**Sent:** Monday, February 02, 2015 4:32 PM  
**To:** City\_Council; Jomsky, Mark; city\_letters@rovingarchers.com  
**Subject:** Lower Arroyo Archery Range (Please include this email in the agenda packet for tonight's council meeting)

Dear sirs,

I live over eighty miles away from the Pasadena Archery range, and not only is it one of my favorite archery ranges, it is to my knowledge unique in Southern California in that it is a roving field range, open to the public daily, and without fee. The only other similar range I know of is in Balboa Park in San Diego (and that range asks a fee).

The Pasadena range services archers not only from Pasadena, but from nearby cities, the greater Los Angeles area, and beyond. It is the one range an archer can show up at any time during the day and engage in roving archery, walking from target station to target station and shooting from varied distances. This is quite a distinction from ranges where archers shoot at one station, and from privately owned ranges where archers have to become members and pay dues. The range is also the oldest or one of the oldest in the entire country, if I recall correctly. Archery legends of the past have used the range, including Howard Hill, who did the archery stunts for the Errol Flynn version of Robin Hood (portions of which were filmed in the range).

Club members have tirelessly maintained the range for many years. This shows dedication and community spirit.

Though there are many archers that use and enjoy the range, the numbers are small compared to how many people enjoy walking or running. However, the number of places people may enjoy those activities in the same geographical area are countless. Any modifications to limit or restrict the range will impact many archers negatively, while giving little or no benefit to any walkers or joggers who already use the range area. since walkers and joggers have used the range for years, sharing it with the archers. That being the case, changing or limiting the range wouldn't benefit them, but only hurt the archers. Even if walkers were not allowed to use the range at all (which is not the case), there would be many other places for them to enjoy walking and jogging, while, as mentioned, there is nowhere else for the archers of the Los Angeles area to go that is anything like the Pasadena range.

Any decision that takes away from the archers for the sake of walkers and joggers will truly be a case of **robbing from the poor to give to the rich.**

Please consider that archery ranges are very difficult to locate and maintain, while people may walk or jog in a much wider variety of venues, many many of which are already set aside for such use. Keep the Pasadena range as it is for current day and future archers.

Sincerely,

Ken Villars

[VillarsCustomBows.com](http://VillarsCustomBows.com)

**From:** green14ever@gmail.com on behalf of Bowsnarrows <string99@dslextre.me.com>  
**Sent:** Monday, February 02, 2015 4:34 PM  
**To:** City\_Council  
**Cc:** Jomsky, Mark; city\_letters@rovingarchers.com  
**Subject:** Pasadena Archery Range

Pasadena City Council,

I would feel safer walking through the archery range than on the public pathways adjacent to the archery range. The true danger is all the dogs off leash. I worry about the Pit Bulls running loose with owners that can't control the dogs. I see dog walkers calling and calling the dogs to come as the dogs look the other way. Scary to see people grabbing their little dogs and puppies in fear of some larger aggressive dog. The dog walkers should all stay on the other side of the Arroyo and not menace the people trying to stroll along the pathways.

Thank you, Sharon Prey

**A Brief History of the Lower Arroyo Seco**  
**Ann Scheid, February 2015**

The Arroyo Seco has been recognized since the settlement of Pasadena in the 1870s as a natural feature deserving protection as a park for public use. No less than President Theodore Roosevelt stood on its banks in 1903 and urged the mayor to preserve the Arroyo as a natural park. The City began acquiring land for the park in 1911 and the first park in the Arroyo, Brookside, was established in 1914. The last parcel, on the west side of the Lower Arroyo, was acquired in 1927.

**1918 – Plan for Creating Arroyo Park, sponsored by the Pasadena Garden Club and promoted by a Citizens’ Committee led by Myron Hunt, was designed by well-known landscape architect Emil Mische.** Lower Arroyo Park uses were restricted to equestrian and hiking trails. Roads and organized recreation were prohibited. **This plan shows a trail in the Lower Arroyo that follows the historic streambed. Part of this historic trail, still used by hikers, is now proposed to be obliterated in the staff report before you. This cannot be done without violating CEQA.**

1920s- A pistol/rifle shooting range operated here in the 1920s. Archers also practiced on this range.

Mid-1930s – Plan to continue the Pasadena Freeway up the middle of the Arroyo to connect with Angeles Crest Highway defeated by Pasadena.

Late 1930s – Plan to build concrete flood control channel. Building begins by blasting through Camel’s Hump, major geological feature of Lower Arroyo Park.

1939 – LA Times reports roving archery range in the Arroyo Seco in Pasadena, “situated in a grove of oaks.” This range was located in Oak Grove Park (now Hahamongna). “Each shot is laid out to present some special difficulty, such as shooting. . . around a group of trees or Sunday picnickers.” Targets were temporary, set up only on Sundays.

**1940s – Flood control channel completed, forever changing the ecology of the Lower Arroyo.** Trees and shrubs survived only on the slopes and the toes of the slopes, where drainage provided water. The rest became a wasteland.

1950s – Casting pond clubhouse built. Archery targets were temporary and set up in the meadow at the foot of California Boulevard.

1956 – LA County outlaws “discharge of bows and arrows within 200 yards of any residence or of the outer boundary of any area previously closed to the discharge of bows and arrows. It also prohibits use of bows and arrows on any riding or hiking trails.” (LAT Apr 5, 1956). One month later Pasadena opened a lighted archery range at the Jefferson Recreation Center.

**1964- Pasadena City Council adopts the Jencks Resolution calling for care and stewardship of the Arroyo Seco.**

1965 – Road built into Lower Arroyo Park from Arroyo Boulevard.

1968 –LAT: Pasadena Roving Archers: “Shoots are held on the first and third Sundays of the month.” Targets were set up for each shoot in the open meadow below California Boulevard.

**1970 – California Environmental Quality Act (CEQA) becomes law.**

**1979 – City of Pasadena designates Lower Arroyo as a City Landmark.** Any alterations to a City Landmark require review by the Historic Preservation Commission. CEQA requires that any changes to an historic resource trigger CEQA review.

1984 - **Exhibition on the work of Myron Hunt at Baxter Gallery, Caltech, displays original 1918 plan for the Arroyo Seco** as well as photographs and information on Hunt’s design for the Rose Bowl. Plan returned to Public Works after the exhibition and subsequently “lost.”

**1985 – Map in LAT shows archery range limited to the area now occupied by targets 1-19.**

1985 – Renowned environmental artists Newton and Helen Harrison present an eye-opening exhibit on **Lower Arroyo restoration at Baxter Gallery, Caltech.**

**1988 – “Master Plan for the Lower Arroyo Seco”,** Graduate Program, Dept of Landscape Architecture, Cal Poly, Pomona, June 1988, lays out a vision for Arroyo Seco restoration.

**1990 - Arroyo Seco Public Lands Ordinance to protect the Lower Arroyo adopted by Pasadena City Council. Lower Arroyo designated as Natural Preservation Area. New structures limited to utility operations, park maintenance and habitat protection. All existing uses allowed to remain, but not allowed to expand.**

**1992 - City Council approves the Lower Arroyo Seco Low-flow Stream Restoration Program,** sponsored by Browning-Ferris Industries and the City of Pasadena. More than 40 acres of the Lower Arroyo, from the Colorado Street Bridge to the La Loma Bridge, are enhanced with low-flow streams and habitat restoration. Completed in 1997. Sponsored by the Arroyo Seco Foundation.

**1992 onward – Greening of the Lower Arroyo.** Running water, trees and shrubs enhance the Arroyo environment, restoring native habitat and attracting walkers and hikers.

**1993 – City of Pasadena adopts an updated General Plan, containing OBJECTIVE 9, which emphasizes stewardship of the natural environment (Policy 9.5) and restoration of the natural area of the Arroyo Seco (Policy 9.2).**

**1996 – Draft Master Plan for Lower Arroyo Seco** states “The Cal Poly Study, as well as the opinions of residents at the two Community meetings in 1995, considered archery an incompatible activity in the Lower Arroyo.” Safety was the primary consideration, as well as the appropriation of large area of public lands for use by a limited number of users.

**2003 – Arroyo Seco Public Lands Ordinance becomes part of Lower Arroyo Master Plan.** ASPL ordinance provisions reaffirmed in the LAMP.

**2007 - Pasadena Arroyo Parks and Recreation District listed in the National Register of Historic Places.** According to the Pasadena Municipal Code all National Register properties within the City are subject to the same reviews for alterations as are designated City Landmarks. In addition, National Register listed properties are subject to CEQA.

**2007 – City Council adopts Green Space, Recreation and Parks Master Plan.** Natural Open Space and Its Protection is listed as the first Key Issue of 5 key issues studied in the Master Plan. A survey of Pasadena residents found that **77% of those surveyed participated in walking/hiking/jogging activities and 67% of those surveyed used trails/open space. Residents engaging in passive recreation far outnumbered those participating in organized recreational activities.** (Chapter Needs, p 5) **Core Principles** of the plan include “Pasadena will be a City that actively protects its natural open spaces and critical habitats” & “Pasadena’s natural environment shall be thoughtfully preserved as an ongoing investment in the health, safety, and beauty of the City for the benefit of both present and future generations.

**Current Draft General Plan includes an Open Space Element for the first time, as required by state law.**

Ann F. Scheid

February 1, 2015

Dear Mayor Bogaard and Honorable Members of Pasadena City Council:

My name is Ann Scheid. I am a concerned resident as I live on South Arroyo Boulevard near the archery range in the Lower Arroyo.

I was on the planning staff of the City of Pasadena for over a decade, where I coordinated the Architectural and Historic Inventory to identify significant historic resources, staffed both the Design Commission and the Historic Preservation Commission, and made determinations of historically significant buildings and landscapes for designation of buildings and other cultural resources as City Landmarks and National Register properties. Most recently I was a consultant in the City's 2012 survey of significant gardens and landscapes, which resulted in the identification of 10 gardens/landscapes in Pasadena for listing as local landmarks and in the National Register. I am the author of four books on Pasadena history and numerous articles on the history of planning and architectural and landscape history in Pasadena and Southern California.

The proposal to close off the western portion of the Lower Arroyo Seco Park from the general public and to dedicate the land for the exclusive use of the Pasadena Roving Archers violates the historical intent of the many land use plans adopted by the City, ordinances adopted by the City Council and state and local laws protecting the Lower Arroyo Natural Park as an historic resource. (See attached summary history).

The Lower Arroyo has been a City Landmark since 1979 and was listed in the National Register of Historic Places in 2007. It is protected by the Arroyo Seco Public Lands Ordinance of 1990. The significance of the Arroyo Seco, particularly the Lower Arroyo, as a natural feature worthy of protection for the public has been recognized since the 1870s, its significance reinforced by Theodore Roosevelt on his 1903 visit to Pasadena, and was codified in the 1918 Plan for the Arroyo Seco, a policy document conceived by Rose Bowl architect Myron Hunt.

Yet, the City has chosen to ignore these protections in moving forward to dedicate a precious natural landscape to the exclusive use of a private group, the Pasadena Roving Archers. Most recently, in 2012, the City installed an unsightly boundary of boulders, milled wooden posts, telephone pole logs, chains and intrusive signs to try to keep the general public out of this valuable natural landscape, without considering the aesthetic impacts on the landscape or submitting the plan to the Historic Preservation and Design Commissions. The Arroyo Seco Design Guidelines require that natural materials be used in the Arroyo and that a Master Sign Plan be completed for the entire Arroyo.

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02/02/2015  
Item 13

Apparently this was only the first step in a more extensive plan to permanently bar the general public from the most attractive natural woodland in the Lower Arroyo by installing vegetation and hard barriers (not defined) as a permanent feature of the Lower Arroyo.

The boundary installation impacts the native oak woodland of the western Lower Arroyo Natural Park by disrupting the continuity of the natural landscape. In addition, the heavily compacted decomposed granite path installed along the boundary adversely impacts the space by creating a new artificial trail where none existed before and altering the nature of trails in the area, which are all natural dirt woodland paths. Decomposed granite belongs only on the maintenance road next to the channel, not in the natural woodland park.

These designed features added by the City have had an adverse impact on the natural landscape between the La Loma Bridge and the pedestrian bridge from the parking lot. These are additions to the natural landscape that are clearly man-made and therefore alter the aesthetics of the natural landscape significantly.

Reinforcing the boundary, with signs, vegetation, and hard barriers, as proposed in the staff report, will only alter the area further, creating a fully designed landscape, obliterating much of what remains of the original natural landscape from the view of passersby and blocking access to the historic paths that still exist within the area.

The role of hikers and walkers in maintaining and protecting the natural landscape is critical; hikers quickly notified the City when rat poison was placed throughout the archery range in 2012, endangering the entire natural habitat from rodents to birds of prey and other predators. Animal habitat and wildlife corridors will also be further impacted by impassable boundaries, a consequence not even mentioned or studied in these proposals nor ever considered in past actions by the City.

Obliterating the historic trail within the range, as called for in the staff report, will remove an historic trail used for decades, if not longer. The trail appears to be part of a trail system delineated in the 1918 Arroyo Park Plan.

This trail connects directly with the trail leading up the slope under the La Loma bridge. The slope in question, just north of the La Loma bridge, has been declared an Environmentally Sensitive Area (ESA) related to early inhabitants of the Arroyo, an area to be protected and avoided during the upcoming restoration of the La Loma bridge.

Removing this historic trail through the archery range will bring the loss of yet another historic feature of the Lower Arroyo Park, creating a significant adverse impact on the historic landscape. Removal of historic features is irreversible, and therefore an action that requires CEQA review.



The physical changes by the City to the Lower Arroyo landscape represent a significant threat to the historic character of the Lower Arroyo. Another significant threat is the increase in use of the archery range. The native habitat on the range is already significantly disrupted by trampled vegetation and trash left by users of the range. This condition also creates a significant adverse aesthetic impact.

The Arroyo Seco Public Lands Ordinance of 1990 condones existing uses in the Lower Arroyo but prohibits expansion of uses. The range has clearly expanded since the map published in the LATimes in 1985, which shows the range extending south only to the present location of Target #19. Additional expansion of use has occurred more recently, when the PRA reported in 2013 that over 5000 people had used the range on weekends in less than a year. Such numbers only further endanger the natural habitat and the natural landscape. The City has never enforced the limit of 125 persons per event in the Lower Arroyo as required by the Green Space, Recreation and Parks Master Plan of 2007.

It is time for the City Council to enforce the ordinances and land use plans adopted by the City Council and enforce the environmental protections enacted by state and local government. Without Council leadership in these matters, future generations will lose the opportunity to enjoy what little natural environment is still left in our urban landscape.

It is also time for the Council to consider whether the proposed barriers will actually be effective in keeping the general public out of the archery range. Other public archery ranges in the area operate within fences with locked gates, and they are not located in the middle of accessible public parkland.

Sincerely,

Ann Scheid

## **ANN SCHEID**

Ann Scheid is a local historian with special interests in architectural history, planning, history and the history of landscape architecture. She has written four books on Pasadena history including Historic Pasadena – An Illustrated History and several articles on Southern California architecture and gardens. She has presented papers based on her research on Pasadena and the Southern California region at the national meetings of the Society of Architectural Historians and the Society of American City and Regional Planning History. Formerly employed by the City of Pasadena as a planner specializing in historic preservation and design review, she has an intimate knowledge of the city, its history and its built environment. Importantly, Ms. Scheid served as a consultant to the City of Pasadena's City Center Task Force in 1997 in developing the Civic Center/Mid-Town Programming Effort Report.

Ms. Scheid is a graduate of Vassar College with Masters Degrees from the University of Chicago and from Harvard University's Graduate School of Design, specializing in landscape history. She has served as a Foreign Service Officer and received a Fulbright Scholarship to study abroad. She is now a private consultant in preservation planning and the Archivist for the Greene & Greene Archives at the Huntington Library. Ann Scheid has served on the Board of Trustees of the Pasadena Historical Society and on the Board of Directors of the Society of Architectural Historians, Southern California Chapter. She is also a charter member of the Society of American City and Regional Planning History and a founding member of the California Garden and Landscape History Society, where she currently serves on the board as Recording Secretary. She is a frequent lecturer and tour guide in the Pasadena area and Southern California. Ms. Scheid is a long-time resident of Pasadena and lives in the Jean Mannheim Studio overlooking the Arroyo Seco.

Iraheta, Alba

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**Subject:** FW: COMMENT LETTER REGARDING PROPOSAL FOR LOWER ARROYO ARCHERY RANGE AND DEAL POINTS FOR NEW AGREEMENT WITH PASADENA ROVING ARCHERS

**Attachments:** 20150202\_Stewards\_CommentLetter\_Scheid\_Letter to the City Council 2-2-15.pdf; 20150202\_Stewards\_CommentLetter\_Scheid\_Letter to the City Council 2-2-15\_Bio.pdf; 20150202\_Stewards\_CommentLetter\_Scheid\_Letter to the City Council 2-2-15\_historicaltimeline.pdf

**Importance:** High

**From:** Mitchell Tsai [<mailto:mitch@mitchtsailaw.com>]

**Sent:** Monday, February 02, 2015 4:58 PM

**To:** Jomsky, Mark

**Subject:** Re: COMMENT LETTER REGARDING PROPOSAL FOR LOWER ARROYO ARCHERY RANGE AND DEAL POINTS FOR NEW AGREEMENT WITH PASADENA ROVING ARCHERS



P: (714) 881-4876  
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**Mitchell M. Tsai**  
Attorney At Law

P.O. Box 61223  
Pasadena, CA 91116

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**VIA ELECTRONIC & HAND DELIVERY**

February 2, 2015

*Hand Delivered to February 2, 2015 Pasadena City Council Meeting*

Mayor Bogaard & City Council  
Pasadena City Hall, Council Chamber  
100 North Garfield Avenue, Room S249  
Pasadena, CA 91109

*Electronically Delivered*

Mark Jomsky, City Clerk  
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Pasadena Department of Public Works  
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Michele Beal Bagneris, Esq., City Attorney  
Office of the City Clerk  
100 N. Garfield Avenue, Room N210  
Pasadena, CA 91109  
E-MAIL: mbagneris@cityofpasadena.net

RE: **Proposal for Lower Arroyo Archery Range and Deal Points for New Agreement with Pasadena Roving Archers.**

Dear Mayor Bogaard, City Clerk Jomsky, Director Gutierrez, City Attorney Bagneris, and Honorable Members of the City Council of the City of Pasadena,

On behalf of the Stewards For Public Land and its members (“**Stewards**”), my Office is voicing opposition to the City Council of the City of Pasadena (“**City Council**” collectively referred to as “**City**”) approving the Proposal for Lower Arroyo Archery Range and Deal Points for New Agreement with Pasadena Roving Archers (“**Project**”), amending the Pasadena Municipal Code to authorize the City Manager to determine where archery is permitted and promulgate rules for archery activities on public lands consistent with those discussed herein, approve the development of a new license and operating agreement with the Pasadena Roving Archers (“**PRA**”), and approving a correction of language in the Lower Arroyo Master Plan to remove references to the number of targets in the southern archery range.

02/02/2015  
Item 13

Stewards is a group of concerned Pasadena residents who are dedicated to protecting and preserving parks and open spaces in Pasadena and in the Arroyo Seco Watershed, cultivating a safe, welcoming and natural environment. Stewards support the restoration of the Arroyo Seco stream and of native habitat as well as **appropriate recreation** consistent with the region of the Arroyo in which they occur in safe parks and open spaces accessible to all.

Approval of the Project today would be premature as the Project's Deal Points for Agreement with PRA ("**Deal Points**"), Attachment N to the City's February 2, 2015 Agenda Report ("**Agenda Report**"), require that the owners of properties adjoining the Archery Range, 282, 310, 380, and 430 South San Rafael ("**Adjoining Properties**"), be consulted as to whether or not they wish to receive additional insurance coverage from PRA. Moreover, the Deal Points requires that if PRA activity is found to present a hazard to the Adjoining Properties, that the City's agreement with the PRA will be terminated. Determinations on both whether or not the Project will require additional insurance coverage and whether PRA activity constitutes a hazard to the Adjoining Properties should be made before the City opts to sanction PRA activities at the Archery Range.

Approving the Project today would be a rush to judgment. Stewards urges City Council to reject the Project and order City Staff to consider other alternatives and conduct additional environmental review as:

1. The Project does not fit within the Class 1 Existing Facilities Categorical Exemption;
2. The Project unlawfully proposes to delete previously adopted project features and mitigations without additional environmental review;
3. The Project is ineligible for a categorical exemption from CEQA as the Project may cause a substantial adverse change in the significance of a historical resource;
4. The Project is not eligible for a categorical exemption because there is a reasonable possibility that the project will have a Significant Environmental Impact;
5. The Project is not eligible for a categorical exemption because the project is inconsistent with the city's applicable land use controls;
6. The Agenda Report does not enclose all referenced documents, requiring recirculation of the Agenda Report.
7. The Project is inconsistent with the Arroyo Seco Public Lands Ordinance;
8. The Project is inconsistent with the City's General Plan;
9. The Project is inconsistent with the Lower Arroyo Seco Master Plan;
10. The Project is inconsistent with the Arroyo Seco Design Guidelines;

11. The Project is inconsistent with the City Charter;
12. The Project cannot be approved because it has not received a Certificate of Appropriateness from the City;
13. The Project unlawfully delegates authority to the City Manager by delegating him the authority to designate parkland for exclusive archery use; and
14. The Project does not address how Pasadena Roving Archers' events will comply with City's policy for large events in public parks.

This letter includes expert comments from Ann Scheid, a local historian with special interests in architectural history, planning, history and the history of landscape architecture. She has written four books on Pasadena history including Historic Pasadena – An Illustrated History and several articles on Southern California architecture and gardens. She has presented papers based on her research on Pasadena and the Southern California region at the national meetings of the Society of Architectural Historians and the Society of American City and Regional Planning History. Formerly employed by the City of Pasadena as a planner specializing in historic preservation and design review, she has an intimate knowledge of the city, its history and its built environment. Importantly, Ms. Scheid served as a consultant to the City of Pasadena's City Center Task Force in 1997 in developing the Civic Center/Mid-Town Programming Effort Report.

Ms. Scheid is a graduate of Vassar College with Masters Degrees from the University of Chicago and from Harvard University's Graduate School of Design, specializing in landscape history. She has served as a Foreign Service Officer and received a Fulbright Scholarship to study abroad. She is now a private consultant in preservation planning and the Archivist for the Greene & Greene Archives at the Huntington Library. Ann Scheid has served on the Board of Trustees of the Pasadena Historical Society and on the Board of Directors of the Society of Architectural Historians, Southern California Chapter. She is also a charter member of the Society of American City and Regional Planning History and a founding member of the California Garden and Landscape History Society, where she currently serves on the board as Recording Secretary. She is a frequent lecturer and tour guide in the Pasadena area and Southern California. Ms. Scheid is a long-time resident of Pasadena and lives in the Jean Mannheim Studio overlooking the Arroyo Seco.

## **I. PROJECT BACKGROUND.**

Currently the City is proposing a number of physical, and operational changes for the Lower Arroyo Archery Range. The Project proposes installing natural barriers and permanent signage to separate archery from other park uses, removing an unofficial hiking path bisecting the interior of the Archery Range, relocating 150 linear feet of trail, reconfiguring existing targets, removing storage containers, adding additional targets to the existing Archery Range including target 14 and a temporary "sight in" target on Sundays, and designating an exclusive parking space for Pasadena Roving Archers. In addition, the Project proposes to prohibit non-archery uses with the boundaries

of the southern archery range at all times, establishing rules for use of the archery range, and establishing a mandatory safety and training project for users of the Archery Range.

In order to implement the Project, the City is requiring amendments to the Pasadena Municipal Code to authorize the City Manager to designate land exclusively for archery. In addition, the City is amending the Lower Arroyo Master Plan to remove references to the number of targets in the southern archery range.

Despite the extensive changes that are being proposed for the Park's **physical** configuration and **permitted uses**, the City is seeking to exempt the Project from CEQA environmental review. The Project will have a significant impact on recreation, aesthetics and historical resources. Banning all other uses within the Archery Range will remove trails that currently can be used for hiking, running, and other recreational uses. The installation of permanent natural barriers will significantly change the aesthetic character of the Park. Finally, the Project will impose physical and operational changes within a national, state, and locally designated historical resource, the Lower Arroyo Nature Park.

By exempting the project from any environmental review, the City is depriving itself and the public from its legal rights to be informed about the potentially significant environmental impacts of the Project as well as find way to mitigate them. CEQA has two basic purposes. The City should opt to conduct full environmental review for the Project on the numerous alternatives for the Park, a process that it already has begun, and present the full information to the public, instead of ignoring the issue and exempting them in their entirety.

## **II. LEGAL STANDARDS.**

CEQA requires that an agency analyze the potential environmental impacts of its proposed actions in an environmental impact report except in very limited circumstances. *See, e.g.*, Cal. Pub. Res. Code § 21100. The EIR is the very heart of CEQA. *Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652. "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal. App. 4th 98, 109. CEQA applies to agency projects that may have an adverse environmental impact. *Friends of Mammoth v. Board of Supervisors*, 8 Cal.3d 247, 259 (1972); *Friends of B Street v. City of Hayward*, 106 Cal.App.3d 988, 1003 (1980) (project that included removal of trees caused significant effect on environment). CEQA has two broad purposes: 1) avoiding, reducing or preventing environmental damage by requiring alternatives and mitigation measures (14 Cal. Code Regs. § 15002(a)(2)-(3) (hereinafter "**CEQA Guidelines**")); and 2) providing information to decision makers and the public concerning the environmental effects of the proposed project. CEQA Guidelines § 15002(a)(1).

To achieve its objectives of environmental protection, CEQA has a three-tiered structure. CEQA Guidelines § 15002(k); *Comm. to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, 1185 – 86. First, if a project falls into an exempt category, or it can be seen with

certainty that the activity in question will not have a significant effect on the environment, no further agency evaluation is required. *Id.* Second, if there is a possibility the project will have a significant effect on the environment, the agency must perform a threshold initial study. *Id.*; CEQA Guidelines § 15063(a). If the study indicates that there is no substantial evidence that the project may cause a significant effect on the environment the agency may issue a negative declaration. *Id.*, CEQA Guidelines §§ 15063(b)(2), 15070. Finally, if the project will have a significant effect on the environment, an environmental impact report (“EIR”) is required. *Id.* Here, since the City proposes to exempt the Project from CEQA entirely, we are at the first step of the CEQA process.

CEQA exempt activities are either expressly identified by statute (i.e., statutory exemptions, PRC § 21080.01 et seq.; CEQA Guidelines §§ 15261 – 85) or those that fall into one of more than two-dozen classes deemed categorically exempt by the Secretary of Resources (i.e., categorical exemptions). PRC §§ 21080(b)(10); CEQA Guidelines §§ 15300. Public agencies utilizing CEQA exemptions must support their determination with substantial evidence. PRC § 21168.5. Exemptions to CEQA are narrowly construed and exemption categories are not to be expanded beyond the reasonable scope of their statutory language. *Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 125. A reviewing court must “scrupulously enforce all legislatively mandated CEQA requirements.” *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 564. Erroneous reliance by the City on a categorical exemption constitutes a prejudicial abuse of discretion and a violation of CEQA. *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1192.

CEQA identifies certain classes of projects which are exempt from the provisions of CEQA. These are called categorical exemptions. PRC § 21084(a); CEQA Guidelines §§ 15300, 15354. Categorical exemptions are certain classes of activities that generally do not have a significant effect on the environment. *Id.* Public agencies utilizing such exemptions must support their determination with substantial evidence. PRC § 21168.5. “[I]f the court perceives there was substantial evidence that the project might have an adverse impact, but the agency failed to secure preparation of an EIR, the agency’s action must be set aside because the agency abused its discretion by failing to follow the law.” *Dunn-Edwards Corp. v. Bay Area Air Quality Mgmt. Dist.* (1992) 9 Cal.App.4th 644, 656. A categorical exemption may not be invoked for any project that may cause a substantial adverse change in the significance of a historical resource. PRC § 21084(e); CEQA Guidelines § 15300.2(f); *Comm. to Save the Hollywoodland Specific Plan v. City of Los Angeles* (“Hollywoodland”) (2008) 161 Cal. App. 4th 1168, 1186.

CEQA’s unique “fair argument” standard applies when reviewing a CEQA exemption. Under the “fair argument” standard, an agency is precluded under the Guidelines from relying on a categorical exemption when there is a fair argument that a project will have a significant effect on the environment. *Berkeley Hillside Pres. v. City of Berkeley* (2012) 203 Cal. App. 4th 656, 670-671; *Banker’s Hill, Hillcrest, Park West Community Preservation Group v. City of San Diego* (“Banker’s Hill”) (2006) 139 Cal. App. 4th 249, 266. In other words, “where there is any reasonable possibility that a project or



activity may have a significant effect on the environment, an exemption would be improper.” *Id.*; *Dunn-Edwards Corp.*, 9 Cal.App.4th at 654 – 55.

The standard of review in an action challenging a CEQA exemption is whether there has been a prejudicial abuse of discretion. See PRC § 21168.5; *Dunn-Edwards Corp.*, 9 Cal.App.4th at 656. “Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.” *Id.*; *Western States Petroleum Assn. v. Super. Ct.* (1995) 9 Cal.4th 559, 568; See, e.g., *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 409. “[I]f the court perceives there was substantial evidence that the project might have an adverse impact, but the agency failed to secure preparation of an EIR, the agency’s action must be set aside because the agency abused its discretion by failing to follow the law.” *Dunn-Edwards Corp.*, 9 Cal.App.4th at 656; *Bankers Hill*, 139 Cal. App. 4th at 260. “Generally speaking, an agency’s failure to comply with the procedural requirements of CEQA is prejudicial when the violation thwarts the act’s goals by precluding informed decision-making and public participation.” *San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School Dist.* (“*San Lorenzo*”)(2006) 139 Cal.App.4th 1356, 1375.

CEQA categorical exemptions “are construed narrowly” and will not be unreasonably expanded beyond their terms. *County of Amador v. El Dorado County Water Agency* (1999) 91 Cal.Rptr.2d 66, 89. Exemptions are strictly construed to construction allow for the fullest possible environmental protections within the reasonable scope of statutory language. CEQA Guidelines § 15003(f); *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal. App. 4th 1165, 1192 – 93 (“Azusa”); *East Peninsula Ed. Council, Inc. v. Palos Verdes Peninsula Unified School Dist.* (1989) 210 Cal. App. 3d 155, 171; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 390 (rejecting “an attempt to use limited exemptions contained in CEQA as a means to subvert rules regulating the protection of the environment”).

Strict construction of CEQA exemptions conforms with the statutory directive under Section 21084 of the California Public Resources Code providing that unlike statutory exemptions, categorical exemptions such as the Class 1 Existing Facilities exemption the City is seeking to relying upon for the Project may only be provided for types of projects which have been determined by the California Department of Natural Resources to not have a significant environmental effect. PRC § 21084(a); *Azusa*, 52 Cal.App.4th at 1192.

### **III. THE PROJECT DOES NOT FIT WITHIN THE CLASS 1 EXISTING FACILITIES CATEGORICAL EXEMPTION.**

The Project does not fit within the Class 1 Existing Facilities categorical exemption. Section 15301 of the California Code of Regulations exempts “operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.” The Project fails to satisfy the criteria for the exemption, as

it constitutes more than a mere minor alteration of existing facilities or topographical features, and will cause an expansion of use.

a. **The Project Imposes More Than Minor Alterations At The Archery Range.**

The Project constitutes much more than mere “operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features.” CEQA Guidelines § 15301. The project imposes significant physical changes to the Project, installing permanent natural barriers as well as signage, realigning the Archery Range’s configuration, and realigning and removing trails that run in and around the Archery Range. Moreover, the Project will sanction significantly expanded use of the Park, sanctioning previously illegal, exclusive use of the Archery Range by the PRA as well as increasing the number of targets available to use. Finally, the Project is impermissibly vague, allowing for expanded use that conflicts with existing rules, laws, and regulation regarding the Archery Range.

The Project imposes numerous physical changes to the Park, including natural barriers, signage, realignment of the Archery Range configuration and hiking trails, and the installation of two additional targets within the Archery Range.

The City’s February 2, 2015 Agenda Report and accompanying documentation (“**Agenda Report**”) are too vague to demonstrate that the Project will not have significant impacts to recreation, aesthetics, and historical resources. Without these key details and accompanying analysis, the City does not have an adequate factual basis to conclude that the Project will not have a significant environmental impact.

The Agenda Report does not describe the actual size, height, appearance or configuration of the natural barriers or the location or final look of the signage that will be installed in the Park. Moreover, the Agenda Report does not describe the configuration for the Archery Range during larger Pasadena Roving Archer events. For example, the Project’s proposed agreement with the PRA permits installation of temporary targets. The location of these temporary targets have blocked use of non-Archery trails in the Park during past events. *See* Email from John Favvre to Charles Peretz, Management Analyst IV, City of Pasadena Department of Public Works (May 24, 2011) (stating that “some walkers report being told that even the walking path is under the control of the archers during training and tournament times.”). The permanent and temporary configurations for the Archery Range deserve environmental review, as they in of themselves will have significant environmental impacts on recreational, aesthetic, and historical resources within the Park.

Moreover, the removal and realignment of hiking trails running through the Park will impact the availability and attractiveness of the Park for other recreational uses, impacting recreational, aesthetic, and historical resources within the Park.

The Project will install two additional targets. After realignment of Target 14 onto public land, Target 14 will once again be permitted to be used for archery. Presently, Target 14 is not allowed to

be used. Moreover, the Project permits the installation of a “sight in” target on the Archery Range on Sundays.

Finally, the Project also requires the removal of storage containers and hay bales at the Archery Range and designation of an exclusive parking spot for PRA use. All of these changes will impact recreational, aesthetic, and historical resources at the Park.

These numerous physical changes on the site will result in a dramatically revised Park and Archery Range. These significant changes, the reconfiguration of the Archery Range, hiking trails, storage containers, bow hangers and the addition of two targets as well as an exclusive parking spot should receive environmental review through the CEQA process.

**b. The Project Will Cause An Expansion Of Use Of The Park.**

Moreover, the Project will expand use of the Archery Range by excluding previously allowed passive recreational uses, sanctioning previously illegal, unlicensed exclusive use of the Archery Range by the PRA, and expanding the number of targets in the Southern Archery Range.

Exclusion of other, passive recreational uses and designation of the Archery Range for archery only in of itself constitutes an “expansion of use” under CEQA. Courts have found that “expansion of use” for the purposes of Class 1 Categorical Exemptions includes changes in the type of use and the focus of a project’s operation. *County of Amador v. El Dorado County Water Agency* (1999) 91 Cal.Rptr.2d 66, 91 (“A project that shifts from non-consumptive to consumptive use is not a negligible expansion of current use. It is a major change in focus and thus does not fall within the *existing facilities* categorical exemption.”)

Moreover, the Project will sanction previously illegal, unlicensed exclusive use of the Archery Range by the PRA. PRA has been allowed by the City of Pasadena to operate without an agreement with the City during the current agreement review process. As a result, the City improperly claims that it can include illegal, unsanctioned use of the Park as part of the environmental baseline, allowing it to claim that this Project is exempt as a minor change to an existing facility. City Staff claims that “[t]here is no requirement under CEQA to address the effects of ongoing actions **even if they are illegal or harmful**. Instead, those ongoing actions may be addressed through other laws or enforcement actions.” City of Pasadena (2013) Additional Information Request by the City Council on September 16, 201) (“**Additional Information Request**”).

This is simply an incorrect statement of the law. The City is required to exclude illegal activity from the environmental baseline for the Project. Courts have **only** allowed the use of prior illegal activity as part of the basis for an environmental baseline when:

1. The prior illegal activity resulted in **permanent** physical environmental damage; and either that

2. The prior illegal activity either was **subject to prior enforcement action** by the lead or another government agency; or
3. The prior illegal activity **already underwent CEQA environmental review**.

*Riverwatch v. County of San Diego* (1999) 76 Cal. App. 4th 1428; *Fat v. County of Sacramento* (2002) 97 Cal. App. 4th 1270, 1281; *Eureka Citizens for Responsible Government v. City of Eureka* (2007) 147 Cal. App. 4th 357 370.

In this instance, the Project fails to satisfy any of the above criteria. The City claims that the illegal use of the Park has not resulted in any permanent physical environmental damage, and the City has not brought any enforcement action or previously completed CEQA environmental review.

Finally, the City is per se expanding use by removing the 14 target limit on the Southern Archery Range. Removal of the 14 target limit allows for an unlimited number of targets to be installed within the Archery Range, a particularly relevant point since the Project proposes to delegate the decision as to what lands can be used for exclusive archery use to the City Manager.

The Master Plan EIR's reliance upon the 14 target limit for both the North and South Archery Range renders the Project ineligible for a Class 1 Existing Facilities exemption. A Class 1 Existing Facilities exemption is only allowed when the Project would be a simple continuation of uses that have already been analyzed under CEQA. The environmental baseline for determining whether a project qualifies for a Class 1 categorical exemption arises from the CEQA analysis the last time the facility underwent CEQA environmental review. *Lewis v. Seventeenth District Agricultural Ass'n* (1985) 165 Cal.App.3d 823, 835–38. The City must utilize the 14 targets as the environmental baseline for CEQA analysis as the 14 target limit in both the North and South Archery Range was the basis for the Arroyo Seco Master Plan Master EIR ("**Master Plan EIR**"). City of Pasadena (2002) Arroyo Seco Master Plan Master EIR 2-63; *see also* Agenda Report at 10 (referencing the Arroyo Seco Master Plan Master EIR). Additional environmental review is required before approval of the Project.

#### **IV. THE PROJECT UNLAWFULLY PROPOSES TO DELETE PREVIOUSLY ADOPTED PROJECT FEATURES WITHOUT ADDITIONAL ENVIRONMENTAL REVIEW.**

The Project requires additional environmental review as it proposes to delete a target limit of 14 for the Southern Archery limit from the Master Plan. CEQA requires that additional environmental review is required when a Project proposes to alter the project description or mitigation measures implemented when the facility at issue last underwent environmental review. *Katzeff v. Cal. Dep't of Forestry and Fire Protection* (2010) 181 Cal.App.4th 601 ("where a public agency has adopted a mitigation measure for a project, it may not authorize destruction or cancellation of the mitigation—whether or not the approval is ministerial—without reviewing the continuing need for the mitigation, stating a reason for its actions, and supporting it with substantial evidence."). The Arroyo Seco Master Plan Master EIR concludes that the Archery Range will have no substantial environmental

impact based upon there only being 14 targets in both the Northern and Southern Archery Range. Master Plan EIR at 2-63, 3.1-10.

**V. THE PROJECT IS INELIGIBLE FOR A CATEGORICAL EXEMPTION FROM CEQA AS THE PROJECT MAY CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.**

The Project requires a full environmental impact report, if not at minimum an initial study, as the Project is ineligible to be exempted due to being considered a historical resources.

Lower Arroyo Park has been designated a historical resource both at the national, state, and local level. The Lower Arroyo Seco Historic District, which the Lower Arroyo Nature Park is an inseparable part of, is designated as a National and California historical resource. Lower Arroyo Nature Park itself was designated a Cultural Heritage Landmark of the City of Pasadena in 1979. Lower Arroyo Nature Park also neighbors a number of other valuable historical resources that may be affected by the Project, including the Arroyo Seco Parkway Historic District and La Loma Bridge.

CEQA bars projects that **may impact** historical resources from being exempt from CEQA review. Subdivision (e) of Section 21084 of the California Public Resources Code states that “[a] project **that may cause a substantial adverse change** in the significance of a historical resource, as specified in Section 21084.1, shall not be exempted . . .” Section 21084.1 of the California Public Resources Code provides that “[a] project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. *See also* CEQA Guideline Section 15300.2.

There is a strong presumption under CEQA that any project concerning a historical resource cannot be exempted and is subject to environmental review. The City concludes that the project will not cause a substantial adverse change despite proposing structural and use changes within the Park.

The burden to demonstrate the Project will not have a substantial impact on a historical resource falls upon the City. “A project will normally have a significant effect on the environment if it will . . . [d]isrupt or adversely affect . . . a property of historic or cultural significance to a community or ethnic or social group.” *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1418. “[I]f a project involving a[] historic building is discretionary . . . the effect on the historical environment must be considered.” *Prentiss v. City of South Pasadena* (1993) 15 Cal.App.4th 85, 92. At a minimum, the City is required to prepare an Initial Study in order to have adequate evidence to demonstrate that the Project will not cause a substantial adverse change in the significance of a historical resource.

The Project will have a significant impact on historical resources. As Ms. Scheid states:

The proposal to close off the western portion of the Lower Arroyo Seco Park from the general public and to dedicate the land for the exclusive use of the Pasadena Roving Archers violates the historical intent of the many land use plans adopted by the City, ordinances adopted by the City Council and state and local laws protecting

the Lower Arroyo Natural Park as an historic resource.

The Lower Arroyo has been a City Landmark since 1979 and was listed in the National Register of Historic Places in 2007. It is protected by the Arroyo Seco Public Lands Ordinance of 1990. The significance of the Arroyo Seco, particularly the Lower Arroyo, as a natural feature worthy of protection for the public has been recognized since the 1870s, its significance reinforced by Theodore Roosevelt on his 1903 visit to Pasadena, and was codified in the 1918 Plan for the Arroyo Seco, a policy document conceived by Rose Bowl architect Myron Hunt.

....

The physical changes by the City to the Lower Arroyo landscape represent a significant threat to the historic character of the Lower Arroyo. Another significant threat is the increase in use of the archery range. The native habitat on the range is already significantly disrupted by trampled vegetation and trash left by users of the range. This condition also creates a significant adverse aesthetic impact. Scheid at 1–3.

The Agenda Report does not analyze the potentially significant impact that the Project may have on historic resources. The Agenda Report concludes with no analysis or supporting documentation that the Project will not impact the historic resources of the Park because the configuration of the Archery Range is not identified as a contributing element to the Park's historical designation.

However, Charles A. Birnbaum (1994) *Protecting Cultural Landscapes: Planning, Treatment and Management of Historical Landscapes* Heritage Preservation Services Division, National Park Services, Government Publication Office provides that historic landscapes include features such as paths, steps, and walls. Moreover, the United States Secretary of the Interior's United States Secretary of the Interior (1995) *Standard for the Treatment of Historic Properties with Guidance for Preserving & Reconstruction of Historic Buildings* provides that spatial relationships such as walkways and pathways contribute to historical value.

The Project is not eligible to be exempted from CEQA review due to potentially significant impacts on historical resources. Reconfiguration of target locations, installation of barriers, and the removal of the unofficial walking trail will alter spatial relationships contributing to the historical value of the Park. The Project will affect the historical value of a historical resource and is ineligible to be exempted from CEQA environmental review.

**VI. THE PROJECT IS NOT ELIGIBLE FOR A CATEGORICAL EXEMPTIONS BECAUSE THERE IS A REASONABLE POSSIBILITY THAT THE PROJECT WILL HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT.**

The Project's administrative record demonstrates that there is a **reasonable possibility** that the activity will have a significant effect on the environment due to unusual circumstances. Section 15300.2 subdivision (a) of the CEQA Guidelines states that "a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." The Project will have impacts on recreational, aesthetic, and cultural resources.

The test for whether a project presents unusual circumstances is whether there is substantial evidence that proposed activity may have an effect on the environment. If so, an agency is precluded from applying a categorical exemption. *Berkeley Hillside Preservation v. City of Berkeley* (2012) 203 Cal. App. 4th 656, 670. Alternatively, courts have applied a two prong test, namely where "the circumstances of a particular project (i) differ from the general circumstances of the projects covered by a particular categorical exemption, and (ii) those circumstances create an environmental risk that does not exist for the general class of exempt projects" then a categorical exemption may not be used. *Banker's Hill*, 139 Cal.App.4th at 278; *Azusa*, 52 Cal.App.4th at 1207.

The Project will have a significant impact on recreational resources. The removal of the Archery Park from other passive recreational uses will remove a significant resource for passive recreational uses from the City.

The Project will significantly impact the aesthetic nature of the Park. Installation of permanent barriers, and signage will alter the fundamental character of the Park. As Ms. Scheid states:

The boundary installation impacts the native oak woodland of the western Lower Arroyo Natural Park by disrupting the continuity of the natural landscape. In addition, the heavily compacted decomposed granite path installed along the boundary adversely impacts the space by creating a new artificial trail where none existed before and altering the nature of trails in the area, which are all natural dirt woodland paths. Decomposed granite belongs only on the maintenance road next to the channel, not in the natural woodland park.

These designed features added by the City have had an adverse impact on the natural landscape between the La Loma Bridge and the pedestrian bridge from the parking lot. These are additions to the natural landscape that are clearly man-made and therefore alter the aesthetics of the natural landscape significantly.

Reinforcing the boundary, with signs, vegetation, and hard barriers, as proposed in the staff report, will only alter the area further, creating a fully designed landscape, obliterating much of what remains of the original natural landscape from the view of

passersby and blocking access to the historic paths that still exist within the area.  
Scheid at 2.

The Project will have an impact on historical resources. *Supra*. The Project is not eligible for an exemption from CEQA and requires additional environmental review.

Finally the Project does not adequately analyze impacts to hazardous material exposure and hydrology and water quality that may result from the excavation activities required for the Project. The long-term use of the Park for archery may have resulted in contamination of the soils underlying the Archery Range.

**VII. THE PROJECT IS NOT ELIGIBLE FOR A CATEGORICAL EXEMPTION BECAUSE THE PROJECT IS INCONSISTENT WITH THE CITY'S APPLICABLE LAND USE CONTROLS.**

The Project is ineligible to be exempt requiring further environmental review under CEQA because the Project calls for amendments to the Pasadena Municipal Code and Master Plan and is inconsistent with the City's General Plan, Lower Arroyo Master Plan, Lower Arroyo Specific Plan and the Arroyo Seco Public Lands Ordinance.

Project inconsistency with a general plan, or applicable master plan, specific plan or municipal code renders a project ineligible for the Class 1 Existing Facilities exemption and requires CEQA environmental review. CEQA Guidelines Appdx. G ("Would the project . . . [c]onflict with any applicable land use plan, policy, or regulation of an agency . . . adopted for the purpose of avoiding or mitigating an environmental effect? Conflict with any applicable habitat plan or natural community conservation plan?"); *see also* CEQA Guidelines § 15125(d).

The Project calling for amendments to the City's Municipal Code and Master Plan renders the Project ineligible to be fit under the Class 1 Existing Facilities exemption. Amending the Lower Arroyo Master Plan and Pasadena Municipal Code are CEQA projects that have the potential to have substantial environmental effects, requiring the Project to go through CEQA review. Finally, the Project's additional inconsistencies with the City's General Plan, Lower Arroyo Master Plan, Lower Arroyo Specific Plan and the Arroyo Seco Public Lands Ordinance also trigger CEQA environmental review.

**VIII. THE AGENDA REPORT DOES NOT ENCLOSE ALL REFERENCED DOCUMENTS, REQUIRING RECIRCULATION OF THE AGENDA REPORT.**

The Agenda Report does not enclose all referenced documents, requiring recirculation of the Agenda Report to the public. Subdivision (b)(1) of Section 21092 of the California Public Resources Code requires that all documents referenced within a CEQA document be made available for public review. The City failed to include the Park's report under the National Register of Historic Places ("NRHP"), under Reference Nos. 10001198, 04000680, and 04000331, available to the Public despite the fact that the Agenda Report references the NHRP report as the basis for claiming that



the Project will not impact the Park. Moreover, the City fails to include evidence of consultations that it conducted with PRA as well as local and national archery suppliers that it relies upon to assert that the Archery Range does not have lead contamination issues. The Agenda Report should be revised and recirculated to the public to allow for adequate review.

**IX. THE PROJECT IS INCONSISTENT WITH THE ARROYO SECO PUBLIC LANDS ORDINANCE.**

The Project is inconsistent with the Arroyo Seco Public Lands Ordinance, City of Pasadena Municipal Code (“**PMC**”) §§ 3.32.010 – 3.32.340 (“**Public Lands Ordinance**”). Approving the Project would require an amendment to the City of Pasadena Municipal Code. The Archery Range falls within the City of Pasadena Arroyo Seco Natural Preservation Area (“**Natural Preservation Area**”), which includes the Lower Arroyo from the south city limit to the Holly Street bridge” as well as the flood control channel area . . . south of Brookside park.” PMC § 3.32.100. The Project’s approval of new structures, approval of excavation activities, and expansion of archery within the Park is at odds with the intent for the area to be treated as a “natural preserve” and conflicts with the Public Lands Ordinance. Approving the Project would require an amendment to the Public Land Ordinance.

The Project’s installation of new structures, including barriers, irrigation systems, permanent targets, flush mounted shooting location markers, temporary targets, bow hangers, as well as the removal and replacement of PRA storage containers, are barred by the Public Lands Ordinance which limits new structures to those “required for utility operations, park maintenance and protection of plant and animal communities.” PMC § 3.32.110(B). Moreover, the Public Lands Ordinance requires new structures to be “conceal their visual presence.” The new barriers are expected to be conspicuous in order to keep non-archery uses out of the Archery Range.

The installation and establishment of the new barriers and realignment of trails within the Park is barred by the Public Lands Ordinance. Excavation and landfill activities are barred in the Natural Preservation Area except for “repairs . . . [and] undergrounding of utilities . . .” PMC § 3.32.110(G). Fertilizer use is barred in the Natural Preservation Area in order to prevent “[w]astes, fertilizers or polluted waters . . . to enter the waters or sources for the waters of this area.” PMC § 3.32.120(C).

Installation of the new barriers would involve installing an irrigation system requiring using a “trenching unit . . . [to] dig the irrigation line trenches, importing stones by truck, as well as movement and placement of stones utilizing tractors. Charles Peretz, Parks and Natural Resources Administrator , City of Pasadena (2015) Memorandum to John Bellas, Environmental Coordinator, Planning & Community Development Department Regarding Exemption Status of the Proposed Lower Arroyo Archery Range 3 (“**Exemption Memorandum**”). Moreover, establishment and maintenance of the new barriers may require use of fertilizer, barred by the ban against use of fertilizers in the Natural Preservation Area under Section 3.32.120(C) of the Pasadena Municipal Code.

Moreover, removal and realignment of trails in order to accommodate the new Archery Range will require “clearing of ground level vegetation,” grading,” and “scarifying the trail surface,” by hand and use of a “Bobcat or similar sized machine . . . .” Exemption Memorandum at 4.

Finally, the Project will expand archery in the Natural Preservation Area, as the Project will “construct at least one new target [in actuality two, reinstatement of Target 14 as well as installation a new “sight in” target] and may require the relocation of several others.” Exemption Memorandum at 2. The Public Lands ordinance provides that existing uses, such as archery, “**may** be allowed to remain **but not allowed to expand.**” The Project is at odds with the Public Lands Ordinance and adoption of the Project will require amending the Public Lands Ordinance, in of itself requiring additional environmental review.

#### **X. THE PROJECT IS INCONSISTENT WITH THE CITY’S GENERAL PLAN.**

The Project is inconsistent with the Land Use as well as Green Space Recreation and Parks Elements to the City’s General Plan. All California counties and cities are required to adopt a comprehensive, long-term general plan for the physical development of the county or city. Cal. Government Code § 65300. All projects must be consistent with the City’s General Plan. Governor’s Office of Planning and Research (2001) A Citizen’s Guide to Planning, [http://ceres.ca.gov/planning/planning\\_guide/plan\\_index.html](http://ceres.ca.gov/planning/planning_guide/plan_index.html) (last visited February 1, 2015).

The Project is inconsistent with the City’s General Plan Land Use Element (“**Land Use Element**”). City of Pasadena (2004) General Plan Land Use Element. The Land Use Element states that the City shall “preserve . . . open space in . . . residential areas of the City . . .” and that “[o]pen spaces and streets should be as carefully designed and preserved as buildings.” *Id.* at 9–11. The significant alterations to the Park, including permanent barriers, signage, and targets would undermine the priority to preserve open spaces.

The Project is also inconsistent with the City’s General Plan Open Space & Conservation Element (“**Open Space and Conservation Element**”). City of Pasadena (2012) General Plan Open Space & Conservation Element. The Open Space and Conservation Element cites the Arroyo Seco as one of “Pasadena’s most prominent examples of . . . open space, providing **spaces for active and passive recreation**, rich biodiversity and flood control infrastructure.” *Id.* at 13. It provides that the City should “[p]reserve currently zoned open spaces, natural open spaces, hillsides, viewsheds, watersheds and recreational areas.” *Id.* The City is required to “[p]reserve, restore and maintain the natural character of the . . . Arroyo Seco . . . .” *Id.* at 14. Approving the Project would undermine the open space characteristics of the Park by dedicating it exclusively to archery rather than a mix of active and passive recreation, as well as install additional manmade infrastructure undermining its natural character

The Project is inconsistent with the City’s General Plan Green Space, Recreation and Parks Element (“**Green Space Element**”). City of Pasadena (2007) Green Space, Recreation and Parks Element. The Green Space Element requires that the City **promote multi-faceted use of the Arroyo**,

improve aesthetics, preserve historical elements, as well as balance natural habitat and recreational needs. *Id.* at 4–5. Moreover, the Green Space Element requires the City to “[p]romote the shared use of public . . . land and facilities for community recreational uses . . .” *Id.* at 12. Finally, the City is required to balance special events with local recreational needs, providing “adequate land resources to hold large special events while not unreasonably displacing recreational areas.” *Id.* At 13. Dedicating the Archery Range exclusively for archery use would run counter to the mandate that the City preserve multi-faceted use of the Arroyo.

**XI. THE PROJECT IS INCONSISTENT WITH THE LOWER ARROYO SECO MASTER PLAN.**

The Project is inconsistent with the Lower Arroyo Seco Master Plan (“**Master Plan**”), requiring additional amendments to the Master Plan and environmental review. City of Pasadena (2003) Lower Arroyo Master Plan. The Project sanctions use of 28 targets within the Southern Archery Range, when the Master Plan limits the Southern Archery Range to 14 targets. *Id.* at 4-9. Moreover, the Master Plan requires development of a design standard and access to the targets, which have yet to be developed. *Id.* Finally the Master Plan lays out a specific trail system, which will require amendment in order to accommodate the relocation of approximately 150 linear feet of trail necessary to relocate target 14 onto public property and maintain regulation shooting distances. *Id.* at 4-10; Staff Report at 7. City Council should opt not to approve this Project in order to conduct additional environmental analysis on this

**XII. THE PROJECT IS INCONSISTENT WITH THE ARROYO SECO DESIGN GUIDELINES.**

The Project is inconsistent with the Arroyo Seco Design Guidelines (“**Design Guidelines**”), requiring additional amendments to the Design Guidelines and environmental review. City of Pasadena (2003) Arroyo Seco Design Guidelines. The Project does not conform with the design principles set forth in the Design Guidelines, which include limiting the creation of man-made objects and preserving the historical and cultural elements of the Park. *Id.* at I-3 – 4. Construction standards for targets have yet to be established as required by the Design Guidelines. *Id.* at 5-8. Signage for the Project cannot be implemented until completion of a comprehensive signage program as required by the Design Guidelines. *Id.* at 6-2. Finally, the Project’s installation of barriers does not conform with the Design Guidelines rules regarding wells, fences, gates, as well as roads and trails. *Id.* at 7-1 – 8-3.

Approval of the Project requires amendments to the Design Guidelines and additional environmental review.

**XIII. THE PROJECT IS INCONSISTENT WITH THE CITY CHARTER.**

The Project is inconsistent with the City Charter, dedicating City parkland exclusively to one organization for a single recreational use, requiring approval by a Citywide election and the dedication of new land for park purposes if the Project is approved by City voters. City of Pasadena

(2014) Charter. Section 1601 of the City Charter provides that “park land owned by the City shall be used only for **park and recreational purposes** and shall not be sold, **transferred or used** for other purposes, **except upon the approval of a majority of the voters at an election held for such purpose.**” The City is required to maintain the Park for **both park and recreational purposes**. The City cannot license the Archery Range exclusively for archery purposes to the PRA without approval of a majority of the City’s voters.

Moreover, if the City’s voters were to approve exclusive use of the Archery Range for archery and licensing of the Archery Range to the PRA, the City is required to dedicate “land of comparable area or value in the same region of the city . . . [to] dedicate[] for park purposes.” City Charter § 1603.

The Project is inconsistent with the City Charter and requires approval by Citywide voters and the dedication of land of comparable area or value to park purposes before it can be implemented.

#### **XIV. THE PROJECT CANNOT BE APPROVED BECAUSE IT HAS NOT RECEIVED A CERTIFICATE OF APPROPRIATENESS FROM THE CITY.**

The Project cannot be approved by City Council at this time because it has not received a Certificate of Appropriateness (“**Certificate**”) from the Planning Director or the Historic Preservation Commission. The Park was designated a Cultural Heritage Landmark of the City of Pasadena on April 12, 1979. City of Pasadena (1979) Resolution No. 3762. *See also* PMC §§ 17.62.040 (“A landmark shall include all properties previously designated a landmark before adoption of this Chapter . . .”).

The Project requires that the City issue a Certificate before approving the Project. Section 17.62.080(E) of the Pasadena Municipal Code requires that all projects that may affect a designated historic resource receive a Certificate before going forward.

A Certificate may be issued by either the Planning Director or the Historic Preservation Committee depending on whether the City designates the Project as a “minor” or “major” project. PMC § 17.62.090. The Planning Director or Historic Preservation Commission will render a decision within 30 days of a complete application. *Id.* Upon issuing a Certificate, the Planning Director or Historic Preservation Committee must find that the Project complies with the applicable historical standards, will not cause a significant adverse effect as defined under the CEQA Guidelines, and may impose conditions on the issuance of the Certificate. *Id.*

Since the Project is a major project affecting a city-owned historic resource, the Project is required to be reviewed by the Historical Preservation Commission. Section 2.75.045 of the Pasadena Municipal Code requires that the Historic Preservation Commission review “projects affecting city-owned historic resources” as well as “[r]eview and make recommendations on environmental reports, zone changes, master development plans, planned developments and other land use entitlements . . . as they are applicable to historic resources in the city.” *See also* PMC § 17.62.110 (requiring that “[t]he Historic Preservation Commission review major projects affecting City-owned, designated historic

resources.”); Design Guidelines at 4-3 (“[t]he Lower Arroyo Seco (from Holly Street Bridge south to the South Pasadena boundary is designated as a Landmark (Chapter 2.75 of the PMC). As such, all improvement plans in this area shall comply with Chapter 2.75 of the PMC.”)

As the Design Guidelines have made clear, “[a]ll changes to existing structures within the Lower Arroyo are subject to the Historical Landmark review process. *Id.* at 4-3. Moreover, “[p]roposed improvements or modifications to existing cultural resources in the Arroyo Seco will require additional review by the Historic Preservation Commission.” *Id.* at 3-3.

The Project has not received a Certificate of Appropriateness and cannot be approved. The Project has only been reviewed by the Design Commission and the Recreation and Parks Commission.

**XV. THE PROJECT UNLAWFULLY DELEGATES AUTHORITY TO THE CITY MANAGER BY DELEGATING HIM THE AUTHORITY TO DESIGNATE PARKLAND FOR EXCLUSIVE ARCHERY USE.**

The Project unlawfully amends the Pasadena Municipal Code to authorize the City Manager to determine where archery is permitted, rendering the Project impermissibly vague under the General Plan, Master Plan, Public Lands Ordinance, as well as other applicable land use and zoning laws. The City would be vesting authority for the City Manager to amend the City’s designated uses for the Archery Range, granting legislative authority to the City Manager. Moreover, the Project is impermissibly vague as it grants the City Manager authority to designate parkland in excess of the currently existing Archery Range exclusively for archery use.

**XVI. THE PROJECT DOES NOT ADDRESS HOW PASADENA ROVING ARCHERS’ EVENTS WILL COMPLY WITH THE CITY’S POLICY FOR LARGE EVENTS IN PUBLIC PARKS.**

The Project fails to consider implementation of the attendance limits for large events in the Arroyo under the Green Space Element. The City’s Policy for Large Events in Public Parks imposes limits for large events in the Park at a maximum of 125 people in an hour, not to exceed 300 people over the course of a day. City of Pasadena (2005) Policy for Large Events in Public Parks 2. The Project’s Deal Points offers no policy on how the PRA will attempt to stay within those limits.

**XVII. CITY COUNCIL SHOULD VOTE TO NOT APPROVE THE PROJECT AND DIRECT STAFF TO PREPARE AN ENVIRONMENTAL IMPACT REPORT.**

Stewards raises numerous concerns about the Project. Adopting the Project today would be in violation of the CEQA, the City’s own land use controls, as well as the California Government Code. City Council should instead vote to not approve the Project and direct Staff to consider other alternatives and begin preparation of an environmental impact report.

Sincerely,



---

Mitchell M. Tsai  
Attorney for Stewards for Public Land

Attached:

Letter from Ann Scheid to City Council of the City of Pasadena (Feb. 2, 2015);

Charles Peretz, Parks and Natural Resources Administrator , City of Pasadena (2015) Memorandum to John Bellas, Environmental Coordinator, Planning & Community Development Department Regarding Exemption Status of the Proposed Lower Arroyo Archery Range;

Charles A. Birnbaum (1994) Protecting Cultural Landscapes: Planning, Treatment and Management of Historical Landscapes Heritage Preservation Services Division, National Park Services, Government Publication Office;

City of Pasadena (2013) Additional Information Requested by the City Council on September 16, 2013;

City of Pasadena (2015) Agreement Deal Points;

City of Pasadena (2007) General Plan Green Space, Recreation and Parks Element;

City of Pasadena (2004) General Plan Land Use Element;

City of Pasadena (2012) General Plan Open Space and Conservation Element;

City of Pasadena (2003) Lower Arroyo Master Plan;

City of Pasadena (2002) Master Environmental Impact Report: Arroyo Seco Master Plan project;

City of Pasadena (2003) Arroyo Seco Design Guidelines;

City of Pasadena (2005) Policy for Large Events in Public Parks

City of Pasadena (1979) Resolution No. 3762 Designating the Lower Arroyo south of the Holly Street Bridge as a Cultural Heritage Landmark;

Email from John Favre to Charles Peretz, Management Analyst IV, City of Pasadena Department of Public Works (May 24, 2011);

California Department of Natural Resources (2010) CEQA Checklist;

City of Pasadena - Lower Arroyo Archery Range and Deal Points for New Agreement with Pasadena Roving Archers.  
February 2, 2015  
Page 20 of 20

United States Secretary of the Interior (1995) Standard for the Treatment of Historic Properties with  
Guidance for Preserving & Reconstruction of Historic Buildings; and

National Register of Historic Places, U.S. Dep't of the Interior (2008) Pasadena Arroyo Parks and  
Recreation District.

Iraheta, Alba

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**From:** michele baranski <mshellmarie@rocketmail.com>  
**Sent:** Monday, February 02, 2015 1:16 PM  
**To:** City\_Council  
**Cc:** Jomsky, Mark; city\_letters@rovingarchers.com  
**Subject:** Lower Arroyo Archery Range

Dear Council Member -

I am writing today because I understand that tonight you will vote on whether to keep the Pasadena Archery Range in the Lower Arroyo open. I urge to vote yes on keeping it open and available. My family and I have never experienced any unsafe or negative behavior from anyone practicing archery while we were there.

I believe that having the range is an asset to the City of Pasadena as well as to the Lower Arroyo.

I am proud to be able to say that Pasadena is home to the archery range.

Thank you for your time. I'd appreciate if you could include my letter in the agenda packet for the meeting tonight.

- Michele Baranski  
620 East Elizabeth Street  
Pasadena, CA 91104



**From:** SallyBarn@aol.com  
**Sent:** Monday, February 02, 2015 12:54 PM  
**To:** Madison, Steve; Bogaard, Bill; McAustin, Margaret; Gordo, Victor; Tornek, Terry; Jomsky, Mark  
**Cc:** Suzuki, Takako; tdseifert@aol.com  
**Subject:** Danger of archery in Lower Arroyo Park --- photo



On December 14, 2014, we found this arrow pointing toward our private property on the west side of the lower Arroyo archery range. The arrow was stopped by a branch when the shooter missed one of the targets that uses our property, and our neighbors', as backstop to the shooting range. The force of the arrow could have injured/maimed/killed an individual. We would like to be able to enjoy our property with our grandchildren, but given the danger posed by the City-sanctioned weapons range we cannot.

I hope you will take into consideration the safety of the residents whose properties serve as backstops for archery activities when you consider the issue on Monday evening, February 2, 2015, as well as the wisdom of a shooting range in a now densely populated city that is lacking in park space.

Thank you,

Sally Barngrove  
310 S. San Rafael Ave  
Pasadena

626-793-4538

LAW OFFICES

**NEIL J. BARKER**

A PROFESSIONAL CORPORATION

225 S. LAKE AVENUE, SUITE 300  
PASADENA, CALIFORNIA 91101

TELEPHONE: (626) 440-5980

FACSIMILE: (626) 500-1417

February 2, 2015

Mayor William J. Bogaard  
Members of the Pasadena City Council  
Pasadena City Hall  
100 N. Garfield Ave.  
Pasadena, CA 91109

Re: Our client - Stewards of Public Land  
Lower Arroyo Archery Range Proposal  
City Council Agenda Item No. 13

Dear Mayor Bogaard and Council Members:

We write on behalf of Stewards of Public Land (“SOPL”), an organization of Pasadena residents concerned about use of public land resources within the City.

Your February 2, 2015 Council meeting agenda includes item 13, headed “Proposal for Lower Arroyo Archery Range and Deal Points for New Agreement with Pasadena Roving Archers”. I regret that illness prevents me from delivering these remarks in person.

The Lower Arroyo Seco is among the most cherished public lands in the City. The governing planning document, the Lower Arroyo Master Plan (“LAMP”), provides that “the Lower Arroyo be restored and preserved as a natural area park.” SOPL urges you to embrace restoration and preservation of the Lower Arroyo as a natural area park as the first and foremost priority as you consider archery use in that area.

The staff report for this agenda item tells only part of the story. The mid-1990s saw a wonderful re-birth of the Lower Arroyo. Re-introduction of the stream beds brought back wildlife and increasing numbers of people who eagerly embraced the Lower Arroyo for jogging, exercising, birding, dog-walking, and horseback riding.

For many years, different users of the Lower Arroyo – walkers, birders, runners, horseback riders, and archers, among others - shared this precious natural resource comfortably, without difficulty or conflict. Regrettably, things have changed recently in disquieting ways. This agenda item comes before you not because things are going well, but because the profile of one of the Lower Arroyo’s traditional user constituencies – the

02/02/2015  
Item 13

archers – is changing, both in size and profile, and in that in turn brings about increasing conflict and tension with other categories of users and neighboring property owners.

Dramatic growth in the number of archer users of the Lower Arroyo fuels this conflict and tension. They come from all over Southern California. The profile of archer users traditionally seen in Pasadena is changing. The new face of archery in the Lower Arroyo includes the following:

- Bows and arrows are far more powerful than ever before. Stories of arrows falling on hillsides private property and even taking flight over homes on South San Rafael Avenue are not unusual. One area property known to SOPL has been on the receiving end of more than seventy arrows that have fallen on the property or landed in the swimming pool. Some nearby hillside residents are fearful of using their backyards, rear patios, and other parts of their property for fear of getting hit by arrows.
- The powerful bows and arrows now used are not just amusing recreational playthings. They can be lethal weapons. Is it just a matter of time before a wayward arrow hits someone in the Lower Arroyo vicinity? What then?
- Cultural phenomena such as the Hunger Games movie have fed the increasing appetite for archery.
- Reports by Lower Arroyo trail users tell of another unwelcome trend: a growing number of archers who are demanding, threatening, and otherwise disrespectful, with incidents of yelling on a disturbing upswing. First-hand experience with and even just rumors about that now discourage some long-time walkers from going to the Lower Arroyo.
- The attitude of some archers who now use the Lower Arroyo is further evidenced by such disrespectful behavior there as drinking, smoking, and shooting of arrows even after nightfall, when the range supposedly is closed.

Adequate policing of the area to protect the reasonable expectations of all Lower Arroyo users and neighboring property owners has eluded the City's grasp.

There is no denying the obvious. The City has a problem on its hands. That is why this agenda item is before you.

SOPL welcomes the staff recommendation as a positive step in the right direction. The recommendation does not go nearly far enough, however. More should be done.

1. Limit usage hours in Southern Range to weekends, combined with opening of new range for weekday use in Eaton Canyon near Pasadena Police Firing Range. The source of the problem with the Lower Arroyo archery range: too much demand. Eaton Canyon solves that problem. The Lower Arroyo is too fragile a natural resource to put up with the growing burdens placed upon it by escalating archer use. The Eaton Canyon site would be an ideal alternative. It can be covered for the time being, pending completion of environmental clean-up. Afterward, establishment there of an appropriately-sized range to serve the needs of the archer community on a long-term basis can be explored.

2. Situate targets to eliminate entirely, not just “minimize”, encroachment onto private property. The staff report states (on page 8, third paragraph) that “[a]ll targets will be located on public property and situated to enhance safety and *minimize encroachment onto private property*” [emphasis added]. “Minimizing” encroachment onto private property is not good enough; there should be no encroachment onto private property, period. Encroachment happens now because the City has turned a blind eye to the problem. A zero tolerance policy toward encroachment in any amount is essential. If that requires reduction or relocation of targets, then so be it.

3. Tighter monitoring of effectiveness of new license and operating agreement with PRA by limiting the agreement term to two years maximum. The staff proposes (page 10, fourth full paragraph) the “agreement term . . . as a one-year agreement with four one-year renewable options at the discretion of the City Manager.” That essentially means a five-year agreement if the City Manager so chooses. A shorter term is desirable given the seriousness of the current situation. The Lower Arroyo is too important a natural resource to everyone in Pasadena for the strain posed by archer use to be put on the back burner for the next five years. The matter should be brought back to the Council within two years.

4. Removal and/or locking of targets when range closed. Target access after hours contributes to the current untenable situation of unruly users (see previous page, fifth highlighted point).

5. Increased presence of range officers to assure safety. The staff report gives this scant attention. It does little good to have more rules in place without sufficient enforcement oversight. If cost is a consideration, that should be factored in to the fees charged to PRA under the new agreement.

6. All archer users of Lower Arroyo range to be PRA members. PRA has a vested interest in the success of the proposed arrangement and curbing renegade use of the Lower Arroyo. PRA is in the best position through use of its persuasive power and influence to motivate its membership to be good stewards of the Lower Arroyo. Requiring users of the Lower Arroyo range to be PRA members will go a long way to

Mayor William J. Bogaard  
Members of the Pasadena City Council  
February 2, 2015  
Page -4-

improve the current relationship between the archer community and other user constituencies.

Thank you for your consideration and attention to this difficult, but hopefully solvable, situation.

Sincerely yours,

NEIL J. BARKER,  
A Professional Corporation

*/s/ Neil J. Barker*

By: Neil J. Barker

cc: Michael Beck, City Manager  
Stewards of Public Land

211nb021

**From:** Amber Bansak <amber.bansak@gmail.com>  
**Sent:** Monday, February 02, 2015 4:24 PM  
**To:** City\_Council  
**Cc:** Jomsky, Mark; city\_letters@rovingarchers.com  
**Subject:** Pasadena Roving Archers Range

To Whom It May Concern:

The Pasadena Roving Archers Range is a wonderful place and an important part of our community. Here archers can come together to learn from one another and enjoy nature together along with others who just come by to enjoy the scenery. Everyone who uses the range is trained in safety and it is a very safe place for all to enjoy. It is so important to continue to have this space to come together. There is no other close by alternative, though there are certainly other parks and open spaces outside for people who don't engage in archery to enjoy if they don't want to be exposed to archers in their natural habitat, if you will.

The archery range IS NOT "devoted to an exclusive private use." It is available FOR PUBLIC use for archery. The archery range is a designated-use area for a specific purpose, just like other city facilities, such as Brookside Golf Course, the casting pond, tennis courts, basketball courts etc. Such usage is consistent with Pasadena Municipal Code (3.32.110), which specifies that archery and hiking are examples of permitted activities, and that all permitted activities must be restricted to their defined activity areas.

Furthermore, as I said initially, it is an open space. Walking, jogging and the like are not prohibited here though there seems to be some idea to the contrary. All of these activities are currently allowed on the West side of the Lower Arroyo on existing trails that skirt the perimeter of the range. The proposed agreement would do nothing to restrict the use of any of these existing trails.

I absolutely support the preservation of spaces that help a sense of community and sportsmanship thrive. They are paramount to the preservation of a strong, healthy community and I beg that you please continue to support them as well, including the Pasadena Roving Archers Range.

Thank you for your time,  
Amber

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~~~~~  
**Amber J. Bansak**  
NYLON, Assistant Editor

(cell) 323.627.5954

**From:** cityclerk  
**Subject:** FW: Letter in support of the Pasadena Roving Archers

**From:** Kitty Cahalan [<mailto:kittycahalan@gmail.com>]  
**Sent:** Monday, February 02, 2015 12:40 PM  
**To:** McAustin, Margaret  
**Cc:** Morales, Margo  
**Subject:** Letter in support of the Pasadena Roving Archers

Dear Ms McAustin,

I'm writing you and asking that you support the lease that allows archery to continue in the Lower Arroyo. I am not an archer myself, nor is anyone in my family, but I have spent many hours in the Lower Arroyo, both on horseback and enjoying the hiking trails with my family and our dogs and have observed the archers enjoying their sport many times. I've always been very proud that such a unique resource is right there in our backyard of our city, and the fact that it has been operating there continuously and safely for 80 years is, I feel, a feather in Pasadena's cap.

A year ago, I was chaperoning a field trip with Longfellow fourth graders participating in the Armory Center's Children Investigating the Environment program. While exploring some of the areas on the west side of the arroyo, we passed by the range where an archer was practicing. 9 year olds being what they are, he was immediately bombarded with questions from the students about what he was doing and how does he use his tools. In the best of humor, he took the time to answer everything they wanted to know and give them some demonstrations. I can only imagine that a few future archery enthusiasts were born through that brief contact. It would not have been possible had the range been in a place that is more removed from where the public goes.

I have heard much misinformation about the lease and about the Roving Archers themselves. From what I see, however, the archers are one of the reasons that that area is clean and well-maintained. They are the eyes and ears of that area and should be considered a valuable resource to the city as a group who is making sure the area's many native plant and animal species are kept safe and healthy.

Pasadena prides itself on preservation, but I think we all know that this means more than keeping historic buildings - it means keeping communities and the activities that unite them strong. Just as keeping up a horse culture in the Upper Arroyo areas of Pasadena and the South Pasadena portion of the Lower Arroyo has preserved some flavor of an earlier time, keeping the archery range in the heart of our city allows for these skills to continue to be practiced. It also invites people from across the region to visit our city, and it provides our families with a unique recreational resource.

For all of these reasons, I hope that you will vote to continue the lease and allow this facility to continue their operations on their lower arroyo site.

Sincerely,

Kitty Cahalan  
[kittycahalan@gmail.com](mailto:kittycahalan@gmail.com)

**From:** cityclerk  
**Subject:** FW: Archery range has not posed a problem in 80 years...

-----Original Message-----

From: Andrew Dabbagh [<mailto:axldrew@gmail.com>]  
Sent: Monday, February 02, 2015 2:17 PM  
To: City\_Council  
Subject: Archery range has not posed a problem in 80 years...

There are a wide range of parks throughout the pasadena/glendale/la Canada area, not to mention the san Gabriel mountains which are in our backyard, for the public to enjoy and walk on. Hundreds of people enjoy this sliver of land which is primarily for archery. Why take it away from them? Please stop making unnecessary changes. Focus on real issues rather than continuing to fix matters which are not broke.

Sent from my iPhone



**From:** Priscilla Flynn <scilly@sbcglobal.net>  
**Sent:** Monday, February 02, 2015 12:39 PM  
**To:** Jomsky, Mark  
**Subject:** Archers

I can't think of a single reason which would justify any expansion for the archers on the Arroyo. They pose a potential hazard already and impinge on the public's enjoyment of the walking and riding trails.

Let the archers find another venue and leave the Arroyo alone!

Priscilla Flynn ...a Pasadena native

Sent from Yahoo Mail on Android

**From:** cityclerk  
**Subject:** FW: archery range

-----Original Message-----

From: [buffalo-hunter@cox.net](mailto:buffalo-hunter@cox.net) [mailto:[buffalo-hunter@cox.net](mailto:buffalo-hunter@cox.net)]  
Sent: Monday, February 02, 2015 12:03 PM  
To: City\_Council  
Subject: archery range

to those whom it concerns,

I am writing you because I received some disturbing news regarding the possible closure of the Pasadena archery range/club. I am a long time visitor to this range to attend tournaments that are regularly held at the range. as a part of my attendance I frequent restaurants, shops and gas stations in your town. it is also known that the city council has been trying to close the range for a long time. for what viable reason it is not known, although rumored to be a personal issue with a member(s) of the council. as it see it, there is no reason to close the range as it is not harming anything and has been there for many years. closure of the range will hurt you local business as I and others will no longer frequent the area and support you local businesses. on my next visit to the range, I will speak to the proprietors of the restaurants and shops I go to, inform them that I may not be giving them my business in the future since the council wants to close the range.

roland fraterrigo  
[buffalo-hunter@cox.net](mailto:buffalo-hunter@cox.net)

**From:** Liz GILFILLAN <gilfillans@mac.com>  
**Sent:** Monday, February 02, 2015 2:23 PM  
**To:** Bogaard, Bill; Jomsky, Mark  
**Subject:** Lower Arroyo Seco

1. I am opposed to the lower Arroyo Seco to be used for Archery.

The area is a designated nature preserve and should be dedicated primarily to the general public with appropriate plants and habitat and a priority for “low-impact” recreation uses such as walking, hiking and bird-watching.

2. If there is any use of the range for archery practice the conditions MUST meet stringent safety standards as adopted by the National Field Archery Association.
3. Full-time monitoring is essential to ensure the safety of all those using the preserve. Neighbors whose property borders the area considered for archery practice deserve safety measures to protect human and animal populations using their private property.

Respectfully submitted

Elizabeth Gilfillan

**From:** Allison Hurd <urania8@gmail.com>  
**Sent:** Monday, February 02, 2015 11:24 AM  
**To:** City\_Council  
**Cc:** city\_letters@rovingarchers.com; Jomsky, Mark  
**Subject:** Pasadena Archery Range

City Council of Pasadena  
Dear Members,

I hope you will consider my support for the archery range in the lower Arroyo Seco. I am a local Girl Scout Leader of Kinder to 8th graders. My girls and girls from all over Southern California come to this range to be guided by the knowledgeable and caring folks of the Pasadena Roving Archers.

But you don't have to take my word for it. Just ask the girls! What they tell me is they love being out at the range in the sun. They love the opportunity to learn and practice archery.

It is already amazingly difficult as a Leader to find opportunities for like this. The days full up months in advance and special Girl Scouts of Greater Los Angeles days sell out as if this were a rock concert. What we need to more availability at the range not less.

It would be an amazing loss to our Scouts to cut back days or lose the archery range.

Please consider our support and Girl Scouts and Girl Scout Leaders and preserve the Archery range for generations!

Thanks!

Allison Hurd  
GSGLA Troop Leader and Volunteer

How far the little candle  
throws his beams!  
So shines a good deed  
in a weary world.

-Merchant of Venice  
Act 5, Scene 1

**From:** cityclerk  
**Subject:** FW: Please save the archery range!

**From:** Vanessa Mirro [<mailto:vmirro@yahoo.com>]  
**Sent:** Monday, February 02, 2015 1:25 PM  
**To:** City\_Council  
**Subject:** Please save the archery range!

As a local resident, I am asking that City Council save our beloved archery range in the Arroyo. My two little girls, age 6 and 9, enjoy taking archery lessons on Saturday mornings. I understand that some people are concerned about safety; however, I have never heard anyone complain about it being an issue. I'm part of a running club and we run by the range several times a week. Not once has anyone had any issues with the archers or made any comments about feeling unsafe in the vicinity of the range. Please keep the archery range for our children's sake and all others who love the Arroyo for it's many charms - the fly fishing pond, the archery range, the trails, and the arroyo itself.

Sincerely,  
Vanessa Mirro

**From:** gaboony <gaboony@sbcglobal.net>  
**Sent:** Monday, February 02, 2015 4:15 PM  
**To:** Bogaard, Bill  
**Cc:** Jomsky, Mark  
**Subject:** Please Protect Lower Arroyo Seco Nature Preserve for Public Use (Limit Archery)

2 February 2015

**Re: Exclusive use of the Lower Arroyo Seco natural area by Pasadena Roving Archers (PRA)**

Dear Mayor Bogaard & Pasadena City Council,

It has come to my attention that the *Pasadena Roving Archers* (PRA) have long been in negotiation with the City of Pasadena to obtain exclusive use of up to 18 acres of woodland located in the Lower Arroyo Seco natural area for archery practice, thereby excluding other, more pastoral visitors to that area including hikers, runners, dog walkers, birders, artists, photographers, and others.

I enjoy archery and appreciate the need for archery ranges; however, the PRA's desire to dominate 7-18 acres of precious parkland for their sport in close proximity to vulnerable wildlife, Arroyo Seco pedestrians, and nearby homes is inappropriate, especially in a region that is struggling to protect what little natural habitat is left near urban areas and where efforts are underway to restore oak woodland, local streams and watershed.

Archery involves safety risks that are undeniable along the popular Arroyo Seco. In addition to residents finding arrows in their back yards (!), I doubt that wildlife species who depend upon the area in question will be safe. If people would not be allowed to enter the archery range in the designated natural area under consideration, what will become of the birds and small wild animals that live there? That is a valid concern as nest sites and other wildlife habitat within Pasadena continue to disappear.

To accommodate archery, why not move the PRA to Eaton Canyon on the site of the former police shooting range? The range could be easily modified to meet archery needs, plus that location offers ample parking, few trees to block targets, and would be safer for the public.

Wherever an archery range is established, safety standards (such as the National Field Archery Association rules), adequate monitoring, and security for the range (to avoid mischief and vandals "target shooting" without supervision) needs to be required by the City.

Lastly, please do not allow the Municipal Code to be amended by the City Manager in the decision about where archery is appropriate, nor should Pasadena continue to allow the PRA to operate within City limits without a contract, as has apparently been the case for over 4 years.

Please keep the Lower Arroyo Seco open for visitors as a natural area that is safe for wildlife.

Sincerely,  
Lori L. Paul  
[gaboony@sbcglobal.net](mailto:gaboony@sbcglobal.net)  
626.798.3235  
153 Jaxine Drive  
Altadena, CA 91001

**From:** cityclerk  
**Subject:** FW: Please don't vote to close the Archery Range!

**From:** Becky Thyre [<mailto:beckyscent@gmail.com>]  
**Sent:** Monday, February 02, 2015 9:52 AM  
**To:** Morales, Margo  
**Subject:** Please don't vote to close the Archery Range!

Hi,  
It seems that to contact Ms. McAustin I should email you -- please let me know if I can email her as well. I just found out that the City Council may vote to close the Pasadena Archery Range tonight and I strongly urge Ms. McAustin to vote against closing. The Archery Range is a great asset to our city, it's helpful to preserving the natural environment down by the Arroyo, and should be kept open. I've heard some very troubling details about the reasons for the attempted closure and hope that Ms. McAustin doesn't allow the person pushing for the closure to intimidate her.

Thanks for your consideration,  
Becky Richardson  
999 E. Claremont St.  
Pasadena, CA 91104

**From:** Marsha Rood <marsharood@earthlink.net>  
**Sent:** Monday, February 02, 2015 3:11 PM  
**To:** Jomsky, Mark  
**Cc:** Bogaard, Bill  
**Subject:** Archery in the Arroyo - City Council Meeting 2-2-2015

**Importance:** High

Dear Mayor Bogaard and City Council Members:

Subject: City Council Agenda for February 2, 2015; Item No. 13 - Use of Lower Arroyo Seco by Pasadena Roving Archers

The private use of public space requires strict rules and regulations to better ensure equal access for all users and to promote public safety. Any exclusive control of the Lower Arroyo Seco should not be allowed.

In the case of the use of the Lower Arroyo Seco by the Pasadena Roving Archers (<sup>3</sup>PRA<sup>2</sup>), a fair and safe plan must be established for the use of the Archery Range. The area is a designated nature preserve and should be dedicated primarily to the general public with a priority for recreational uses such as walking, hiking, bird-watching, and contemplation. The Pasadena Police Department has stated that the current situation is dangerous - conflicts between archers and other users of the Arroyo are increasing and disruptive social behaviors have been reported by nearby residents.

In order to address the use of the Lower Arroyo Seco, solutions to be considered include:

1. Archery activities should be limited to weekends, with the western side of the Lower Arroyo available for the general public at all other times;
2. Archery Range conditions must meet rigorous safety standards;
3. Signage and use flags should be upgraded to alert other users when the Archery Range is open for use;
4. Targets must be closed and locked when the Archery Range is closed, and
5. Alternative locations should be considered for archery activity such as the former Police shooting range in Eaton Canyon.

The City Manager should not be authorized to amend the Municipal Code without City Council approval to determine where archery should be.

Respectfully submitted,

Marsha V. Rood, FAICP  
216 S. Madison Avenue, #302  
Pasadena, CA 91101



**From:** Ken Villars <toxophileken@yahoo.com>  
**Sent:** Monday, February 02, 2015 4:22 PM  
**To:** City\_Council; Jomsky, Mark; city\_letters@rovingarchers.com  
**Subject:** Lower Arroyo Archery Range

Dear sirs,

I live over eighty miles away from the Pasadena Archery range, and not only is it one of my favorite archery ranges, it is to my knowledge unique in Southern California in that it is a roving field range, open to the public daily, and without fee. The only other similar range I know of is in Balboa Park in San Diego (and that range asks a fee).

The Pasadena range services archers not only from Pasadena, but from nearby cities, the greater Los Angeles area, and beyond. It is the one range an archer can show up at any time during the day and engage in roving archery, walking from target station to target station and shooting from varied distances. This is quite a distinction from ranges where archers shoot at one station, and from privately owned ranges where archers have to become members and pay dues. The range is also the oldest or one of the oldest in the entire country, if I recall correctly. Archery legends of the past have used the range, including Howard Hill, who did the archery stunts for the Errol Flynn version of Robin Hood (portions of which were filmed in the range).

Club members have tirelessly maintained the range for many years. This shows dedication and community spirit.

Though there are many archers that use and enjoy the range, the numbers are small compared to how many people enjoy walking or running. However, the number of places people may enjoy those activities in the same geographical area are countless. Any modifications to limit or restrict the range will impact many archers negatively, while giving little or no benefit to any walkers or joggers who already use the range area. since walkers and joggers have used the range for years, sharing it with the archers. That being the case, changing or limiting the range wouldn't benefit them, but only hurt the archers. Even if walkers were not allowed to use the range at all (which is not the case), there would be many other places for them to enjoy walking and jogging, while, as mentioned, there is nowhere else for the archers of the Los Angeles area to go that is anything like the Pasadena range.

Any decision that takes away from the archers for the sake of walkers and joggers will truly be a case of **robbing from the poor to give to the rich.**

Please consider that archery ranges are very difficult to locate and maintain, while people may walk or jog in a much wider variety of venues, many many of which are already set aside for such use. Keep the Pasadena range as it is for current day and future archers.

Sincerely,

Ken Villars

[VillarsCustomBows.com](http://VillarsCustomBows.com)

02/02/2015  
Item 13

**From:** Robert Woolway <rwoolway@TrinityCapitalLLC.com>  
**Sent:** Monday, February 02, 2015 1:00 PM  
**To:** Bogaard, Bill; Jomsky, Mark  
**Subject:** Arroyo Archery  
**Attachments:** Dangerous Archery Range Activities.pdf

Bill - please pass along to City Council  
Council members and Mark:

Please see a prior letter attached regarding the archery range in the Arroyo adjacent to our house. I understand there is a council meeting tonight to review the matter. I will unfortunately not be able to attend but I am quite concern about the potential danger and home value diminution this activity represents for the San Rafael owners like me. I hope that the parties can come to a reasonable resolution without being unfair to the nearby property owners. As individual owners and as a group we are eager to see some action to limit (if not eliminate) the archery range hours of use and scope of activity. I look forward to a constructive recap on tonight's meeting.

Thanks for your time.

Bob Woolway

**Robert J. Woolway**  
**Managing Director**  
**Trinity Capital LLC**  
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**Robert and Catherine Woolway  
282 South San Rafael Avenue  
Pasadena, California 91105  
626-568-1017**

February 29, 2012

City Manager Michael Beck  
Mayor Bill Bogaard  
City Attorney Michelle Bagneris  
Council Members: Jacque Robinson, Margaret Mcaustin, Chris Holden, Gene Masuda, Victor Gordo, Steve Madison, Terry Tornek  
Dept of Public Works, Charles Peretz  
Chief, Pasadena Police Department, Phillip Sanchez

City of Pasadena  
100 North Garfield Avenue  
Pasadena, CA 91109

Subject: Dangerous Archery Range Activities

Ladies and Gentlemen:

I am the owner (since 1994) of 282 S. San Rafael Avenue in Pasadena which overlooks the Arroyo right above the archery range. The purpose of this letter is to express my wife's and my extreme concern to the City of Pasadena (the "City") regarding the manner in which the Pasadena Roving Archers (the "Archers") operate.

The Archers engage in activities that have created an extremely dangerous condition on our property and the adjacent residences along the western rim of the Arroyo. Because they literally shoot arrows at targets on our property, it is only a matter of time before an arrow will strike someone. It is self-evident that operating bows and arrows in close proximity to occupied homes creates a serious hazard and risk of injury, or worse yet, death.

It is our understanding that the City has tried to negotiate with the Archers in order to restrict their activities and that the Archers have been unwilling to reasonably compromise. This is not an acceptable situation. Clearly it is time to take action to re-locate the archery or otherwise eliminate the unreasonable danger we and our neighbors are living with. Therefore, we respectfully request that the City take whatever steps possible so that our exposure to such dangers is no higher than any other residential property in the City of Pasadena.

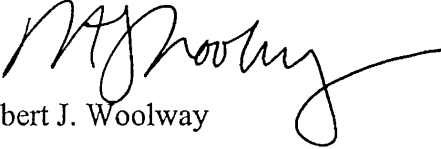
Furthermore, if the range is not re-located, there should be an insurance policy in place carried by the City that specifically covers us for any injury or death and holds us harmless as to any action brought by any person resulting from the Archer's activities on or adjacent to our property.

February 29, 2012

We look forward to a response from the City on the serious concerns expressed above.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Woolway", with a long, sweeping horizontal line extending to the right.

Robert J. Woolway

cc: Catherine Condon Woolway