

DATE: January 22, 2018

TO: RMC Governing Board

FROM: Mark Stanley, Executive Officer

SUBJECT: Item 12: Consideration of a Resolution authorizing a grant of Proposition 1 funds to implement Chapter 452, Statutes of 2017 (Assembly Bill 1558) with matching funds from the Santa Monica Mountains Conservancy as determined through the Agreement between both Conservancies

PROGRAM AREA: All

RECOMMENDATION: That the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy adopt the attached resolution authorizing the RMC to enter into an agreement with the Santa Monica Mountains Conservancy for the implementation of Assembly Bill 1558, introduced by Assemblymember Cristina Garcia- AD 58, also known as the River Ranger Bill (Chapter 452, Statutes of 2017). Entering into this agreement includes providing a grant in the amount of two hundred and fifty thousand dollars (\$250,000) using the RMC's Proposition 1 grant funds. This amount will be matched by a grant from the Santa Monica Mountains Conservancy (SMMC) in the same amount for a total grant of five hundred thousand dollars (\$500,000).

BACKGROUND: The RMC and the SMMC have established an agreement to implement Assembly Bill 1558 (AB 1558), also known as the River Ranger Bill introduced by Assemblymember Cristina Garcia (AD 58) and approved by Governor Brown in 2017. The River Ranger Bill requires extensive coordination between the Conservancies and this agreement will establish how the Conservancies will work together on implementation, planning, design and delivery of the AB 1558 River Ranger Program including funding. The bill requires also requires both Conservancies to collaborate with the Department of Parks and Recreation, the California Conservation Corps, and the State Lands Commission to develop a river ranger program to provide a network of river rangers who assist the public at sites along the entire 51 mile Los Angeles River and its tributaries, as prescribed. The program's design and implementation have a deadline for completion by June 30, 2018. With such a short time frame and to fulfill the intent of this bill, the RMC and SMMC have agreed to enter into an agreement to fund the design and implementation of this program with a \$500,000 grant using Proposition 1 grant funds allocated to each Conservancy.

The grant in the amount of \$500,000 will be split evenly between the two Conservancies for project planning and design of the AB 1558 River Ranger Program in accordance with the Agreement (See Item 11- SMMC & RMC Agreement). This action will allow the RMC to enter into an agreement with the SMMC, including their Joint Powers Authority partner (JPA), the Mountains Recreation and Conservation Authority (MRCA) to issue a Request for Proposals (RFP), to solicit assistance from a consulting firm that will coordinate the development and implementation of the River Ranger Program, in coordination with both Conservancies.

The goals of the River Ranger program are identified in AB 1558 as follows:

1. Establish an identity for the LA River as a place for its communities to enjoy recreational opportunities and learn about the River's history and environmental resources
2. Improve public safety for visitors to the Los Angeles River.

3. Foster collaboration among state and local government entities and other public agencies with jurisdiction over the LA River, and coordinate the work of these entities and public agencies with regard to the development, maintenance, and enhancement of the river and its resources.
4. Protect the parks, open space, and other public spaces adjacent to the Los Angeles River.
5. Engage communities along the Los Angeles River in the protection and preservation of the Los Angeles River and its resources.
6. Promote equal access and equity among all communities along the Los Angeles River with regards to the development and placement of improvements along the River.
7. Monitor the physical conditions, environmental health, and development of green space along the Los Angeles River.
8. Provide a system for coordinating the work of river rangers with programs and services offered by local governments and conservation corps.
9. Incorporate the findings and principles expressed in the “Presidential Memorandum—Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters,” dated January 12, 2017.

The Conservancies are required to submit a copy of the plan to the Assembly Committee on Water, Parks and Wildlife and the Senate Committee on Natural Resources and Water, in compliance with Section 9795 of the Government Code no later than June 30, 2018. With such a short timeline, both Conservancies are working to establishing the agreements and funding necessary to carry out the goals of this legislation. This includes using the Joint Powers Authority JPA for the Santa Monica Mountains Conservancy, the Mountains Recreation and Conservation Authority (MRCA). This grant will allow the RMC to provide \$250,000 of its funding from Proposition 1 to begin this planning process.

The details of the RFP will be done in coordination with input from an Advisory Committee which will include representation from the following:

- San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC)
- Santa Monica Mountains Conservancy (SMMC)
- State of California Department of Parks and Recreation
- LA County Department of Public Works LACDPW)
- Office of Assemblywoman Cristina Garcia (AD 58)
- Office of Speaker Anthony Rendon (AD 63)
- Mountains Recreation and Conservation Authority (MRCA)
- California Conservation Corps (CCC)
- Cities representing the Lower LA River (15 cities)
- Cities representing the Upper LA River (3-4)
- Local Conservation Corps: Long Beach Conservation Corps (LBCC)
- Los Angeles Conservation Corps (LACC)

The RFP will also include an extensive community outreach phase to ensure participation from community members along the entire 51 mile stretch of the LA River. Details of the RFP will be done in coordination with the RMC and SMMC, and in coordination with the Advisory Group indicated above. The Santa Monica Mountains Conservancy (SMMC) approved of a similar action to fund the development of a plan for the design and implementation of the River Ranger Program

(AB 1558) at its Board meeting on December 11, 2017 (SMMC Board Meeting, Item 25, Resolution #17-81).

FISCAL INFORMATION: Should this resolution be approved authorizing a grant of Proposition 1 funds to implement Assembly Bill 1558, also known as the River Ranger Bill proposed by Assemblymember Garcia, AD-58 (Chapter 4521, Statutes of 2017), the fiscal impact to the RMC will be a total of two hundred fifty thousand dollars (\$250,000). This amount will be matched by an additional \$250,000 provided by the Santa Monica Mountains Conservancy, for a total grant of \$500,000.

In 2017, the State of California legislature appropriated Proposition 1 (water bond) Urban Creeks funding to both the RMC and the SMMC totaling one hundred million dollars (\$100,000,000), resulting in fifty million dollars (\$50,000,000) each. A component of the appropriation is a thirteen million dollar (\$13,000,000) set aside for planning and implementation of projects approved jointly by both Conservancies. The proposed grant is to be funded from these joint funds.

Funding for these projects will be allocated from the following sections of Proposition 1, under statute:

79731 (f): San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the sum of thirty million dollars (\$30,000,000) and section 79735 (a) of the funds authorized by Section 79730, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, for projects to protect and enhance an urban creek, as defined in subdivision (e) of Section 7048, and its tributaries pursuant to Division 22.8 (commencing with Section 79508....

LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES: The Rivers and Mountains Conservancy (RMC) statute provides in part that:

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

- (a) To acquire and manage public lands within the Lower Los Angeles River and San Gabriel River watersheds, and to provide open-space, low-impact recreational and educational uses, water conservation, watershed improvement, wildlife and habitat restoration and protection, and watershed improvement within the territory.
- (b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.
- (c) To acquire open-space lands within the territory of the conservancy.

Section 32604: The conservancy shall do all of the following:

- (a) Establish policies and priorities for the conservancy regarding the San Gabriel River and the Lower Los Angeles River, and their watersheds, and conduct any necessary planning activities, in accordance with the purposes set forth in Section 32602.
- (b) Approve conservancy funded projects that advance the policies and priorities set forth in Section 32602.
- (d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Section 32614: The conservancy may do all the following:

- (b) Enter into contracts with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties, and enter into a joint powers agreement with a public agency, in furtherance of the purposes set forth in Section 32602.
- (e) Enter into any other agreement with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties for the purposes set forth in Section 32602.
- (f) Recruit and coordinate volunteers and experts to conduct interpretive and recreational programs and assist with construction projects and the maintenance of parkway facilities.

Further, Section 32614 provides that: The conservancy may do all the following:

- (g) Undertake, within the territory, site improvement projects, regulate public access, and revegetate and otherwise rehabilitate degraded areas, in consultation with any other public agency with appropriate jurisdiction and expertise, in accordance with the purposes set forth in Section 32602. The conservancy may also, within the territory, upgrade deteriorating facilities and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resources protection. The conservancy may undertake those projects by itself or in conjunction with another local agency; however, the conservancy shall provide overall coordination of those projects by setting priorities for the projects and by ensuring a uniform approach to projects. The conservancy may undertake those projects with prior notification to the legislative body of the local agency that has jurisdiction in the area in which the conservancy proposes to undertake that activity.

Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all the following conditions:
 - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
 - (2) The conservancy approves the terms under which the interest in land is acquired.
 - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
 - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
 - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.
 - (6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.

- (c) Any deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to this section shall be recorded and shall set forth the executor interest or right of entry on the part of the state.

Assembly Bill No. 1558

CHAPTER 452

An act relating to rivers.

[Approved by Governor October 3, 2017. Filed with
Secretary of State October 3, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1558, Cristina Garcia. Los Angeles River: river ranger program.

Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and the Santa Monica Mountains Conservancy (the conservancies) and prescribes the membership and functions and duties of the conservancies with regard to the protection, preservation, and development of certain lands along the San Gabriel and Los Angeles Rivers and surrounding areas.

This bill would require the conservancies to collaborate with the Department of Parks and Recreation, the California Conservation Corps, and the State Lands Commission to develop a river ranger program to provide a network of river rangers who assist the public at sites along the Los Angeles River and its tributaries, as prescribed. The bill would require the conservancies, no later than June 30, 2018, to develop a plan for the design and implementation of the program, containing specified components and information, and to provide a copy of the completed plan to certain legislative committees by that date.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares as follows:

(a) Since the 1940s, the County of Los Angeles has managed the Los Angeles River as a concrete flood channel. The communities through which the river passes have had limited contact with or responsibility for the river.

(b) In the last several decades, the Los Angeles River has received greater public attention and support for its restoration and availability as an environmental and recreational resource for the communities through which the river passes, and Congress recently approved a restoration plan for an 11-mile segment of the river near Dodger Stadium in the City of Los Angeles. The Legislature has appropriated funds to pay some of the costs of the Los Angeles River restoration, including an amount of one hundred million dollars (\$100,000,000), which has been authorized under a recently enacted bond measure to benefit the river.

(c) Some communities have parks along the Los Angeles River, and bicyclists traverse the bike paths on the river's levees every day. The City

of South Gate has shifted its policy to direct community attention to the benefits of the Los Angeles River.

(d) The Lower Los Angeles River Working Group is currently developing a plan for revitalizing the river downstream from the City of Los Angeles, and is considering ways to encourage communities to engage with the river and make the river a welcoming place for the communities through which it passes. The working group has also considered the possibility of placing “river rangers,” similar to National Park Service Rangers, to increase public safety and provide resource interpretation services for visitors to the river.

SEC. 2. (a) For purposes of this section, “conservancies” means the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and the Santa Monica Mountains Conservancy.

(b) The conservancies shall collaborate with the Department of Parks and Recreation, the California Conservation Corps, and the State Lands Commission to develop a river ranger program to provide a network of river rangers who provide assistance to the public at sites along the Los Angeles River and its tributaries. The conservancies shall solicit the participation of representatives of local governments that have jurisdiction over segments of the river, including the City of Los Angeles and the County of Los Angeles. The conservancies, in cooperation with the Lower Los Angeles River Working Group, no later than June 30, 2018, shall prepare a plan for the design and implementation of the program, including recommendations regarding ways to finance the establishment and ongoing implementation of the program, and shall ensure that the plan is developed to accomplish all of the following objectives:

(1) Establish an identity for the Los Angeles River as a place for its communities to enjoy recreational opportunities and learn about the river’s history and environmental resources.

(2) Improve public safety for visitors to the Los Angeles River.

(3) Foster collaboration among state and local government entities and other public agencies with jurisdiction over the Los Angeles River, and coordinate the work of these entities and public agencies with regard to the development, maintenance, and enhancement of the river and its resources.

(4) Protect the parks, open space, and other public places adjacent to the Los Angeles River.

(5) Engage communities along the Los Angeles River in the protection and preservation of the Los Angeles River and its resources.

(6) Promote equal access and equity among all communities along the Los Angeles River with regard to the development and placement of improvements along the river.

(7) Monitor the physical conditions, environmental health, and development of green space along the Los Angeles River.

(8) Provide a system for coordinating the work of river rangers with programs and services offered by local governments and conservation corps.

(9) Incorporate the findings and principles expressed in the “Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks,

National Forests, and Other Public Lands and Waters,” dated January 12, 2017.

(c) No later than June 30, 2018, the conservancies shall submit a copy of the plan required to be prepared pursuant to subdivision (b) to the Assembly Committee on Water, Parks, and Wildlife and the Senate Committee on Natural Resources and Water, in compliance with Section 9795 of the Government Code.

(d) This section shall remain in effect only until January 1, 2019, and as of that date is repealed.

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January 22, 2018 – Item 12

RESOLUTION 2018-04

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) AUTHORIZING A GRANT OF PROPOSITION 1 FUNDS TO FUND THE IMPLEMENTATION OF THE RIVER RANGER BILL (AB 1558) WITH MATCHING FUNDS FROM THE SANTA MONICA MOUNTAINS CONSERVANCY AS DETERMINED THOROUGH THE AGREEMENT ESTABLISHED WITH BOTH CONSERVANCIES.

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (“Proposition 1”) and

WHEREAS, the State of California has authorized an expenditure of funds from Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for capital outlay and local assistance multi-benefit grants for ecosystem and watershed protection and restoration projects; and

WHEREAS, The San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and the Santa Monica Mountains Conservancy have been directed to cooperatively develop a River Ranger program; and

WHEREAS, The RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, The proposed project meets an objective of the California Water Action Plan for more reliable water supplies, restoration of important species and habitat, more resilient and sustainably managed water infrastructure; and

WHEREAS, The proposed project meets the goals of reducing greenhouse gas emissions consistent with AB 32; and

WHEREAS, The proposed project is consistent with the San Gabriel and Los Angeles River Watershed and Open Space Plan; and

WHEREAS, The proposed project protects land and water resources; and

This action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

Therefore be it resolved that the RMC hereby:

- 1 FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.

- 2 FINDS that the Proposition 1 RMC Grant Program is consistent with the Water Quality,
- 3 Supply, and Infrastructure Improvement Act of 2014 ("Proposition 1"), which provides
- 4 funds for the RMC grant program.
- 5 FINDS the proposed project meets at least one of the purposes of Proposition 1.
- 6 FINDS the proposed project meets at least one of the three objectives of the California
- 7 Water Action Plan.
- 8 FINDS that the proposed action is consistent with the San Gabriel and Lower San
- 9 Gabriel and Los Angeles River Watershed and Open Space Plan as adopted by the
- Rivers and Mountains Conservancy;
- 10 FINDS that the actions contemplated by this resolution are exempt from the
- environmental impact report requirements of the California Environmental Quality Act.
- ADOPTS the staff report and recommendation dated January 22, 2018.
- AUTHORIZES the Executive Officer to execute a Proposition 1 grant in the amount of
- \$250,000 to fund the design and implementation of the River Ranger program (AB
- 1558) in accordance with the Agreement between both the RMC and the SMMC
- Conservancies.

~ End of Resolution ~

Passed and Adopted by the Board of the
 SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS
 CONSERVANCY on January 22, 2018.

Motion _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

 Frank Colonna, Chair

ATTEST: _____
 David Edsall, Jr.
 Deputy Attorney General