

DATE: November 18, 2019

TO: RMC Governing Board

FROM: Mark Stanley, Executive Officer

SUBJECT: Item 23: Consideration of a resolution approving a grant to the Watershed Conservation Authority for the Vasquez Overlook Acquisition Project (RMC19006)

PROGRAM AREA: Mountains, Hills, and Foothills

PROJECT TYPE: Acquisition/Planning

JURISDICTION: Unincorporated County of Los Angeles

PROJECT MANAGER: Sally Gee

RECOMMENDATION: That the RMC Board approve a grant in the amount of \$1,064,200 to the Watershed Conservation Authority (WCA) for the Vasquez Overlook Acquisition Project (RMC19006).

PROJECT DESCRIPTION:

Exhibit A – Location Map
Exhibit B – Azusa Conservation Lands map

With the passage of the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, the RMC established Proposition 68 grant program guidelines which provided for project applications to be submitted for funding consideration (RMC Resolution 2019-06).

In Spring 2019, staff opened a Call for Projects between April 29, 2019 and July 15, 2019. Under Chapter 8 of Proposition 68, \$30,000,000 is allocated for projects throughout all of RMC territory. Note, projects within the Los Angeles River corridor have a separate RMC urban river funding source.

Projects prioritized for funding recommendations to the Governing Board are subject to multiple factors upon review, including project score and ranking amongst territory-wide submittals, project readiness, and public benefit value. Project proponents are provided the opportunity to receive higher scores based on additional information provided through staff interviews that demonstrate an alignment with RMC goals and objectives, and granting of funds is consistent with RMC programs, which include:

Common Ground, from the Mountains to the Sea - Supports the Watershed and Open Space Plan vision for the San Gabriel and Los Angeles River Watersheds, seeks to restore balance between natural and human systems. Guiding principles: 1) growing greener (create, expand and improve open space and access to open space), 2) enhancing waters and waterways, and 3) coordinate regional planning efforts.

RMC Environmental Justice Policy - To ensure that the public, including minority and low-income populations, are informed of opportunities to participate in the development and implementation of all RMC-related programs, policies and activities, and that they are not discriminated against, treated unfairly, or caused to experience disproportionately high and adverse human health or environmental effects from environmental decisions.

Tribal Consultation - To ensure Indian tribes and tribal communities are able to provide meaningful input into the development of regulations, rules policies, programs, projects, plans, property decisions, and activities that may affect tribal communities; supporting AB52 and CEQA, which require separate consideration of tribal cultural resources from that of paleontological resources.

After review by RMC staff, this grant received a score of 73.3/100 or 73.3% and recommends funding of this acquisition.

Project:	Vasquez Overlook Acquisition	
Applicant:	Watershed Conservation Authority	
Program area:	Mountain, Hills, and Foothills	
Amount requested:	\$1,064,200	
Amount recommended for funding:	\$1,064,200	
RMC PROP 68 REGIONWIDE GRANT PROGRAM - EVALUATION CRITERIA SUMMARY		
Factor	Project Score	Total Possible Points
1. Access Value	8.4	10
2. Urban Land Value	6.5	7
3. Water Sustainability/Water Storage/Water Infrastructure	11.9	13
4. Habitat and Restoration Resource Values	15.5	19
5. Environmental Justice and Disadvantaged Communities	16.6	28
6. Matching Funds	1.7	9
7. Stakeholders/Partners Resource Value	7.7	9
8. Capacity	5	5
TOTAL POINTS	73.3	100

Acquisition of the 39-acre Vasquez Overlook parcel (AIN#: 8684-024-001) protects one of the last remaining undeveloped private holdings along the foothill interface between the San Gabriel Valley and the San Gabriel Mountains National Monument from development, in order to support watershed restoration, community-driven stewardship, and compatible public uses. Transfer of this property to WCA ownership would protect significant natural and scenic resources, and augment an existing cluster of contiguous public conservation lands in the Azusa Foothills that includes: WCA's River Wilderness Park, WCA's Vasquez property, Azusa-RMC Open Space, and City of Pasadena Open Space. Vasquez Overlook and contiguous lands are shown in Exhibit A: Location Map and Exhibit B: Azusa Conservation Lands map.

The requested amount will fund acquisition of Vasquez Overlook (APN#: 8684-024-001) to be completed in early 2020, a biological survey of the parcel completed in spring 2020, a land management plan for both of WCA's Vasquez acquisitions, as well as pre-acquisition activities

for a portion of the adjacent Vasquez Entrance parcel (APN#:8684-024-035), which would secure future access to these public conservation lands. The expected completion date is April 30, 2021.

A willing seller letter, preliminary title report, Phase I Environmental Assessment, and appraisal have been secured. California Department of General Services (DGS) has reviewed and approved the appraisal.

A flat 1-acre portion of the southwestern corner of the acquisition parcel has been planted with avocado trees which are irrigated by municipal water from off site. The sellers will lease this 1-acre portion from WCA for its continued use as an organic orchard.

After completion of the sale of Vasquez Overlook, the seller has expressed interest in selling the portion of the Vasquez Entrance parcel (8684-024-035) on which the gate to the access road is situated. Acquisition of the Vasquez Entrance parcel would require first conducting a survey and creating a legal description. These pre-acquisition activities are included in the project scope.

The Vasquez Overlook Acquisition Project is consistent with RMC grant program guidelines for both Proposition 1 and Proposition 68 for its goals to improve water quality and supply, protect and restore habitat, and increase public recreation access

BACKGROUND: Vasquez lands are situated in the San Gabriel Mountain foothills in unincorporated Los Angeles County above the city of Azusa. Vasquez lands contribute to the scenic quality of the entrance to San Gabriel Canyon along State Route 39. In 2016, when the WCA acquired the parcel (AIN#: 8684-024-036 / 8684-024-907) through the San Gabriel Mountains Regional Conservancy (SGMRC), the Vasquez family and RMC began discussing the purchase of additional Vasquez lands by WCA for conservation.

The Vasquez Overlook parcel's significance as a regional biological resource has been acknowledged in local and regional plans:

- This parcel is fully within the Glendora Ridge Biological Resource Area recommended as a city nature preserve in the City of Azusa's Open Space Element (5-16) and Azusa General Plan (OS-1)
- The ridgeline and north-facing slopes of Vasquez Overlook is situated in the San Gabriel Canyon Significant Ecological Area (SEA) designated by Los Angeles County. SEA resources that would be protected by public acquisition of Vasquez Overlook include coastal sage scrub (one of the most threatened ecosystems in California), and foothill canyons which are "some of the best developed riparian habitat for (migratory birds)."
- San Gabriel Mountains and Foothills Open Space Acquisition Master Plan, funded by RMC17019, calls out Vasquez Overlook parcel as a priority for conservation.

An unpaved road known as Glendora Ridge Motorway curves over the parcel. This road is used by LA County Flood, LA County Fire, and Azusa Water and Power, and has potential for use as a public trail. Accessible grades, a variety of ecotones, and attainable overlooks suggest that Vasquez Overlook is well positioned for stewardship building and nature programming. Vasquez Overlook's scenic views are opportunities for shade/rest structures and interpretive elements on the topics of San Gabriel River Canyon, or the interconnectedness of habitat, water quality, and sustainable agriculture.

FISCAL INFORMATION: This grant awards to the Watershed Conservation Authority a total amount of \$1,064,200 in grant funds for the Vasquez Overlook Acquisition Project (RMC19006).

This will fund Grant Administration and Project Management, Property Acquisition, development of a Land Management Plan, Pre-acquisition Activities for 035, and Indirect Costs. Any unexpended funds will be returned.

Funding for this project allocated from the following:

Proposition 1, Chapter 188, Statutes of 2014

Water Quality, Supply, and Infrastructure Improvement Act of 2014 allocations, Chapter 6 under statute:

79731 (f): San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the sum of thirty million dollars (\$30,000,000).

Proposition 68, Chapter 852 Statues of 2017

California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 allocations, Chapter 8, under statute:

80110(b)(6): San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, thirty million dollars (\$30,000,000).

LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES:

Public Resources Code Division 22.8 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 of the following:

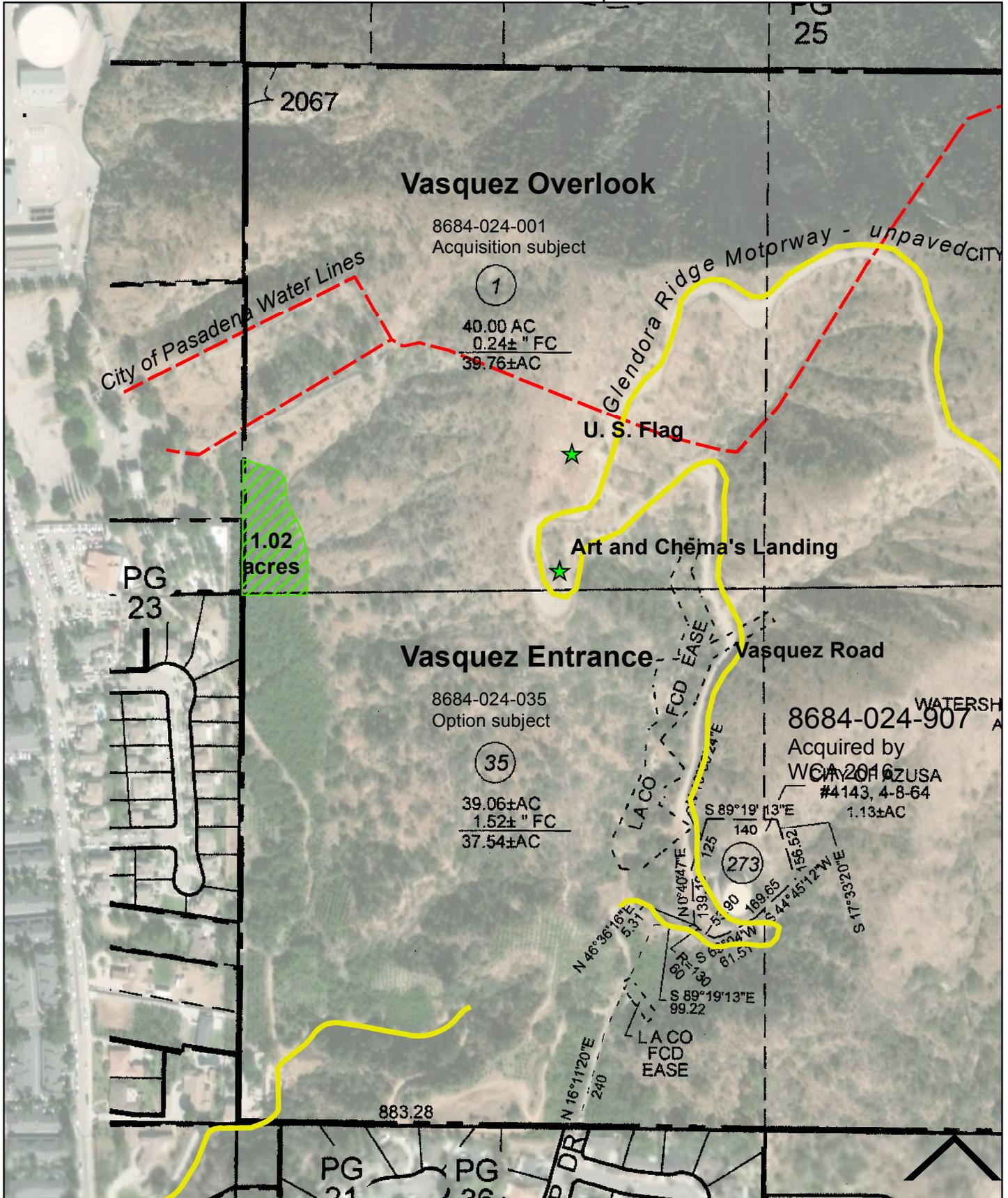
- (b) Enter into contracts with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties, and enter into a joint powers agreement with a public agency, in furtherance of the purposes set forth in Section 32602.
- (e) Enter into any other agreement with 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 of 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 projection. 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 of 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.

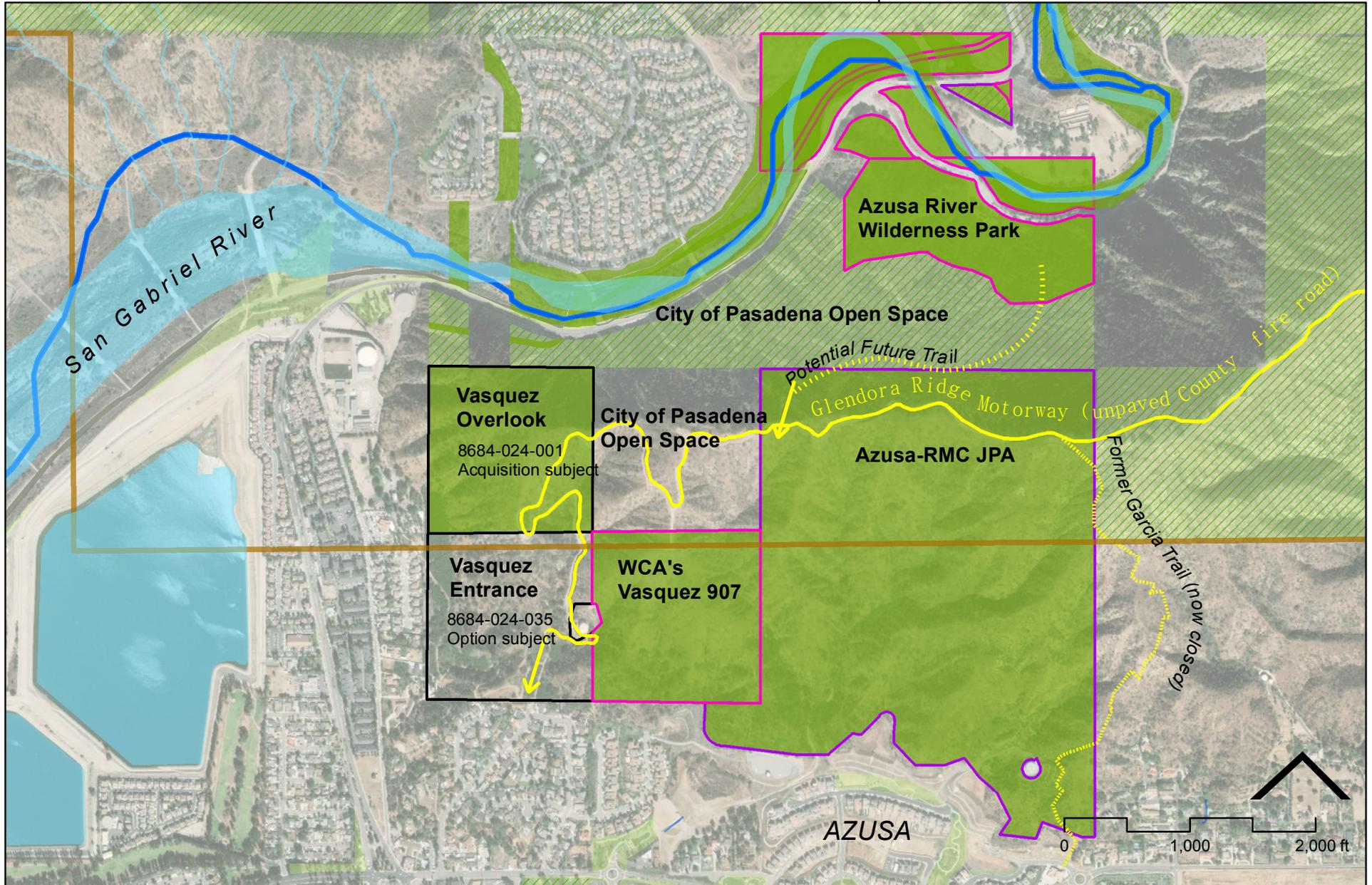


Vasquez Overlook

8684-024-001

Lease area based on drawings from past conversations between WCA and Vasquez family.

 Agriculture- organic



Vasquez Overlook and public conservation lands

Transfer of Vasquez Overlook into public ownership will augment a series of public land holdings in the Azusa foothills which are part of a multi-jurisdictional vision to preserve the biological and hydrological assets of foothills lands while focusing public use on areas where such use is may be the most manageable, rewarding, and sustainable.

- San Gabriel Mountains National Monument
- Protected lands USGS GAP_Status (management intent to protect biodiversity)**
- 1 - permanent protection
- 2 - managed for biodiversity
- 3 - managed for multiple uses
- 4 - no mandate for protection
- LA County Parks and Open Space

November 18, 2019 – Item 23

RESOLUTION 2019-45

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING A PROPOSITION 68 GRANT TO THE WATERSHED CONSERVATION AUTHORITY FOR THE VASQUEZ OVERLOOK ACQUISITION PROJECT (RMC19006)

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 people of the State of California have enacted the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (“Proposition 68”); and

WHEREAS, the State of California has authorized an expenditure of funds from Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 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 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

WHEREAS, The grantee has requested a grant from Proposition 68, Chapter 7, Section 80100(a)(1)(B) or Chapter 8, Section 80110(b)(6) of the Water Code; and

WHEREAS, 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, Supply, and Infrastructure Improvement Act of 2014 ("Proposition 1"), which provides funds for the RMC grant program.
- 3 FINDS that the proposed project meets at least one of the purposes of Proposition 1.
- 4 FINDS that the Proposition 68 RMC Grant Program is consistent with the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 ("Proposition 68"), which provides funds for the RMC grant program.
- 5 FINDS the proposed project meets at least one of the purposes of Proposition 68.
- 6 FINDS the proposed project meets at least one of the three objectives of the California Water Action Plan.
- 7 FINDS that the proposed action is consistent with the San Gabriel and Lower San Gabriel and Los Angeles River Watershed and Open Space Plan as adopted by the Rivers and Mountains Conservancy;
- 8 FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
- 9 ADOPTS the staff report dated November 18, 2019.
- 10 AUTHORIZES a grant of in the amount of \$1,064,200 to the Watershed Conservation Authority for Vasquez Overlook Acquisition Project (RMC19006).

~ End of Resolution ~

Resolution No. 2019-45

Passed and Adopted by the Board of the
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS
CONSERVANCY on November 18, 2019.

Motion _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

Frank Colonna, Chair

ATTEST: _____
David Edsall, Jr.
Deputy Attorney General