

DATE: November 18, 2019

TO: RMC Governing Board

FROM: Mark Stanley, Executive Officer

SUBJECT: Item 9: Consideration of a resolution approving a grant amendment to the Watershed Conservation Authority for the River Wilderness Park Entry Improvements Project (RMC14001)

PROGRAM AREA: Rivers and Tributaries

PROJECT TYPE: Development

JURISDICTION: County of Los Angeles

PROJECT MANAGER: Joseph Gonzalez

RECOMMENDATION: That the RMC authorizes an amendment for the River Wilderness Entry Improvements Project to the Watershed Conservation Authority (RMC14001).

PROJECT DESCRIPTION:

Exhibit A – WCA Amendment Request Letter, dated 8/12/19
 Exhibit B – Tasklist/Timeline
 Exhibit C – Budget
 Exhibit D – Vicinity Map
 Exhibit E – RWP Entry Improvements Conceptual Plan

Watershed Conservation Authority is requesting an amendment for the River Wilderness Park Entry Improvements Project (RMC14001), extending the project through Dec 31, 2021 and updating the budget to allow for indirect costs. See Exhibit A: WCA Amendment Request Letter, dated 8/12/19.

This time extension is being requested as the result of delays due to complexity of entitlements and the funding necessity to implement the project is in multiple, separate steps. Coordination is on-going with the City of Azusa, Caltrans, Southern California Edison, Azusa Light and Water, and LA County Public Works to deliver separate Construction Document (CD) packages for permitting to implement the stepped construction strategy. An updated timeline is available as Exhibit B.

The budget update is necessary to include an indirect task line item and will result in no net effect on the final deliverable nor quality of the final design and deliverables. Indirect costs will be partially covered by contingency, and partially covered by reduction of less than 2 % of the Construction Documents / Design Consultants line item. An updated budget is available as Exhibit C.

BACKGROUND: The River Wilderness Park is located along the San Gabriel River (SGR) at the gateway to the San Gabriel Mountains National Monument. (See Exhibit D: Vicinity Map). This grant funds the preparation of construction documents necessary to

obtain permits and construct the park entry features to fulfill the RWP Master Plan vision to restore the natural character of the site and to integrate sustainable features, watershed management and best management practices. The RWP entry improvements includes the development of bio-swales, funded through a Prop 1 RMC grant which supports increased water quality and natural hydrological function. Other park elements include native plants, walking paths, river overlooks, a children's nature-based play area, restrooms, picnic areas, open air pavilion and trail connection and terminus for the SGR regional trail (See Exhibit E: RWP Entry Improvements Conceptual Plan).

The original grant to the WCA was awarded March 24, 2014 in the amount of \$455,998 to complete construction documents for the River Wilderness Park Entry, also known as the Canyon Inn Property which was acquired by the WCA in 2008. WCA received a grant increase of \$74,956 at the July 2018 Board meeting to a total not to exceed grant amount of \$530,954 to implement a staged construction strategy.

To date, \$2,828,251 has been secured by WCA of the estimated cost of \$6,495,000 to complete all elements of this project. Staff continues to pursue other grant opportunities and will apply to those for which the project can be competitive.

Summary update of Milestones completed to date include:

Construction Funding

- Secured \$299,862.00 River Parkway Grant (2016) to construct overlook and trail improvements
- Secured \$997,000.24 LA County Prop A Grant (2014) to Construct children's adventure play area and pavilion
- Secured \$1,000,000 RMC Prop 1 Award (2017) for arroyos development
- Secured \$211,380 California Conservation Corps ATP funds to support trail development and implementation of pedestrian amenities
- Pending \$1,995,000 RMC Prop 68 (2019) for road re-alignment, restrooms, park utility work, park paths/courtyards, and other site amenities.

Construction Documents

- Set 60% complete; in progress to 90% to submit to permit agencies.

FISCAL INFORMATION: The total project cost for the River Wilderness Park Entry Improvements Project (RMC14001) is \$530,954. This amendment does not increase the overall grant amount but allows for indirect costs that will be partially covered by contingency, and partially covered by reduction of less than 2 % of the Construction Documents / Design Consultants line item. The realignment of budget lines is no more than 10% of any one line-item and net zero in total.

Funding for this project was allocated from the following:

Public Resources Code Division 43

Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) allocations, Chapters 5 and 7 under statutes:

75050. The sum of nine hundred twenty eight million dollars (\$928,000,000) shall be available for the protection and restoration of rivers, lakes and streams, their

watersheds and associated land, water, and other natural resources in accordance with the following schedule:... (g) The sum of seventy two million dollars (\$72,000,000) shall be available for projects within the watersheds of the Los Angeles and San Gabriel Rivers according to the following schedule:

- (1) \$36,000,000 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy pursuant to Division 22.8 (commencing with Section 32600).....

75060. The sum of five hundred forty million dollars (\$540,000,000) shall be available for the protection of beaches, bays and coastal waters and watersheds, including projects to prevent contamination and degradation of coastal waters and watersheds, projects to protect and restore the natural habitat values of coastal waters and lands, and projects and expenditures to promote access to and enjoyment of the coastal resources of the state, in accordance with the following schedule:

- (3) To the Rivers and Mountains Conservancy\$15,000,000

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).

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 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 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.

This is an amendment to Resolution 2014-04 adopted by the RMC Board on March 24, 2014, Resolution 2017-12 adopted by the RMC Board on June 26, 2017, Resolution 2018-16 by the RMC Board on July 9, 2018, and Resolution 2018-20 by the RMC Board on October 15, 2018.



August 12, 2019

Mark Stanley, Executive Officer
Rivers and Mountains Conservancy
100 N. Old San Gabriel Canyon Rd.
Azusa, CA 91702

Re: Request to Amend RMC14001, River Wilderness Entry Project

GOVERNING BOARD

Herlinda Chico,
Chair
Designee for Janice Hahn
Los Angeles County Board of
Supervisors, 4th District

Sandra Maravilla
Vice Chair
Designee for Kathryn Barger
Los Angeles County Board of
Supervisors, 5th District

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Karly Katona
Designee for Mark Ridley-
Thomas
Los Angeles County Board of
Supervisors, 2nd District

Dan Arrighi,
Rivers and Mountains
Conservancy

Roberto Uranga
Rivers and Mountains
Conservancy

Jorge Morales
Rivers and Mountains
Conservancy

EX OFFICIO MEMBER
Carolina Hernandez
Designee for Mark Pestrella,
Director
Los Angeles County
Department of Public Works

EXECUTIVE OFFICER
Mark Stanley

Dear Mr. Stanley:

The Watershed Conservation Authority (WCA) is respectfully requesting an extension through Dec 31, 2021 and budget update for the RMC grant for the River Wilderness Park Entry Improvements Project (RMC14001).

Please find attached for your review and approval an amended project schedule/timeline and budget (Exhibits A & B). This time extension is being requested as the result of delays due to complexity of entitlements and the funding necessity to implement the project in multiple separate steps. Coordination is on-going with the City of Azusa, Caltrans, Southern California Edison, Azusa Light and Water, and LA County Public Works to deliver separate Construction Document (CD) packages for permitting to implement the stepped construction strategy.

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Thank you for your consideration, if you have any questions, please contact the WCA project manager, Jeremy Munns at jmunns@wca.ca.gov or at (626) 815-1019 ext. 114.

Sincerely,

Herlinda Chico
Governing Board Chair

Enclosures: Updated Exhibit A (Tasklist/Timeline) and Exhibit B (Updated Budget)

HC:jm

RECEIVED

AUG 14 2019

RIVERS & MOUNTAINS
CONSERVANCY

EXHIBIT B

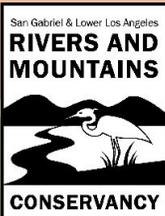
Tasklist / Timeline

	2014	2015	2016	2017	2018	Q1 2019	Q2 2019	Q3 2019	Q4 2019	Q1 2020	Q2 2020	Q3 2020	Q4 2020	Q1 2021	Q2 2021	Q3 2021	Q4 2021
Task 1 - Project Management/Grant Management	[Blue shaded bar]																
Task 2 - Conceptual Design and Site Analysis	[Blue shaded bar]																
Task 3 - Design Development to 30% CDs	[Blue shaded bar]																
Task 4 - 60%, 90%, & 100% Construction Documents	[Blue shaded bar]																
Task 5 - Permitting & Entitlements	[Blue shaded bar]																
Task 6 - Environmental Analysis / Filing for CEQA	[Blue shaded bar]																
Close Out Grant	[Blue shaded bar]																

EXHIBIT C

Updated Budget

Work Plan Tasks	Current Budget	Updated Budget	% Change
PM / RFP Development / Design Reviews / Grant	\$ 60,000.00	\$ 60,000.00	
Construction Documents / Design Consultants	\$ 459,467.00	\$ 450,302.00	1.99%
Contingency	\$ 11,487.00	\$ -	
Indirect	\$ -	\$ 20,652.00	
TOTAL	\$ 530,954.00	\$ 530,954.00	



San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy Territory





RIVER WILDERNESS PARK ENTRY IMPROVEMENTS

November 18, 2019 – Item 9

RESOLUTION 2019-31

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES
RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING A
GRANT AMENDMENT TO THE WATERSHED CONSERVATION
AUTHORITY FOR THE RIVER WILDERNESS PARK ENTRY
IMPROVEMENTS PROJECT (RMC 14001)

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 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), which provides funds for the RMC grant program; 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 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 Applicant has submitted a project which is consistent with the purposes of Division 22.8 of the Public Resources Code and the Bond Act; 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 1, Section 79731 (f) and Section 79735 (a) 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 grant is consistent with the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, which provides funds for the RMC grant program.
- 3 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
- 4 FINDS the proposed project meets at least one of the purposes of Proposition 1.
- 5 FINDS the proposed project meets at least one of the three objectives of the California Water Action Plan.
- 6 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;
- 7 FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
- 8 ADOPTS the staff report dated November 18, 2019.
- 9 APPROVES a grant amendment to the Watershed Conservation Authority for the River Wilderness Park Entry Improvements Project (RMC 14001).

~ End of Resolution ~

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
Deputy Attorney General