

DATE: April 6, 2020
TO: RMC Governing Board
FROM: Mark Stanley, Executive Officer
SUBJECT: Item 11: Consideration of a resolution authorizing a grant amendment to the Watershed Conservation Authority for the San Gabriel Mountains and Foothills Acquisition Master Plan (RMC 17019)

PROGRAM AREA: Mountains and Foothills

PROJECT TYPE: Acquisition/Planning

JURISDICTION: City Azusa

PROJECT MANAGER: Joseph Gonzalez

RECOMMENDATION: That the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Governing Board authorize a grant budget and timeline amendment to the Watershed Conservation Authority (WCA) for the San Gabriel Mountains Foothills Acquisition Master Plan (RMC 17019)

PROJECT DESCRIPTION:

Exhibit A – Task list/Timeline
 Exhibit B – Budget
 Exhibit C – San Gabriel Foothills – parcels of interest map
 Exhibit D – WCA Amendment Request

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). Under Chapter 8 of Proposition 68, \$30,000,000 is allocated for projects throughout all of the RMC territory.

RMC Board in September 2017 approved \$250,000 in funding to the WCA for the San Gabriel Mountains Foothills Acquisition Master Plan (RMC Resolution 2017-16) in Proposition 84 Bond funds. WCA has expended \$58,422.03 in planning and research activity. The balance of \$191,577.97 is proposed to be funded through Proposition 68 Bond funds. To ensure project adheres to RMC's Proposition 68 grant program criteria, the project has been reevaluated to assure compliance and is proposed to receive an extension of the grant period until April 30, 2021.

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 80 out of a total 100 points or 80% and staff recommends funding of this project.

Project:	San Gabriel Mountains and Foothills Acquisition Master Plan	
Applicant:	Watershed Conservation Authority (WCA)	
Program area:	Urban Lands	
Amount requested:	\$250,000	
Amount recommended for funding:	\$250,000	
RMC PROP 68 REGIONWIDE GRANT PROGRAM - EVALUATION CRITERIA SUMMARY		
Factor	Project Score	Total Possible Points
1. Access Value	10	10
2. Urban Land Value	6	7
3. Water Sustainability/Water Storage/Water Infrastructure	9	13
4. Habitat and Restoration Resource Values	19	19
5. Environmental Justice and Disadvantaged Communities	17	28
6. Matching Funds	5	9
7. Stakeholders/Partners Resource Value	9	9
8. Capacity	5	5
TOTAL POINTS	80	100

The WCA is requesting to extend the grant performance period for the San Gabriel Mountains Foothills Open Space Acquisition Master Plan (RMC 17019) by ten-months from the current performance period end date of June 30, 2020 to April 30, 2021, within the remaining budget. This extension will enable WCA to augment the Initial Study by Trust for Public Land with additional studies and community input to inform the prioritization of acquisition opportunities that meet the shared goals and objectives of the RMC, WCA and community.

These additional studies include but are not limited to:

1. Augmenting property inventory data from The Trust For Public Lands with newly identified properties of significant conservation and connectivity potential
2. Applying Psomas' Regional Biological Opportunities study, currently underway as a scientific lens perspective when evaluating the prioritization of acquisitions
3. Expanding an initial study on Human Factors to further capture local and regional influences related to local conservation decision-making and community support building. The initial study on Human Factors by Dr. Lee-Anne Milburn includes interviews with local municipalities and conservancies, and highlights commonalities, past challenges, and potential conflicts, and makes recommendations for stakeholder engagement next steps.
4. Engage regional specialists and academic scientists as stakeholders to increase the scientific rigor of the plan's findings

The requested time extension will allow WCA to coordinate and cultivate expert and community feedback on the Regional Biological Opportunities and Human Factors studies through meetings, presentations, and/or roundtables. WCA will hire the professional services of consultants to incorporate the above feedback into the final Master Plan report, which will include visualizations as well as the resulting recommended priority parcels.

BACKGROUND: The San Gabriel Mountains Foothills Open Space Acquisition Master Plan will become a valuable resource to both the WCA and RMC in protecting our foothills, improving watershed health, increasing public access to open space and trails, and forming effective partnerships to protect these opportunities. The requested additional time will ensure rigor in evaluating future land donations, and in actively shaping opportunities where WCA may best exercise its role in watershed restoration, community-driven stewardship, and public access for compatible passive recreational uses.

WCA currently holds over 500 acres of conservation lands, most of which have been acquired through donation or transfer through other conservation entities. WCA continues to be contacted by willing sellers of additional undeveloped foothills lands. At the same time conflicts arising over expectations about the maintenance of conservation lands have challenged public entities that own conservation lands. In light of these conflicts, clarifying regional priorities for acquisition and building partnerships to support acquisition and eventual maintenance obligations are of critical importance.

The additional work that can be accomplished under the requested time extension will enable regional partners to explore strategies for conservation that best leverage limited resources, and to focus public resources on open space acquisitions that have the highest value for the region.

FISCAL INFORMATION: This amendment will not increase the overall grant amount but extends the performance period through April 30, 2021. The total project cost for the San Gabriel Mountains Foothills Open Space Acquisition Master Plan (RMC 17019) is \$250,000. This grant was initially authorized from Proposition 84 funds by the RMC on September 25, 2017 in the amount of \$250,000 to the WCA under Resolution 2017-16. Additional RMC funding sources following this resolution will include Proposition 68 funding.

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 statues:

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 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 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.

RMC Resolution 2017-16 authorized a grant of Proposition 84 funds in the amount of \$250,000 to the Watershed Conservation Authority for Foothill Acquisition Master Plan Project on September 25, 2017. A 9-month timeline extension was administratively approved in September 2019.

Exhibit A Task List / Delivery Schedule

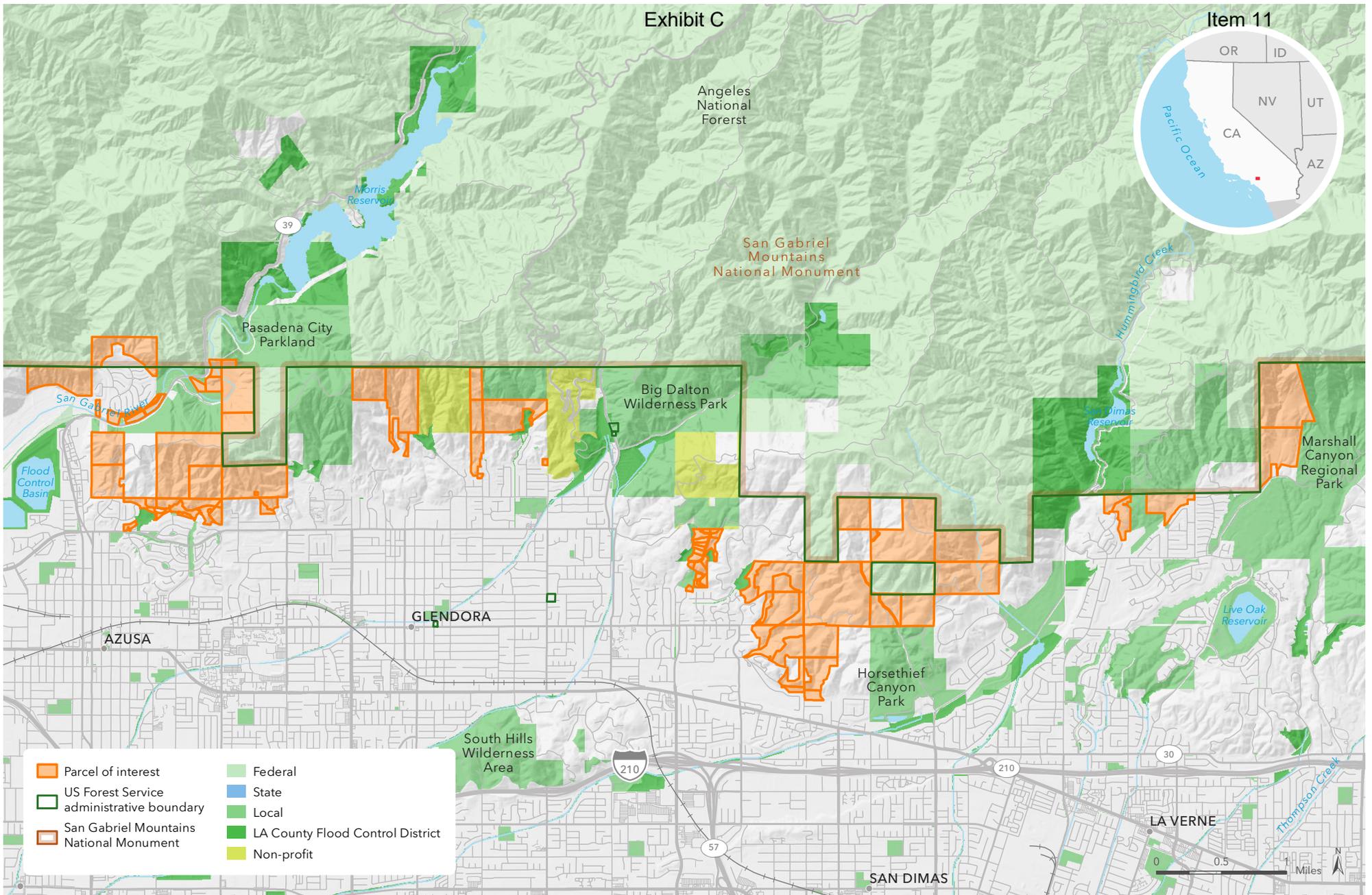
RMC17019 San Gabriel Mountains Foothills Open Space Acquisition Master Plan
(March 2020)

TASKS	2019												2020												2021				
	1			2			3			4			1			2			3			4			1		2		
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M
0 WCA: PM and Grant Admin																													
Project Management	█												█												█				
1 Master Plan Content																													
Initial Study - <i>Trust for Public Land</i>	█																												
Regional Bio Opps Initial Study - <i>Psomas</i>													█																
Reg Bio Opps Stakeholder feedback													█																
Reg Bio Opps groundtruthing													█												█				
Reg Bio Opps Final Report- <i>Consultant TBD</i>													█												█				
Human Factors Initial Study - <i>Lee-Anne Milburn</i>													█																
Human Factors Stakeholder feedback													█																
Human Factors Final Report - <i>Consultant TBD</i>													█												█				
Supplemental Content - <i>WCA</i>	█												█												█				
2 Limited Acquisition Implementation																													
Acquisition Implementation	█												█												█				

Grant re-opened | Completion April 30, 2021

Exhibit B
Tasks and Budget
RMC17019 San Gabriel Mountains & Foothills Acquisition Master Plan

Work Plan Tasks	Original Budget Nov 15, 2017	Amended Budget Dec 20, 2019	Amendment Request Feb 20, 2020	% Change
PM and Grand Admin	\$ 50,000	\$ 52,000	\$ 52,000	0%
Project Management	\$ 50,000	\$ 52,000	\$ 52,000	
Master Plan Report	\$ 125,000	\$ 112,000	\$ 112,000	0%
Initial Study	\$ 84,000	\$ 84,000	\$ 17,000	
Supplemental Content	\$ 41,000	\$ 3,000	\$ 5,000	
Regional Biological Opportunities- Initial Study, Stakeholder feedback, Groundtruthing, Final Report		\$ 20,000	\$ 50,000	
Human Factors - Initial Study, Stakeholder feedback, Final Report		\$ 5,000	\$ 40,000	
Limited Acquisition Implementation	\$ 75,000	\$ 67,200	\$ 67,200	0%
Indirect		\$ 18,800	\$ 18,800	
TOTAL	\$ 250,000	\$ 250,000	\$ 250,000	



San Gabriel Foothills - East

LOS ANGELES COUNTY, CALIFORNIA

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February 24, 2020

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

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Designee for Mark Pestrella,
 Director
 Los Angeles County
 Department of Public Works

EXECUTIVE OFFICER

Mark Stanley

RE: Request to amend RMC17019, the San Gabriel Mountains Foothills Open Space Acquisition Master Plan

Dear Mr. Stanley,

The Watershed Conservation Authority respectfully requests an amendment to RMC17019, the San Gabriel Mountains Foothills Open Space Acquisition Master Plan, to extend the grant performance period by ten-months through April 30, 2021.

During this time, the plan will be augmented with additional special studies and community input to inform the prioritization of acquisition opportunities that meet the shared goals and objectives of the RMC, WCA and community. These activities include but are not limited to:

1. Augment property inventory data from The Trust For Public Lands with newly identified properties of significant conservation and connectively potential
2. Apply, in progress, Psomas led Regional Biological Opportunities study, as a scientific lens perspective when evaluating the prioritization of acquisitions
3. Expand the human factors study to further capture local and regional influences related to local conservation decision-making and community support building. The draft report captures interviews with local municipalities and conservancies that highlights commonalities, past challenges, potential conflicts, and makes recommendations for community engagement next steps.
4. Engage regional specialists and academic scientists as stakeholders to increase the scientific rigor of the plans findings

The requested time extension will allow WCA to further coordinate and cultivate expert and community feedback through meetings, presentations, and/or roundtables, and for consultants to incorporate their feedback into the plan's final recommendations. WCA will hire the professional services of a consultant to incorporate the above deliverables, create visualizations, and compile the final study report and resulting priority parcels.

As WCA continues to be contacted by willing sellers of undeveloped foothills lands, clarifying regional priorities for acquisition and building partnerships to

this end are of critical importance. The additional work that can be accomplished if the requested time extension is granted will enable regional partners to explore strategies for conservation that best leverage limited resources, and to focus public resources on open space acquisitions that have the highest value for the region.

The San Gabriel Mountains Foothills Open Space Acquisition Master Plan will become a valuable resource to both the WCA and RMC in protecting our foothills, improving watershed health, increasing public access to open space and trails, and forming effective partnerships to protect these opportunities. The requested additional time will ensure rigor in evaluating future land donations, and in actively shaping opportunities where WCA may best exercise its role in watershed restoration, community-driven stewardship, and public access for compatible passive recreational uses.

The WCA thanks you in advance for your consideration of our request. If you have questions or concerns please contact Jane Tsong, project manager, at jtsong@wca.ca.gov or 626-815-1019 ext. 103.

Sincerely,

A handwritten signature in black ink, appearing to read 'Herlinda Chico', with a long horizontal flourish extending to the right.

Herlinda Chico
Governing Board Chair

Enclosures:

Exhibit A: Task List/Delivery Schedule
Exhibit B: Tasks and Budget

HC:ljt

April 6, 2020 – Item 11

RESOLUTION 2020-13

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING A GRANT BUDGET AND TIMELINE AMENDMENT TO THE WATERSHED CONSERVATION AUTHORITY FOR THE SAN GABRIEL MOUNTAINS AND FOOTHILLS ACQUISITION MASTER PLAN (RMC17019)

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 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 84, Chapter 5 and 7, Section 75050(g)(1) or Chapter 8, Section 75060(3) of Division 43 of Public Resource Code; 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 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 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.
- 4 FINDS the proposed project meets at least one of the purposes of Proposition 68.
- 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 April 6, 2020.
- 9 AUTHORIZES a grant budget and timeline amendment to the Watershed Conservation Authority to add Proposition 68 as a funding source and extend the project timeline to April 30, 2021 for the San Gabriel Mountains and Foothills Acquisition Master Plan (RMC 17019).

~ End of Resolution ~

Passed and Adopted by the Board of the
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS
CONSERVANCY on April 6, 2020.

Motion _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

Frank Colonna, Chair

ATTEST: _____
David Edsall, Jr.
Deputy Attorney General