

**DATE:** May 18, 2020

**TO:** RMC Governing Board

**FROM:** Mark Stanley, Executive Officer

**SUBJECT:** Item 10: Consideration of a resolution approving a grant amendment to the Watershed Conservation Authority for the San Gabriel River Confluence with Cattle Canyon Improvements Project (RMC 9105)

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**PROGRAM AREA:** All

**PROJECT TYPE:** Planning

**JURISDICTION:** Unincorporated County of Los Angeles

**PROJECT MANAGER:** Joseph Gonzalez

**RECOMMENDATION:** That the RMC Board approve a grant extension to the Watershed Conservation Authority (WCA) for the San Gabriel River Confluence with the Cattle Canyon Improvements Project (RMC 09105), approving a 14-month performance period extension through April 30, 2021.

**PROJECT DESCRIPTION:**

- Exhibit A: Certified NOD,
- Exhibit B: East Fork Project Concept Plan,
- Exhibit C: WCA Funding Request Letter – February 24, 2020,
- Exhibit D: WCA – Budget Summary

WCA continues to advance the San Gabriel River Confluence with Cattle Canyon Improvements Projects (East Fork Project) through various efforts. Such as their continuation with final design phase of site amenities along the East Fork San Gabriel River (EFSGR), around the Oaks Picnic Area. In related planning with US Forest Service (USFS), WCA continues to pursue San Gabriel Canyon Improvements, which includes the EFSGR area, West Fork, and North Fork, with other improvement planning and projects. Additionally, WCA is looking to extend their Master Participatory Agreement at least another year to continue collaborative work with the Forest Service in the San Gabriel Canyon region.

In order to implement the East Fork Projects, WCA is having to mitigate for the outcome of the CEQA document and seeking to resolve on-going litigation. WCA is requesting a grant extension to continue defending the San Gabriel River Confluence with Cattle Canyon Improvements Project's certification (October 25, 2018) of the California Environmental Quality Act (CEQA) Environmental Impact Report (EIR), which identifies five sustainable recreational model projects along a 2.5-mile reach of the East Fork San Gabriel River (EFSGR) in the Angeles National Forest and San Gabriel Mountains National Monument.

On November 28, 2018, petitioner Save Our Access – San Gabriel Mountains filed a lawsuit in Los Angeles Superior Court against WCA challenging the WCA's certification of the Project's EIR. (*Save Our Access - San Gabriel Mountains v. WCA*, Los Angeles County Superior Court Case

No. 18STCP02984). A mandatory settlement meeting was held on January 22, 2019 at WCA's offices in Azusa, though no settlement was reached.

On November 14, 2019, the Superior Court entered judgment in favor of the petitioner relating to one of four issues and thereafter issued a writ of mandate directing WCA to take further action to re-assess its parking baseline number used in the EIR. On January 6, 2020, the petitioner filed a notice of appeal. On January 13, 2020, WCA filed a notice of cross-appeal. The appeals are pending, but no party has filed any briefs yet.

On January 13, 2020, the petitioner filed a motion for attorney's fees in superior court. A hearing on the motion has been scheduled for July 29, 2020 at Stanley Mosk Courthouse (partially delayed due to COVID-19 pandemic). The WCA will provide RMC updates as they are received.

This time extension allows WCA to continue defense of the Project. A better timeline as well as cost associated with the court case will be understood in Fall 2020, or after conclusion of the appeals, whichever occurs last.

**BACKGROUND:** The San Gabriel River Confluence with the Cattle Canyon Improvements Project proposes to better manage the recreation use and balance the needs for resource protection. To implement the project, the WCA partnered with the U.S. Forest Service through a cooperative agreement. This cooperative agreement will develop a project that promotes sustainable recreation and active uses in the ANF. The future desired condition to be advanced by the proposed project includes developing environmentally sustainable recreation opportunities to meet the needs of a growing urban and culturally diverse population, particularly for day use.

The project seeks the following goals and objectives:

- Provide recreation facilities and infrastructure that are high quality, well-maintained, safe, accessible and consistent with visitors' expectations.
- Shift and concentrate recreational use to certain areas in order to minimize adverse effects over a broader area.
- Promote stewardship of public land by providing quality and sustainable recreation opportunities that result in increased visitor satisfaction.
- Allow for better management of the recreation resources on the Forest.
- Improve riparian habitat conditions in certain areas and make progress toward enhancing stream habitat conditions by restoring vegetation, minimizing invasive plants and noxious weed presence, and developing management strategies to regulate access.

During the summers of 2013 and 2014, an outreach program focusing on the prevention of specific harmful recreational behaviors was conducted. The outreach program informed the completion of a planning study and a Final Concept Site Plan for which environmental assessments in compliance with California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), the Endangered Species Act, and other applicable laws has been completed.

During the environmental analysis process WCA and ANF staff evaluated the proposed actions contained within the Final Concept Plan, identifying potentially significant impacts to the federally threatened Santa Ana Sucker, subsequently the project may be shifting concentration of recreational use to certain areas of EFSGR in order to minimize adverse effects over a broader

area. Construction related impacts may be significant as well, including installation of abutments for a proposed pedestrian bridge.

Resolution 2019-07, approved January 28, 2019, increased this grant award to the Watershed Conservation Authority a total amount of \$79,000, from \$790,584 to \$869,584, to work towards completing the project and defending the Project EIR in the *Save Our Access – San Gabriel Mountains v. WCA* lawsuit.

**FISCAL INFORMATION:** Approval of this resolution extends the grant performance period through April 30, 2021. Funding for this project has been encumbered from the following Proposition 84 allocation:

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).....

**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.

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.

ORIGINAL FILED

OCT 30 2018

Notice of Determination

Appendix D

LOS ANGELES, COUNTY CLERK

TO:

Office of Planning and Research
For U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044
Street Address: 1400 Tenth Street
Sacramento, CA 95814

County Clerk
County of: Los Angeles
Address: 12400 Imperial Highway
Norwalk, CA 90650

FROM:

Public Agency: Watershed Conservation Authority
Address: 100 N. Old San Gabriel Canyon Road
Azusa, CA 91702
Contact: Mark Stanley
Phone: (626) 815-1019
Lead Agency (if different from above): Same as above
Address:
Contact:
Phone:

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2016101039

Project Title: San Gabriel River Confluence with Cattle Canyon Improvements Project

Project Location (include county): East Fork San Gabriel River within the Angeles National Forest (see attached map)

Project Description: The proposed project includes the development of new management strategies and improvements to protect and restore the multi-use areas of five distinct project areas for future public enjoyment. Proposed enhancements include the development of new picnic areas, pedestrian trails, river access points and upgrades to existing facilities, improvements to paved and unpaved roadways, parking improvements, restrooms and refuse disposal improvements, restoration of riparian and upland vegetation communities of the EFSGR and Cattle Canyon Creek, and implementation of a Forest Closure Order to prohibit overnight camping.

This is to advise that the Watershed Conservation Authority has approved the above described project on (X Lead Agency or Responsible Agency)

October 25, 2018 and has made the following determinations regarding the above described projects. (Date)

- 1. The project [ ] will [X] will not have a significant effect on the environment.
2. [X] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. [ ] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [ ] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [ ] was not adopted for this project.
5. A statement of Overriding Considerations [ ] was [X] was not adopted for this project.
6. Findings [X] were [ ] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at:

Online Website: https://www.wca.ca.gov/cattle\_canyon

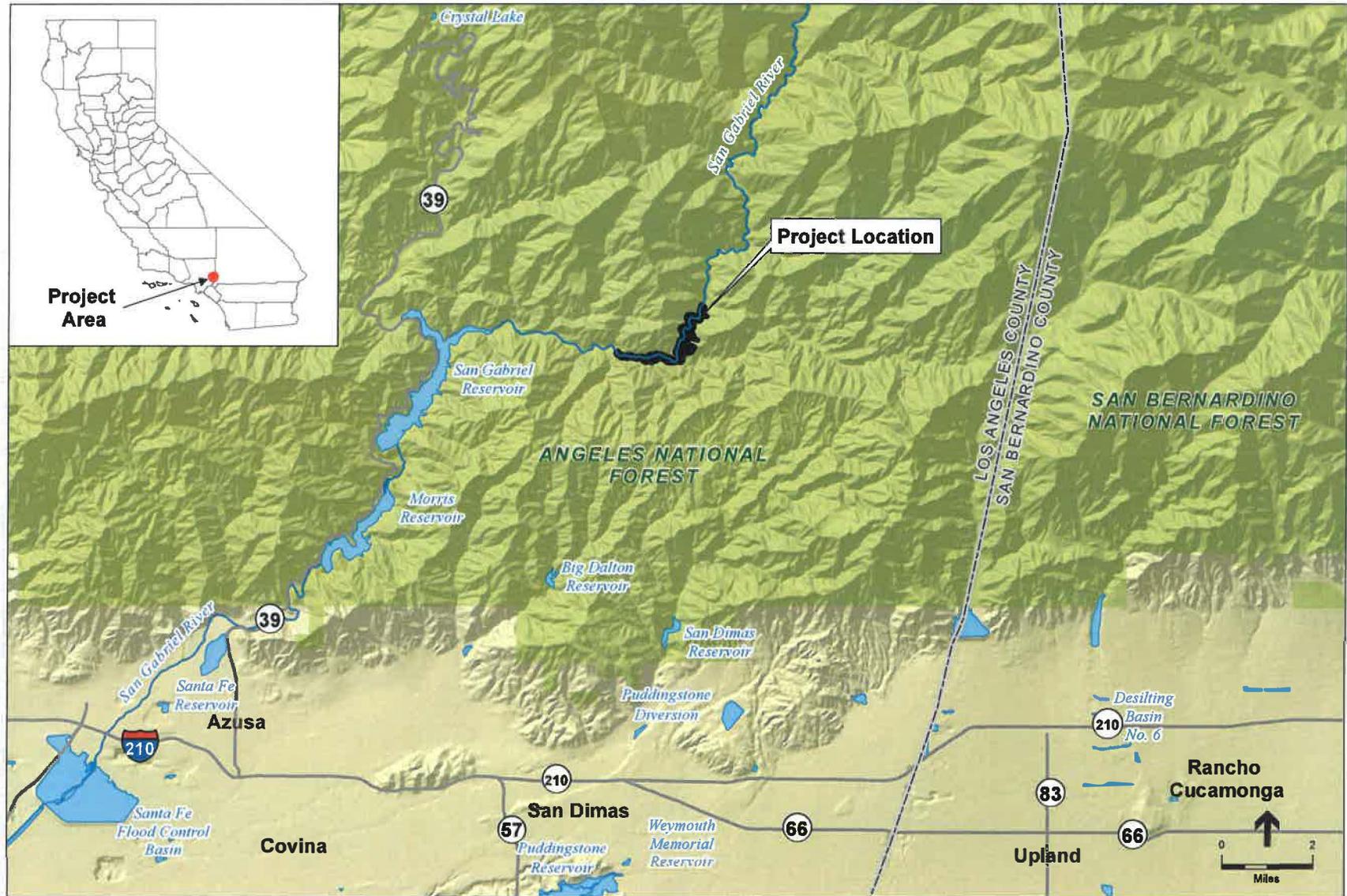
Signature (Public Agency)

[Handwritten Signature]

Title: Executive Officer

Date: 10/26/18

Date Received filing at OPR:



SOURCE: ESRI

San Gabriel River Confluence with Cattle Canyon Improvements Project . 140225.01

**Figure 2-1**  
Project Vicinity

# SAN GABRIEL RIVER CONFLUENCE WITH CATTLE CANYON IMPROVEMENTS PROJECT FINAL CONCEPT SITE PLAN

JANUARY 30, 2017

**DESCRIPTION:**  
Day-use recreation is enhanced by a continuous 2.0 mile "East Fork Scenic Trail". The trail is located adjacent to the road with views of the river and provides access to overlooks, river access trails and backcountry trailheads. Loading/shuttle stops are provided.

PROJECT AREA TOTALS	
Trailheads	4
Restrooms	10
Crosswalks	7
Designated Picnic Areas	6
East Fork Scenic Trail (mi.)	2.0
Interpretive Sites	4
River Access Points	6
USFS Visitor Kiosk	3
Bus/Tram Stop	3
Parking	270

- River access - 6 locations with restrooms, dumpsters & signage
- Parking - Angled and perpendicular bays with curbs, limited roadside parking, parking lot in Former Fire Station area with bus parking
- ROW improvements - Reduced speed, crosswalks, stop signs, footpath along top of slope on south/east side of road, trash grates on drain inlets
- Amenities - Picnic tables, East Fork Scenic Trail, interpretive sites including 2 interpretive trails, scenic overlooks, bilingual signage including wayfinding and trail signage, trailheads, designated loading/shuttle stop locations
- Toilets - 2 and 4-Unit facilities located near river access points and other popular areas
- Trash bins - Small trash receptacles to be located at all river access points and all picnic sites. Dumpsters to be set within rock barriers
- Areas to bring back to natural condition or restore through native revegetation - Multiple informal trails to river, soil deposits along roadside, seeps/springs on east side of road, stream habitat in tributary behind Oaks Picnic Area, phase out non-native "plantation" plantings

- Expansion of existing Oaks Picnic Area, including more sites, larger tables, native tree plantings, new restrooms, a group BBQ area, & botanical interpretive area. Existing parking configuration is retained.
- River access points with parking, native tree plantings, East Fork Scenic Trail, USFS Visitor Kiosk, picnic area, new restrooms and loading area/shuttle stop, East Fork Scenic Trail interpretive sign
- Botanical interpretive site

## CONFLUENCE AREA

- Scenic overlook with Eldoradoville interpretive element, East Fork Scenic Trail interpretive sign
- River access and new single restroom
- Pedestrian bridge (parallel with existing bridge) and shuttle stop
- Portions of road are realigned to accommodate East Fork Scenic Trail

## HEATON FLAT AREA

- Enhanced picnic area with improved trailhead, interpretive sign, new restroom & river access

## COYOTE FLAT, OVERLOOK, FIRESTATION & CANYON AREAS

- Developed picnic area & new restroom with maintenance access road
- Scenic overlook with planters, seatwalls, native tree plantings, monument sign, "Geology Hut" interpretive building, USFS visitor kiosk, and perimeter path, East Fork Scenic Trail interpretive sign
- Camp Bonita Road turnaround, loading area/shuttle stop, cross walk, Heaton Flat trailhead, new restroom
- Developed parking area with native tree plantings, parking kiosk, bus parking, new restroom & picnic area
- Stairs from parking area lead across boardwalk bridge to Botanical Interpretive Trail trailhead
- Stairway leading from East Fork Scenic Overlook to Coyote Flat

## LEGEND

- River access points
- Interpretive sites
- Restrooms
- Designated picnic area
- Trailhead
- Crosswalk
- USFS visitor kiosk
- Loading area/shuttle stop
- Paved road
- Trail and/or Maintenance access road
- East Fork Scenic Trail
- Parking
- East Fork
- Existing Cattle Canyon Bridge with new pedestrian bridge



SCALE: 1" = 300'

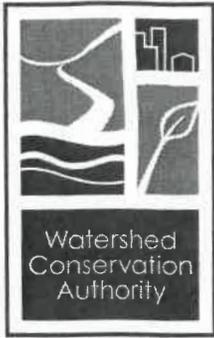


Exhibit C

RECEIVED Item 10

IN20-167

MAR 02, 2020

RIVERS & MOUNTAINS  
CONSERVANCY

February 24, 2020

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

**RE: Grant Extension for the San Gabriel River Confluence with Cattle Canyon Improvements project (RMC09105)**

**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

**Vincent Chang**

Designee for Hilda Solis  
Los Angeles County Board of  
Supervisors, 1st District

**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

**Vacant**

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 requesting an 11-month grant extension for the San Gabriel River Confluence with Cattle Canyon Improvements project (aka East Fork Project) through January 31<sup>st</sup>, 2021 (RMC09105). This extension is directly related to the continuing matter related to Save Our Access – San Gabriel Mountains v. WCA, et al., Los Angeles County Superior Court Case No. 18STCP02984.

During 2013 and 2014, a summer outreach program focusing on the prevention of specific harmful recreational behaviors was conducted. The outreach program informed the completion of a planning study and a Final Concept Site Plan for which environmental assessments in compliance with California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), the Endangered Species Act, and other applicable laws were completed.

The certification of the EIR and approval of the San Gabriel River Confluence with the Cattle Canyon Improvements Project was approved by the WCA Board on October 25, 2018. The Final EIS is planned to have a signed Record of Decision by U.S. Forest Service in Spring 2020.

On November 28, 2018, Save Our Access – San Gabriel Mountains v. WCA, et al., Los Angeles County Superior Court Case No. 18STCP02984 was filed with the court. A final Ruling on Merit was filed on October 29, 2019, with a final judgement entered on November 14, 2019. The deadline to appeal the Ruling was 60 days after the judgement was entered or by January 13, 2020. Save our Access – San Gabriel Mountains (the Plaintiff) filed a Notice of Appeal on January 6, 2020, thus the process is likely to continue through at least the rest of this year.

Thank you for your consideration of the requested grant extension. WCA, and our project partner ANF, is appreciative of the RMC's role in funding this very successful joint planning effort to bring sustainable recreation to the East Fork of the San Gabriel Mountains National Monument. If you have any questions or concerns regarding this request, please contact Debbie Enos, Deputy Executive Officer, at [Denos@wca.ca.gov](mailto:Denos@wca.ca.gov) or at 626-815-1019 x112.

Thank you,

Herlinda Chico  
WCA Governing Board Chair

HC:jg

WATERSHED CONSERVATION AUTHORITY

**San Gabriel River Confluence with Cattle Canyon Creek Improvement Project**

Budget, Funding and Cost Tracking  
 Tuesday, May 12, 2020

Project Task Details	RMC 9105 Budget	ANF	RLF	NFF	TOTAL BUDGET	EFC	CTD	CTD (RMC)	Available
WCA: PM and Grant Admin	\$ 205,503.56	\$ 10,630.78	\$ 6,400.00	\$ -	\$ 222,534.34	\$ 222,534.34	\$ 212,209.92	\$ 203,155.45	\$ 2,348.11
BlueGreen (Design and Env. Compliance)	\$ 379,617.74	\$ 216,832.26	\$ 7,500.00	\$ -	\$ 603,950.00	\$ 603,950.00	\$ 580,466.65	\$ 376,049.13	\$ 3,568.61
University Auxillary	\$ 108,474.57	\$ -	\$ -	\$ -	\$ 108,474.57	\$ 108,474.57	\$ 108,474.57	\$ 108,474.57	\$ -
So Cal Mountain Foundation	\$ 95,119.38	\$ -	\$ -	\$ -	\$ 95,119.38	\$ 95,119.38	\$ 95,119.38	\$ 95,119.38	\$ -
Water Quality/Misc (CWH)	\$ 6,600.75	\$ -	\$ -	\$ -	\$ 6,600.75	\$ 6,600.75	\$ 6,600.75	\$ 6,600.75	\$ -
Misc.	\$ 3,168.00	\$ -	\$ 3,500.00	\$ 1,500.00	\$ 8,168.00	\$ 8,168.00	\$ 7,905.66	\$ 3,168.00	\$ -
Lawsuit	\$ 71,100.00							\$ 40,342.85	\$ 30,757.15
Difference (Pending to Reconcile)								\$ 2,688.49	\$ (2,688.49)
<b>TOTAL</b>	<b>\$ 869,584.00</b>	<b>\$ 250,000.00</b>	<b>\$ 17,400.00</b>	<b>\$ 1,500.00</b>	<b>\$ 1,067,384.00</b>	<b>\$ 1,067,384.00</b>	<b>\$ 1,033,313.89</b>	<b>\$ 835,598.62</b>	<b>\$ 33,985.38</b>

May 18, 2020 – Item 10

RESOLUTION 2020-21

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 SAN GABRIEL RIVER CONFLUENCE WITH CATTLE CANYON IMPROVEMENTS PROJECT (RMC 9105)

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 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, 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 actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
- 4 ADOPTS the staff report dated May 18, 2020.
- 5 AUTHORIZES a grant extension to the Watershed Conservation for the San Gabriel River Confluence with Cattle Canyon Improvements Project (RMC09105) through April 30, 2021.

*~ End of Resolution ~*

Resolution No. 2020-21

Passed and Adopted by the Board of the  
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS  
CONSERVANCY on May 18, 2020.

Motion \_\_\_\_\_ Second: \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstentions: \_\_\_\_\_

\_\_\_\_\_  
Frank Colonna, Chair

ATTEST:

\_\_\_\_\_  
David Edsall  
Deputy Attorney General