



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center & Gardens
570 West Avenue Twenty-six, Suite 100
Los Angeles, California 90065
Phone (323) 221-8900

MEMORANDUM

TO: The Governing Board

FROM: 
Joseph T. Edmiston, FAICP, Executive Officer

DATE: November 2, 2005

SUBJECT: **Agenda Item XII: Consideration of resolution adopting policy for responding to land failures on or adjacent to agency-controlled property.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing adoption of **policy** for responding to land failures on or adjacent to agency-controlled property.

Background: The severe storms of Winter 2004-2005 triggered numerous land failures (landslides, rockslides, mudslides, sink holes, etc.) throughout the region. As owner of thousands of acres of land, several properties owned by the MRCA and adjacent to MRCA owned properties suffered land failures. Since the storm events of this Winter were more severe than normal, staff received a disproportionately large number of land failure reports and claims, many of which claimed to originate on MRCA property.

Although California Government Code section 831.25 grants public agencies immunity from liability for damages to private property caused by land failures on unimproved public land, staff believes it would be helpful to adopt a formal policy that outlines a protocol that would be followed whenever a land failure affecting MRCA land is reported or discovered. Such a policy will allow staff to streamline the process, determine ownership of subject land, provide direction to claimants and to determine if the MRCA has any liability for claimed damages.

A staff memorandum outlining the proposed MRCA landslide response is attached.