



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM: 
Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: April 5, 2017

SUBJECT: **Agenda Item VI(c): Consideration of resolution authorizing entering in a contract with the Wildlife Corridor Conservation Authority for pre-acquisition and acquisition services, Puente Hills Wildlife Corridor east of Colima Road, County of Los Angeles.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing entering in a contract with the Wildlife Corridor Conservation Authority for pre-acquisition and acquisition services, Puente Hills Wildlife Corridor east of Colima Road, County of Los Angeles.

Background: Los Angeles County Regional Park and Open Space District (District) executed a project agreement to grant to the Wildlife Corridor Conservation Authority (WCCA) \$1 million to acquire property located east of Colima Road as specified in 1996 Proposition A Section 3(b)(14). The Puente Hills Wildlife Corridor Acquisition project consists of the acquisition of approximately two acres of park and natural lands in the Puente Hills Wildlife Corridor east of Colima Road and west of the 57 Freeway (see attached map). The project agreement is with WCCA and WCCA would need to acquire the land.

Per the Proposition A guidelines, 20 percent of the grant amount can be spent on pre-acquisition and acquisition services. The guidelines refer to these costs as Administrative expenses. This totals \$200,000. Today's action would authorize entering into a contract with WCCA, in an amount not-to-exceed \$110,000, for MRCA to provide pre-acquisition and acquisition services

WCCA was created to provide for the proper planning, conservation, environmental protection and maintenance of the habitat and wildlife corridor between the Whittier-Puente Hills and the Cleveland National Forest in the Santa Ana Mountains.

WCCA's governing board consists of representatives from the cities of Brea, Whittier, Diamond Bar, La Habra Heights, the Santa Monica Mountains Conservancy, California Department of Parks and Recreation, California

Department of Fish and Game (ex officio member), and Los Angeles County, as well as two public members. A large Advisory Committee meets separately to provide input.

At the January 20, 2017 WCCA Board meeting, the Board took several actions, providing guidance on how to move forward with this grant. At previous meetings, it appeared that there was a strong preference of the WCCA Board that properties acquired by WCCA be transferred in fee to the Puente Hills Habitat Preservation Authority (Habitat Authority), to be managed by the Habitat Authority. There is a process for the transfer of properties to another entity and where the new entity assumes the responsibilities under Proposition A. The Proposition A term is Assignment and Assumption of Grant Agreement. It appears the reason the WCCA Board wishes the property(ies) to be transferred to the Habitat Authority is that the Habitat Authority is set up to do management in this area.

At the January 20, 2017 WCCA meeting, the WCCA Board authorized entering into an agreement with the Habitat Authority to acquire park and natural land authorized for acquisition by the Habitat Authority and to transfer to the Habitat Authority any real property interest acquired for no additional consideration so long as the Habitat Authority agrees to comply with the applicable provisions of Proposition A 1996 and the project agreement.

It seems that properties that are eligible for Habitat Authority management should be managed by the Habitat Authority, based on their own limitations. If the Habitat Authority were to acquire and manage such land, it appears the Habitat Authority should authorize what they are willing to manage so its clear that they will be the management entity. Attached is a map showing the eastern border of the Habitat Authority jurisdiction. The Habitat Authority could only hold land west of the line shown on the map—roughly west of Powder Canyon, inclusive.

Notwithstanding, WCCA could acquire easements outside the jurisdiction of the Habitat Authority, with no to minimal management responsibilities. (See attached map showing the eastern border of the Habitat Authority jurisdiction.) Often conservation easements do not include an obligation for active management. They may include the option or right to conduct management activities on the property.

WCCA can now proceed with obtaining appraisals and title reports and making offers on property interests. Soon WCCA should hold title to its first property. However both the sum and parts of pre-acquisition and acquisition efforts are staff and expense intensive over considerable periods of time. Most acquisitions take many months and often years to complete. The Proposition A guidelines require appraisals to be not more than six months old when a purchase and sale agreement is signed. Quite often properties require appraisal updates because of this requirement. It is not practical for WCCA to hire staff or private contractors to handle its pre-acquisition and acquisition efforts.

Since its inception decades ago, over eighty percent of WCCA's staff costs and all of its staff work have been provided by the staff of the MRCA and the Santa Monica Mountains Conservancy. The MRCA planning staff and legal staff handle a continuous stream of acquisitions ranging from processing small deed restrictions to multi-million dollar transactions. The District knows the MRCA well.

At its January 20, 2017 meeting, the WCCA Board authorized entering into a contract with MRCA and entering into a contract with the Habitat Authority for pre-acquisition and acquisition services. The sum of these two contracts would be \$200,000.

The City of Whittier is the Treasurer for WCCA. Staff from City of Whittier has preliminarily indicated that there will be a cost for an expanded audit and financial reporting requirements of the grant. This will need to come out of the \$200,000 in expenses.

Of note, in late 2016, the Los Angeles County Board of Supervisors allocated the rest of the funds specified in the 1996 Proposition A for the Whittier Puente Hills Wildlife Corridor under an alternative plan of expenditure. These funds (\$9 million) are no longer available to WCCA.

The contract amount has not yet been incorporated into MRCA's adopted budget for Fiscal Year 2016-2017 or WCCA's adopted budget. This will be a multi-year contract. Proposition A covers staff cost allocation. Habitat Authority would manage any land transferred to it. There are no maintenance responsibilities for the tasks in the contract.

Consideration: The contract amount would be in the amount not to exceed \$110,000.