



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

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

DATE: January 6, 2016

SUBJECT: **Agenda Item VIII: Consideration of resolution authorizing entering into an agreement with Forestar Chatsworth LLC (Deerlake Ranch project) to: (a) provide various temporary and permanent easements on adjacent Mountains Recreation and Conservation Authority (MRCA) Deerlake Highlands parcels; (b) conduct oak tree mitigation on adjacent MRCA property; (c) accept funding for various purposes, and (d) accept the dedication of the following eighteen parcels totaling over one acre (APNs 2819-003-001; 2819-003-005; 2819-003-006; 2819-003-007; 2819-004-030; 2818-009-032; 2818-004-053; 2818-004-054; 2818-005-003; 2818-005-014; 2818-006-007; 2818-006-021; 2818-007-025; 2818-007-026; 2818-008-009; 2818-008-024; 2818-009-031, and 2818-009-033); unincorporated Chatsworth area.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing entering into an agreement with Forestar Chatsworth LLC (Deerlake Ranch project) to: (a) provide various temporary and permanent easements on adjacent Mountains Recreation and Conservation Authority (MRCA) Deerlake Highlands parcels; (b) conduct oak tree mitigation on adjacent MRCA property; (c) accept funding for various purposes, and (d) accept the dedication of the following eighteen parcels totaling over one acre (APNs 2819-003-001; 2819-003-005; 2819-003-006; 2819-003-007; 2819-004-030; 2818-009-032; 2818-004-053; 2818-004-054; 2818-005-003; 2818-005-014; 2818-006-007; 2818-006-021; 2818-007-025; 2818-007-026; 2818-008-009; 2818-008-024; 2818-009-031, and 2818-009-033).

Background: The Deerlake Ranch project in the antiquated Deerlake Highlands subdivision, with over 300 proposed homes, was approved in the recent past by Los Angeles County. Prior to that approval, via a complex agreement, the Mountains Recreation and Conservation Authority (MRCA) received title to multiple parcels around the boundary of subject project. The attached figure shows the MRCA's current ownership including thousands of acres in Antonovich Regional Park at Joughin Ranch to the immediate north. This same agreement was

inherited by the new Deerlake Ranch ownership. Along with other benefits, it provides for substantial future additional conservation easement area and permanent MRCA maintenance funding as the Deerlake Ranch project proceeds.

As the final steps to actually begin construction of the Deerlake Ranch project are taken by the developer, the developer's representative approached staff about an exchange of additional protected open space for minor easements and allowances over MRCA property to both improve the efficiency and impact avoidance of the development. Both parties benefit. The MRCA increases, its land base, increases parkland oak tree numbers, addresses erosion issues, gets a substantial trail improvement, and is fairly compensated to implement all aspects of the proposed agreement. Staff seeks authorization to enter into an agreement to exchange such property rights and funding. The Governing Board via Resolution No. 15-72 in May authorized a parcel for parcel land exchange in Deerlake Highlands with an LLC controlled by the developer. That exchange is proceeding outside of this proposed agreement.

As part of the proposed exchange, the MRCA would receive 18 parcels in the Deerlake Highlands subdivision that total approximately 46,000 square feet (see attached figure). If a sub-set of five Browns Creek parcels is not deliverable, there would be an in lieu cash payment for the MRCA to independently pursue such acquisitions.

The MRCA would also receive a lump sum payment to fully assume the Deerlake Ranch's oak tree mitigation obligations required by Los Angeles County. The County has given preliminary approval to a formal plan to plant 105 to 122 15-gallon oaks on the MRCA's adjacent Gopher Canyon property. This planting will improve habitat and recreational values in Gopher Canyon and be more ecologically beneficial than the onsite reforestation areas proposed by the developer's consultant.

The MRCA would also receive a lump sum of funding to coordinate the overall agreement preparation/implementation and conduct minor follow up improvements in Gopher Canyon.

The developer would receive four easements (one temporary), one license agreement for a temporary access, rights to discharge storm water on MRCA land, and MRCA site improvement cooperation to create a detention basin by the MRCA's Chatsworth Trails Park just north of the 118 freeway. A single attachment shows detailed figures of each of elements labeled Exhibits A through G. The locations of Exhibits A through C are shown on a separate aerial photograph.

Exhibit A is for a temporary heavy equipment access license agreement to the development site via an existing dirt road in the MRCA Gopher Canyon parkland. The developer's existing one lane 1930's Devil Creek bridge is undersized for large equipment. The developer seeks such access from the MRCA until a temporary construction bridge can be built. The subject existing MRCA dirt road is a popular equestrian trail with severe and

worsening erosion. The developer would slightly widen the road tread and address erosion issues via grading features and multiple control methods. The end result will be a four-foot-wide trail with extensive staff approved seeding and erosion control measures. Other adjacent improvements orchestrated by staff to address erosion and increase runoff retention for wetland vegetation are part of the package.

Exhibit B-1 is a right-of-way grading easement along the east boundary of the proposed extension of Canoga Avenue. It is a narrow strip approximately 400 feet in length at the interface of Chatsworth Trails Park (Horner property) that was acquired for the MRCA by the prior development entity. No road, drainage devices, fencing, lighting or improvements would go on MRCA land. It would be a permanent easement allowing for the perpetual right to fix any future slope and drainage problems. The landscaping would only be Santa Susana Mountains native plant species. The easement includes a large boulder that the grading plans show as being entirely avoided.

Exhibit B-2 is for an offsite grading easement (approximately 60 feet by 60 feet) to allow the toe of a fill slope, permanent terrace drain and down drain, and a temporary construction easement. If the grading did not occur on MRCA land, then a retaining wall would wrap around two sides of an MRCA parcel. A vegetated slope is better than a large retaining wall visible from Browns Canyon Road.

Exhibit C is for a permanent brush clearance allowance easement that fully overlaps the area shown in Exhibit B-2. It is for area that would be within 200 feet of proposed structures regardless.

Exhibit D shows where stormwater from the Deerlake Ranch project would be allowed to flow onto MRCA parkland where the same drainage currently occurs under natural conditions. There would be a continuous deflection system (CDS) unit on developer land to dissipate flows prior to any drainage hitting MRCA land. The MRCA would issue a drain acceptance letter to Los Angeles County Flood Control District.

Exhibit E is for a temporary crossing easement of Devil Creek. The developer would construct a temporary construction bridge over MRCA land with no direct impacts to MRCA land except loss of sunlight. Essentially the clear span bridge would occupy air space over the creek. Once constructed, the bridge will provide the developer with site access for heavy equipment that currently can now only reach the site via the MRCA access described in Exhibit A.

Exhibit F is for mountable or rolled curbs south of the 118 freeway off MRCA land. The applicant seeks the MRCA's cooperation with the City of Los Angeles on this development feature.

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Exhibit G is for a detention basin on MRCA land or better described as a de-silting basin. There is an existing perennial erosion problem at this area. A well engineered, natural fix would benefit the public as long as all trail connections are maintained or even enhanced.

It would be designed to collection sediment coming solely from the MRCA's Chatsworth Trails Park and retain or relocate all of the park fencing, trails, signage, and kiosks. The agreement is just for the MRCA to cooperate. with no exchange of land rights.

It is to the benefit of both parties to expedite this agreement to maximize pre-El Nino rain grading, erosion control, seeding, and oak tree planting.