



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

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

DATE: May 2, 2018

SUBJECT: **Agenda Item IX: Consideration of resolution authorizing entering into an agreement with Foremost Companies (Forestar Chatsworth) to transfer a water tank and temporary grading easement on APNs 2821-019-907; 2819-011-904; 905; 906, and 2819-013-903 for the Deerlake Ranch Project, in exchange for water delivery improvements to adjacent MRCA property, funding for oak tree tank screening, and other compensation, unincorporated Chatsworth area. Negotiators: Joseph T. Edmiston and Peter Vanek. Under consideration: price and terms. (This item may be heard in closed session pursuant to Section 54956.8 of the Government Code.)**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing entering into an agreement with Foremost Companies (Forestar Chatsworth) to transfer a water tank and temporary grading easement on APNs 2821-019-907; 2819-011-904; 905; 906, and 2819-013-903 for the Deerlake Ranch Project, in exchange for water delivery improvements to adjacent MRCA property, funding for oak tree tank screening, and other compensation, unincorporated Chatsworth area.

Background: The Mountains Recreation and Conservation Authority has been integrally involved with the Deerlake Ranch development in the old Deer Lake Highlands subdivision for over eighteen years. There have been approximately six formal agreements between the MRCA and the successive development entities. All of the agreements have involved the exchange of land, easements, and money to further both parties' objectives. The MRCA has secured over 200 acres from these agreements and is slated for more conservation easement area per existing agreements as the development is completed. The project grading is nearing completion. Items XII through XVI on this agenda concern the establishment of an MRCA communities facilities district over the subject subdivision.

The current development entity Foremost Companies has requested an easement for a 600,000 gallon water tank, access road, and related grading on MRCA

property with a gross disturbance footprint of less than an acre. Multiple maps and water tank design diagrams are attached. The Las Virgenes Municipal Water District has required a higher elevation tank than what was designed into the project approved by Los Angeles County. In exchange for this easement the MRCA must receive adequate permanent benefits that offset the small footprint of ecological damage and view intrusion.

The proposed tank is 50 feet wide with a 20-foot-wide access road/pad around it. The exact design parameters, grading footprint, and mitigation measures have not reached a final negotiation point to bring to the Governing Board. The attached figures represent the greatest possible level of impact. Staff will work to tighten both the temporary grading and permanent impact footprints. More impact requires more mitigation to the MRCA. The largest requested tank and surrounding flat access pad would occupy approximately 0.15 acres. Native trees would be planted at the edge of this surrounding ring of flat land. The 15-foot-wide paved access road would occupy less than 0.04 acres. It is all the peripheral grading that begins to add impact acreage. Staff has not yet worked out with the developer how graded areas would be revegetated to ensure a high level of restoration. V-ditches for drainage on MRCA land would not be acceptable. The farthest reach of the tank would extend approximately 175 feet into MRCA land.

The tank would have some limited visibility from the direction of Browns Canyon Road up one or two steep sub-canyons. From within a vehicle the visibility may not exist at all and would be for just several seconds. It would also be visible from a trail with moderate equestrian use located approximately 700 feet away. Otherwise its proximity to the approved new houses, coloring, and with a well funded, long term native tree screening effort would adequately minimize visual impacts from existing parkland.

Staff has insisted on a well funded source for MRCA personnel to screen the tank with native vegetation. The installation of the screening vegetation and irrigation would be funded up front to the MRCA by the developer. Water would be available from the tank via a new funded water meter. The proposed MRCA Santa Susana Mountains Community Facilities District items on this same agenda would fund a high level screening-vegetation maintenance for a minimum of ten years and a sustaining level, in perpetuity. In essence, some oak-toyon woodland would be replacing sparse chamise-laurel sumac chaparral and annual grassland. The whole site burned approximately seven years ago.

Per existing agreements the developer is required to provide the MRCA with a two-inch water meter at the property boundary between the subdivision and the MRCA Gopher Canyon parkland located in the southeast corner of the Antonovich Regional Park at Joughin Ranch open space complex. The negotiation for that water meter was designed to aid both habitat restoration and future park amenity use in the old Gopher Canyon quarry site. The logistics, expense and elevation challenges of moving that water over a ridgeline into the quarry site are challenging. A key element of the current negotiation is to provide a completed water system on MRCA land with a 10,000 gallon tank to deliver a reliable and

robust water supply to Gopher Canyon. Staff has been working on a large scale restoration project in this Browns Canyon tributary since 2009. All water has had to be trucked in from south of the 118 freeway at considerable expense and effort. The quarry has strong potential for public use and ongoing restoration efforts. It has a large gravel parking area and a paved access road. The water supply would also benefit fire suppression efforts.

To protect both the natural resources and this proposed new MRCA water system, staff has also asked for the construction of a gate(s) to prevent vehicle access into MRCA land from the new subdivision and possible other entry points.

Staff has also asked for an average of 12,000 gallons a week of water delivery and distribution to Gopher Canyon between April 1 and November 30 until the turnkey water system to the canyon is completed and accepted. The water is for habitat restoration.

The developer would pay for all legal costs including a retainer for MRCA staff counsel to review the agreement(s).

MRCA chief staff ecologist will walk the proposed grading area prior to May 10 and prior to the signing of any agreements to assess potential sensitive vegetation impacts.

Otherwise all environmental review and liability is incumbent on the developer.