



# MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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## MEMORANDUM

TO: The Governing Board

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

DATE: October 2, 2019

SUBJECT: **Agenda Item X: Consideration of resolution amending Resolution No. 17-100 to authorize acceptance of the fee simple donation of APNs 2826-020-025, 026 and 029 in Wickham Canyon comprising approximately 45 acres and entering into an agreement with Preservation Strategies, Inc. and Lennar Homes for the sale of in lieu fee habitat credits on Mountains Recreation and Conservation Authority-owned property, unincorporated Los Angeles County.**

Staff Recommendation: That the Governing Board amend Resolution No. 17-100 to authorize acceptance of the fee simple donation of APNs 2826-020-025, 026 and 029 in Wickham Canyon and entering into an agreement with Preservation Strategies, Inc. and Lennar Homes for the sale of in lieu fee habitat credits on Mountains Recreation and Conservation Authority-owned property, unincorporated Los Angeles County.

Background: Resolution No. 17-100 authorized the acceptance of conservation easements over APNs 2826-020-025, 026 and 029 in Wickham Canyon which is a tributary of Pico Canyon in the Santa Susana Mountains. It further authorized the acceptance of easement monitoring funds. The owner's plan at that time was to use the property for habitat mitigation credits related to an approved 102-home subdivision in lower Wickham Canyon that is currently owned by Lennar Homes. The conservation easements to the Mountains Recreation and Conservation Authority (MRCA) or another qualified entity are essential steps in offsite mitigation. The benefit to MRCA was the permanent protection of 45 acres that abut MRCA parkland in Pico Canyon.

The owner of the subject 45 acres is a new company called Preservation Strategies, Inc. Working with the Los Angeles County Regional Planning staff, Preservation Strategies received permission to work with the Mountains Recreation and Conservation Authority (MRCA) to assign mitigation credits from the Lennar Homes development to fee simple lands already owned by MRCA. Besides purchasing

new open space with the correct amounts of specific habitat types, Lennar Homes only other mitigation option is to go to a private mitigation bank. Never has the MRCA participated in such a sale of habitat mitigation credits on its property. Rather than hundreds of thousands of mitigation dollars going to an already protected mitigation bank in a different watershed, those funds can now be directed to new properties desired by the MRCA and to cash payments to the MRCA to be used exclusively to acquire properties in the same major watershed.

The proposed agreement with Preservation Strategies and Lennar Homes would give Lennar the rights to approximately 23 acres of specific habitat credits on the entire spectrum of MRCA-owned property related to just the 102-home project. Those habitat types include giant wild rye grassland, California bush sunflower, toyon chaparral, foothill ash and area required by the Army Corps of Engineers and the Regional Water Quality Control Board. The onus of identifying those habitat types and communicating with Los Angeles County Regional Planning is entirely on Lennar. The remaining 3.6 acres of habitat credits needed by Lennar can be found on the subject three parcels in Whickham Canyon.

Lennar Homes has agreed to one overall price with Preservation Strategies. The MRCA and Preservation Strategies need to come to final terms which can be addressed in closed session. As a base minimum of compensation, the MRCA would receive fee title to the three parcels totaling 45 acres and an access easement to reach the property from Lennar's future 102 home project. The MRCA would also receive cash that it must use to acquire additional land interests in the Santa Clara River watershed. That funding can also be used for pre-acquisition expenses such as appraisals and staff time.