

Memorandum

To : The Conservancy
The Advisory Committee

Date: September 27, 2010

From : 
Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 13: Consideration of resolution approving the Mountains Recreation and Conservation Authority to use Coastal Habitat Impact Mitigation Funds to acquire properties in the Santa Monica Mountains Coastal zone at the Los Angeles County Tax Collector 2010A Public Auction.**

Staff Recommendation: That the Conservancy adopt the attached resolution approving the Mountains Recreation and Conservation Authority to use Coastal Habitat Impact Mitigation Funds to acquire properties in the Santa Monica Mountains Coastal zone at the Los Angeles County Tax Collector 2010A Public Auction.

Legislative Authority: Section 33211 (c) of the Public Resources Code.

Background: In 2002 the California Coastal Commission approved a Local Coastal Program (LCP) for the City of Malibu. The implementation document included an element in which specific mitigation funds are to be paid to the Mountains Recreation and Conservation Authority (MRCA) into the “Coastal Habitat Impact Mitigation Fund.” In November of 2003, the Conservancy, the MRCA, and the California Coastal Commission signed a Memorandum of Understanding (MOU) regarding administration of this fund.

The MRCA is the entity that receives, holds, and expends the mitigation funds. However, the MOU states, “No funds shall be expended or transferred unless the Conservancy has reviewed and recommended approval of, and MRCA approves, expenditure of the funds either by MRCA or another recipient.” The proposed action would constitute the Conservancy’s approval and recommendation that the MRCA acquire appropriate parcels within the Coastal Zone portion of the Santa Monica Mountains as addressed below.

Presently, the Coastal Habitat Impact Mitigation Fund has approximately \$400,000 according to the MRCA staff. The MRCA is seeking authority to use some of the amount on a series of coastal canyon properties at the Los Angeles County Tax Collectors 2010A tax defaulted property auction. The authorization would not exceed \$400,000. Most probable amount spent will be less than \$100,000.

Only the minimum auction bid prices are known now and many parcels are pulled off the docket before the auction begins. In addition there is the opportunity to do sealed bids on

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properties adjacent to MRCA property that do not sell at the public auction. Any pursued properties will have significant habitat value and are connected to the core habitat of Santa Monica Mountains. Telegraphing which parcels the MRCA staff is interested ahead of time could reduce the MRCA's competitiveness at the auction.