

Memorandum

To : The Conservancy
The Advisory Committee

Date: June 3, 2013

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

Subject: **Agenda Item 21: Consideration of resolution authorizing a grant to the Mountains Recreation and Conservation Authority for trail improvements and construction at Fryman Canyon.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant to the Mountains Recreation and Conservation Authority for trail improvements and construction at Fryman Canyon in the amount of \$150,000.

Legislative Authority: Sections 33204.2 and 33204.27 of the Public Resources Code.

Consideration: The application from the Mountains Recreation and Conservation Authority is for \$150,000 of Los Angeles River Watershed Proposition 84 funds.

I. BACKGROUND

Fryman Canyon Park is located in the eastern Santa Monica Mountains on the north side of Mulholland Drive. The park can be accessed via the Nancy Hoover Pohl Overlook on Mulholland. The 122-acre park offers spectacular views of the San Fernando Valley and access to the Betty B. Dearing Cross Mountain Trail. The Dearing Trail traverses the park and connects to Wilacre Park, Franklin Canyon and Coldwater Canyon Park. The park is abundant with native chaparral, year-round springs, and deeply wooded canyons.

The Betty B. Dearing Cross Mountain Trail is currently in a state of disrepair. There is significant erosion in multiple locations. In some places, there are 2-foot deep gullies in the middle of the trail. Several volunteer trails have developed that have increased the erosion problems. Additionally, some noxious non-native weeds including Russian star thistle have established a foothold along the trail in some sections.

Mountains Recreation and Conservation Authority (MRCA) is seeking a grant for trail improvements and remediation for three miles of this trail in an effort to continue to provide safe recreational access for the public. MRCA trail crews will realign the trail and repair the eroded areas. In some areas, existing land-tie stairs will be replaced. The unwanted volunteer trails will be re-vegetated to prevent further use. Staff will also perform non-native plant removal.

II. Analysis–Proposition 84 and the Common Ground Plan

Section 75050 of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), allocates funds to various entities “for the protection and restoration of rivers, lakes and streams, their watersheds and associated land, water, and other natural resources.”

Section 75050 (g)(2) of the Act specifically allocates funding to the Santa Monica Mountains Conservancy “for implementation of watershed protection activities throughout the watershed of the Upper Los Angeles River pursuant to Section 79508 of the Water Code.” The section of the Water Code referenced therein states that watershed protection activities in the Los Angeles River shall be consistent with the *San Gabriel and Los Angeles Rivers Watershed and Open Space Plan*.

A. The Fryman Canyon Trail Improvements and Construction Project Constitutes Watershed Protection Activities Within the Watershed of the Upper Los Angeles River, as Required by Section 75050(g)(2)

The Fryman Canyon Trail Improvements and Construction Project lies within the Los Angeles River Watershed, and the property and its facilities are resources for public recreational use. As outlined in the application, the proposed project is consistent with Proposition 84's policy to promote the access to and enjoyment of land and water resources. MRCA is requesting a grant to rehabilitate, restore, protect and improve the trail and the surrounding habitat.¹

¹Chapter 1, Section 75005 of Proposition 84 defines the following terms:

(f) "Development" includes, but is not limited to, the physical improvement of real property including the construction of facilities or structures.

(l) "Preservation" means rehabilitation, stabilization, restoration, development and reconstruction, or any combination of those activities.

(m) "Protection" means those actions necessary to prevent harm or damage to persons, property or natural resources or those actions necessary to allow the continued use and enjoyment of property or natural resources and includes acquisition, development, restoration, preservation and interpretation.

(n) "Restoration" means the improvement of physical structures or facilities. Restoration projects shall include the planning, monitoring and reporting necessary to ensure successful implementation of the project objectives.

All elements of the project fit within the definitions of eligible activities (development, preservation, protection, and restoration) because the funds will be spent to physically improve the trail, enhance its active recreation uses, and protect the native habitat. The scope of work includes rehabilitation and stabilization of hillside and trail erosion, removal of non-native, invasive species, and revegetation with native plants.

B. The Fryman Canyon Trail Improvements and Construction Project is Consistent with the *San Gabriel and Los Angeles Rivers Watershed and Open Space Plan* as Required by Section 79508 of the Water Code

The *San Gabriel and Los Angeles Rivers Watershed and Open Space Plan*,² also known as and hereinafter referred to as the "Common Ground" plan, was jointly developed by the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, or Rivers and Mountains Conservancy (RMC), and the Santa Monica Mountains Conservancy (SMMC). The purpose of the plan is to "articulate a vision for the future of the San Gabriel and Los Angeles Rivers Watersheds" and "provide a framework for future watershed and open space planning." The plan outlines a holistic approach to watershed protection and development, organized by a set of Guiding Principles.³ These broad principles, referenced further below, are designed to accommodate the varying priorities and needs of projects in the region.

To help guide decision making in watershed planning and project selection, the Common Ground plan includes a set of Project Evaluation Criteria (Appendix F), developed to help the agencies determine "regionally significant" park, trail, and restoration projects. The Evaluation Criteria identify a diverse set of values that a site might have, such as Open Space, Recreational Resources, Wildlife Resources, Access, *et cetera*. Within those values, a project receives a rating on a 1-4 scale based on the degree to which the project meets specified criteria.

The Fryman Canyon Trail Improvements and Construction Project scores highly when tested using the Common Ground Plan's Project Evaluation Criteria. The Project achieves goals with the highest value in the following criteria:

- 1. Public Recreation Value (4 points):** The Project provides improvements to a park site that currently serves or is expected to serve a visitor base in a regional or greater

²A copy of the Common Ground Plan can be accessed online at http://www.rmc.ca.gov/plans/common_ground.html

³The Guiding Principles are outlined in Page 2 of the Executive Summary, or discussed with greater depth on Page 47 of the Plan.

geographic area. The Betty B. Dearing Cross Mountain Trail in Fryman Canyon connects multiple parks. Thousands of people in the Los Angeles area use this trail regularly as a means of recreation. Visitors to the region from all over the world come to Mulholland Drive. A major access point to Fryman Canyon and the Betty B. Dearing Cross Mountain Trail is from the Nancy Hoover Pohl Overlook on Mulholland. People, who come for the fantastic views of the San Fernando Valley, find more recreational opportunities than pure sight-seeing.

2. Natural Resources Enhancement Value (4 points): The Project improves or supports regeneration of important native vegetative cover on slopes near a stream or river, which if substantially disturbed, may contribute to flood, erosion, creek sedimentation, or reduced ground water recharge. The rehabilitation of eroded areas on and along the Betty B. Dearing Cross Mountain Trail and the elimination of volunteer trails in the area will protect the hillsides from further damage. Removal of non-native, invasive vegetation will allow native vegetation to re-establish itself on the hillsides.

3. Trail Project Resource Value (4 points): The Project repairs a critical link on an existing major regional trail. The Betty B. Dearing Cross Mountain Trail connects Fryman Canyon to Wilacre Park, Franklin Canyon and Coldwater Park.

4. Urban Park Value (4 points): The Project will improve or significantly enhance open space parkland in a densely urban community. Fryman Canyon is located in close proximity to the heavily populated San Fernando Valley. The Betty B. Dearing Trail can be accessed from multiple points making it easy for a great number of people to get recreational benefit from it.

5. Partnership Opportunity Value (4 points): The site is of great significance to multiple partner agencies and non-profits that work cooperatively in the watershed area and in the greater Los Angeles area. The National Park Service owns land adjacent to the Conservancy property in Fryman Canyon. They have already begun restoration on the portion of the Betty B. Dearing Cross Mountain Trail that crosses their land. Staff from the Conservancy, NPS and MRCA have worked cooperatively for many years to ensure a seamless experience for hikers along these multi-jurisdictional trails.

Based upon its high scores in the majority of the selection criteria, as well as its consistency with the Guiding Principles, the Fryman Canyon Trail Project is consistent with the Common Ground Plan as required by Section 79508 of the Water Code.

III. Analysis - General Obligation Bond Law

The General Obligation Bond Law provides that bond funds may be used for the construction and acquisition of "capital assets." Capital assets include major maintenance, reconstruction, demolition for purposes of reconstruction of facilities, and retrofitting work that is ordinarily done no more often than once every 5 to 15 years or expenditures that continue or enhance the useful life of the capital asset (Government code Section 16727 (a)). Capital assets also includes equipment with an expected useful life of two years or more. Section 16727 (a) also allows bond funds to be used for costs that are incidentally but directly related to construction including costs for planning, engineering and other design work.

This project is for the development, preservation, protection and restoration of a capital asset, that is, a land and water resource in the Los Angeles River watershed. As such, it is a proper expenditure of bond funds. In addition, the activities that this grant will fund will enhance the useful life of the facilities and on that basis as well qualify as capital assets for purposes of the General Obligation Bond Law.