

Memorandum

To : The Conservancy
The Advisory Committee

Date: June 3, 2013

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

Subject: **Agenda Item 23: Consideration of resolution authorizing a Proposition 50 grant to Community Conservation Solutions for the Los Angeles River Greenway project, Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a Proposition 50 grant to Community Conservation Solutions for the Los Angeles River Greenway project in the amount of \$300,000, Los Angeles.

Legislative Authority: Sections 33204.2 (a) of the Public Resources Code.

Background: Community Conservation Solutions, a non-profit organization, has submitted the attached application for a grant for the Los Angeles River Greenway Trail & Habitat Restoration, extending from Coldwater Canyon to Whitsett Avenue in the City of Los Angeles. The project will restore native habitat, plant native trees, shrubs and plants in an ecosystem-based design, and provide public access to a closed section of the Los Angeles River by constructing a half-mile scenic walking trail. By closing a gap between existing river trail segments, the project will create over five miles of continuous river trail in the San Fernando Valley. Planned improvements also includes a natural bioswale, an ADA-compliant access ramp, entry gate, safety fencing, natural seating and interpretive elements related to the Los Angeles River.

Objectives of the grant are to protect the Los Angeles River watershed through the restoration of native habitat, and promote public access to the watershed's land, water and wildlife resources by creating a half-mile trail link that will complete a five-mile long river trail. The site's location near public transit, public parking, and a pedestrian and bicycle bridge ensures that the project is easily accessed by the public. Visitors will experience native plant communities and see water conservation in action with a natural bioswale. The requested funds will match funds already secured through the California Natural Resources Agency, California Department of Transportation, and in-kind services from the applicant, Studio City Residents Association, and Mia Lehrer and Associates.

Analysis—Proposition 50 and the Common Ground Plan

Section 79570 of the Water Security, Clean Drinking Water, Coastal and Beach Protection Act

of 2002 (Proposition 50), allocates funds to various entities “for the purpose of protecting coastal watersheds”. Section 79570 (c) of the Act specifically allocates funding to the Santa Monica Mountains Conservancy “for protection of the Los Angeles River watershed upstream of th northernmost boundary of the City of Vernon”. Section 79508 of the Act states that watershed protection activities in the Los Angeles River watershed shall be consistent with the *San Gabriel and Los Angeles Rivers Watershed and Open Space Plan*.

The proposed grant constitutes watershed protection in the Los Angeles River watershed. The geographic area covered by the grant is within the Upper Los Angeles River watershed, and the project includes elements to protect and restore the river, watershed, and associated land, water and other natural resources.

The project planning and design grant 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*, 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 and the Santa Monica Mountains Conservancy. 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. These broad principles 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*.

The Los Angeles River Greenway Trail & Habitat Restoration Project scores highly when tested using the Common Ground Plan’s Project Evaluation Criteria. In the value criteria of Public Recreation, Trail Project, Urban Park, Sustainability, and Partnership, the project achieves goals with the highest value:

- The project serves a visitor base in a regional or greater geographic area.
- The project builds a significant link in a major regional trail.
- The project will improve or significantly enhance open space parkland in a densely urban and/or park-poor community.
- The project provides innovative and substantial water conservation techniques.
- The project is significant to one or more partner government agencies with funds available.

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, and tangible physical property with an expected useful life of 10 to 15 years. Section 16727 (a) also allows bond funds to be used for costs that are incidentally but directly related to construction or acquisition including costs for planning, engineering and other design work.

The activities that Community Conservation Solutions proposes to fund with this grant constitute planning and construction of an improvement project to protect land and water resources, protect and restore rivers, lakes and streams, their watersheds and associated land, water and other natural resources. Thus, the proposed activities fall within the definition of "capital assets" or are incidentally but directly related to acquisition or construction, and therefore are proper under the General Obligation Bond Law.