

Memorandum

To : The Conservancy
The Advisory Committee

Date: March 30, 2015

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

Subject: **Agenda Item 14: Consideration of resolution authorizing a grant of Proposition 40 funds to the Mountains Recreation and Conservation Authority for Project Planning and Design of visitor-serving capital improvements for underserved and disadvantaged communities at Puerco Canyon, unincorporated Los Angeles County.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant of Proposition 40 funds to the Mountains Recreation and Conservation Authority for Project Planning and Design of visitor-serving capital improvements for underserved and disadvantaged communities at Puerco Canyon in the amount of \$250,000, unincorporated Los Angeles County.

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

Background: The Puerco Canyon property, also known as the Cameron Nature Preserve, was acquired by the Mountains Recreation and Conservation Authority (MRCA) in 2014, and at that time was among the largest privately owned open space parcels in the Santa Monica Mountains. It is an outstanding example of the Mediterranean biome with a range of plant communities including chaparral, coastal sage scrub, native grasslands, and oak woodlands. Situated between the 1,000-acre Corral Canyon Park and 8,000-acre Malibu Creek State Park, the site abuts numerous public lands and is an unparalleled opportunity to introduce more people to the resources of the Santa Monica Mountains.

Portions of the 703-acre property were cleared and graded for residential development long prior to the adoption of the California Coastal Act, and a few of these scattered ranching and homestead structures still exist. Access to the property is via the paved Puerco Canyon Road 2,000 feet from Pacific Coast Highway. Dirt-surfaced De Bell Ranch Road runs up the center of the property up Puerco Canyon, and the unpaved Puerco Motorway ridgeline fire road courses along the western property boundary and then connects to the unpaved Mesa Peak Motorway to Malibu Creek State Park and the Backbone Trail. The existence of these roads, structures, and disturbed areas means that new development, of equal or smaller footprint and impact, is allowed.

MRCA has submitted a grant application for Project Planning and Design for the Puerco

Canyon property to plan an overnight group camping facility. The campground is intended to be used by service-oriented organizations such as urban youth associations, groups that provide therapeutic treatments to youth and adults of varying abilities, and community organizations from underserved and disadvantaged areas of the greater Los Angeles region. The tasks expected to be completed as part of conceptual design include programming of uses and space needs, preparation of base maps, code and permit analysis, circulation studies, development of conceptual layout options, preliminary engineering, and project management. The condition of existing structures may need to be evaluated to determine whether rehabilitation is feasible.

Objectives of the project planning and design grant are to plan a capital improvements project to protect, restore, interpret, restore, rehabilitate and develop the land and water resources of the Santa Monica Mountains and Coastal watersheds, specifically at the Cameron Nature Preserve in Puerco Canyon. Project planning and design describes a range of staff activities that prepare a potential project to the point that capital funding can be secured for implementation. For capital improvement projects, project planning and design work extends through the completion of construction. The subject grant is intended to bring the proposed project through the preliminary conceptual design stage. Subsequently MRCA would then commence the permitting and entitlement processes, complete CEQA compliance, prepare construction plans, specifications, and estimates, secure all required funding, and proceed with bidding, construction, and operations.

Analysis–Proposition 40

The “California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002” (Proposition 40) allocated \$40 million to the Santa Monica Mountains Conservancy for the acquisition, development, rehabilitation, restoration, and protection of land and water resources in accordance with the Conservancy Act. The California Attorney General has previously advised the Conservancy that Proposition 40 bond proceeds may be used for preservation which, as defined in the bond act, includes interpretation, protection, rehabilitation, restoration, stabilization, development or reconstruction. Proposition 40 also defines “development” to include “improvement, rehabilitation, restoration, enhancement, preservation, protection, and interpretation.” In the General Provisions of the Proposition, the Legislature declares that “to maintain a high quality of life for California’s growing population requires a continuing investment in parks, recreation facilities, and in the protection of the state’s natural and historical resources.” Proposition 40 bond proceeds may also be used to pay costs that are incidentally but directly related to the acquisition, development, rehabilitation, restoration or protection of a capital asset.

As outlined in the application, the proposed project is consistent with Proposition 40. The

activities to be planned are all development, stabilization, rehabilitation, restoration, and protection of land and water resources, and once completed, the property will be used for interpretation and as a recreation facility. The capital improvements to be planned will enhance the useful life of park facilities, provide public access to parkland, and/or are major maintenance projects that ordinarily not be done more often than every five to fifteen years. This project will enable the MRCA to provide a continuing investment in parks and recreation facilities within the Santa Monica Mountains, available to visitors from and the surrounding region.

The proposed project site is located within the Santa Monica Mountains Zone, as defined in the Conservancy Act. The Conservancy Act declares that the Santa Monica Mountains Zone is a unique and valuable resource that should be held in trust for the public and that the preservation and protection of this resource is in the public interest.

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 MRCA proposes to fund with this grant constitute planning of improvement projects 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.

Analysis—Consistency with Plans

The proposed grant is consistent with all applicable plans, including the *Santa Monica Mountains Conservancy Strategic Plan* and the *Santa Monica Mountains Comprehensive Plan*.

Santa Monica Mountains Conservancy Strategic Plan

The *Santa Monica Mountains Strategic Plan*, adopted in 1997, identifies the Conservancy's goals. The requested grant meets the following goals of the *Strategic Plan*.

Implement the Santa Monica Mountains Comprehensive Plan: The project is consistent with the Comprehensive Plan as described below.

Expand Efforts to Integrate Nature into the Urban Environment by linking and integrating new natural parks into existing park system—literally via transportation and physical linkages, thematically via programs and events: The new facilities will be used by service-oriented organizations such as urban youth associations, groups that provide therapeutic treatments to youth and adults of varying abilities, and community organizations from underserved and disadvantaged areas of the greater Los Angeles region .

Expand Education, Public Access, and Resource Stewardship Components by increasing resource stewardship and educational/interpretative capabilities within the Zone: The new facilities will be a new resource for educational and interpretive programs that teach resource stewardship to an underserved audience.

Santa Monica Mountains Comprehensive Plan, 1979

The project achieves the following Plan objectives:

- Provide for public parks and facilities in the Santa Monica Mountains that offer a variety of recreation opportunities accessible to all income groups;
- Emphasize the value of open space, conservation, and recreation compatible with the resources of the Santa Monica Mountains;
- Give priority to natural resource protection when balancing development and conservation goals; and
- Develop innovative public transportation alternatives within the frame-work of existing roadways for access to the Santa Monica Mountains in ways that will protect the environment, maintain air quality, efficiently deliver public services, and assure maximum access to the recreation areas for all the public.

Consideration: The application from the Mountains Recreation and Conservation Authority is for \$250,000 of Proposition 40 funds.

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