

Memorandum

To : The Conservancy
The Advisory Committee

Date: April 24, 2017

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

Subject: **Agenda Item 13: Consideration of resolution authorizing a grant of Proposition 84 funds to the Mountains Recreation and Conservation Authority for improvements at the Los Angeles River Zev Yaroslavsky Greenway project, Studio City.**

Staff Recommendation: That the Conservancy adopt the attached resolution recommending authorizing a grant of Proposition 84 funds to the Mountains Recreation and Conservation Authority for improvements at the Los Angeles River Zev Yaroslavsky Greenway project in the amount of \$800,000, Studio City.

Legislative Authority: Sections 33204.2, 33204.27(a), and 75050(g)(2) of the Public Resources Code.

Background: The Mountains Recreation and Conservation Authority (MRCA) has submitted the attached application for a grant for the Los Angeles River Zev Yaroslavsky Greenway Project (Project), extending between Whitsett Avenue and Coldwater Canyon. The proposed grant would provide capital funding for imperative elements that were not part of the Phase I improvements at the project site. The project is currently under construction and being implemented by Community Conservation Solutions (CCS), using grant funding from the Conservancy as well as California Natural Resources Agency, California Department of Transportation, County of Los Angeles (Proposition A) and other sources. The Project currently includes installation of native plants and trees, a bioswale network that treats and improves water quality, natural seating, and interpretive elements related to the Los Angeles River.

During a recent site tour with CCS, multiple necessary project components were identified as being either outside of CCS' current scope of work or had been previously removed from the scope of work due to lack of funding. Once the construction is complete, MRCA will be responsible for long-term operations and maintenance of the project site. Several elements that are necessary for the overall long-term success and benefits of the site should be added. These elements include, but are not limited to, irrigation along the newly landscaped slope, additional native landscaping where necessary along portions of the site, existing slope erosion repair and control measures, community art and rock cladding on unfinished plain retaining walls, new pedestrian access located at Bellaire Avenue street-end, and mulch throughout. Additional

fencing would increase visitor safety and help to moderate unauthorized use.

The additional landscaping and erosion measures the MRCA is proposing to install will not only correct existing erosion along the steep and minimally landscaped slope, but will also prevent future erosion occurrences, resulting in future cost savings and less potential site closures for repair. The proposed rock cladding and community art on the existing plain concrete retaining walls would not only help to aesthetically improve the site conditions but would also contribute to community pride and ownership, therefore reducing the potential for graffiti on those surfaces. The installation of irrigation along the slope will ensure that the native plant landscaping will be able to survive and thrive over time. If no irrigation is added, it is likely that the majority of the plants will die, resulting in less habitat, an aesthetically unpleasing site, and thousands of dollars of wasted public funding. Although pure ecological restorations frequently do not incorporate permanent irrigation, MRCA has found that approach to be inadequate in urban parks where plants are subjected to more extreme conditions including the heat island effect, trampling, and damage from routine maintenance such as trash removal. Vigorous growth of young plants is a vital component for new park plants to succeed.

These proposed new improvements are also expected to create better user experiences and watershed benefits. The objectives of the project 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. 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. The proposed new pedestrian access will allow for the upslope neighborhood to more conveniently and easily access the new amenity. Visitors will experience native plant communities and see water conservation measures in action. The proposed additional irrigation and landscaping will provide not only make for an aesthetically pleasing site creating better experiences, but it will also attract local wildlife such as bird and butterflies and ensure more wildlife corridor functions. Lastly, the additional landscaping and slope erosion controls will both improve user experience and provide watershed protection by preventing possible erosion and sedimentation in the Los Angeles River.

The current request for \$800,000 in Proposition 84 funding from the Conservancy is an estimate based on MRCA's thorough evaluation of the site and costs associated with the necessary items. This amount is sufficient to complete the full proposed scope required for the comprehensive Greenway improvements.

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*.

The Zev Yaroslavsky Greenway project constitutes watershed protection, preservation and restoration activities in the Upper Los Angeles River watershed. The geographic area covered by the grant is within the Upper Los Angeles River watershed, and the property and its facilities are resources for public recreational use. The project is consistent with Proposition 84's goals and is consistent with its definitions of protection, preservation, restoration and interpretation. The project contains elements which protect and restore the Los Angeles River watershed and associated land, water and other natural resources. MRCA is requesting a grant to restore, preserve, protect and improve the Greenway and the surrounding habitat.¹ 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 Greenway, enhance its recreational uses, and ensure that the surrounding native habitat can be protected.

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.

(i) "Interpretation" includes, but is not limited to, a visitor serving amenity that educates and communicates the significance and value of natural, historical, and cultural resources in a way that increases the understanding and enjoyment of these resources and that may utilize the expertise of a naturalist or other specialist skilled at educational interpretation.

(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.

The Zev Yaroslavsky Greenway project is consistent with 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. 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. The Zev Yaroslavsky Greenway Project improves the half-mile walking trail and corresponding amenities, creating a more sustainable site from a maintenance standpoint. These improvements would provide additional landscaping, irrigation and slope erosion controls. As previously mentioned, this improves user experience and provides watershed protection by preventing possible erosion and sedimentation in the Los Angeles River.

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 Zev Yaroslavsky Greenway project implements the following guiding principles:

- Create, Expand and Improve Public Open Space Throughout the Region
- Improve Access to Open Space and Recreation for All Communities
- Improve Habitat Quality, Quantity, and Connectivity
- Promote Stewardship of the Landscape
- Maintain and Improve Flood Protection
- Establish Riverfront Greenways to Cleanse Water, Hold Floodwaters, and Extend Open Space
- Connect Open Space with a Network of Trails
- Improve Quality of Surface Water and Groundwater

Based upon consistency with the selection criteria and Guiding Principles, the project is consistent with the Common Ground Plan as required by Section 79508 of the Water Code.

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.

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.

The activities that MRCA 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. As such, it is a proper expenditure of bond funds. In addition, the activities that this grant would fund will enhance the useful life of the facility and on that basis qualify as capital assets for purposes of the General Obligation Bond Law. Thus, the proposed activities fall within the definition of "capital assets", is directly related to construction, and therefore proper under the General Obligation Bond Law.

Consideration: The application from the Mountains Recreation and Conservation Authority is for \$800,000 of Proposition 84 funds.