

SANTA MONICA MOUNTAINS CONSERVANCY

LOS ANGELES RIVER CENTER AND GARDENS
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August 9, 2004

John A. Saurenman
Supervising Deputy Attorney General
Office of the Attorney General
Lands Section
300 South Spring Street
Los Angeles, California 90013

**Los Angeles River Watershed and Coastal Watersheds/Project Planning and Design
Proposition 50 Grant Application**

Dear John:

Enclosed please find a proposed grant application submitted in draft form by the Mountains Recreation and Conservation Authority (MRCA) and drafts of the Santa Monica Mountains Conservancy grant agreement, staff report and resolution.

The MRCA is requesting a grant in the amount of \$200,000 from the Conservancy's Proposition 50 funds to be used for project planning and design, which includes identifying and developing the acquisition, protection and restoration of land and water resources in the Los Angeles River Watershed and Santa Monica Bay coastal watersheds.

Section 79570(c) of the Water Code provides that the Conservancy may make grants for the above purposes. This project will be in compliance were relevant with section 79508 of the Water Code which requires the Conservancy to implement the San Gabriel and Los Angeles River Watershed and Open Space Plan.

Pursuant to Section 5 of the Budget Control Language the Conservancy requests that your office review the enclosed draft and provide the Conservancy with advice as to whether the proposed grant is in compliance with the General Obligation Bond Law.

Sincerely,

A handwritten signature in black ink that reads "Laurie C. Collins".

LAURIE C. COLLINS
Chief Staff Counsel

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



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August 24, 2004

Laurie Collins
Chief Staff Counsel
Santa Monica Mountains Conservancy
Los Angeles River Center and Gardens
570 West Avenue Twenty-Six, Suite 100
Los Angeles, CA 90065

RE: Proposition 50 Grant to MRCA for Project Planning and Design

Dear Ms. Collins:

You have asked that the Office of the Attorney General review the above-referenced grant to the Mountains Recreation and Conservation Authority (MRCA) and advise the Conservancy whether the grant complies with the General Obligation Bond Law and Proposition 50.

Based on the information you have provided, the Conservancy proposes to grant \$200,000 in Proposition 50 bond funds to the MRCA. The MRCA's project description indicates that it will expend the funds for the planning of land acquisitions and improvement projects to protect land and water resources "in order to reduce pollution, capture additional storm water runoff, protect and manage groundwater, reduce pollution of the Los Angeles River and its tributaries, and to provide habitat for fish and wildlife." The MRCA additionally states that land acquisition includes both obtaining fee title and conservation easements by direct purchase, donation or dedication. In the project description, the MRCA provides a list of the specific projects in the Los Angeles River watershed and in the Santa Monica Bay and Ventura County coastal watersheds where these bond funds will be expended.

Proposition 50 makes available \$200 million "for expenditures and grants for the purpose of protecting coastal watersheds, including, but not limited to, acquisition, protection, and restoration of land and water resources and associated planning, permitting and administrative costs." (Wat. Code, § 79570.) Proposition 50 then provides \$40 million to the Conservancy to be expended for protection of the Upper Los Angeles River watershed and of Santa Monica Bay

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and Ventura County coastal watersheds. (Wat. Code, § 79570, subd. (c).) Thus, the acquisition and restoration of land and water resources in the Upper Los Angeles River watershed and the Santa Monica Bay and Ventura County coastal watersheds is an authorized means of protecting those watersheds. Proposition 50, consistent with Government Code section 16727, also authorizes the expenditure of bond funds for planning, permitting and administrative costs. In prior advice, we have informed the Conservancy that in order to conform to the General Obligation Bond Law, grants of bond funds for project planning must relate to specific projects.

We note that as originally presented to us, we found that the project list was too vague. That is, we could not determine whether the project planning and design costs were incidentally but directly related to the acquisition, protection or restoration of land or water resources in the Upper Los Angeles River watershed or in the Santa Monica Bay and Ventura County coastal watersheds. The MRCA has amended its list of projects so that it has identified the specific projects where bond proceeds will be expended. The bond funds will be expended to plan for these specific acquisition and restoration projects in these watersheds. A copy of the revised list of projects is attached hereto.

This grant is for project planning (including planning for land acquisition, protection and restoration) for specific projects in the Upper Los Angeles River watershed and in the Santa Monica Bay and Ventura County coastal watersheds. As modified, we find this grant is proper under the General Obligation Bond Law and Proposition 50.

Sincerely,



JOHN A. SAURENMAN
Supervising Deputy Attorney General

For BILL LOCKYER
Attorney General

Los Angeles River Watershed Projects

Incorporation of LACO Flood Control right-of-way (as incrementally approved by LACO) into greenbelt and acquisition and restoration of creek adjacent, or near adjacent, parcels for the following sections of the Los Angeles River:

Los Angeles River from Bell and Calabasas Creek confluence to Tujunga Wash confluence

Los Angeles River from Verdugo Wash to northernmost point of Vernon

Pacoima Wash

Acquisition and restoration of wash adjacent properties in the City of San Fernando and portions up stream to the Angeles National Forest

Hansen Dam Basin - Restoration of riparian habitat in the basin

Incorporation of LACO Flood Control right-of-way (as incrementally approved by LACO) into greenbelt and acquisition and restoration of creek adjacent parcels for the following tributaries of the Los Angeles River:

**Bell Creek between Valley Circle Boulevard and Shoup Avenue
South Bell Creek between Royer and Fallbrook Avenues**

**Aliso Creek, Chatsworth Creek, Santa Susana Creek, Limekiln Creek
and Browns Canyon Wash-south of the 118 Freeway and north of
Roscoe Boulevard**

Acquire and restore open space in the following tributary watersheds of the Los Angeles River between the Angeles National Forest and the 210 Freeway:

Grapevine Canyon - complete dedication and donations in process

Lopez Canyon, Kagel Canyon, Little Tujunga Canyon - process and negotiate open space acquisitions, dedications, and donations in the area between the built environment and the Angeles National Forest

Big Tujunga Canyon- acquire City of Los Angeles and Department of Water and Power surplus property and City of Los Angeles entitlement dedications between the 210 Freeway and the Angeles National Forest.

Millard Canyon - acquire parcels between the Angeles National Forest and Canyon Crest Road

Acquire and restore open space in the following tributary watershed of the Los Angeles River between the Sepulveda Basin and the Simi Hills:

El Escorpián Canyon - between Ahmanson Ranch and Valley Circle Boulevard

Implement Sun Valley Watershed restoration and enhancement projects
(as defined in the October 2003 Sun Valley Watershed Management Plan)

Mount Olympus- Acquire fee simple and conservation easement open space in the Montecito and Lincoln Heights

Mount Washington - Acquire and restore open space lots that preserve prominent viewsheds and maintain wildlife movement between Elyria Canyon Park and Heidelberg Park

Walnut Canyon (Cazador Ridge) - Acquire and restore open space lots close to public access points

San Rafael Hills - Acquire and restore open space in the Cities of Pasadena, Glendale and La Canada-Flintridge at east end San Rafael Hills north of the 134 Freeway

Sheldon Arleta Spreading Grounds - Acquire property from the L. A. City Department of Water and Power and restore native habitat

La Tuna Canyon - Acquire and restore open space up stream of Sunland Boulevard including the Canyon Hills-Whitebird and Hillview properties abutting the 210 Freeway, and the Majors property at the eastern end of the Verdugo Mountains.

Dixie Canyon Park - Stream restoration to facilitate TMDL compliance

Elysian Valley-Marsh Street Park - stormwater management enhancements on existing MRCA property

Hazard Park - Acquisition and restoration of open space on City of Los Angeles property

Ascot Hills - Acquisition and restoration of open space on City of Los Angeles property

Santa Monica Bay and Ventura County Coastal Watershed Projects

Land acquisition and restoration in the following coastal canyon watersheds within the Santa Monica Mountains zone:

- Topanga -** Acquire surplus Los Angeles County property in the Sylvia Park and Hillside Drive area
- Acquire property in the Kerry Lane Area
- Acquire property between Mulholland Gateway Park and Garapito Creek stream channel east of Ed Edelman Summit Valley Park
- Tuna -** Acquire property in SEA 10 that abuts the northern boundary of Tuna Canyon Park
- Las Flores -** Acquire property to maintain a coastal slope wildlife corridor between Tuna and Las Flores Canyons
- Malibu -** Acquire property in the upper Stokes Canyon tributary, upper Cold Creek/Dark Canyon tributaries and upper La Sierra Canyon tributary, and dedications along Mulholland Highway in the Cold Creek tributary
- Puerco -** Acquire dedications from City of Malibu development projects
- Corral -** Acquire property to connect Corral Canyon Park with Malibu Creek State Park
- Solstice -** Acquire property to connect Solstice Canyon Park with Malibu Creek State Park
- Latigo, Escondido, and Ramirez Canyons-** Acquire property to maintain a coastal slope, east-west wildlife corridor between Solstice Canyon Park and the Zuma Canyon unit of the Santa Monica Mountains National Recreation Area
- Encinal -** Acquire pending donations and Offers to Dedicate
- Lechusa -** Acquire donations and Offers to Dedicate
- Los Alisos -** Acquire donations and Offers to Dedicate
- Nicholas -** Acquire donations and Offers to Dedicate

Arroyo Sequit -Acquire donations and Offers to Dedicate

Calleguas Creek- Acquire conservation easements in agricultural lands along Callugas Creek at the eastern end of the Santa Monica Mountains to the Point Mugo Naval Air Station