

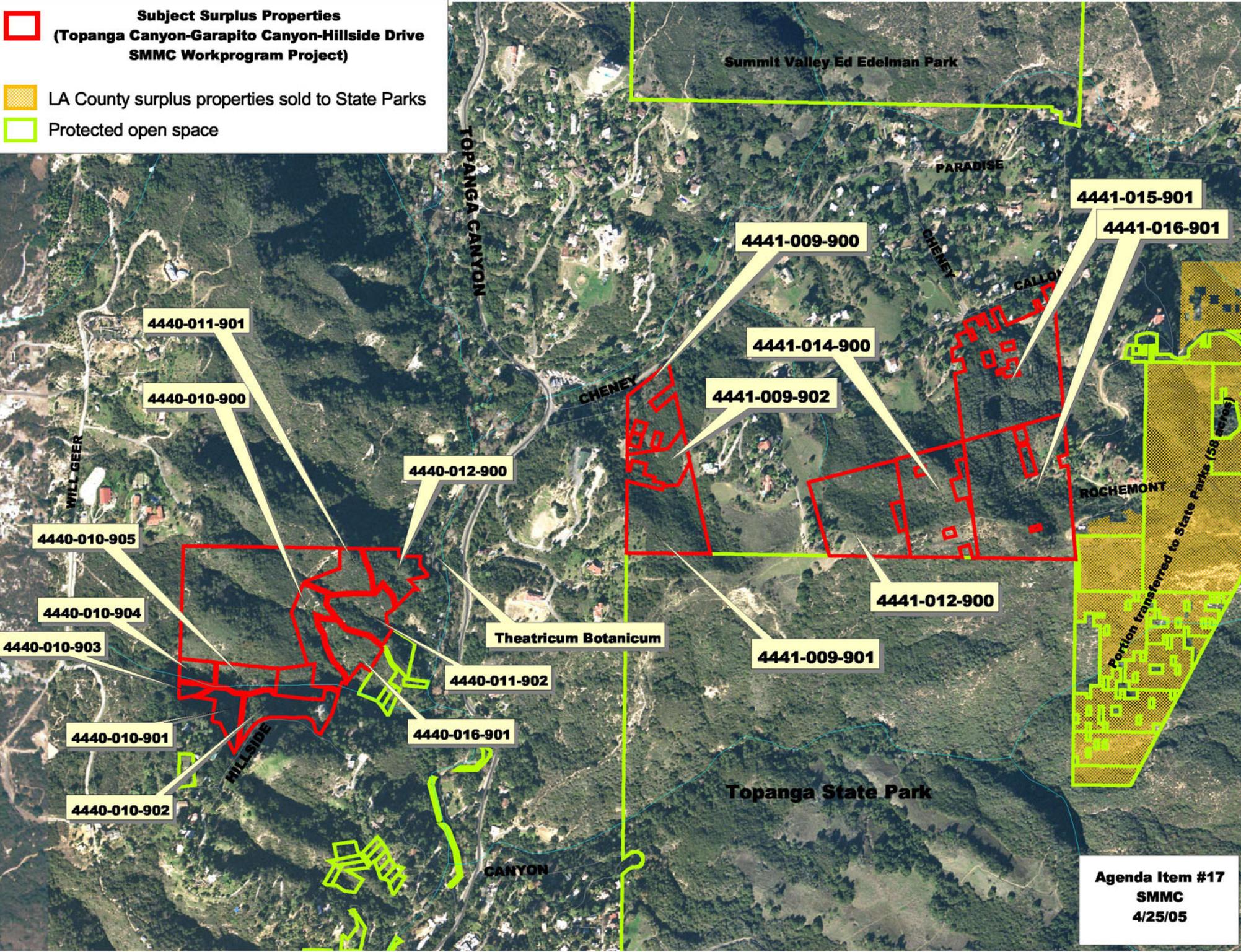
**Attachment
MRCA Item
July 6, 2005**

Materials prepared by: C. McLane 6/28/05

Subject Surplus Properties
(Topanga Canyon-Garapito Canyon-Hillside Drive
SMMC Workprogram Project)

LA County surplus properties sold to State Parks

Protected open space



Agenda Item #17
SMMC
4/25/05



300 SOUTH SPRING STREET, SUITE 1702
LOS ANGELES, CA 90013

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June 16, 2005

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 Acquisition of Topanga Canyon Surplus Properties

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. We are reviewing this grant using our opinion standard pursuant to the budget control language which mandates Attorney General review of Conservancy grants from its appropriation of bond funds for this fiscal year to insure compliance with the General Obligation Bond Law and the pertinent bond acts. We note that the Legislature has charged the Attorney General to review grants only to determine whether their purposes are consistent with the General Obligation Bond Law and the specific bond acts. Thus, our review does not address other questions such as the amount of the grant or compliance with other statutes.

Based on the information you have provided, the Conservancy proposes to grant \$110,000 of Proposition 50 bond funds to the MRCA to acquire 18 surplus parcels located in Topanga Canyon in Los Angeles County. The MRCA intends to hold the properties as open space and habitat to help preserve the Topanga Canyon watershed and Topanga Creek which are a part of the Santa Monica Bay coastal watershed. The scope of work identifies the specific parcels that are to be acquired and the budget indicates that \$100,000 will be used for fee acquisition and \$10,000 will be used for associated transaction costs.

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 \$20 million to the Conservancy to be expended for protection of Santa Monica Bay and Ventura County coastal watersheds. (Wat.

Laurie Collins
June 16, 2005
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Code, § 79570, subd. (c).) Thus, the acquisition and restoration of land and water resources in the Santa Monica Bay and Ventura County coastal watersheds is an authorized means of protecting those watersheds. Additionally, under the General Obligation Law, bond funds may be used for the construction or acquisition of capital assets. (Gov. Code, § 16727, subd. (a).) Here, under the grant, bond funds will be expended to acquire capital assets.

We find this grant is proper under the General Obligation Bond Law and Proposition 50 because the granted funds will be used to acquire and protect land and water resources in the Santa Monica Bay watershed.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Saurenman". The signature is fluid and cursive, with a long horizontal stroke at the end.

JOHN A. SAURENMAN
Supervising Deputy Attorney General

For BILL LOCKYER
Attorney General



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens
570 West Avenue Twenty-six, Suite 100
Los Angeles, California 90065
Phone (323) 221-9944 Fax (323) 221-9934

April 13, 2005

Ms. Elizabeth Cheadle
Chairperson
Santa Monica Mountains Conservancy
5750 Ramirez Canyon
Malibu, California 90265

**Grant Application - Proposition 50 Funds
Acquisition of Topanga Canyon Surplus Properties**

Dear Ms. Cheadle:

I am pleased to present the enclosed application for grant funding for Acquisition of Topanga Canyon Surplus Properties. The MRCA requests a grant in the sum of \$110,000 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), specifically Water Code Section 79570(c), in compliance with Section 79508.

The proposed grant would fund fee acquisition of 18 surplus parcels owned by Los Angeles County in the Sylvia Park, Garapito Canyon, and Hillside Drive areas of Topanga Canyon. Please refer to the enclosed application for more information. If you have any questions regarding this, please contact Paul Edelman, at 310-589-3230, extension 128.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Berger".

Michael D. Berger
Chairperson

Attachments: Application

**SANTA MONICA MOUNTAINS CONSERVANCY
GRANT APPLICATION**

Project Name: Topanga Canyon Surplus Property	Amount of Request: \$ 110,000 Total Project Cost: \$ 110,000
Applicant Name: Mountains Recreation & Conservation Authority	Amount of Match: \$ 0 Source of Match: n/a
Applicant Address: 570 West Avenue 26, Suite 100 Los Angeles, CA 90065 Phone: 323-221-9944 Fax: 323-221-9934	Project Address: various
	County Senate District Assembly District
	Los Angeles 23-Kuehl 41-Pavley
	Email: Paul.Edelman@mrca.ca.gov
Grantee's Authorized Representative: Cara McLane, Contracts Officer 323-221-9944, x117	
<hr style="width: 50%; margin-left: 0;"/> <i>Name and Title</i> <i>Phone</i>	
Person with day-to-day responsibility for project: Paul Edelman, Chief of Natural Resources and Planning 310-589-3230, x128	
<hr style="width: 50%; margin-left: 0;"/> <i>Name and Title</i> <i>Phone</i>	
Brief Scope of Work (60 words maximum): Fee acquisition of 18 surplus parcels owned by Los Angeles County in the Sylvia Park, Garapito Canyon, and Hillside Drive areas of Topanga Canyon. APNs 441-009-900, 441-009-901, 441-009-902, 4441-012-900, 4441-014-900, 4441-016-901, 4441-015-901, 4440-008-900, 4440-010-900, 4440-010-901, 4440-010-902, 4440-010-903, 4440-010-904, 4440-010-905, 4440-011-901,902, 4440-012-900, 4440-016-901.	
Funding Source Applied for: Proposition 50	
Narrative/Project Description: At its November 24, 2003 meeting the Conservancy adopted resolution No. 03-201 waiving its first right of refusal pursuant to Section 33207 of the Public Resources Code on over 100 surplus parcels totaling approximately 57 acres in the subject area of Topanga Canyon. In exchange for the Conservancy's waiver, Los Angeles County has subsequently offered to sell the remaining 18 surplus parcels in this area to the MRCA for \$100,000. The County is in the process of selling the approximately 57 acres that the Conservancy waived its right on. However, all of those parcels require, or are likely to soon require, extensive fuel modification. APNs 441-009-900, -901, -902, 4441-012-900, 4441-014-900, 4441-016-901 and 4441-015-901 are located east of Topanga Canyon Boulevard adjacent to Topanga State Park. Los Angeles County is negotiating additional deals with landowners that have inholdings within these future MRCA parcels to trade them for surplus parcels in the developed area immediately to the north. The subject parcels (49.5 acres) support high quality north face chaparral vegetation with minimal development interface. Fuel modification requirements should be less than one quarter-acre. APNs 4440-008-900, 4440-010-900 through 905, 4440-011-901,902, 4440-012-900 and 4440-016-901 are located west of Topanga Canyon Boulevard just north of Hillside Drive and south of the	

Continued on next page

