



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon ASLA, Executive Officer

DATE: February 11, 2009

SUBJECT: **Agenda Item X: Consideration of resolution authorizing all actions necessary to accept approximately 260-acre Big Tujunga Wash open space dedication, including, but not limited to, the formation of a Community Facilities District or Landscape Maintenance District to fund maintenance and required environmental mitigation measures, entering into agreements with the Angeles National Golf Course and/or the City of Los Angeles, and acceptance of funding for all said purposes.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing all actions necessary to accept approximately 260-acre Big Tujunga Wash open space dedication, including, but not limited to, the formation of a Community Facilities District or Landscape Maintenance District to fund maintenance and required environmental mitigation measures, entering into agreements with the Angeles National Golf Course and/or the City of Los Angeles, and acceptance of funding for all said purposes.

Background: In May of 2007 the MRCA adopted resolution number 07-42 that authorized acceptance of an approximately 280-acre open space dedication, conservation easements, trail easements and maintenance funding in the Big Tujunga Wash located in the Sunland-Tujunga area at the base of the San Gabriel Mountains. Until the end of 2008 staff had every intention of accepting the dedications and negotiating a permanent funding source with the owner the Angeles National Golf Course (ANGC). Generally staff was not interested in additional funding to implement the project's mitigation and monitoring requirements.

ANGC approached staff this fall fully ready to transfer the property. Because of deteriorating State financial conditions, increasingly taxed maintenance funding, and new experience with the financial costs of relocating homeless individuals living on parkland, staff pulled back from outright acceptance of the property and put on the table the need for \$100,000 annually to maintain the property. That number was not accepted by ANGC and staff assumed the City of Los Angeles Department of Parks

and Recreation would accept the property. In such case, staff would push for a conservation easement for the MRCA too. Subsequent to then, there has been community pressure for the MRCA to find a solution that would allow the agency to accept the property. In the last three weeks, staff has put forth the idea of the MRCA immediately accepting a conservation easement and the ANGC recording an irrevocable offer to dedicate the whole open space lot in fee if the MRCA or another public agency decided to take on all of the management at some point in the next approximately twenty years.

The issue is coming to a head because there is a City of Los Angeles hearing on February 13th to address ANGC's condition compliance relative to gaining a certificate of occupancy for a new club house that is paramount to their business model.

Community issues remain with the adequacy of trail easements. In addition, the California Department of Fish and Game has strong concerns about ANGC's compliance with an arbitration settlement and the City's conditions both relative to the protection of the washes' unique ecological resources.

A meeting with all parties associated with the wash was hosted by the Council Office on February 4th. The ANGC seemed willing to negotiate a funding package with the MRCA. The community and CDFG also expressed sentiment that it would be best if the MRCA assumed the mitigation requirements with additional guaranteed funding. ANGC just wants a written proposal to respond to and to have that proposal backed in concept by a more precise Governing Board action.

Because of the timing of the City hearing, staff intends to draft a letter some time during the week of February 9th that proposes an initial payment to secure the property and less than a \$90,000 annual maintenance payment. That is a key part of the equation to solve first. Assuming there is a deal on the general open space maintenance funding near at hand, staff will work assiduously with ANGC to work out an acceptable package to take over most or all of the mitigation requirements.

There is a chance that the hearing process will be extended per a request from CDFG, however, the iron is hot now, and it is in all parties' interest to find an acceptable resolution to the recipient of, and funding for, the open space. The proposed action authorizes all actions necessary to achieve permanent protection of the property and funding to maintain those protections and safe recreational use.