

DESERT AND MOUNTAIN CONSERVATION AUTHORITY

MEMORANDUM

TO: The Governing Board

FROM: Joseph T. Edmiston, FAICP, Executive Officer

DATE: December 15, 2006

SUBJECT: **Agenda Item VI: Consideration of resolution authorizing the granting of in lieu mitigation funds to the Mountains Recreation and Conservation Authority (MRCA) to acquire parcels in Chapter 8 Agreements No. 2469 and 2482, unincorporated Los Angeles County.**

Staff Recommendation: That the Governing Board of the Desert and Mountain Conservation Authority adopt the attached resolution authorizing the granting of in lieu mitigation funds to the Mountains Recreation and Conservation Authority (MRCA) to acquire parcels in Chapter 8 Agreements No. 2469 and 2482, unincorporated Los Angeles County.

Background: The Mountains Recreation and Conservation Authority (MRCA) has entered into two Chapter 8 Agreements with the Los Angeles County Treasurer and Tax Collector to acquire parcels in the unincorporated Antelope Valley. The MRCA is seeking funding for almost all of the parcels in both of these agreements. The attached table lists the APNs of the 30 parcels and their acreage (total of 688 acres) and location. Maps of the parcels will be available under separate cover and at the Board meeting. When the demand letter comes from the Treasurer and Tax Collector the amount owed for these parcels will exceed \$650,000.

The MRCA must provide the money to the County in January 2007, or those that are not paid for will return to public auction in August 2007 at an acquisition cost at least 15 percent higher. Staff is working with the California Department of Fish and Game (CDFG), and at least one private party, to obtain in lieu mitigation fees to acquire various types of habitat. The subject Chapter 8 parcels contain high quality habitat in a broad geographical distribution of the Antelope Valley. In addition to their quality and the urgency to fund them, the per acre acquisition cost is low. These acquisitions really are a one time shot at an affordable price.

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To acquire the subject parcels, it is more expedient for CDFG to route the in lieu fees directly through the MRCA. However, at least one CDFG Streambed Alteration Agreement has been signed that only permits the fees to go to Antelope Valley based government entities. Hence that funding can only initially go through the Desert and Mountain Conservation Authority (DMCA) if it is in turn to pay for the subject Chapter 8 parcels. Time is of the essence to patch together funding. The proposed action would authorize the use of any DMCA obtained in lieu mitigation fees to the acquire the subject parcels provided that all other agreements are honored. Because the MRCA is the entity in the Chapter 8 Agreements, title to the properties must go to the MRCA. The MRCA can subsequently transfer the parcels to the DMCA or other park entity as long as they remain as permanent open space.

The MRCA is independently working to obtain in lieu fees to acquire the properties too. If less than the required amount of money is raised, at least some of the properties can be acquired.