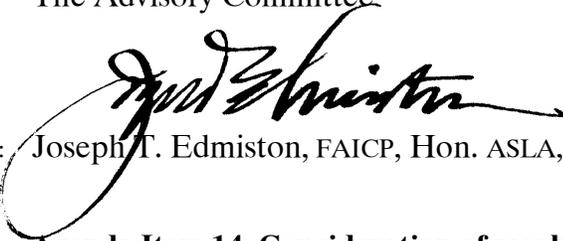


Memorandum

To : The Conservancy
The Advisory Committee

Date: September 24, 2012

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

Subject: **Agenda Item 14: Consideration of resolution authorizing a Proposition 84 matching grant to the Arroyos and Foothills Conservancy for acquisition of APNs 5863-006-001, 5863-005-008, 5863-007-003, 5863-007-002, Millard Canyon, Altadena.**

Staff Recommendation: That the Conservancy authorize a matching grant not to exceed \$100,000 in Proposition 84 funds to the Arroyos and Foothills Conservancy for acquisition of four parcels (APNs 5863-006-001, 5863-005-008, 5863-007-003, and 5863-007-002) in Lower Millard Canyon, Altadena.

Legislative Authority: Section 33204.2 (a) of the Public Resources Code states that

The conservancy may award grants to nonprofit organizations qualified as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (26 U.S.C. Sec. 501(c)(3)), . . . to carry out improvements, maintenance, acquisitions, or educational interpretation programs that directly relate to a project that the conservancy is otherwise authorized to undertake pursuant to this division.

Background: Millard Canyon is within the Upper Los Angeles River Watershed and lies just west of the La Viña development in Altadena. The Los Angeles County-imposed La Viña development dedication requirements for open space and a trail have been the subject of litigation to enforce the dedications, but the acquisition of the parcels that are the subject of this grant request from the Arroyos and Foothills Conservancy are not related to the La Viña development nor the litigation. However, preservation of the subject parcels would be most desirable and a complement to the open space dedication. In fact, over a decade ago the Conservancy was approached by the estate of the former landowner to acquire the parcels. The parcels are within a riparian corridor, contain significant natural resources, and lie adjacent to Canyon Crest Road, a public road.

The Conservancy granted funds in April 2002 to the Mountains Recreation and Conservation Authority (MRCA) in order to make a bid at the Probate Court sale, with the amount based on an appraisal. But even with additional funds added by the then-named Altadena Foothills Conservancy, the MRCA was outbid at the Probate Court sale by a private party who soon

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sought to develop the Millard Canyon land. His development plans have not proved successful and the Arroyos and Foothills Conservancy has arranged a purchase agreement with the landowner.

The State Wildlife Conservation Board has already approved a grant of \$375,000 to the Arroyos and Foothills Conservancy at its August meeting, anticipating the Conservancy's willingness to provide this matching grant of up to \$100,000 from its remaining Los Angeles River Watershed Proposition 84 funds.

The Arroyos and Foothills Conservancy is a qualified nonprofit 501(c)(3) organization. The grant is subject to approval by the Attorney General, and also subject to approval by the Department of General Services pursuant to the nonprofit grant provisions in PRC Section 33204.2 (b).