

DESERT AND MOUNTAIN CONSERVATION AUTHORITY

MEMORANDUM

TO: The Governing Board

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

DATE: July 17, 2013

SUBJECT: Agenda Item VI: Consideration of resolution authorizing (a) entering into a post-transfer agreement with Whitebird Real Estate Holdings, LLC for the purposes of recording a declaration of restrictions, (b) authorizing the future transfer to the Mountains Recreation and Conservation Authority of the following APNs: 2561-007-010; 2561-007-012; 2561-007-007; 2401-032-008; 2561-033-002; 2561-033-003; 2562-004-011; 2562-005-003; 2562-005-004; 2562-005-006; 2562-005-007; 2401-032-003; 2401-032-005; 2401-032-006; 2401-032-007; 2561-009-005; 2561-009-006; 2561-009-010; 2561-009-012; 2561-009-016; 2545-018-004; 2546-010-009; 2561-007-013; 2545-018-002; 2546-010-005; 2561-007-016; 2561-007-018; 2561-007-019; 2561-007-021; 2561-007-022; 2562-004-008; 2401-034-003; 2561-009-007; 2561-009-013; 2561-009-015; 2561-033-001; 2562-004-006 (portion); 2562-004-014; 2562-006-005; 2562-006-008; 2562-003-012 (portion); 2562-003-015; and 2561-031-004, La Tuna Canyon, Verdugo Mountains, City of Los Angeles, and (c) the future acceptance of a conservation easement from the Mountains Recreation and Conservation Authority over the APNs listed.

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing (a) entering into a post-transfer agreement with Whitebird Real Estate Holdings, LLC for the purposes of recording a declaration of restrictions, (b) authorizing the future transfer to the Mountains Recreation and Conservation Authority of the following APNs: 2561-007-010; 2561-007-012; 2561-007-007; 2401-032-008; 2561-033-002; 2561-033-003; 2562-004-011; 2562-005-003; 2562-005-004; 2562-005-006; 2562-005-007; 2401-032-003; 2401-032-005; 2401-032-006; 2401-032-007; 2561-009-005; 2561-009-006; 2561-009-010; 2561-009-012; 2561-009-016; 2545-018-004; 2546-010-009; 2561-007-013; 2545-018-002; 2546-010-005; 2561-007-016; 2561-007-018; 2561-007-019; 2561-007-021; 2561-007-022; 2562-004-008; 2401-034-003; 2561-009-007;

2561-009-013; 2561-009-015; 2561-033-001; 2562-004-006 (portion); 2562-004-014; 2562-006-005; 2562-006-008; 2562-003-012 (portion); 2562-003-015; and 2561-031-004, La Tuna Canyon, Verdugo Mountains, City of Los Angeles, and (c) the future acceptance of a conservation easement from the Mountains Recreation and Conservation Authority over the APNs listed.

Background: On September 29, 2011, the Desert and Mountain Conservation Authority (DMCA) authorized the acceptance of an approximately 600-acre collection of parcels that encompass the majority of the open space area required by the City of Los Angeles' 2004 approval of the Canyon Hills (Whitebird) project in the northern Verdugo Mountains. The Mountains Recreation and Conservation Authority (MRCA) accepted a conservation easement over the parcels in 2010.

In late 2011, the DMCA took title to sixteen of the subject parcels, totaling 259 acres, located both on the north and south side of the 210 Freeway. The attached maps show both the total 570-acre open space and the portion of the acreage that the DMCA has already taken title to. Whitebird is now ready to move forward with the second phase of the transfer of open space to the DMCA. As planned, the DMCA ownership is only brief because the MRCA is better equipped to manage the subject property. Once accepted, the DMCA intends to transfer the subject property to the MRCA. The DMCA board authorized the acceptance of the property in September 2011 but never authorized transfer of the property to the MRCA. The proposed resolution authorizes the transfer to the MRCA.

Additionally, the U.S. Army Corps of Engineers has required Whitebird to restrict usage of a portion of the subject property. Fee title to the property must be transferred in the near future, but Whitebird and the Army Corps are not ready to execute the deed restriction at this time. Whitebird has asked that the DMCA enter into a post-transfer agreement to ensure that the Army Corps requirements are met.

Finally, as mentioned, the MRCA owns a conservation easement over the subject property. Whitebird wants to ensure that the conservation easement isn't extinguished once the DMCA transfers fee title to the MRCA. So staff recommends the simultaneous transfer of the conservation easement from the MRCA to the DMCA when the DMCA transfers fee title of the property to the MRCA. Acceptance of a conservation easement across the property by the DMCA does not create any management responsibility for the DMCA.