

## Memorandum

To : The Conservancy  
The Advisory Committee

Date: March 27, 2017

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

Subject: **Agenda Item 15: Consideration of resolution authorizing a grant of Proposition 84 funds to the California Coastal Conservancy for the Natural Park at Ramona Gardens Project, Boyle Heights.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant of Proposition 84 funds to the California Coastal Conservancy for the Natural Park at Ramona Gardens Project, Boyle Heights not to exceed the amount of \$100,000.

Legislative Authority: Section 33204 of the Public Resources Code.

Background: The California Coastal Conservancy has submitted the attached application for a Project Planning and Design grant of Proposition 84 funds. The proposed grant would provide funding for planning, site studies, technical evaluations, mapping, evaluation of opportunities and constraints, and coordination with public agencies and the surrounding community in order to prepare a site concept plan for a “nature in the city” park. The potential future Natural Park will encompass approximately 3.87-acres between 500 residences and an adjacent 12-lane transit corridor, and will seek to create native habitat, walking trails, seating, a sound wall, and a daylighted stream using the underground storm drain to sustainably treat runoff and provide recycled stormwater for irrigation. The project will also investigate “Green Walking Connections” to provide shade trees, green streets and linkages between Ramona Gardens Housing Development and Boyle Heights to schools, parks, community services, and the future planned Los Angeles River Trail.

The Santa Monica Mountains Conservancy (Conservancy) previously funded Phases I-III of the Green Solutions study. These Phases of the study prioritized potential sites for storm water capture and water quality improvement projects on existing public lands in the Upper Los Angeles River Watershed. The proposed projects integrate natural treatment of urban storm water runoff with native habitat restoration and creation of new parks and open spaces in park-poor and undeserved communities. Phase III focused on specific public land uses: elementary, middle, and high schools; colleges; and other vacant lands.

The Green Solutions study, Phase IV, was funded by both the Conservancy and the State Coastal Conservancy. Phase IV further evaluated these projects, analyzed potential park and

recreation parcels in the Upper Los Angeles River Watershed and integrated them into the prioritization of storm water capture projects for implementation. In addition, Phase IV provided an analysis of energy savings, resulting in potential reduction in greenhouse gas emissions, and integration of the water supply and reuse, energy and greenhouse gas emissions reduction benefits. From this Phase IV analysis, concept site reports for up to four priority projects were developed. This Natural Park project at Ramona Gardens Housing Development is one of the high priority sites identified for implementation through the Green Solutions study. The project site is one of the three most polluted communities in California and is designated as 'severely disadvantaged'.

Please see the attached grant application and supporting materials for further details.

### **Analysis - Proposition 84 and the Common Ground Plan**

Section 75050 of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), allocates funds to various entities "for the protection and restoration of rivers, lakes and streams, their watersheds and associated land, water, and other natural resources." Section 75050 (g)(2) of the Act specifically allocates funding to the Santa Monica Mountains Conservancy "for implementation of watershed protection activities throughout the watershed of the Upper Los Angeles River pursuant to Section 79508 of the Water Code." The section of the Water Code referenced therein states that watershed protection activities in the Los Angeles River shall be consistent with the *San Gabriel and Los Angeles Rivers Watershed and Open Space Plan*.

The proposed project planning and design grant constitutes watershed protection activities in the Upper Los Angeles River watershed. The geographic area covered by the grant is within the Upper Los Angeles River watershed, and the project contains elements which protect and restore the Los Angeles River watershed and associated land, water and other natural resources. The natural park project that will be planned with the proposed project planning and design grant will be required to fit within the definitions of eligible activities: preservation, protection, and/or restoration.

"Protection" is defined in Proposition 84 as those actions necessary to prevent harm or damage to persons, property or natural resources or those actions necessary to allow the continued use and enjoyment of property or natural resources and includes acquisition, development, restoration, preservation and interpretation.

"Preservation" means rehabilitation, stabilization, restoration, development and reconstruction, or any combination or those activities.

"Restoration" is defined in Proposition 84 to mean the "improvement of physical structures or

facilities and, in the case of natural systems and landscape features includes, but is not limited to, projects for the control of erosion, the control and elimination of exotic species, prescribed burning, fuel hazard reduction, fencing out threats to existing or restored natural resources, road elimination, and other plant and wildlife habitat improvement to increase the natural system value of the property.”

This project planning and design grant is consistent with the *San Gabriel and Los Angeles Rivers Watershed and Open Space Plan* as required by Section 79508 of the Water Code. The *San Gabriel and Los Angeles Rivers Watershed and Open Space Plan*, also known as and hereinafter referred to as the "Common Ground" plan, was jointly developed by the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and the Santa Monica Mountains Conservancy. The purpose of the plan is to “articulate a vision for the future of the San Gabriel and Los Angeles Rivers Watersheds” and “provide a framework for future watershed and open space planning.” The plan outlines a holistic approach to watershed protection and development, organized by a set of Guiding Principles. These broad principles are designed to accommodate the varying priorities and needs of projects in the region.

Project planning and design is consistent with the following Guiding Principles:

- Connect Open Space with a Network of Trails
- Coordinate Watershed Planning Across Jurisdictions and Boundaries
- Encourage Multiple-Objective Planning and Projects
- Create, Expand and Improve Public Open Space Throughout the Region
- Improve Quality of Surface Water and Groundwater

### **Analysis - General Obligation Bond Law**

Proposition 84, as codified in Public Resources Code section 75081, also requires adherence to the General Obligation Bond Law which provides that bond funds may be used for the construction and acquisition of “capital assets” which are defined in Government Code section 16727. Capital assets include major maintenance, reconstruction, demolition for purposes of reconstruction of facilities, and retrofitting work that is ordinarily done no more often than once every 5 to 15 years or expenditures that continue or enhance the useful life of the capital asset (Government code Section 16727 (a)). Capital assets also includes equipment with an expected useful life of two years or more, and tangible physical property with an expected useful life of 10 to 15 years. Section 16727 (a) also allows bond funds to be used for costs that are incidentally but directly related to construction or acquisition including costs for planning, engineering and other design work.

The activities that are proposed to be funded with this grant constitute planning of improvement projects to protect land and water resources, protect and restore rivers, lakes and

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streams, their watersheds and associated land, water and other natural resources. Thus, the proposed activities fall within the definition of “capital assets” or are incidentally but directly related to acquisition or construction, and therefore are proper under the General Obligation Bond Law.

Consideration: The grant request from the California Coastal Conservancy is for \$100,000.