

# WILDLIFE CORRIDOR CONSERVATION AUTHORITY

570 WEST AVENUE 26, SUITE 100, LOS ANGELES, CALIFORNIA 90065

TELEPHONE: (310) 589-3230

FAX: (310) 589-2408

## MEMORANDUM

Date: May 8, 2017

To: The Governing Board Members



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

Subject: **Agenda Item XIII: Consideration of resolution authorizing entering into an Agreement of Settlement and Mutual Releases associated with proposed single-family home along Fullerton Road in La Habra Heights.**

Staff Recommendation: That the Governing Board authorize entering into an Agreement of Settlement and Mutual Releases associated with proposed single-family home along Fullerton Road in La Habra Heights.

Background: The Wildlife Corridor Conservation Authority (WCCA) authorized a comment letter on the proposed single-family home at 2358 Fullerton Road, in City of La Habra Heights (November 4, 2015 letter attached). This parcel is across from the entrance to Powder Canyon, owned by Puente Hills Habitat Preservation Authority (Habitat Authority). Some of WCCA's concerns included potential adverse impacts to wildlife movement from the development, including from lighting and fencing, as well as the need for a conservation easement on the property.

Habitat Authority staff has been negotiating with the development proponent's representative regarding recording a conservation easement on the property. This conservation easement would also address other concerns shared by both agencies, including lighting and fencing. The specific details are currently being worked out between the Habitat Authority and the representative.

At its March 23, 2017 Board meeting, the Habitat Authority authorized executing the settlement agreement in appropriate form and accepting conveyance of a conservation easement. The development proponent's representative indicated that they would also like WCCA to join the agreement. See excerpts from Habitat Authority staff report, attached. The conservation easement would cover the area within the parcel but outside the development footprint (see attached figure).

Today's action would authorize WCCA to enter into an Agreement of Settlement and Mutual Releases (see attached) associated with the proposed single-family home. The agreement would not only prevent WCCA and the Habitat Authority from suing, but from commenting on the project further (i.e., no more comment letters). The Habitat Authority would finalize the details with the development proponent's representative regarding the conservation easement.