

DATE: June 26, 2017

TO: RMC Governing Board

FROM: Mark Stanley, Executive Officer

SUBJECT: Item 10: Consideration of Resolution approving a Proposition 1 Grant to the City of Lynwood for the Lynwood Park Infiltration, Restoration and Water Quality Improvement Project (RMC 17017)

PROGRAM AREA: All

RECOMMENDATION: That the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) approve the following Proposition 1 Grant in the amount of \$1,692,575 for the Lynwood Park Infiltration, Restoration and Water Quality Improvement Project (RMC 17017).

The Lynwood Park Infiltration, Restoration, and Water Quality Improvement Project will replace the parking lot asphalt at Lynwood Park with permeable pavers; establishment of green space with native plants and shrubs in the parking lot perimeter; and installation of a bio-swale along the parking lot median, to improve stormwater management. This project is part of the Gateway Cities Regional Recycled Water System Expansion Project. The City of Lynwood along with 2 other cities in the southeast area of Los Angeles County and Central Basin received a grant to complete the design for an extension of the Central Basin recycled water system. This design has been completed and includes a stub out at Lynwood Park. Additional Funding for construction is being sought by the cities.

See the attached project Summary Sheet provided by the grantee, City of Lynwood.

BACKGROUND: On September 28, 2015 the RMC approved grant program guidelines which provided for project applications to be submitted for funding consideration.

At the July 25, 2016 RMC Board meeting, the Governing Board approved the San Gabriel and Lower Los Angeles Proposition 1 (2015) Tier 1 and Tier 2 Grant Recommendations (Resolution 2016-13). At the September 26, 2016 RMC Board meeting, the Governing Board approved the RMC Proposition 1 Grant Program (2015) Tier 1 and Tier 2 Grant Recommendations and preliminary authorized grant distributions of up to \$20,261,564 (Resolution 2016-23).

There is a total of twenty (20) projects being recommended for funding, one (1) of these projects is being recommended for approval by the RMC board today with a total grant amount of \$617,385. This project is one of the remaining five (5) projects that are being brought before the board for approval. The remaining four (4) projects will be brought at future Board meetings in July and through the remainder of the year as they become ready for approval.

These projects include:

1. Phil and Nell Soto Park, City of Pomona (\$1,000,000)
2. Slauson Wall Park Development (South LA), Trust for Public Land (\$1,000,000)
3. Duck Farm House Landscape and Water Conservation Center, Watershed Conservation Authority (\$891,200)
4. River Wilderness Park Arroyos Development, Watershed Conservation Authority (\$1,590,000)

5. Lynwood Park Infiltration, Restoration and Water Quality Improvement Project, City of Lynwood (\$1,692,575)

The Lynwood Park Infiltration Project summary is attached as Exhibit A: Proposition 1 Grant Summary. Detailed project proposals are on file at the RMC office in Azusa, CA.

RMC Project Managers aimed at prioritizing projects that meet the very specific Project Eligibility criteria identified in the grant program guidelines as follows (Section 2.7, RMC Proposition 1 Grant Guidelines, page 8):

- A. Grant funds may be used for the acquisition, development, rehabilitation, restoration, and protection of land and water resources
- B. Land acquisition costs may include appraisals, land improvements, relocation costs, title reports, surveying, and escrow. Land must be acquired from willing sellers and at fair market value.
- C. Direct expenses include project-specific management costs such as CEQA/NEPA compliance, permitting, direct project administration and management.
- D. Projects that have lower overhead or no overhead costs will be deemed more competitive.
- E. The RMC may cap indirect and overhead costs at 10% of the total project cost.
- F. Proposition 1 funding has limited funding available for preparation of planning documents, such as watershed plan updates, CEQA compliance documents and other planning documents. (79735(d): Up to 10 percent of the funds available pursuant to this section may be allocated for project planning).

The RMC will be funding these grant projects from the \$30 million allocation to the Conservancy in Chapter 6 of Proposition 1 as provided for competitive grants multi-benefit water quality, water supply, and watershed protection and restoration projects for the watersheds of the state (Section 79731(f)).

FISCAL INFORMATION: There are a total of twenty (20) projects being recommended for funding identified as Tier 1 for a total grant amount being requested of \$20,261,564. Today's action represents a grant amount of \$1,692,575 to the City of Lynwood for the Lynwood Park Infiltration, Restoration and Water Quality Improvement Project, City of Lynwood. Staff recommends funding a total grant amount of \$15,430,989 from section 79731 (f) and the remaining balance of \$4,830,575 from section 79735 (a). This funding request represents slightly above half of the \$30 million made available in a direct allocation to the RMC from the Proposition 1 Water Bond. The remaining balance will be encumbered at a future competitive grant funding cycle tentatively in early 2017.

RMC Resolution 2016-05 approved review of forty-four grant applications submitted for the Rivers and Mountains Conservancy Proposition 1 Grant Program. At its July Board meeting on July 25, 2016, the RMC Board approved the San Gabriel and Lower Los Angeles Proposition 1 (2015) Tier 1 and Tier 2 Grant Recommendations (Resolution 2016-13). At its September Board meeting on September 26, 2016, the RMC approved the RMC Proposition 1 Grant Program (2015) Tier 1 and Tier 2 Grant Recommendations and authorizing grant distributions of \$20,261,564 (Resolution 2016-23).

Funding for these projects will be allocated from the following sections of Proposition 1, under statute:

79731 (f): San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the sum of thirty million dollars (\$30,000,000) and section 79735 (a) of the funds authorized by Section 79730, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, for projects to protect and enhance an urban creek, as defined in subdivision (e) of Section 7048, and its tributaries pursuant to Division 22.8 (commencing with Section 79508....

LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES: The Rivers and Mountains Conservancy (RMC) statute provides in part that:

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

- (a) To acquire and manage public lands within the Lower Los Angeles River and San Gabriel River watersheds, and to provide open-space, low-impact recreational and educational uses, water conservation, watershed improvement, wildlife and habitat restoration and protection, and watershed improvement within the territory.
- (b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.
- (c) To acquire open-space lands within the territory of the conservancy.

Section 32604: The conservancy shall do all of the following:

- (a) Establish policies and priorities for the conservancy regarding the San Gabriel River and the Lower Los Angeles River, and their watersheds, and conduct any necessary planning activities, in accordance with the purposes set forth in Section 32602.
- (b) Approve conservancy funded projects that advance the policies and priorities set forth in Section 32602.
- (d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Section 32614: The conservancy may do all of the following:

- (b) Enter into contracts with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties, and enter into a joint powers agreement with a public agency, in furtherance of the purposes set forth in Section 32602.
- (e) Enter into any other agreement with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties for the purposes set forth in Section 32602.
- (f) Recruit and coordinate volunteers and experts to conduct interpretive and recreational programs and assist with construction projects and the maintenance of parkway facilities.

Further, Section 32614 provides that: The conservancy may do all of the following:

- (g) Undertake, within the territory, site improvement projects, regulate public access, and revegetate and otherwise rehabilitate degraded areas, in consultation with any other public agency with appropriate jurisdiction and expertise, in accordance with the purposes set forth in Section 32602. The conservancy may also, within the territory, upgrade deteriorating facilities and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resources projection. The conservancy may undertake those projects by itself or in conjunction with another local agency; however, the conservancy shall provide overall coordination of those projects by setting priorities for the projects and by ensuring a uniform approach to projects. The conservancy may

undertake those projects with prior notification to the legislative body of the local agency that has jurisdiction in the area in which the conservancy proposes to undertake that activity.

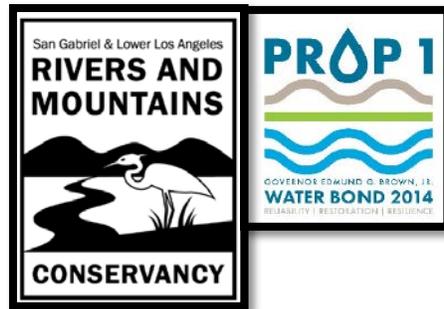
Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:
 - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
 - (2) The conservancy approves the terms under which the interest in land is acquired.
 - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
 - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
 - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.
 - (6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.
- (c) Any deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to this section shall be recorded and shall set forth the executor interest or right of entry on the part of the state.

RMC Resolution 2015-19 approved guidelines consistent with the Proposition 1 bond language; RMC Resolution 2016-05 approved review of forty-four grant applications submitted for the Rivers and Mountains Conservancy Proposition 1 Grant Program; RMC Resolution 2016-13 approved the RMC Proposition 1 (2015) Tier 1 and Tier 2 Grant Recommendations; RMC Resolution 2016-23 approved the RMC Proposition 1 Grant Program (2015) Tier 1 and Tier 2 Grant Recommendations and authorized grant distributions of \$20,261,564.

Water Quality, Supply and Infrastructure Improvement Act of 2014

Proposition 1



Project Title: Lynwood Park Infiltration, Restoration, and Water Quality Improvement Project

Grantee: City of Lynwood

Total Grant Funds: \$1,692,575

Project Location: 11301 Bullis Road, Lynwood

Project Description:

The Lynwood Park Infiltration, Restoration, and Water Quality Improvement Project seeks to replace the parking lot asphalt at Lynwood Park with permeable pavers; establish green space with native plants and shrubs in the parking lot perimeter; and install bio-swale along the parking lot median, to improve stormwater management.

Budget:

- Estimated Total Cost: \$1,737,575
- Funds Upon Approval of Grants:
- Prop 1 RMC Grant Request: \$1,692,575
- Local Funds (Cash Match) - \$45,000

Timeline and Tasklist: (Upon Grant Approval)

- October 1, 2017 - Commence Design
- March 1, 2018 - Complete Design
- June 1, 2018 - Commence Construction
- December 1, 2018 - Complete Construction

RMC Objectives and Proposition 1 Consistency:

Task	RMC Objectives/Proposition 1 Consistency:
Project furthers the City and State water conservation, and groundwater recharge efforts, based on compliance with Lynwood’s Water Conservation Ordinance No. 1618, and State mandated water use reductions.	Water sustainability & Urban Greening along lower Los Angeles River Watershed
Project will create and expand greenways in and near the city community park area, school and civic transit center. Project will apply sustainable site planning by using water/energy efficient materials/resources to include; permeable pavers, bio-swale and LED street lighting to reduce annual costs.	Climate Change adaptation/GHG Reduction
Implementation of urban runoff infiltration measures will effectively augment local groundwater supplies to store for future use.	Improve public open space with a quality/reliable water supply
Capture of runoff will preserve and enable a reduction in level of identified water pollutants.	Protect & restore urban watershed and storm-water management
.Native drought tolerant plantings in open space areas will reduce storm-water runoff, and enhance water conservation efforts.	Reduction of pollution, contaminants of rivers and restore natural water system functions.
Hands-on learning opportunities offered with the creation of new habitat areas will increase public awareness of environmental issues and teach residents about/social/cultural concerns, and allows connection to the natural world plant species and wildlife.	Creation of habitat quality, quantity and connectivity
Aggressive outreach will be expanded to address needs within disadvantage/high pollution burden areas in the community of Lynwood.	Environmental Justice Compliance/Collaboration

In summary, this project:

- Increase storm water capture.
- Maximize environmental justice compliance; and
- Create and expand public access to an interpretive program with habitat areas.

June 26, 2017 – Item 10

RESOLUTION 2017-07

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY PROPOSITION 1 GRANT AGREEMENT NUMBER 17017

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (“Proposition 1”) and

WHEREAS, the State of California has authorized an expenditure of funds from Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for capital outlay and local assistance multi-benefit grants for ecosystem and watershed protection and restoration projects; and

WHEREAS, The RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, The proposed project meets an objective of the California Water Action Plan for more reliable water supplies, restoration of important species and habitat, more resilient and sustainably managed water infrastructure; and

WHEREAS, The proposed project meets the goals of reducing greenhouse gas emissions consistent with AB 32; and

WHEREAS, The proposed project is consistent with the San Gabriel and Los Angeles River Watershed and Open Space Plan; and

WHEREAS, The proposed project protects land and water resources; and

WHEREAS, The grantee has requested a grant from Proposition 1, Section 79731 (f) and Section 79735 (a) of the Water Code; and

WHEREAS, The total amount of grant funds for the City of Lynwood for the Lynwood Park Infiltration, Restoration and Water Quality Improvement Project is for a total grant amount of \$1, 692,575

WHEREAS, This action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

Therefore be it resolved that the RMC hereby:

- 1 FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.

- 2 FINDS that the Proposition 1 RMC Grant Program is consistent with the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (“Proposition 1”), which provides funds for the RMC grant program.
- 3 FINDS the proposed project meets at least one of the purposes of Proposition 1.
- 4 FINDS the proposed project meets at least one of the three objectives of the California Water Action Plan.
- 5 FINDS that the proposed action is consistent with the San Gabriel and Lower San Gabriel and Los Angeles River Watershed and Open Space Plan as adopted by the Rivers and Mountains Conservancy;
- 6 FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
- 7 ADOPTS the staff report dated June 26, 2017.
- 8 AUTHORIZES a grant of Proposition 1 funds to the following grantees:
 - A. City of Lynwood, Lynwood Park Infiltration, Restoration and Water Quality Improvement Project (RMC 17017). Funding amount of \$1,692,575.

~ End of Resolution ~

Passed and Adopted by the Board of the
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS
CONSERVANCY on June 26, 2017.

Motion _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

Frank Colonna, Chair

ATTEST: _____
David Edsall
Deputy Attorney General