



# Special Use Policy

Updated as of 3/30/14

*The Watershed Conservation Authority (WCA) is a public entity of the State of California exercising joint powers of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and Los Angeles County Flood Control District pursuant to Section 65000 et seq. of the Government Code.*

## **Section 1 - General Provisions**

### **1.0 - Definitions**

"Applicant" a person or legally recognized entity who makes a formal application for a Special Use Permit.

"Commercial use" is for-profit use by any person of any park or portion thereof, but does not include the charging of a fee by the WCA that is used to defray the cost of park operations and maintenance.

"Executive Officer" is the Executive Officer of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, who serves ex officio as Executive Officer of the Watershed Conservation Authority pursuant to Section 9.1 of the Watershed Conservation Authority Joint Exercise of Powers Agreement.

"Filming" means motion picture, video, or still photography, using any imaging media whatsoever, other than casual imaging by park visitors unrelated to commercial use.

"Government and non-profit use" is not-for-profit public use by any governmental agency or tax-exempt entity.

"Park" or "Parkland" means any land, building, park improvement, roadway, or public open space owned in fee title or of lesser interest, or subject to the WCA's management authority.

"Park ranger" or "Ranger" means any sworn Mountains Recreation and Conservation Authority peace officer pursuant to Penal Code § 830.31(b) and/or any other duly sworn officer of the law.

"Permittee" is a person or legally recognized entity who has been issued a Special Use Permit by the Executive Officer, or his designee.

"Permitted public use" is the use of parkland for private and/or commercial uses for which a Special Use Permit is required and for which has been issued by the WCA.

"Person" includes any individual, firm, association, organization, partnership, limited liability company, business trust, corporation, group, or company.

"MRCA Ordinance" is the Mountains Recreation and Conservation Authority Park Ordinance establishing park rules and regulations and prescribing the penalty for violations thereof of which is enforceable on WCA parkland.

"Special use permit" or "permit" is an entitlement for use issued by the Executive Officer or the Executive Officer's designee for permitted public use, government and non-profit use, or commercial use.

"Special park use" is a short-term activity that takes place in a park area and provides a benefit to an individual, group or organization, rather than the public at large.

"WCA" is the acronym of Watershed Conservation Authority, a public entity of the State of California exercising joint powers of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and Los Angeles County Flood Control District pursuant to Section 65000 et seq. of the Government Code.

"WCA representative" is staff of the WCA or rangers of the Mountains Recreation and Conservation Authority who are assigned by the Executive Officer, or his designee to monitor special events.

## **1.1 - Purpose**

The Watershed Conservation Authority Special Use Policy identifies specific guidelines and procedures that will allow for the permitted public use or commercial use on property owned or managed by the WCA.

As a general guideline, the Watershed Conservation Authority should encourage special park uses that accomplish any or all of the following:

- Support the mission of the WCA
- Add to the public understanding and enjoyment of the park
- Promote a sense of ownership and stewardship for the park and its resources
- Enhance the protection of park resources and values;

## **1.0 - Severability**

If any section, subsection, sentence, clause or phrase of this Policy Document is for any reason held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portion of this Policy Document.

## **Section 2 – Guidelines and Procedures**

### **2.0 - Uses Necessitating Special Use Permitting**

The WCA may permit a special park use providing the activity will not cause derogation of the park's resources or values, visitor experiences, or the purpose for which the park was established. Primary consideration will be given to potential resource damage, anticipated disruption of normal public use, and previously approved permitted activities.

Example of special park uses which fall under the Special Use category and for which a permit is required include weddings, wedding receptions, wedding photography, memorial services, foot or bicycle races/rides/events, fundraisers, motorcades, large, organized non-commercial hikes, scattering of cremains, geocaching, large picnics/reunions (except at reserved pavilions or similar facilities), filming, commercial photography, commercial uses, etc.

### **2.1 – Exceptions/exemptions to the Issuance of a Special Use Permit**

Emergency services including law enforcement, public safety, medical aid, and firefighting activities are except from the requirements of a special use permit. This exception is limited to situations requiring immediate action only; non-emergency law enforcement, public safety, medical aid, and firefighting activities shall remain subject to the issuance of a special use permit.

Uses necessitating a special use permit for a government and non-profit use and a permitted public park use may be waved at the discretion of the Executive Officer, or his designee.

Special use permits may not be waved for commercial uses.

### **2.2 - Presence of an On-Site Fire Marshal**

For all uses that increase fire risk, such as use of a generator, special use permits are subject to applicants receiving clearance from and having a fire marshal on-site from the fire department with jurisdiction over the park location of permitted public use or commercial use. Applicants must understand that it is their responsibility to provide the fire marshal.

### **2.3 - Permittee Responsibilities and Expectations**

All permittees will accept and will comply with the following conditions:

- a. Permittee must be self-contained, i.e. providing restroom facilities for large groups, removal of all trash, food facilities, electricity and water.
- b. Utmost care will be exercised to see that no natural, historic or cultural features are injured and, after completion of the work, the area will, as required by the WCA representative, either be cleaned up and restored to its prior condition or left, after clean-up, in condition satisfactory to the WCA representative.
- d. Domestic animals may only be used if humane treatment is maintained at all times.
- e. Permittees and their designated agents are required to comply with all park regulations outlined in the MRCA Ordinance. If park regulations are violated by a permittee or permittee's designated agents then such violations will be addressed by law enforcement Rangers.
- f. Permittees and their designated agents shall not ignite open fires or use charcoal grills on park property without approval by the WCA and only in manner as outline in Section 2.1. Propane powered grills are acceptable in preapproved locations.
- g. Permittee will ensure that all vehicles, equipment, etc. must meet all state and federal safety standards and regulations. Furthermore, if traffic rules need to be modified in order for heavy equipment or large equipment to gain safe entry into the park then Permittee will be required to arrange that ahead of time with the Executive Officer, or his designee.
- h. Permittee shall control all traffic and vehicles as directed by the WCA representative. Parking will be allowed only in areas designated by the WCA representative. Vehicles must keep off natural and planted areas at all times.
- i. The permittee, in exercising the privileges granted by the permit shall comply with the regulations of state, county and municipal laws, ordinances, or regulations which are applicable to the area of operations covered by this permit.

### **2.4 - Permittee Responsibilities and Expectations Relation to Filming**

All permittees will accept and will comply with the following conditions:

- a. Photographing or filming of resident wildlife will be permitted only when such wildlife will not be harmed or disturbed thereby. Wildlife captured elsewhere will not be allowed in any filming whether trained or not.

- b. For commercial uses that include filming, credit will be given, where appropriate and agreed upon to the WCA through use of an appropriate title or announcement. This credit is to be approved by the WCA prior to air date.
  
- b. The scope of the filming activity (or production of commercial still pictures) and the manner and extent that the production will involve the use of parkland are to be consistent with the goals of the agency.

## **2.5 - Authority of WCA Representatives**

At the direction of the Executive Officer, or his designee, WCA staff and/or rangers of the Mountains Recreation and Conservation Authority will have the authority as WCA representatives to: 1) monitor and supervise special events, including preparation and post-event activities within WCA property, to ensure that permittees are following the terms of any granted permit; 2) make all supervision decisions to assure compliance with the permit, applicable regulations, and park rules and regulations; and 2) take actions to protect the park and its resources, and to maintain visitor access. The WCA representatives will not be responsible for providing security.

## **2.6 - Mandatory Indemnification**

The following requirements are applicable to uses required the issuance of a special use permit, and are not applicable to standard park uses including the use of meeting rooms, amphitheater, and picnic areas.

Upon approval of special use permit, permittee agrees to save and hold harmless and indemnify the WCA, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the Los Angeles County Flood Control District, and Mountains Recreation and Conservation Authority, and their agents and employees, from any and all claims, damages, suits at law or equity of whatever kind of nature for damages to or loss of property or injury or death to persons resulting directly or indirectly from or attributable to the permittee or its employees or contractors in connection with the activities authorized by this permit excepting only the willful misconduct of WCA.

## **2.6 - Liability Insurance Requirements**

The following requirements are applicable to uses required the issuance of a special use permit, and are not applicable to standard park uses including the use of meeting rooms, amphitheater, and picnic areas.

The WCA, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the Los Angeles County Flood Control District, and the Mountains Recreation and Conservation Authority are to be named as additional insured in a policy of liability insurance which will cover the period of the permit. A certificate of insurance, with the required endorsements, shall be

submitted to the representative when the permit is submitted for approval by the WCA. The insurer will not cancel or reduce the insured's coverage during the period that this permit is in effect without ten day's prior written notice to the WCA. This policy of liability insurance is to be in an amount not less than the following:

Public Liability:	\$1 million each person;
Property Damage Liability:	\$1 million each occurrence;
Products Damage Liability:	\$1 million.
Medical Payments	\$5,000 each person

At the discretion of the Executive Officer, or his designee, the policy limits of liability insurance may be increased for uses that are deemed to be of high liability exposure. For these uses, policy of liability insurance is to be in an amount not less than the following:

Public Liability:	\$3 million each person;
Property Damage Liability:	\$3 million each occurrence;
Products Damage Liability:	\$3 million.
Medical Payments	\$5,000 each person

For applicants that do have an existing liability insurance policy, the WCA requires the applicant to purchase a special event insurance policy. As with existing liability insurance policies, the WCA, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the Los Angeles County Flood Control District, and the Mountains Recreation and Conservation Authority are to be named as additional insured in the special event insurance policy which will cover the period of the permit. This special event policy insurance is to be in an amount not less than the following:

Public Liability:	\$1 million each person;
Property Damage Liability:	\$1 million each occurrence;
Products Damage Liability:	\$1 million.
Medical Payments	\$5,000 each person

Also at the discretion of the Executive Officer, liability insurance requirements may be waived for government, non-profit, or permitted public uses that are deemed to have acceptable or limited liability exposure. Liability insurance requirements may not be waived for commercial use.

## 2.7 - Cash Deposits

Permittees may be required to make a \$1,000 refundable security deposit to insure that the area is left in the same condition as prior to the event and all permit regulations are followed. The requirement of a security deposit is at the discretion of the Executive Officer, or his designee, and will be based on the determination of risk. The refundable security deposit is due at the time of permit issuance. The security deposit will be returned 4-5 weeks after your event, if the grounds and buildings are left in the same condition as prior to the event and all permit regulations are followed.

## **2.8 - Schedule of Fees**

A non-refundable application fee, in the amount of \$50, will be charged for all Special Event applications. Applications received without the required fee will be returned without action.

A non-refundable permit processing fee, in the amount of \$150, will be charged for preparing the permit itself. The permit processing fee will be waived for events which follow standard guidelines and which do not require a customized permit.

Facility use fees for picnic pavilions and other similarly reserved facilities will be waived in lieu of the reservation fee.

Refer to Schedule of Fees for permit fee details.

## **2.9 - Application Screening Process**

Applications must be received by the Park no less than 14 days in advance of the event or intended use. Exceptions or exemptions, to this requirement is within the purview of the Executive Officer, or designee; however, expedited review and processing of applications will be subject to an additional expediting fee.

The special use permit application screening process begins with completion and submission of Special Use Permit Application, with non-refundable application fee, to the WCA offices by a permit applicant. The application is available on the WCA website, and may also be accessed by requesting an application from any WCA staff member. Once a completed application is submitted, it will be assigned to the WCA staff members designated with the property management responsibilities for the requested site. Staff shall review the application for completeness and communicates with the applicant about anticipated fees, and to collect any additional information that might be required to make a determination whether the requested use is compatible with the management of the WCA properties.

If the application is submitted with inadequate detail, missing information, and/or the applicant is unresponsive to communications with the WCA, the permit may be rejected.

## **2.10 - Permit Issuance Process**

Staff assigned by the Executive Officer, or his designee shall prepare and transmit a draft special use permit to the permit applicant within 5 business days of the WCA's determination to issue a special use permit. Upon receipt of a check or money order for all fees, receipt of proof of insurance, as well as, approval of the permit by the applicant, the Executive Officer or his designee shall authorize the permit. An original copy is retained on-file by the WCA, and a second original copy is transmitted to the permittee. Staff shall then coordinate any required WCA monitoring, such as ranger supervision.

## **2.11 - Permit Revocation**

A Special Use Permit is revocable and may be revoked at the discretion of the Executive Officer or his designee upon 24 hour notice or without notice if damage to resources and facilities is threatened, notwithstanding any other term or condition of the permit to the contrary. The permit shall also be revoked for circumstances outside the control of the Watershed Conservation Authority, such as acts of nature or otherwise that results in park closure, including, but not limited to the threat or presence of wildfire or other natural disasters.

## **2.12 – Permit Cancellation and Refund of Fees Refunds**

Permitee may request to cancel the permit with 24 hours of the start time of the permit. If a 24 hour cancellation notice is not given by applicant, permit fees are non-refundable. In the event that Permitee cancels while providing a 24 hour notice, a cancellation fee in the amount of \$250.00 shall be deducted and retained by WCA. Any remaining fees shall be refunded to the permittee within 4-5 weeks of cancellation notice. These fees are not transferable.

## **2.13 - Record Keeping**

A record will be kept for each special permit issuance. The WCA Fiscal Manager/Administrative Clerk is responsible for maintaining a record system for issued special use permits. Permittees may view their permits at any time during normal WCA business hours.

## **2.14 - Periodic Review and Modification of the Special Use Policy**

The Special Use Policy will be reviewed periodically by staff to determine if modifications are warranted. Proposed modifications will be brought before the WCA Governing Board for consideration and adoption of updates to the WCA Special Use Permit.

## Exhibit A – Park Use Fee Schedule

### Schedule of Fees – Reserved Park Facilities

Requested Use <sup>1</sup>	Guest count	Fee*	Staff Time**
<b>Picnic Area</b> (8am to park closing)	Up to 75	\$50	
<b>Picnic Area</b> (8am to park closing)	76-100	\$85	
<b>Picnic Area</b> (8am to park closing)	101-200	\$225	
<b>Picnic Area</b> (8am to park closing)	201-300	\$365	
<b>Amphitheater</b> (4 hrs)	Up to 50	\$225	
<b>Meeting Room</b> (8am to 5pm)	Up to 95***	\$40/hr. + \$100 refundable security deposit	\$22.82/hr. as needed**

<sup>1</sup>Available Uses at WCA parks are available and shall expand as facilities come on line.

\*All special use permits are subject to an hourly ranger monitoring fee of \$70.00 per hour, with a 4-hour minimum of \$280.00.

\*\* Note: Staff charge rate is subject to change based on fiscal year budgeted value at Salary and EB only rate for Administrative Clerk or equivalent.

\*\*\* El Encanto conference room maximum accommodation is 95 people

### Schedule of Fees – Special Use Permit – Filming

For special use filming, fees will include:

- A daily base fee of \$1,250 per day for filming or staging in the support of filming - up to 12 hrs. per day and up to 20 people;
- Daily parking fees for vehicles at \$10 per personal vehicle and \$40 per truck (including Grip Trucks and star wagons), or a \$1,500 base camp/crew parking fee for larger productions; and
- WCA monitoring fees of \$70/hr. with a 4 hour minimum of \$280.

Additional fees include:

- Filming that extends past 12 hours per day will be charged at 10% of the daily base fee per hour; and
- WCA monitoring fees are subject to State labor laws regarding overtime, and rates in excess of \$70/hr. will be charged accordingly.
- Daily base fee increases incrementally for every 20 people by \$1,000.

**Schedule of Fees – Special Use Permit – Events/Other**  
 (Example Weddings, Wedding Reception, etc.)

All special events are subject to standard site fees. Site fees are based on a one-day event for a 12-hour block of time (this includes set-up and take-down time in addition to the event itself).

For events that extent past 12-hour blocks shall have site fees multiplied as a function of the extension in time period. For example, a 24-hour use will have the 12-hour site fees doubled.

<b>Guest count</b>	<b>Vehicle Count</b>	<b>Event Hours</b>	<b>Site Fee</b>	<b>Refundable Deposit</b>	<b>Ranger monitoring</b>
<b>Up to 50</b>	Up to 15	12 hrs.	\$1,640.00	\$1,000.00	\$70 per hr. with 4 hr.. minimum
<b>51-100*</b>	16-30	12 hrs.	\$2,640.00	\$1,000.00	\$70 per hr. with 4 hr. minimum
<b>101-150</b>	31-45	12 hrs.	\$3,640.00	\$1,000.00	\$70 per hr. with 4 hr. minimum
<b>151-200</b>	46-60	12 hrs.	\$4,640.00	\$1,000.00	\$70 per hr. with 4 hr. minimum
<b>201-250**</b>	61-75	12 hrs.	\$5,640.00	\$1,000.00	\$70 per hr. with 4 hr. minimum

\*All special use permits are subject to an hourly ranger monitoring fee of \$70.00 per hour, with a 4-hour minimum of \$280.00.

\*\* Outside events exceeding 250 participants may be subject to additional fees