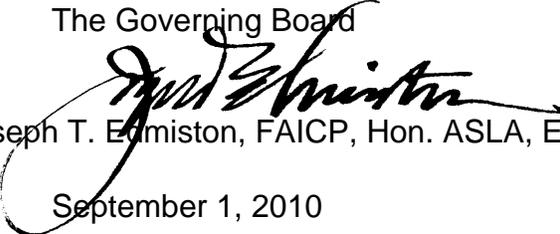




MOUNTAINS RECREATION & CONSERVATION AUTHORITY
Ramirez Canyon Park
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Malibu, California 90265
Phone (310) 589-3230 Fax (310) 589-3237

MEMORANDUM

TO: The Governing Board

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

DATE: September 1, 2010

SUBJECT: **Agenda Item VII: Consideration of resolution authorizing acceptance of seven conservation easements, approximating 13.5 acres, on portions of APNs 236-0-070-095, 236-0-090-025, 236-0-090-055, Lots 9 and 12 in Tract No. 4559-1, and Parcel A in Tract No. 4493-4, in the Calleguas Creek watershed, and acceptance of processing fees from applicant, Newbury Park, Ventura County.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing acceptance of seven conservation easements, approximating 13.5 acres, on portions of APNs 236-0-070-095, 236-0-090-025, 236-0-090-055, Lots 9 and 12 in Tract No. 4559-1, and Parcel A in Tract No. 4493-4, in the Calleguas Creek watershed, and acceptance of processing fees from applicant, Newbury Park, Ventura County.

Background: The six subject properties are located in the Newbury Park area of the City of Thousand Oaks, approximately 0.16 miles east of the intersection of Via Las Brisas and Via Rio. (See attached maps.) Three of the subject properties do not have Assessor Parcel Numbers and may only be legally identified by Lot and Tract Numbers.

The California Department of Fish and Game and Army Corps of Engineers have requested that the MRCA accept this conservation easement due to the MRCA's unique function as a public agency that accepts such dedications. The applicant will pay the necessary processing fees associated with the acceptance of the conservation easements in addition to the costs of the title reports and legal descriptions. The applicant is financially responsible for all costs related to the restoration project and flood control maintenance on the subject conservation easements. There is no MRCA obligation to clear brush on these properties.

The easement template provided by the Army Corps of Engineers is designed such that the easement holder has no obligations. In this case, the template explicitly states that the Dos Vientos Ranch East Homeowners Association is responsible for all maintenance and reporting obligations.

The portions of the subject parcels to be dedicated as conservation easements are a mix of preserved riparian corridor, created riparian area, tributary, and pocket wetlands. According to the Dos Vientos Ranch East Long-Term Maintenance Plan provided by the applicant, the purpose of the restoration mitigation project "is to protect the habitat, plants and wildlife inhabiting these areas," as well as the removal of non-native plant species. Native species that occur on these sites include arroyo willow, mulefat, coast live oak, valley oak, California buckwheat and sticky monkeyflower.