



# MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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## MEMORANDUM

TO: The Governing Board

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

DATE: December 4, 2013

SUBJECT: **Agenda Item XII: Consideration of resolution authorizing the sale of an underground utility easement across APN 4416-002-903 to benefit APN 4416-002-015, and authorizing potential acceptance of conservation easements or deed restrictions on APNs 4416-002-015 and 4416-002-016, City of Los Angeles.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing the sale of an underground utility or sewerage easement across APN 4416-002-903 to benefit APN 4416-002-015, and authorizing potential acceptance of conservation easements or deed restrictions on APNs 4416-002-015 and 4416-002-016 in the Pacific Palisades.

Background: The Mountains Recreation and Conservation Authority (MRCA) acquired 0.35-acre APN 4416-002-903 using funds from Santa Monica Mountains Open Space Preservation Assessment District No. 2. The attached map shows the parcel which is located across the street from a southeastern extension of Topanga State Park. The slightly sloped parcel provides good easterly views and contains a broad diversity of native plants on its eastern half. The western half was repeatedly disked for fuel modification prior to MRCA acquisition and thus mostly supports non-native annual vegetation.

A house or at least a foundation has been under construction on the adjacent southerly parcel for years. A representative for this parcel APN 4416-002-015 contacted staff about acquiring rights for a sewer line in order to avoid having to pump sewage uphill around the MRCA's property. The attached detailed and dimensioned diagram shows a requested triangle of land within MRCA-owned APN 4416-002-903 for this purpose.

The direct short term ecological and visual impacts of a sewer trench and buried pipe on MRCA land would be negligible. The long term impacts would be even more negligible. A staff ecologist would survey the land a final time for any rare plants prior the execution of any contract. The subject property was partially

acquired by the MRCA to make a fine local overlook and the proposed action could stimulate some basic improvements to the property for said purposes.

A deal has not been negotiated with the requesting party. All proceeds from an easement sale would have to be used within the Assessment District area for Assessment District purposes. Staff recommends a sale price of at least \$20,000 net proceeds. The parcel cost over \$1.2 million. The easiest form of restoration would be to rake in native perennial grass seeds two falls in a row and rely entirely on natural precipitation.

The owner of the subject house also owns APN 4416-002-016, a vacant parcel. The parcel is part of a habitat linkage that curves around the terminus of Via Nicholas connecting State Park land to the Santa Ynez Canyon watershed. The parcel both buffers State Park land and is part of the natural area viewshed from Sunset Boulevard. The owner may consider donating a conservation easement over all of a part of the parcel. Conversely, a conservation easement or deed restriction may be worked into an agreement to sell a utility-sewerage easement to benefit APN 4416-002-015. Staff seeks authorization to negotiate and execute a deal for a sale of an easement and maximum protection of land on privately owned APNs 4416-002-015 and 4416-002-016. The house parcel is included in case some unforeseen exchange scenario requires a small portion of APN 4416-002-015.