



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Executive Officer

DATE: September 7, 2016

SUBJECT: **Agenda Item VI(j): Consideration of resolution (a) amending Resolution No. 14-176, (b) authorizing acceptance of a dedication of trail easement over APN 4438-033-074, and (c) authorizing extinguishment of an existing trail easement on said parcel contingent upon recordation of adequate replacement of trail easement, Las Flores Canyon, unincorporated Los Angeles County.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing (a) amending Resolution No. 14-176, (b) authorizing acceptance of a dedication of trail easement over APN 4438-033-074, and (c) authorizing extinguishment of an existing trail easement on said parcel contingent upon recordation of adequate replacement of trail easement, Las Flores Canyon, unincorporated Los Angeles County.

Background: In mid to late 2014, the Mountains Recreation and Conservation Authority (MRCA) was approached by the California Coastal Commission (Commission) to inquire about the potential dedications of new trail easements on APN 4438-033-074 (formerly APN 4438-033-012) and APN 4438-039-042 (formerly APN 4438-039-014), and acceptance of a fee simple dedication of open space property. All subject parcels are located in upper Las Flores Canyon just south of Saddle Peak Road.

At the time, the Commission was in negotiations with the property owner over permit violations associated with Coastal Development Permit (CDP) No. 5-84-274. The MRCA has previously accepted offers to dedicate trail easements on APNs 4438-033-074 and 4438-039-042 in 2006, which were granted as a condition of approval for CDP No. 5-84-274. The new trail easement dedications as a result of negotiations between the Commission and property owner would replace the existing MRCA-held trail easements.

On November 5, 2014, the MRCA Governing Board authorized the acceptance of the dedication of trail easements over APNs 4438-033-074 and 4438-039-042, the extinguishment of all or portions of the existing trail easements on said two parcels

contingent upon recordation of adequate replacement of trail easements, and acceptance of fee-simple open space property.

On June 10, 2015, the Commission held a public hearing to issue Consent Cease and Desist Order No. CCC-15-CD-03 and Consent Restoration Order No. CCC-15-RO-03 (Consent Orders) pertaining to unpermitted development associated with CDP No. 5-84-274. The Consent Orders require, among other things, that the property owner consult with MRCA on a new alignment for the dedication of trail easements over APNs 4438-033-074 and 4438-039-042, and extinguish the existing trail easements on said parcels upon adequate replacement of those existing trail easements.

The owner's representatives have worked diligently with MRCA staff since the issuance of the Consent Orders to determine the new trail alignment proposed for dedication over APNs 4438-033-074 and 4438-039-042 pursuant to requirements of the Consent Orders. MRCA staff made several site visits to the subject parcels to document terrain and existing conditions throughout the second half of 2015.

MRCA staff completed field work and trail feasibility analysis for the new trail alignment in December 2015. The owner's representatives subsequently prepared drafts of the legal description and a metes and bounds exhibit for the proposed dedication of trail easement based on the new alignment. The final draft of the legal description and metes and bounds exhibit were approved by MRCA staff in late May 2016. The proposed trail easement dedication is shown in Attachment 1. The trail easement proposed for dedication is located entirely within APN 4438-033-074 and does not cross over APN 4438-039-042.

The proposed trail easement would connect to adjacent MRCA-held trail easements north of APN 4438-033-074 and to adjacent MRCA-owned open space south of said parcel. Thus, staff has determined that the proposed trail easement is adequate for a continuous connection to other MRCA-held trail easements and MRCA-owned open space. Furthermore, without an adequate replacement of trail easement over APN 4438-039-042, the existing trail easement on this parcel should remain as is.

In light of the recent progress on identifying an adequate replacement of trail easement, the attached resolution amends Resolution No. 14-176 as executed by the MRCA Governing Board on November 5, 2014, to better acknowledge that the proposed dedication of trail easement is adequate, authorize acceptance of the proposed trail easement dedication, and to clarify the extinguishment provisions for the existing trail easements on each subject parcel.