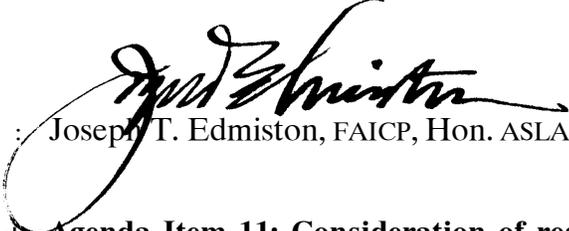


# Memorandum

To : The Conservancy  
The Advisory Committee

Date: October 23, 2017

From :  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 11: Consideration of resolution amending Resolution Nos. 10-20 and 10-37 regarding the Transfer of Jurisdiction of easements and fee simple areas on APNS 4377-001-901 and 903 to the California Department of Transportation for already constructed elements of the 405 freeway in the Sepulveda Pass, City of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution amending Resolution No. 10-37 regarding the Transfer of Jurisdiction of easements and fee simple areas on APN 4377-001-901 to the California Department of Transportation for already constructed elements of the 405 freeway in the Sepulveda Pass area.

Legislative Authority: Sections 33211 ( c) and 33203 of the Public Resources Code.

Background: In the late 1980s the Conservancy accepted the dedication of three large parcels on the east side of the 405 freeway in Sepulveda Pass area. In 2008 Caltrans informed staff that it needed some Conservancy land for the then upcoming 405 freeway widening project. The two subject areas were at the existing Skirball Center Lane bridge and by the Sepulveda Boulevard under-crossing at the Getty Center Drive interchange. At that time, Caltrans planned to put the Getty Center Drive north-bound on ramp through the Conservancy's Getty View Trail parking lot. Given that it appeared there was no option to save the parking lot, landscaping, and trail, and because Caltrans was desperate for a construction staging area, staff signed a temporary use permit that allowed Caltrans to scarify a large area (see attached figure). It remains graded and mostly scarified to date.

Subsequently Caltrans was sued by a private party because the proposed new north-bound on ramp would block a private access easement from Sepulveda Boulevard over the ridgeline through Conservancy land into Hoag Canyon. Staff was not aware that an access easement went right through the Getty View Trailhead facility. So Caltrans retreated and just improved the existing north-bound on ramp. Apparently Caltrans has a plan for a future new on ramp that goes entirely through existing Caltrans rights-of-ways and avoids the private access easement. Staff is concerned that this new plan will have permanent negative impacts to wildlife crossing under the 405 via the Sepulveda Boulevard under-crossing.

Caltrans did reimburse the Conservancy for all of the capital expenses put into the Getty View Trailhead and the Skirball Center Lane Trailhead approximately two years ago. The payment included an additional percentage because of time lost. That funding has been assigned to designing the future Mission Canyon Trailhead facility on the west side of the 405 freeway.

In 2010 the Conservancy adopted Resolution Nos. 10-20 and 10-37 regarding the Transfer of Jurisdiction of easements and fee simple areas on APNs 4377-001-901 and 903 to the California Department of Transportation for the 405 freeway widening project. Resolution No. 10-20 addressed APN 4378-001-903 at the Skirball Center Lane bridge. Resolution No. 10-37 addressed APN 4378-001-901 at the Getty Center Drive interchange area. Caltrans provided a complete Transfer of Jurisdiction document packages in the middle of August this year. This agenda item responds to those Caltrans documents in the hope of tying up these transactions.

Since the subject Conservancy agenda was posted, staff has determined that Resolution No. 10-20 that affects APN 4378-001-903 at Skirball Center Lane is adequate. The Conservancy will receive a total of \$9,300 for a 655-square-foot fee simple parcel (79693-1) and a 6,262-square-foot slope easement (79693-2). An attached figure shows these two areas. Caltrans also took land from the City of Los Angeles located in between Conservancy land and the freeway.

Caltrans' original proposal to take Conservancy land from APN 4378-001-901 involved substantial fee simple, drainage easement, and slope easement areas. The original offer amount was for \$56,900. Most of that area was scarified and graded flat by project activities. However, the above-described August 2017 documentation from Caltrans requests a far smaller final land interest transfer area. The request is for two fee simple areas (79610-1 and 79610-2) and three tie back easements (79610-3, 79610-4 and 79610-5). The area of all five land interests is 19,877 square-feet or 0.4563 acres. Attached figures show these areas. Areas 2, 4 and 5 were not in the original request area. The offered compensation is \$38,300 in total. That equates to approximately \$84,000 per acre.

For the land interests proposed to transferred to Caltrans \$38,300 is fair. The issue is that the Conservancy now has approximately one-half-acre of flat graded land without any native vegetation cover or topsoil. Caltrans currently has no obligation or intention of restoring that area. Staff intends to negotiate with Caltrans for a resolution of the restoration. Some additional funding to the Conservancy or the Mountains Recreation and Conservation Authority shall be necessary to mitigate the impacts. The two payments for the land interests are expected to be deposited in the Conservancy Fund.

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