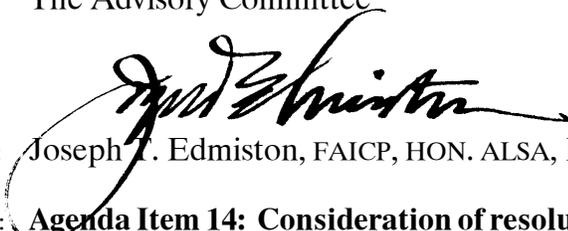


# Memorandum

To : The Conservancy  
The Advisory Committee

Date: August 27, 2007

From :  Joseph T. Edmiston, FAICP, HON. ALSA, Executive Director

Subject: **Agenda Item 14: Consideration of resolution authorizing the exchange of easements from the Conservancy's Escondido Canyon Park (APN 4460-003-901) and APN 4460-014-006 to provide for a section of the Coastal Slope Trail in Escondido Canyon, Malibu.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing the exchange of easements from the Conservancy's Escondido Canyon Park (APN 4460-003-901) and APN 4460-014-006 to provide for a section of the Coastal Slope Trail in Escondido Canyon, Malibu.

Legislative Authority: Section 33211 (c) of the Public Resources Code

Background: One of the two tough gaps to close in the Coastal Slope Trail between Kanan Dume Road and Latigo Canyon Road is the short section between Escondido Canyon Park and Latigo Canyon Road. In this section, the only viable trail alignment is the old Malibu Highway-Winding Way. The steep terrain dictates this constraint. A portion of the old dirt road alignment is public right-of-way (see attached figure). The Mountains Recreation and Conservation Authority (MRCA) has the two-acre property the abuts Latigo Canyon Road under contract. The remaining gap is APN 4460-014-006. This parcel includes much of the driveway to a parcel with a house that is under the same ownership. It also includes a trail easement accepted by the MRCA that connects the downstream end of Escondido Park with Pacific Coast Highway via Via Escondido. All but the last 100 feet (most upstream part) of that trail easement is paved.

Staff has proposed an easement exchange with the owners (same) of these two properties. As shown on the attached figure, the subject home includes a substantial yard encroachment into the Conservancy-owned APN 4460-003-901. The exchange would involve an approximately 10,000-square-foot portion of the Conservancy parcel for at least a 35-foot-wide trail/conservation easement across the northern portion of APN 4460-014-006. That would equal about 18,500 square feet. Per the Conservancy's current appraisal, in the case of the above square footage amounts, the value of the public land exceeds that of the private land. Staff and the owners representative are looking at ways to bring the exchange values to equal each other. For example the trail/conservation width can be increased or the MRCA could enter into a fee simple bargain sale on all or a portion of the subject parcel. The MRCA could then transfer an easement interest to the Conservancy. The proposed authorization to conduct

an exchange would allow for a combination methods that ensures the State would receive equal value for the yard easement granted. That yard easement, at a minimum, would prohibit any structures, lighting, or animal keeping.

The Conservancy's potential exchange partner also wants to work out several other issues to conclude a transaction. Currently daytime problems occur where hikers heading to Escondido Falls from the terminus of East Winding Way mistakenly head downstream. Many disoriented hikers end up at their front door. Excellent signage is necessary to remedy this problem, and the MRCA rangers are working on implementation regardless of whether a deal is concluded. In addition motorcycles apparently use the trail from the end of Via Escondido. A series of well positioned metal step over bars could probably eliminate that problem.

The night time problem involves people using the trail easement up the subject owner's driveway from Via Escondido for after hours frivolity. The owners have suggested a gate for night time closure. Staff is examining options. Some potential constraints include assuring adequate equestrian passage and not violating any of the Coastal Development Permit provisions associated with the MRCA's accepted trail easement. In any case, concentrated enforcement, rules signage, and more ranger presence will be necessary to alleviate the problem.

The other issue is that the owners of the property want to be assured that the trail constructed in the old road bed of the Malibu Highway is permanently pushed as far into the slope as possible to minimize public views into their property. In addition staff may agree to small berms. Allowing the subject homeowners the right to plant staff-approved native plants along the rim of the road bed is also an important deal point. It may be that the MRCA can run a potable water line from its pending acquisition at Latigo Canyon road to irrigate the native plant material.

The proposed exchange would substantially reduce the cost of implementing the Coastal Slope Trail through APN 4460-014-006 and may be the only viable solution. The reasonableness of the subject APN 4460-014-006 property owners is to be commended.