

Memorandum

To : The Conservancy
The Advisory Committee

Date: July 26, 2010

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

Subject: **Agenda Item 14: Consideration of resolution authorizing (a) a Transfer of Jurisdiction (TOJ) from Sepulveda Pass Bel Air Crest open space dedication parcel (APN 4377-001-901) to the California Department of Transportation (Caltrans) not to exceed 1.0 acre; (b) one temporary construction easement and one permanent drainage easement on said parcel to Caltrans, and (c) acceptance of funds for said TOJ and easements and required compensation and grant source reimbursement for the loss of the park facilities at Gettyview Trailhead, City of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing (a) a Transfer of Jurisdiction (TOJ) from Sepulveda Pass Bel Air Crest open space dedication parcel (APN 4377-001-901) to the California Department of Transportation (Caltrans) not to exceed 1.0 acre; (b) one temporary construction easement and one permanent drainage easement on said parcel to Caltrans, and (c) acceptance of funds for said TOJ and easements and required compensation and grant source reimbursement for the loss of the park facilities at Gettyview Trailhead in the City of Los Angeles.

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

Background: The California Department of Transportation (Caltrans) is in the process of widening the northbound section of the 405 freeway between Route 10 and Route 101 for an HOV lane. The improvements require the permanent take of two sections of Conservancy property in the Sepulveda Pass and of multiple permanent and temporary easements. Staff has been working with Caltrans for almost four years on this project. The first efforts were to preserve and enhance wildlife crossing conditions across the 405 freeway and Sepulveda Boulevard. The enhancements developed in those meetings were included in the Final EIR/EIS certified for the project. The Conservancy adopted comments on both the Draft and Final EIR/EIS. Subsequently the Conservancy approved a Section 4f Agreement with Caltrans regarding the inevitable damage to park facilities from a Federally-funded project.

The subject properties were dedicated to the Conservancy in the mid-1980s as part of the adjacent Bel Air Crest development approval. In the late 1990s the Conservancy in conjunction with the Mountains Recreation and Conservation Authority constructed two trailhead facilities, one on each of the parcels that Caltrans plans to buy from the Conservancy to widen the 405 freeway. The main facility is the Gettyview Trailhead located on the east side of Sepulveda

Boulevard just east of where the roadway crosses under the 405 Freeway. This facility includes a developed parking lot, a kiosk, a short trail with shaded picnic sites, and a quarter-mile-long trail that connects to the ridgeline overlooking Hoag Canyon. It is the only formal public trail entrance into Hoag Canyon. The other facility is located at the east end of the Skirball Center Drive bridge over the 405 freeway. The only improvements in this location consisted of minimal signage and a three-quarter-mile long trail that has since grown over. That trail is designed to use the existing park and ride parking lot and Skirball Center Drive crosswalk for access.

Both facilities were funded by an Environmental Enhancement and Mitigation Program (EEMP) grant from Caltrans to the MRCA. In addition the Conservancy used Proposition A tree planting funds for the Gettyview Trailhead. Together these grants totaled over \$250,000. Caltrans has acknowledged the requirement to reimburse the MRCA and the Conservancy for the damage to these facilities. The Gettyview Trailhead will be permanently lost to accommodate a new on ramp to replace the existing circular one across the street. There is no place to create another trailhead on existing State land. Acquisition of private land to south would be necessary. The Skirball park and ride trailhead and trail will remain functional after the freeway work is completed.

At its April 26, 2010 meeting the Conservancy adopted a resolution authorizing a Transfer of Jurisdiction (TOJ) from the Skirball Center Drive-adjacent portion of its Sepulveda Pass Bel Air Crest open space dedication parcel (APN 4377-001-903) to the California Department of Transportation (Caltrans) not to exceed 0.2 acres, a temporary construction easement, and a permanent slope easement. Caltrans' contractor is required to rebuild the existing trail and revegetate the disturbed land to the Conservancy's standards. Staff is working with Caltrans to finalize an agreement for those land transfers.

That same April 26, 2010 meeting agenda language (staff report attached for background) also included land and easement transfers for APN 4377-001-901 by the Getty Center Trailhead. The Conservancy continued that portion of the item because Caltrans had not completed the appraisal and issues remained about uses on the proposed permanent drainage and temporary construction easements. This item brings back Caltrans' request for a fee simple transfer, permanent drainage easement, and temporary construction easement on APN 4377-001-901. The requested land interests are shown in attachments both on a Caltrans right-of-way map and aerial photograph.

The appraisal for the less than 1.0-acre fee simple transfer and slope easement have been completed but Caltrans has not provided them to staff. The main issue about incompatible activities (operation of a large rock crusher) in drainage easement and fee simple areas has been put to rest. The contractor has been informed that the Conservancy will only transfer the land and easements with adequate restrictions that ensure unnecessary habitat disturbance will not occur. It is probable that the appraisal numbers will be available the night of the Conservancy meeting.

Because of the pace of the 405 widening project, waiting until the Conservancy's August meeting to consider the proposed actions could delay the project. Staff is in no rush to see the Getty Center Trailhead and its landscaping demolished but does not want the Conservancy's actions to unnecessarily delay the project. For this reason, staff is seeking authorization to sign

agreements with Caltrans for the land interest transfers. Such agreements may be essential for Caltrans to begin the process of getting checks cut to reimburse the sources that provided grant funds for the Getty Center Trail and Trailhead construction. Staff has been adamant that certain construction access to Conservancy land will remain prohibited until such compensation has been received. In any case as a testament to fairness, the Caltrans appraisal for the Skirball Center Drive adjacent parcel provided ample compensation. It is not yet been determined if the appraisal needs to be reviewed by the Department of General Services.