

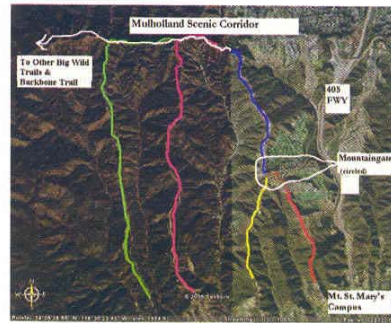
MOUNTAIN TRAIL DISPUTE RESOLVED

By Billy Goulston

After several months of heated debate over the status of public access to the Canyonback Trail and Mt. St. Mary's Trail (MSM), Canyon Back Alliance, the residents of Stoney Hill Road and residential developer Castle and Cooke finally came to a settlement. The Mountaingate Development Project, the project that initiated the conflict, was approved by the City of Los Angeles as modified by the agreement on August 2nd.

The Canyonback and MSM trails are both located in the eastern portion of the Big Wild, 21,000 acres of protected wilderness spanning the Santa Monica Mountains from Mt. St. Mary's College in Brentwood to the Pacific Ocean in Malibu. Castle & Cooke's Mountaingate development project threatened to terminate the MSM Trail and significantly degrade Canyonback Trail. In an effort to preserve public recreational access to these trails, Canyon Back Alliance filed two lawsuits and opposed the Mountaingate development project, as did homeowner associations representing the Upper Mandeville Canyon and Brentwood Hills areas. Canyon Back Alliance received tremendous community support in its effort to locate witnesses to the use of these trails before 1972, a requirement under California law. More than 20 witnesses, including Sister Annette Bower and Professor Marie Zeuthen from Mt. St. Mary's College, who used the MSM trail regularly since the early 1960s and early 1950s, respectively, stepped forward to testify in written declarations that these trails have been used for public recreational purposes since at least the late 1940s, and maybe even before then. By March, as the Mountaingate development project neared the final stages of City review, City Councilman Bill Rosendahl stepped in to try and resolve the dispute. His Deputy Norman Kulla, a former chair of the Pacific Palisades Community Council, worked with the parties to try and find a common ground. Former mayor and frequent trail user Richard Riordan, who thought a creative solution would be possible, also became involved in the effort to find a resolution. By late July, after months of work, the parties came to an amicable resolution that, according to Tom Freeman, President of Canyon Back Alliance and its lead attorney, "will forever protect the public's right to use these historic recreational trails."

Once Norman Kulla brought the parties together in the same room, they slowly began to realize that their opponents were not the "devil," which made it possible to work together for a resolution. "Everyone is now proud to support," Freeman explained.



The compromise calls for a realignment of the MSM Trail in a manner that will link the trail's entry behind Mt. St. Mary's College to Canyonback Trail without passing through the existing Stoney Hill community or the developer's planned expansion of the Stoney Hill community. The developer will fund this project, and the Mountains Recreation Conservation Authority (MRCA) will construct it. Not only will the residents of Stoney Hill be left undisturbed by trail users, the new alignment will replace a hike down what would have been a long, paved road through the middle of an otherwise private and gated residential enclave with a natural, scenic trail with unprecedented view of Bundy Canyon - an area that will be forever protected from development by a conservation easement to be recorded by the developer.

"We will now have a lush, natural trail," which is "better than could have been achieved through years of litigation," Freeman said. The newly constructed trail is expected to be completed in about 12-16 months. The parties also settled the dispute over Canyonback Trail, which will retain its separate and independent existence outside the second section of the new development, south of existing Canyonback Road, along Canyonback Ridge. Initially the plan was to move the trail onto the private and gated street within the new development; however, Castle & Cooke has agreed to keep the trail outside the new residential enclave by moving one of the planned residences further away from the ridgeline, making room for the trail outside the enclave and its planned gates, along a natural trail with scenic views.

Freeman, an attorney from the Bird Marella firm, sees this as the perfect example "of what can be achieved when public officials work with developers and the community to resolve such issue."

