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JUL 19 2004

July 15, 2004

Honorable Cindy Miscikowski,
Los Angeles City Council
200 North Spring St., Room 415
Los Angeles, CA 90012

RE: Canyonback Road

Dear Councilmember Miscikowski:

The Concerned Off-Road Bicyclists Association (CORBA) is a non-profit all-volunteer organization representing the diverse and growing mountain bicycling community of Los Angeles. Please take a moment to consider our perspective and that of thousands of mountain bicyclists regarding the Crown Home Owners Association gate issue in the Mountain Gate housing development area.

The public has had 24-hour access to "Big Wild" via Canyonback Road for decades, even prior to the construction of the Crown development. Too often lately, self-interested private homeowners are closing access to valuable natural public resources. On behalf of our membership, and particularly the thousands of mountain bicyclists of the 90049 and surrounding zip codes, CORBA opposes the gate and requests that you consider eliminating all public access restrictions for the following reasons:

- Under the current proposal, individuals left inside the gate after it has been locked would be able to exit on the Kenter/Mountain Gate Drive side of the enclosure. A major problem is that this proposal only considers trail users originating from Kenter or Mountain Gate Drive. The fact is, one of the most coveted mountain biking trails in the area is located by Kenter Avenue and the public has historically accessed this section of trail from many trailheads in the Santa Monica Mountains including those along Mulholland Drive, Reseda Blvd., Hollyhock, etc. The proposed situation does not allow individuals stuck on the Kenter side of the gate to return back to Mulholland after the gate is locked. This is unacceptable. Bicyclists will be stranded and forced to use alternate, far out-of-the-way routes via Sepulveda and Sunset Boulevards, which are extremely hazardous for mountain bicyclists that are unprepared to ride on after sunset. As such, a locked gate is irresponsible public policy and would create a serious public safety issue that cannot be justified by any means.
- Similarly, the Kenter-Mulholland corridor is used by bicycle commuters who live in the Brentwood area and work in the Encino and Tarzana areas and visa versa. In a time when our region is contending with increasing traffic congestion and population growth, closing through access to the unpaved roads will put current bicycle commuters back in their cars and will prevent future commuting by mountain bicyclists. The unpaved roads of the Santa Monica's are an


untapped resource and a potentially pertinent component of regional congestion mitigation. The consequences of restricting access to these public roads for the self-interests of a few have not been completely thought-out. Maintaining public access without restrictions, as we have historically experienced, is the appropriate decision on many community-wide levels.

- While the Crown HOA states that the gate will be locked and unlocked as specified, there is no guarantee that individuals will do so every day, year after year. What if the responsible party(s) forget to unlock the gate, are out of town or lock it up early, or if they are unscrupulous and simply don't want to unlock it? Then public access will effectively be denied. The public access to the area will be at the mercy of the private, Crown HOA, which is unacceptable. This scenario will create problems for the public, the Crown HOA and your office, that will not go away.
- We are aware of numerous reasons why the Crown HOA wants to put the gate up and it is no secret that they want to restrict access to only Crown homeowners. Once the infrastructure is set in place, the potential exists for residents to simply keep the gate locked at their own will, or to petition the City Council to essentially finish the job and allow them to have a full-fledged, private gated community. Again, once the infrastructure is in place, future public access is threatened. It is a step-by-step process and the public cannot afford the groundwork of this process to be established.

CORBA is committed to maintaining historical public access for mountain bicyclists and the community as a whole. While this document identifies ground-level reasons for removing the gate and all public access restrictions, we are also apprised of the legal intricacies associated with the issue. We ask you to reconsider this matter and remove all restrictions to public access related to Canyonback Road.

Please feel free to contact me at (310) 415-9870 or by email at jklinger@corbamtbc.com with any questions or if CORBA can be of any assistance to you in this process.

Sincerely, -


Jeffrey Klinger
CORBA Board of Directors

Cc: Bryan Gordon

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CENTER FOR LAW IN THE PUBLIC INTEREST

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August 13, 2004

Council Member Cindy Miscikowski
City Hall
200 North Spring St.
Room 415
Los Angeles, CA 90012

AUG 16 2004

Re: Keep Canyon Back Park and Trails Open for All! Stop the Gate!

Dear Council Member Miscikowski:

We urge you to keep The Westridge-Canyon Back Wilderness Park open for all and to stop the gate on a public street that would block public access.

According to the Los Angeles Times Editorial of August 3, 2004: "Here's an easy civics lesson: A private homeowners association wants to gate off a public street used by many to get to a public park. It needs city permission to do so. What should city leaders say? The obvious answer is: No way."

"We should be looking for ways to open access to public land for hikers, bikers, and other members of the public who want to enjoy the wonderful remaining undeveloped natural resources of our region," according to Assemblyman Paul Koretz of the 42nd District in his enclosed August 10, 2004, letter.

"The imposition and intimidation to legitimate public parkland trail users, posed by having to push a button to seek a remotely-stationed security guard's permission to enter the street, is not acceptable" to the Santa Mountains Conservancy, as stated in their enclosed August 6, 2004, letter.

The Westridge-Canyon Back Wilderness Park provides much-needed active recreation, trails, and natural open space for all the people of Southern California to have fun through hiking, mountain biking, jogging, and just getting away from it all. Canyon Back is part of the Big Wild, a 21,000 acre urban wilderness in the Santa Monica Mountains with a network of open space and trails from the Sepulveda Pass and the San Fernando Valley to the Pacific Ocean. Canyonback Road provides convenient access to the park from the 405 Freeway and Sepulveda Boulevard, a major surface street running the length of the City.

Yet the Crown Homeowners Association, a wealthy enclave above the Sepulveda Pass, is trying to restrict public access to Canyon Back by building a huge locked gate, with a private guard and surveillance cameras, on a *public street* at Canyonback Road and Mountaingate Road. The beauty and benefits of Canyon Back must remain free and accessible for all. The gate must be stopped.

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Dear Council Member Miscikowski:

Re: Keep Canyon Back Park and Trails Open for All! Stop the Gate!

August 13, 2004

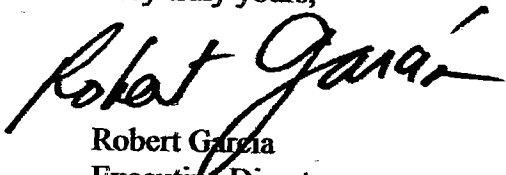
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The Canyon Back Alliance and gate opponents include (partial and growing list): Center for Law in the Public Interest; Antes Columbus Football Club; Brentwood Hills Homeowners Association; Citizens for a Safe Sepulveda; Concerned Citizens of South-Central Los Angeles; Concerned Off-Road Bicyclists Association (CORBA); Environment California; International Mountain Bicycling Association (IMBA); LA City Bicycle Advisory Committee; Latino Urban Forum; LA Leggers; Los Angeles County Bicycle Coalition; Los Angeles Metropolitan Churches; Mandeville Canyon Association; Sierra Club Santa Monica Mountains Task Force; Trail Runners Club; Upper Mandeville Canyon Association.

The letters from the Center for Law in the Public Interest and Bird, Marella, Boxer & Wolpert detailing the policy and legal reasons to keep the park open for all and stop the gate are enclosed.

We urge you to save public access to the park and stop the gate.

Very truly yours,



Robert Garcia
Executive Director



Thomas R. Freeman
Bird, Marella, Boxer & Wolpert APC

Enclosures:

- August 3, 2004, Los Angeles Times Editorial
- August 4, 2004, Los Angeles Daily Journal article
- August 9, 2004, Los Angeles Daily Journal article
- July 29, 2004, Los Angeles Times article
- August 10, 2004, Letter from Assemblyman Paul Koretz
- August 6, 2004, Letter from Santa Monica Mountains Conservancy
- July 23, 2004, Letter from Center for Law in the Public Interest
- July 23, 2004, Letter from Bird, Marella, Boxer & Wolpert
- August 4, 2004, Letter from Bird, Marella, Boxer & Wolpert

**Councilwoman Cindy Miscikowski June 22, 2004
Los Angeles City Council
1645 Corinth Avenue, Room 201
Los Angeles, CA 90025**

Re: New gate construction on Canyonback Road in the Santa Monica Mountains

Dear Ms. Miscikowski:

The Santa Monica Mountains Task Force of the Sierra Club is writing to strongly protest the gate that is currently being constructed on Canyonback Road. This gate obstructs the portion of the Kenter Fire Road that passes through the Mountaingate development.

This gate raises many environmental concerns, since it will limit and/or prevent public access to mountain parkland to hikers, runners and other passive recreational users.

The City of Los Angeles's General Plan and the Brentwood Pacific Palisades District Plan makes extensive provisions for public access to open space.

The Kenter Fireroad runs from the northern end of Kenter Ave. to the east end of dirt Mulholland, which will be bisected by this gate, limiting or denying access to Mulholland and public parkland (and to destinations beyond). Losing access to wilderness is not a position that you have previously supported.

We also protest that the gate is under construction, since L.A. City's permitting process has not yet been completed.

**We request notification for future any future hearings by the L.A. Planning Commission regarding these issues pertaining to the Canyonback Road and gate.
Thank you for a timely response to our concerns.**

**Mary Ann Webster, Chair
Santa Monica Mountains Task Force, Sierra Club
Telephone: 310 559-3126. Fax: 310 559-3136.**

CITY OF LOS ANGELES
CALIFORNIA

Wayne K. Tenda
GENERAL MANAGER



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August 26, 2004

AUG 30 2004

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Honorable Cindy Miscikowski
Council member, 11th District
Room 415, City Hall

SUBJECT: CANYONBACK ROAD CLOSURE

At its last meeting the City's Bicycle Advisory Committee (BAC) heard public comment on the pending closure of Canyonback Road at Mountain Gate Drive which provides trail access to the Santa Monica Mountains Recreation Area..

While this roadway closure has been under consideration for some time, the BAC became aware of the situation just recently as construction of a gate by the Crown Homeowners Association began several days prior to the meeting. Without exception the closure was opposed by members of the public who chose to speak on this item. As this roadway was constructed, and is maintained and owned by the City of Los Angeles and provides access to public lands, it is clear there is a need for ongoing public use of Canyonback Road. Following the public comment and discussion of the item by the BAC members, the BAC formally adopted "a position to oppose the gate at the Mountain Gate Housing Development at Canyon Back Road as planned due to the impact to bicyclists."

Thank you for your attention to this matter. It is my understanding your office is currently reviewing the situation and I hope you will make a throughout investigation prior to giving the roadway closure any additional support.

Sincerely,

Alex Baum
Chairman