

**Report of the *ad hoc* Committee on Trails and Easements
to the
Muir Beach Community Services District**

DRAFT: 1/30/2018/6/2018

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Background

The *ad hoc* Trails and Easements committee was formed and authorized by the Muir Beach CSD in December 2016. The goals of the committee were threefold:

1. Create an inventory of trails and easements in Muir Beach.
2. Prepare recommendations for the CSD (and district managers) for each of the elements of the inventory.
3. Create a map of public trails and easements for the use and education of Muir Beach residents.

This report represents the completion of the first two tasks. The third task has not been completed. Completion is a relative term, of course, as conditions and community feedback change. We hope the CSD, more specifically the District Managers, can use this document as a long-term management tool for caring for our public trails and easements.

Priority Expenditure Recommendations:

Expenditures Based on Safety Considerations:

1. The steps below the community center from Sunset Way to Pacific Way need repair to be safe, especially in the wet season. Repairs needed include structural improvements to the wooden steps and railings, diversion of the water passing through a culvert under Sunset so that it flows properly down the wooden "sluice" and not over the upper steps, and removal of overgrown tree branches, particularly at the bottom of the steps.
2. The steps going up from the Community Center at Seacape Drive to Starbuck Extension need repair. Several of the steps are difficult to use, additional railings should be added for better balance, and lights should be available as with the steps from Seacape to the Community Center. It appears that electricity is already installed midway up the steps, so adding lights and top/bottom switches should be straightforward.

3. The steps coming up from Sunset Way to the Community Center should have a full set of handrails for the full distance. Elderly residents have commented how difficult it is for them to negotiate this path without handrails.
4. The ad hoc bike trail from the start of Sunset Way to Pacific Way is dangerous to negotiate in any weather, and the old CSD steps have long disintegrated. What is needed is a new set of steps on the CSD property. Since this will cost more than the \$1500 Trails budget for 2018, this will have to be done as a separately funded project. Co-ordination with Audubon Canyon Ranch, which owns much of the property (The Terwilliger Grove) has begun. The other issues here are fuel reduction (many over-mature Monterey Pines), managing the bike flow, and reconstruction of the original Monarch habitat. Muir Beach needs to obtain an estimate for the construction of new steps. The CSD will have to work with Audubon Canyon Ranch to develop a plan for these improvements.
5. Signage should be added to important public paths, which might also be public evacuation routes in case of tsunami or fire. Although there is existing signage on some trails, especially those managing mountain bike traffic, the committee felt that additional signage was required in certain areas to direct pedestrians correctly. For example, the Sunset to Pacific Way steps and easements below the Community Center are labeled by the adjacent homeowners as "Private", but in fact these properties are public. Non-community persons, e.g. renters of the Community Center, have been confused as to how to return to the CC from Big Beach. A simple sign stating: "Muir Beach Community Center" with an arrow would be very helpful. The Committee has discussed how to design a simple sign such as is used in other communities and will develop a prototype for review.

Expenditures Based on Most Frequently Used Trails

1. Seacape Ridge Trail

The most frequently used trail in Muir Beach is the Seacape Ridge Trail, part of the Seacape Park. In addition to the safety issues discussed above, maintenance needs also exist. First, there should be a regular schedule for trimming grass and brush on the trail, especially in the Spring and Summer. Second, there needs to be some mitigation (e.g. gravel) for the water ponding which occurs at the top of the trail. Third, a second post needs to be mounted at the top of the trail so that it can be closed to bikes and vehicles during rainy periods.

2. Little Beach/Cove Lane Access

~~In a 1986 document (part of a filing for a septic system) the California Coastal Commission (CCC) stated that if the Muir Beach CSD or other organization accepted maintenance responsibility and a formal easement, then:~~

~~“public access at Bello Beach will be assured and the uses traditionally carried out there (i.e., small boat launching, community use and recreation) shall continue”~~Issues of access to Little (Bello) Beach were discussed at length in committee meetings.

~~Although the Muir Beach CSD did not assume responsibility for an easement across private property to access the beach, the access should be kept open per the Commission’s opinion. The CSD at this time is addressing this issue. Should the conflicts not be resolvable, it might be necessary to again have the CCC involved, and an assumption by the CSD of an easement per the previous recommendation.~~However, on January 25, 2018, the MBCSD authorized a separate group to pursue this issue, including consultation with the California Coastal Commission. Thus the *ad hoc* Tails Committee need not be further involved.

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Additional Recommendations:

1. 60 Starbuck Possible Encroachment

During the committee’s “walk-about” we determined that there is a likely encroachment into the Seacape Park on the west side of 60 Starbuck Drive. The Seacape subdivision park land is identified on the Seacape Subdivision map. The dedication of the Seacape subdivision, when transferred from Miriam Smith and the Miwok Corporation states that:

“dedicated to public use all public utilities easements, drainage easements, pedestrian easements and the area designated as Park. Said easements are to be kept open and free from buildings and structures of any kind.”

The patio is likely well into the public area where no structures are allowed. We have recommended to the District Managers that they contact the owner and try to resolve this issue. We recommend that if a formal survey of property lines is required, that the CSD pay for the survey only if this is found not to be an encroachment; otherwise the property owner should pay for the survey and for removal of the structure and restoration of native plants.

2. Seacape/Starbuck Park

The public Park property from the intersection of Seacape and Starbuck Drives, which connects to the Muir Beach Overlook (a 35' x 300' strip of parkland, Inventory Segment 7), ~~has become~~ is overgrown and basically impassible without trespassing on neighbor's property ~~not accessible~~. Several residents would like to see this public path opened up as a connector to the Muir Beach Overlook. ~~This could provide a safe path for pedestrians, pets and children as an alternative to the walk up Seacape Drive, which has had increased traffic from tourists and delivery trucks. Bicycles could easily be blocked from entry.~~ However, there have been strong protests from several neighbors against any improvements to this public property (including about 19 written letters against opening the park to public use, primarily based on past home break-ins, drug use, and illegal campfires, see Appendix 3 for more information). ~~There is a wooden fence (in poor condition) on the NPS property (east side of Overlook), and a cyclone fence gate on private property (Bryson, part of a non-development easement). There is also a metal "deer fence" crossing the park with a gate labeled with a CSD invitation to use the property. At a minimum, the CSD should trim the bushes so that the park is accessible without crossing private private property (as in the past, and is required by the Seacape dedication). The current CSD signage on the "deer fence" should be continued, although that fence could be removed since it is no longer needed. Clearly marking the Seacape Park boundaries would be very helpful.~~ Therefore the committee recommends no changes to the status of this section of the Seacape Park at this time. There are also several overgrown easements going south from the Overlook (Inventory Segments 21 and 22) which can remain undeveloped (similar concern to the public park property). ~~More community input is needed as to the best plan for this park.~~

3. Minor or Legacy Encroachments

There are various cases of "minor" or "legacy" encroachments on public parks or pedestrian easements. For example, the Easement trail from Sunset Way to the end of Pacific Way has one home and some patio structures built long ago on the easement. In the past, this has been overlooked by the CSD due to a lack of complaints over many years. However, residents need to realize that this is their easement and they have full right of use, even though this appears visually to be private property (and is misleadingly labeled nearby as such). On the case of minor or legacy encroachments ~~(e.g., another private property has placed a foot or so of concrete over the Seacape Park property), any action should be~~ the committee recommends enforcement determined by the CSD on a case-by-case basis, and surveyed as required. ~~Given the recent and extremely expensive lawsuit regarding Mill Valley's failure to remove~~

~~encroachments from their trails, the CSD should take these cases seriously.~~

Bicycle Trail Use in Muir Beach

Mountain bikes regularly pass through Muir Beach, typically following a path from the Coast View Trail dropping off Mt. Tam, and then down through the Muir Beach Overlook parking lot, then down the Seacape Ridge Trail, and then, after a short section on Hwy 1, dropping down the *ad hoc* bike path through the Audubon Canyon Ranch (ACR) property between the start of Sunset Way and down to Pacific Way. Due to narrow sections on steep trails, conflicts have occurred among bikers, hikers and dog walkers. The trail has become known in bike circles as “Backyard”, and has timed records for the rapid descent recorded at the bike site Strava. Discussions were held in CSD meetings in 2013, and it was agreed that bikes would not be banned from the trail, just managed. Muir Beach residents, with CSD permission, added signage to the Seacape Ridge Trail and added a bike only loop from the Starbuck extension to Seacape Drive at the Community Center (on land donated by the Bowyer family). These modifications have improved the situation, but did not solve it well enough.

A You-tube video of riding “Backyard” is at:

<https://www.youtube.com/watch?v=5JzVPURbgJQ>

A Strava trail challenge is at:

<https://www.strava.com/segments/5996841>
<https://www.strava.com/segments/2305812>

Therefor two improvements were made in 2016-2017:

1. A bypass was created for the steep “S-curve” section (above the Bowyer property at 34 Seacape) to allow pedestrians and bikes to pass more safely. One sprained ankle and numerous conflicts have occurred at this section.
2. A periodic closure to bikes (and to vehicles in the upper part of the trail) during the rainy season was started last winter during the heavy rains. This will reduce erosion due to bikes and improve safety.

Method:

The committee used a variety of sources to determine the location of public trails and easements. The inventory currently consists of 27 segments, which were given names

for reference. The numbering is random, which is a function of creating the list from the sources and from the committee's observations of the segments.

In most cases, the segments were visited by committee members and the recommendations are a result of those visits and further discussion.

Information Sources:

The existence and legal status of each segment was determined primarily by reviewing the Marin County Assessor's maps (available on-line at Marin County website, and also on the Muir Beach CSD websites, and outlined in Google Maps, which can be used as a rough survey tool in real time) and the Bello Subdivision and Seacape Subdivision maps (available at the same websites). These sources cover most of the trails, parks, and easements in Muir Beach, but not all. Some easements are only identified on property deeds, so there may be a number of public easements which we did not locate. The committee did not engage any professional surveyors in this project.

Information regarding the easement access from Cove Lane to Little Beach was obtained from California Coastal Commission and other historical documents. All of the committee documents, including meeting minutes, were placed on a committee Dropbox site for review and reference.

[Documents used by the Trails Committee can be found at a Dropbox site accessible to the committee and the District Managers.](#)

Committee Activities

The Committee held regular meetings to discuss trails issues. As part of the meetings, we held a "walk-about" after each session to visit each of the main trail or easement segments to see the location and condition of each for our recommendations.

Research consisted primarily of deciphering maps and documents to help define the recommendations.

The Committee also developed liaisons with NPS, Mt. Tam SP, MMWD, Ocean Riders, and the Marin County Bicycle Coalition. This is important since Muir Beach trails are really part of an overall system of trails in the Redwood Creek watershed so we all have common issues. For example, we were encouraged to start an informal "adopt-a-trail" program here in Muir Beach. In fact, most of the adopters listed in the inventory have actually been performing basic maintenance (e.g. trimming tall grasses, or clearing water bars) on these trails for some time.

Committee volunteers assisted NPS with clearing of the Redwood Creek Trail and the Owl Trail. The agencies were basically overwhelmed with trail problems after the heavy rains of last year.

Primary Committee Members (attended at least three meetings)

Herb Case
Paul Jeschke: CSD Board Member
Janice Kubota
Dave MacKenzie: Committee Chair
Helen Mirra
Brent Smith

Additional attendees or mailing list contacts:

Scott Bender
Mike DeGroot: Co-District Manager
Gary Friedman: CSD Board Chair
Chris Gove: MBVFD Fire Chief
Mary Halley: Co-District Manager
Michael Kauffman
Greg Kidd
Melissa Lasky
Barbara Schoenfeld

[Appendix 1: Trails, Parks, and Easements Inventory: Muir Beach CSD Service Area](#)

[Appendix 2: Invasive or Non-native Plants for Removal from Muir Beach Parks, Trails, and Easements](#)

[Appendix 3: Letter to Trails Committee from Brent Smith, July 25, 2017](#)

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