



Design Guidelines and Easement Restrictions for the Modoc Multi-Use Path

Following review of the Conservation Easement and the draft Modoc Multi-Use Path design plan, the Land Trust has developed the following recommendations to guide future revisions of the plan. In order for the Land Trust to approve a project, the design must not violate the conservation easement—whether by individual design elements or by the sum of their impact—and must provide a net benefit to the conservation values of the Modoc Preserve. The following recommendations are intended to provide guidance on allowed and disallowed design elements, but are not intended as approval for the project as a whole. The decision as to whether the path is compatible with the easement will factor in the overall impact on the preserve, as well as additional conservation and mitigation opportunities.

1. General
 - i. The project must be designed in the most environmentally sensitive manner possible.
2. Path surface
 - i. The path's surface should be permeable and not paved.
 - ii. Roads are prohibited by the conservation easement, and concrete or asphalt surfaces at a 10' width become too much like a road rather than a trail.
 - iii. There are examples of successful, accessible, unpaved multi-use paths. For example, the City of Carpinteria's Carpinteria Bluffs Preserve has a decomposed granite (DG) multi-use trail that is wheelchair accessible, truly multi-use, and has stood up well over time.
3. Retaining walls vs. cut/fill slopes
 - i. Cut/fill slopes with proper landscaping and revegetation are preferable to retaining walls, despite the larger footprint. They are more natural in appearance, provide more area for revegetation/restoration, and are therefore more in line with the spirit of the conservation easement.
 - ii. Within the Preserve, if there are places where a retaining wall is necessary, the need must be demonstrated (i.e. pinch points where there is not sufficient width for cut/fill slopes). Retaining walls should not exceed 1-2 feet in height.
 - iii. Along the western portion of path (i.e. portion in public ROW), retaining walls may be acceptable along the Preserve boundary, particularly if the difference in grade would require an unreasonably large area of cut/fill.
 - iv. There must a landscaping and restoration plan with attached performance criteria.
4. Lighting
 - i. Night-time lighting is prohibited by easement and is therefore not allowable.
 - ii. While there are less intrusive forms of low-level lighting (i.e. lights in pavers or on low posts angled down), this is still not consistent with the spirit of the conservation easement.
5. Fencing
 - i. Fencing is allowed but must be rustic-looking in nature, wildlife friendly, and compatible with a nature preserve, such as low, split-rail fencing.
 - ii. Fencing is required by the landowner to reduce conflict between user groups, improve safety, and keep bicyclists out of sensitive areas.
6. Tree protection and/or removal

Design Guidelines for the Modoc Multi-Use Path

1/17/2023

Page 2 of 2

- i. Avoid removal of or impact to healthy native trees, unless mitigation is preferred for the specific tree in question, as discussed with the landowner and Land Trust.
 - ii. Unhealthy native trees may be removed, but only with adequate mitigation and approval from landowner and Land Trust.
 - iii. Non-native trees may be removed if appropriately mitigated with native trees.
 - iv. Hand tools should be used around native trees (within dripline) and/or work should be overseen by an arborist.
 - v. There must be a detailed overall mitigation/conservation/restoration plan for the project that specifies how impacts are being avoided or mitigated, identifies an appropriate and agreed upon location for mitigation plantings, and outlines performance criteria.
7. Drainages and watercourses
 - i. Relocation of drainages and watercourses is only allowable only if it enhances natural habitat or wetland values, consistent with terms of the conservation easement, and with approval of regulatory agencies.
8. Wetlands and sensitive habitat
 - i. Paths and trails should not encroach into sensitive areas or seasonal wetlands.
9. Long-term management
 - i. A long-term management plan must be developed outlining responsibilities for maintenance and upkeep of the public path.