

SANTA MONICA MOUNTAINS CONSERVANCY

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February 23, 2009

Ronald J. Kosinski, Deputy District Director
Division of Environmental Planning
California Department of Transportation, District 7
100 South Main Street, MS-16A
Los Angeles, California 90012

**I-5 HOV and Truck Widening (SR-14 to Parker Road)
DEIR/EA Comments (EA 2332E)**

Dear Mr. Kosinski:

The Santa Monica Mountains Conservancy (Conservancy) appreciates your consideration of our NOP comments and meeting with our staff to discuss this agency's concerns. However, we are dismayed to see that the Draft Environmental Impact Report- Environmental Assessment (EIR-EA) includes none of the mitigation measures specifically recommended by staff as part of the both the CEQA-NEPA process and Section 4(f) analysis.

All of the project's development alternatives require a small taking of Conservancy property. Assuming the Section 4(f) conditions outlined in the attachment to your August 20, 2008 letter to Paul Edelman remain valid and irreducible, our concerns are partially mitigated. More specifically the letter calls for a \$65,000 payment to the Conservancy through an in lieu fee program. We believe that mitigation measure should be included in the Final EIR-EA mitigation measures and that the measure must specifically require when the funding is to be transferred to the Conservancy or the Mountains Recreation and Conservation Authority (MRCA) through its in lieu fee program.

In general, the Draft EIR-EA categorically minimizes the present and potential value of the Castaic Creek, Gavin Canyon underpass, and Weldon Overpass freeway crossing structures. To the best of our knowledge, the Draft EIR-EA includes zero mitigation measures or specific design features to maximize the future value of these structures for connectivity across I-5. The Draft EIR-EA is deficient for not addressing the project's potential cumulative functional degradation of these three crossing structures and the substantial temporary habitat loss during an extended construction period. Nighttime does not automatically turn construction sites into wildlife-friendly zones. Lastly, the analysis rests on the assumption that Las Lomas is a project likely to be approved and thus there is no point in designing mitigation measures that will benefit multiple California mountain ranges for hundreds of years. Las Lomas is less likely to occur than to occur.

Mr. Ron Kosinski

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Our staff had requested that Caltrans acquire, or fully fund another agency--such as the Conservancy or the MRCA--to acquire APN 2826-025-007. That parcel abuts the parcel where Caltrans would take a small piece of a Conservancy-owned and TEA 21-funded property, which is part of the Santa Clarita Woodlands Park. The parcel is shown on the aerial attached to your August 20, 2008 letter. The 6.62-acre parcel has no access except from I-5. The current owner (and three more prior) approached the Conservancy for an easement. He is a willing seller at less than \$100,000. We will provide owner contact information under separate cover. This mitigation is justified to offset the loss of adjacent parkland, the narrowing of the Gavin Canyon under-crossing with new bridge pillars, and the expansion of the freeway into otherwise natural park-adjacent right-of-way for many miles. By removing the parcel from future development potential, it vouchsafes the scenic Newhall Pass I-5 viewshed and the function of adjacent animal staging area for the Gavin Canyon under-crossing for wildlife movement.

The Weldon Overpass will be completely replaced. The Draft EIR-EA must include a mitigation measure that devotes a ten-foot-wide section of the bridge for pedestrian, equestrian, bicycle and wildlife crossing. We recommend the exact same design parameters that our staffs have worked on for the Skirball Center Lane bridge over the 405 Freeway in the Sepulveda Pass. We are excited to see that the Caltrans-funded National Park Service (NPS) study has already shown mountain line use of that bridge over the ten-lane freeway. In addition to augmenting the design of the Weldon Canyon Overpass, all of the potential construction areas shown on Figure 1.5 should be meticulously graded, light restricted, and landscaped to maximize wildlife use of the new bridge. In addition, the intersection design and grading should be adjusted to permit a trail along The Old Road to allow for future construction of the Rim of the Valley Trail from the eastern edge of the bridge into the open space located behind the large cut slope east of the bridge.

Caltrans frequently contacts the Conservancy about its riparian in lieu fee mitigation program for impacts created many years prior. We urge Caltrans to not defer riparian mitigation in the Final EIR-EA to some date uncertain and to require the transfer of an in lieu payment to some program prior the completion of construction when a project still has some budget. The lack of budget and the sustained temporal loss of habitat create a situation where riparian mitigation is delayed for years and becomes increasingly expensive as the available land base diminishes. Please address any questions to Paul Edelman, Deputy Director of Natural Resources and Planning, at the above address and by phone at (310) 589-3200 ext. 128.

Sincerely,

RONALD P. SCHAFFER

Mr. Ron Kosinski
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Chairperson