



Agenda Item VIII
WCCA
2/10/12

February 2, 2012

David Bricker
Caltrans, District 8
464 West 4th Street
San Bernardino, CA 92401

Re: Section 4(f) De Minimis Determination at Chino Hills State Park for SR-91 Corridor Improvement Project

Dear Mr. Bricker:

This letter is in response to your letter dated January 11, 2012 regarding Section 4(f) Consultation. We appreciate the coordination and remain committed to working with you to successfully implement your project.

State Parks is a Trustee Agency as defined by the California Environmental Quality Act (CEQA). State Parks is also a Responsible Agency as defined by CEQA because the proposed project would occur within and require permanent use of Chino Hills State Park. State Parks' mission in part is to provide for the health, inspiration, and education of the people of California by preserving the state's extraordinary biodiversity and creating opportunities for high quality outdoor recreation.

While we appreciate the most recent efforts to reduce the amount of impact on Chino Hills State Park (CHSP), State Parks still disagrees and cannot concur with your conclusion of a Section 4(f) de minimis finding and that there will not be significant impacts unless mitigated for impacts associated with this proposed project. As you may know, CHSP carries with it significant ecological/resource value as well as recreational value. In fact, as we have previously stated, CHSP is the most expensive park in the State Park system in terms of the cost to establish, restore and maintain. We have highlighted these attributes in both of our comment letters (July 11 & November 17, 2011) to help illustrate the significant importance of the park. Several requested items have not been considered or incorporated into project design and questions still remain, which if answered, would allow State Parks to concur with a Section 4(f) de minimis finding.

Furthermore, we appreciate you sharing the National Park Service (NPS) letter that indicates their opinion on Section 4(f). However, under Section 4(f), NPS does not have jurisdiction for Chino Hills State Park (CHSP).

We appreciate the effort to reduce impacts in the redesign of the west bound Green River off ramp and including a Retaining Wall/Concrete Barrier for a majority of the boundary between the freeway and CHSP to help "fire harden" the freeway edge and reduce noise/headlight glare. However, the proposed Retaining Wall/Concrete Barrier is open at several locations and needs to be contiguous in length especially at the Coal Canyon Wildlife undercrossing. It also needs to be higher than the proposed three (3) feet particularly at Coal Canyon to reduce noise/headlight glare impacting wildlife movement. This is also consistent with the US Fish and Wildlife formal

consultation and consequent biological opinion (dated Nov 30, 2011) to minimize adverse effects from light intrusion from vehicle headlights and the potential threat of increased fires from the operation of SR-91 especially in the vicinity of Coal Canyon.

State Parks concerns have not been answered about the "openness" to the south side of the Coal Canyon Bridge Wildlife undercrossing when an additional 2 lanes of freeway are being added. As previously stated, the DEIR is deficient since it provides no bridge design detail at this location for conducting a comprehensive analysis (particularly a horizontal view indicating bridge height). We have requested a copy of the referenced *Comprehensive Wildlife Corridor Analysis Report*, but have not received it.

The redesign of the west bound Green River off-ramp does reduce the permanent use of CHSP land to approximately 0.48 acres (from the previous 0.9 acres). However, NPS recommended that Section 6(f) involving Land & Water Conservation Fund (LWCF) still be complied with. State Parks appreciates Caltrans commitment to ensure all applicable requirements of Section 6(f) are met prior to the project proceeding to construction. Please let me know when we can restart discussions on the amount of park land affected by the 91 CIP project so we can prepare the LWCF Environmental Screening Form for conversion consultation with NPS.

Also, as shown in your Table 1 Summary of Permanent Uses... at CHSP, from your January 11, 2012 letter, there appears to be conflicting information regarding the need or lack of need for a permanent easement. Both Alternative 1 and 2 sections lists Permanent Use amounts, however under the Permanent Easement column it lists "IP: None." We will require a permanent aerial easement where the proposed off ramp crosses CHSP land.

Thank you again for coordinating this project with us. For further discussion, please contact me or Enrique Arroyo at (951) 453-6848.

Sincerely,



Ron Krueper
District Superintendent

cc: Ronie Clark, DPR Southern Division Chief
Jay Chamberlin, DPR Chief of Natural Resources
Wildlife Corridor Conservation Authority
Claire Schlotterbeck, Executive Director, Hills for Everyone