

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7

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April 27, 2007

Rorie Skei, Chief Deputy Director  
Santa Monica Mountains Conservancy  
5750 Ramirez Canyon Road  
Malibu, CA 90265

Re: Skirball Trailhead at the Skirball Center Drive Overcrossing – I-405 Sepulveda Pass Project  
Section 4(f) Determination

Dear Ms. Skei:

Pursuant to the requirements of the National Environmental Policy Act (NEPA), the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) are currently preparing an Environmental Impact Statement (EIS) for the proposed I-405 Sepulveda Pass Widening Project. Alternatives being considered include freeway widening to add one standard northbound HOV lane and standardizing lanes, median and shoulder on southbound I-405.

As part of the environmental review process for the I-405 Sepulveda Pass Project, a Draft Section 4(f) Evaluation has been prepared in accordance with the Department of Transportation Act of 1996 (49 USC 303). Under FHWA regulations (23 CFR Section 771.135(p)(7)), a temporary occupancy of property does not constitute a use of a Section 4(f) resource when the following conditions are satisfied:

- The occupancy must be of temporary duration (i.e. shorter than the period of construction) and not involve a change in ownership of the property.
- The scope of work must be minor, with only minimal changes to the protected resource.
- There are no permanent adverse physical effects on the protected resource, and there will be no temporary or permanent interference with the activities or purpose of the resource.
- The property being used must be fully restored to a condition that is at least as good as that which existed prior to the proposed project.
- There must be documented agreement of the appropriate official having jurisdiction over the resource regarding the foregoing requirements.

In order to secure approval of this determination from the Federal Highway Administration, the Section 4(f) regulations (23 CFR 771.135(p)(7)) require that there be documented concurrence from the agency having jurisdiction over the affected resource. Accordingly, by your signature below, please confirm that the Santa Monica Mountains Conservancy has reviewed the Draft Section 4(f) Evaluation and is in agreement with the determination that the proposed project alternatives would have only a temporary occupancy of the Skirball Trailhead, and that this occupancy would not constitute a "use" of this resource as defined by Section 4(f). Please return a copy of the signed concurrence to the address below.

On behalf of Caltrans and FHWA, we sincerely appreciate your assistance with this important matter and look forward to working with you.

If you have any questions or comments, please contact Carlos Montez at (213) 897-1090.

Sincerely,



Ron Kosinski  
Deputy District Director  
California Department of Transportation, District 7

Santa Monica Mountains Conservancy  
Concurrence:

Signature \_\_\_\_\_  
Rorie Skei, Chief Deputy Director  
Santa Monica Mountains Conservancy

Date \_\_\_\_\_

Enclosure