

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: September 9-10, 2009

Reference No.: 2.2c.(5)
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: Jay Norvell
Division Chief
Environmental Analysis

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
07-LA-39, PM 40.0/44.4
RESOLUTION E-09-68**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolution E-09-68.

ISSUE:

The attached resolution proposes to approve for future consideration of funding the following project for which a Final Environmental Impact Report (FEIR) has been completed:

- Route 39 in Los Angeles County. Rehabilitate, re-open, and construct roadway improvements on Route 39 within the Angeles National Forest north of the city of Duarte. (PPNO 2307)

This project in Los Angeles County will rehabilitate, re-open, and construct roadway improvements on Route 39 within the Angeles National Forest north of the city of Duarte. The project is fully funded. The project is programmed in the 2008 State Highway Operation and Protection Program for \$47,592,000, capital and support. Construction is estimated to begin in Fiscal Year 2011-12.

A copy of the FEIR has been provided to Commission staff. Issues with the construction permanently impacting habitat for Nelson's Bighorn sheep, a federally protected species, loss of state and federal waters, potential impacts to migratory birds, and public controversy regarding the project resulted in an Environmental Impact Report (EIR) being completed for this project. Upon completion of the EIR, mitigation measures related to migratory birds, Nelson Bighorn sheep, and state and federal waters reduced impacts to less than significant. As a result, a Statement of Overriding Considerations was not adopted.

The Department has approved this project for construction. This approval and the filing of the Notice of Determination with the Office of Planning and Research will satisfy the environmental requirements for this stage of the project planning process.

Attachments

CALIFORNIA TRANSPORTATION COMMISSION

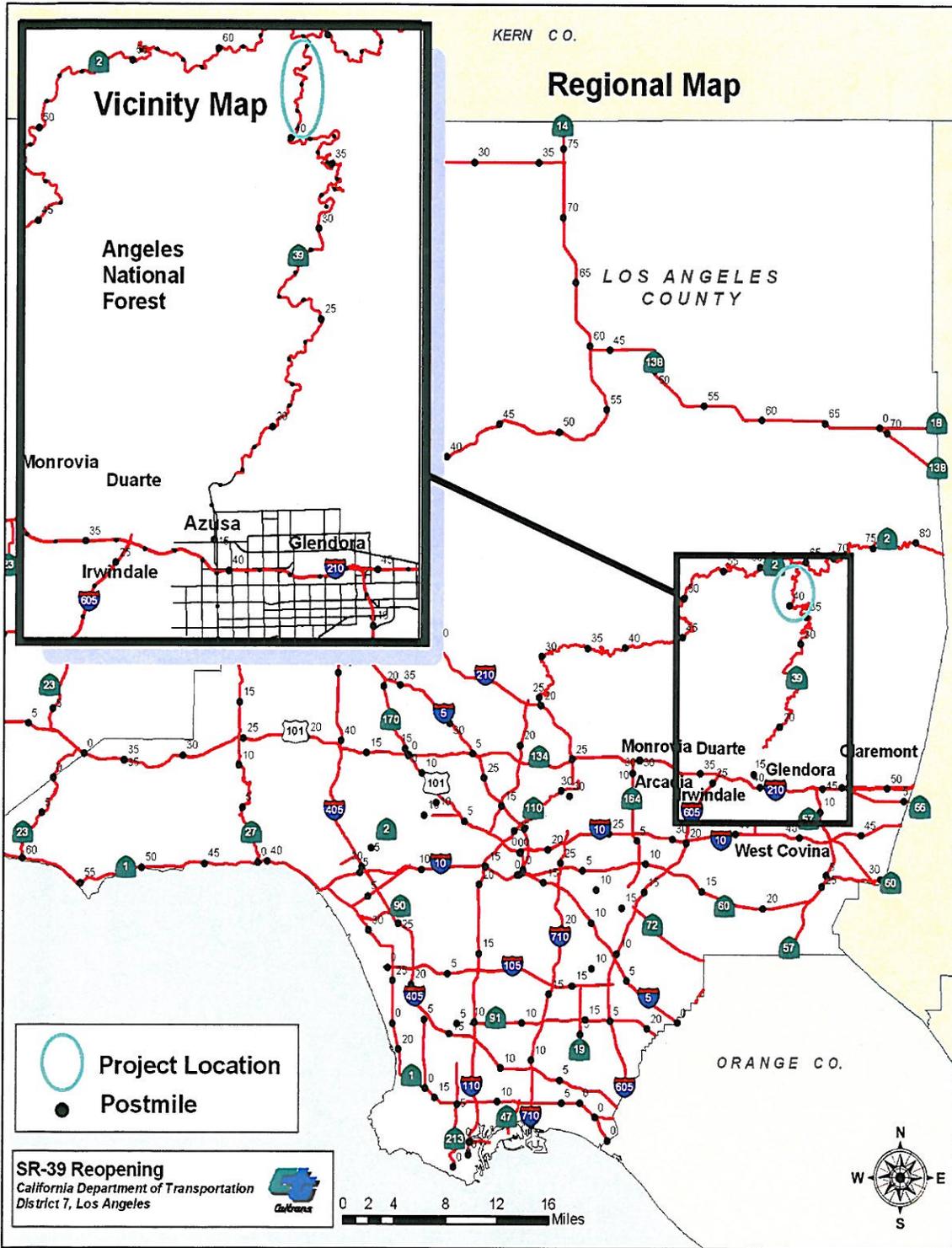
Resolution for Future Consideration of Funding

07-LA-39, PM 40.0/44.4

Resolution E-09-68

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed a Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Route 39 in Los Angeles County. Rehabilitate and re-open Route 39 and construct roadway improvements from post mile 40.0 to 44.4 in the Angeles National Forest north of the city of Duarte. (PPNO 2307)
- 1.2** **WHEREAS**, the Department has certified that the Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Environmental Impact Report; and
- 1.4** **WHEREAS**, the project will not have a significant effect on the environment.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby approve the above referenced project to allow for future consideration of funding.

Figure 1-1. Regional Project Location and Vicinity Map



Map created by Robert Wang/Caltrans Division of Environmental Planning