

DEPARTMENT OF TRANSPORTATION

DISTRICT 7

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August 31, 2011

SR-39
PM 40.0-44.4
EA 1992U

Mr. Marty Dumpis,
Acting Forest Service Supervisor
USDA Forest Service
701 N. Santa Anita Avenue
Arcadia, CA 91006-2725

Re: Proposed Termination of State Route-39 Reopening Project and Intent to Abandon the Entire Route

Dear Mr. Dumpis:

The California Department of Transportation (Caltrans) has been actively pursuing the reopening of State Route 39 for over 30 years. Substantial Caltrans resources have been allocated during this time to accomplish this goal and we appreciate the continued effort that your office has also committed. Much has been accomplished in stabilizing portions of the route since its closure in 1978. However, recent challenges related to our Route 39 Reopening Project (PM 40.0-44.4) have led our department to reevaluate the positives and negatives that we face by continuing this reopening effort. After careful consideration, we have determined that it is not realistic or cost effective to continue pursuing the implementation of this reopening project.

The primary reasons for terminating the State Route 39 Reopening Project are as follows:

1. **The Cost to Reopen the Road.** In 2008, the cost to reopen the road was estimated at \$32,000,000. However, the project costs are expected to significantly increase, particularly for environmental studies and engineering mitigation measures related to protected and endangered species. Given the State's fiscal crisis, it is simply not practical or feasible for Caltrans to continue with this endeavor.
2. **The Cost to Maintain the Road.** Because of the unstable nature of the terrain along this route, slide activity will persist, especially during years of heavy rain and snow. Caltrans maintenance forces are constantly required to remove rocks and other debris to keep the existing road open. It would be prudent to close the road from November to March to minimize the cost of maintenance. Given the State's fiscal crisis, it is simply not practical or feasible for the Caltrans to continue with this endeavor.
3. **The Probability of Major Sides Causing Long Term Closure.** Future slides in this unstable area are highly probable. Thus, reopening of the closed portion of the route is a less than prudent investment.
4. **Environmental Factors.** The California Department of Fish and Game has formally notified Caltrans that the Nelson's Bighorn Sheep are now a fully protected, meaning that not one sheep could be taken/harmed as a result of the route's reopening. Given the recent unfortunate loss of a neonatal bighorn lamb that was on the roadway, our team believes that the ultimate approval allowing Caltrans to reopen the route is problematic. The timing of the lambing season could require this road to be closed or have restricted use from January to June. This is the latest of a long list of environmental factors pointing to the improbability of the successful reopening of this roadway.
5. **Statewide Significance.** Clearly a road that has been closed for 33 years does not and would not serve any meaningful State purpose. The road has served primarily local recreational uses and has minimal economic impact. The route's value is limited to primarily fire and emergency access for the US Forest Service.

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Based upon these above discussion points, Caltrans has evaluated moving forward with the following options:

1. Formal termination of the State Route-39 Reopening Project, cancellation of our permit to operate and maintain the roadway and abandonment of the closed section (PM 40.0-44.4) to the U.S. Forest Service.
2. Formal termination of the State Route-39 Reopening Project, cancellation of our permit to operate and maintain the entire roadway and abandonment of the roadway within U.S. Forest Service (USFS) boundaries, accompanied by formal abandonment and relinquishment of control of State Route 39 to Los Angeles County, and/or the City of Azusa.
3. Formal termination of the State Route-39 Reopening Project only.

At this time, Caltrans District 7 preference is to pursue option 2. Our office is in the process of notifying those parties who in the past have expressed interest in our activities related to State Route 39 Reopening Project.

Our department wishes to commence formal discussions with the U.S. Forest Service regarding this endeavor. Our goal is to come to an agreement on a protocol for proceeding. Caltrans is committed to ensuring that the transition is well coordinated and moves forward responsibly and sensitively. Please contact Aziz Elattar at (213) 897-0686 as to your availability to meet. We are interested in moving forward as well as discussing your thoughts, comments, and concerns.

Sincerely,



RONALD KOSINSKI
Deputy District Director
District 7 Environmental Planning
California Department of Transportation

cc: Edmund Pert, California Department of Fish & Game
Jay Norvell, Caltrans HQ DEA
Sam Ekrami, Caltrans D-7 PM
Bill Reagan, Caltrans D-7 Design
Dan Freeman, Caltrans D-7 Maintenance
Aziz Elattar, Caltrans D-7 Environmental Planning