

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

410A



**FROM:** TLMA - Transportation Department

**SUBMITTAL DATE:**  
November 14, 2013

**SUBJECT:** Resolution No. 2013-249, Notice of Intention to Terminate the Maintenance of Skyline Drive from the Corona City limits westerly to the Orange-Riverside Counties boundary line, in the Corona area, Setting Public Hearing, 2nd/2nd District. [-\$10,000.00, Local Funds 100%]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution No. 2013-249, Notice of Intention to Terminate the Maintenance of Skyline Drive from the Corona City limits westerly to the Riverside County boundary line; and
2. Schedule a public hearing in regular session assembled on December \_\_\_\_, 2013, pursuant to Section 954.5 of the Streets and Highways Code, that it is this Board's Intention to Terminate the Maintenance of Skyline Drive from the Corona City limits westerly to the Orange-Riverside Counties boundary line.

Juan C. Perez  
Director of Transportation and Land Management

Departmental Concurrence

FORM APPROVED COUNTY COUNSEL  
BY: Synthia M. Gunzel 11-5-13  
DATE

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 5,000	\$ N/A	\$ N/A	\$ [10,000.00]	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
<b>SOURCE OF FUNDS:</b> Gas Tax (100%) There are no General Funds used in this project.				<b>Budget Adjustment:</b> No	
				<b>For Fiscal Year:</b> 2013/14	

**C.E.O. RECOMMENDATION:**

APPROVE  
BY:   
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- A-30
- Positions Added
- 4/5 Vote
- Change Order

NOV 14 2013 11:13 AM  
COUNTY OF RIVERSIDE

Prev. Agn. Ref.: | District: 2/2 | Agenda Number:

3-48

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11: Resolution No. 2013-249, Notice of Intention to Terminate the Maintenance of Skyline Drive**  
from the Corona City limits westerly to the Orange-Riverside Counties boundary line, in the Corona area,  
Setting Public Hearing, 2<sup>nd</sup>/2<sup>nd</sup> District, [-\$10,000.00, Local Funds 100%]

**DATE:** November 14, 2013

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**BACKGROUND:**

**Summary**

The Transportation Department is recommending that maintenance be terminated on Skyline Drive from the Orange-Riverside Counties Boundary line to the City limits of the City of Corona, approximately 24,710 feet, or 4.68 miles in length. Skyline Drive is an isolated road that is not contiguous to any county maintained road, and is not a commuter thoroughfare. Skyline Drive is a narrow, circuitous dirt road, with many blind curves and steep up and down segments, that is difficult to navigate by conventional motor vehicles. The road does not provide primary access to any occupied properties, and traffic on the road is intermittent and of low volume, and is controlled by a gate. The Transportation Department finds Skyline Drive unnecessary for the public convenience as a transportation route and requests that maintenance be terminated.

There is a trail head approximately one mile from the gate. Past that point, the road essentially functions as about a four mile long cul-de-sac providing access to cell tower installations in Orange County, and as a trail for hikers and bicyclists on U.S. Forest Service land. It is the Transportation Department's opinion that the responsibility of future maintenance of Skyline Drive should fall to the U. S. Forest Service and/or the owners of the cell tower property, for them to operate the road as they deem appropriate.

An unsigned copy of an agreement dated December 13, 1926 by and between the Board of Supervisors of Riverside County, California, and the District Forester, Forest Service, (District 5), United States Department of Agriculture, under and pursuant to the provisions of Section 23 of the Act of November 9, 1921 (Public No. 87), known as the Federal Highway Act, purportedly covered the construction of a road, referenced as Corona-Black Star Canyon Road, from the east forest boundary to Riverside County's west boundary line, and the County agreed to assume maintenance of the constructed road commencing January 1, 1928. This 1926 Agreement did not contain a term period.

On February 24, 1948, the Board of Supervisors for the County of Riverside adopted a Resolution that adopted a primary system of County Roads of the County of Riverside and a map that established the Maintained County Road System (the "1948 Road Book"). Skyline Drive was included within the 1948 Road Book under the designation of "other county maintained roads".

On December 12, 1978, the County and the Forest Service entered into that certain Forest Development Road Cooperative Agreement whereby the parties agreed to work cooperatively to develop and maintain forest roads, subject to the availability of funds, and identified Skyline Drive as Forest Road No. 4S01. The Forest Service has communicated to the Transportation Department a desire for a forest road to provide access to the Cleveland National Forest and to serve a federal interest. This 1978 Agreement could be terminated by either party upon a 90 days advance notice. Notwithstanding these agreements with the Forest Service, the County had always maintained its discretionary powers to supervise, manage and control any of its rights-of-way under the law.

In 1982, Orange County closed the portion of Skyline Drive within its jurisdiction, named "Black Star Canyon Road", with a massive gate and barricade after repeated concerns for public safety, high fire hazards, and road failures due to storm damage. On May 27, 1987, the Orange County Board of Supervisors terminated maintenance of Black Star Canyon Road by Resolution No. 87-732.

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On February 25, 1986, the Riverside County Board of Supervisors adopted Resolution No. 86-04 which restricted the use of Skyline Drive from the Orange-Riverside Counties Boundary line to the City Limits of the City of Corona. The Board determined that it was necessary for the safety of the traveling public to close and restrict the use of Skyline Drive. According to the Resolution, tragic accidents resulting in fatal and seriously disabling injuries were occurring on a regular and chronic basis to vehicle users of Skyline Drive prior to that time. Attempts to post Skyline Drive with signs and devices warning of the dangers were unsuccessful as they were being vandalized due to destruction and theft, and funding was not available to substantially improve the road. A gate with a locking mechanism was placed at the southwest boundary of the City of Corona City limits to restrict use of the road to those with a pass key. Pass keys were issued to police, fire, emergency, public utilities, governmental agencies, persons owning or leasing property between the gate and the Orange-Riverside Counties Boundary line and those deemed to have an appropriate need as determined by the Road Commissioner (now the Director of Transportation and Land Management).

About a year ago the Transportation Department was contacted by representatives from the Homeowner's Association adjacent to the gate, in the City of Corona, requesting that the County more closely manage the issuance of keys. The gate was being left open frequently and traffic was increasing, particularly at night. The Department conducted an assessment of our key issuance and found that over 1,000 keys had been issued over the years, essentially upon request. We then changed the locks on the gate and restricted key issuance to property owners, Forest Service, and emergency service providers. We have been approached by members of the public that would like for the County to continue to issue keys upon request. However, it is the Department's position that the road is not safe for unrestricted public access, and opening it for unrestricted access would create a liability for the County, and a situation where vehicles compete with hikers and bicyclists for limited space on a very narrow winding road. Since this road really functions as an access road to U. S. Forest Service land, it is the Department's position that the Forest Service should be responsible for the operations, maintenance, and liability associated with road, in concert with other users that own parcels accessed by the road.

**Impact on Citizens and Businesses**

The termination of maintenance of Skyline Drive would not impact the ability of citizens or businesses to access the area. Access would be managed by the U.S. Forest Service.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

A review of the maintenance cost for the last five years shows that the Transportation Department will see a realized maintenance cost savings for the road and gate of approximately \$10,000.00 annually.

**Contract History and Price Reasonableness**

N/A

**Attachments**

Resolution No. 2013-249  
Exhibit A – 2 pages



N.T.S.  
T.4S, R.7W  
SECTIONS 8, 9, 10  
S.B.M.

# EXHIBIT "A"

Termination of Maintenance of Skyline Drive

CITY OF CORONA

SKYLINE DRIVE  
See sheet 2 of 2

Section 8

Section 9

Section 10

Gates

Gate

RIVERSIDE COUNTY

BLACK STAR CANYON ROAD

MAIN DIVIDE TRUCK TRAIL

ORANGE COUNTY

Gate

E. SANTIAGO CANYON ROAD

SILVERADO CANYON ROAD



N.T.S.  
T. 4S, R. 7W  
SECTIONS 8, 9 & 10  
S.B.M.

# EXHIBIT "A"

Termination of Maintenance of Skyline Drive

## CITY OF CORONA

CAPE DR  
T.4S R.7W.  
3  
STONEWALL DR  
CHASE DR

Limits of Termination of Maintenance  
Approx. 24,710 feet or 4.68 miles

SKYLINE DRIVE

SKYLINE DRIVE

Section 8

T. 4S, R. 7W.  
Section 9

Gate

Section 10

## CLEVELAND NATIONAL FOREST

2  
3 **RESOLUTION NO. 2013-249**

4 NOTICE OF INTENTION TO TERMINATE THE MAINTENANCE OF SKYLINE DRIVE FROM  
5 THE CITY LIMIT OF CORONA TO THE RIVERSIDE COUNTY LINE;  
6 SETTING PUBLIC HEARING  
7 (Second Supervisorial District)  
8

9 **WHEREAS**, the Board of Supervisors of the County of Riverside has the general  
10 supervision, management and control of County highways within the County of Riverside; and,

11 **WHEREAS**, the Board of Supervisors may terminate the maintenance of any County  
12 highway that it is in the public's interest to do so and upon the finding that the highway is  
13 unnecessary for the public convenience; and,

14 **WHEREAS**, pursuant to Section 954.5 of the Streets and Highways Code, a road may be  
15 deemed unnecessary for the public convenience when said road does not provide primary  
16 access to occupied properties and that traffic on said road is intermittent and of low volume;  
17 and,

18 **WHEREAS**, Skyline Drive is a narrow circuitous dirt road, with numerous blind curves,  
19 steep up and down segments, and is difficult to navigate by conventional motor vehicles; and,

20 **WHEREAS**, Skyline Drive is isolated and not contiguous to any county maintained road,  
21 and is only accessible through the City of Corona; and,

22 **WHEREAS**, Skyline Drive is not currently a commuter thoroughfare, nor is it projected to  
23 be one in the near future; and,

24 **WHEREAS**, there is no planned improvements for Skyline Drive or any planned funding  
25 arrangements for such improvements in the foreseeable future; and,

26 **WHEREAS**, it is the judgment of the Transportation Department that Skyline Drive that  
27 the maintenance of it should be terminated, now, therefore,  
28

FORM APPROVED COUNTY COUNSEL  
BY: *Stephanie M. Gunzel* 11-5-13  
DATE: \_\_\_\_\_  
STEPHANIE M. GUNZEL

1 **RESOLUTION NO. 2013-249**

2  
3 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of  
4 Supervisors of the County of Riverside, State of California, in regular session assembled on  
5 \_\_\_\_\_, 2013, pursuant to Section 954.5 of the Streets and Highways  
6 Code, that it is the intention of this Board to terminate, as unnecessary for the public  
7 convenience, the maintenance of Skyline Drive in Sections 8, 9, and 10, T4S, R7W, S.B.M., in  
8 the County of Riverside, State of California;

9 **BE IT FURTHER RESOLVED** that a public hearing on this Resolution will be held on  
10 \_\_\_\_\_, 2013 in the meeting room of the Board of Supervisors of the County of  
11 Riverside at the Administrative Center, 4080 Lemon Street, Riverside, California, at which time  
12 and place the Board will hear and consider the evidence that Skyline Drive in Sections 8, 9 and  
13 10, T4S, R7W, S.B.M., approximately 24,710 feet or 4.68 miles in length, is unnecessary to the  
14 public convenience, and any additional evidence offered by persons interested therein,  
15 permitting the Riverside County Transportation Department to terminate the maintenance of it;

16 **BE IT FURTHER RESOLVED** that a notice of the hearing shall be posted and mailed as  
17 required by the Streets and Highways Code Section 954.5;

18 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of the  
19 Board is directed to cause this Resolution to be published pursuant to Section 8322(a) and the  
20 Transportation Director shall cause notice of hearing to be posted pursuant to Section 8323 of  
21 the Streets and Highway Code.