

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



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
December 24, 2013

SUBJECT: Resolution No. 2013-250, Authorization to Terminate the Maintenance of Skyline Drive from the Corona City Limits Westerly to the Orange-Riverside Counties Boundary Line in the Corona Area; California Environmental Quality Act Exempt. 2nd/2nd District. [-\$10,000 Gas Tax 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that this action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301; and
2. Adopt Resolution No. 2013-250, Authorization to Terminate the Maintenance of Skyline Drive from the Corona city limits westerly to the Orange-Riverside Counties boundary line; and
3. Direct the Clerk of the Board to submit the Notice of Exemption to the County Clerk-Recorder for posting upon approval of this action.

Patricia Romo
Assistant Director of Transportation

Juan C. Perez
Director of Transportation and
Land Management

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 12-11-13
DATE: 12-11-13
Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (Per Exec. Office)
COST	\$ -5,000	\$ -10,000	\$ N/A	\$ [10,000]	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: N/A				Budget Adjustment: No	
				For Fiscal Year: N/A	

C.E.O. RECOMMENDATION:

APPROVE

BY: *Tina Grande*
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref: 11/26/13, Item 3-48

District: 2/2

Agenda Number:

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

FORM 11: Resolution No. 2013-250, Authorization to Terminate the Maintenance of Skyline Drive from the Corona City Limits Westerly to the Orange-Riverside Counties Boundary Line in the Corona Area; California Environmental Quality Act Exempt. 2nd/2nd District. [-\$10,000, Gas Tax]

DATE: December 24, 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 are 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 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 (Board) of Riverside County (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 the 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 approved 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 U.S. 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 U.S. 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 90 days advance notice. Notwithstanding these agreements with the U.S. 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 locked 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.

On February 25, 1986, the Board 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

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DATE: December 24, 2013
PAGE: 3 of 3

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).

It has been the Transportation 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 functions as an access road for the U. S. Forest Service's land, it is the Transportation Department's position that the U.S. Forest Service should be responsible for the operations, maintenance, and liability associated with the road, in concert with other users that own parcels accessed by the road.

The Transportation Department staff conducted a review of the above-referenced project and has determined that the termination of maintenance of Skyline Drive is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301. The proposed project is termination of maintenance of an existing road by the County and such maintenance and management would be conducted by the U.S. Forest Service. Also, there is no expansion of use or alterations, which will occur beyond that existing at the time of this determination.

Impact on Residents 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. 2013-250
Exhibit A



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

Gate

Section 9

Section 10

Gates

RIVERSIDE COUNTY

BLACK STAR CANYON ROAD

MAIN DIVIDE TRUCK TRAIL

ORANGE COUNTY

Gate

E. SANTIAGO CANYON ROAD

SILVERADO CANYON ROAD



EXHIBIT "A"

Termination of Maintenance of Skyline Drive

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

CITY OF CORONA

T. 4S, R. 7W.
3

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

SKYLINE DRIVE

SKYLINE DRIVE

TR 3-1955
MB 407/5-20

Section 8

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

Gate

Section 10

CLEVELAND NATIONAL FOREST

2
3 **RESOLUTION NO. 2013-250**

4 **AUTHORIZATION TO TERMINATE THE MAINTENANCE OF SKYLINE DRIVE FROM THE**
5 **CITY LIMIT OF CORONA TO THE RIVERSIDE COUNTY LINE**
6 **(Second Supervisorial District)**

7
8 **WHEREAS**, a public hearing after due notice has been held upon a resolution of intention
9 to terminate maintenance of a County road known as Skyline Drive, and all persons having had
10 the opportunity to be heard, and the Board having determined, pursuant to Section 954.5 of the
11 Streets and Highways Code, that continued maintenance of this road is unnecessary to public
12 convenience; now, therefore,

13 **BE IT RESOLVED, DETERMINED, AND ORDERED** that this Board finds:

- 14 1. Skyline Drive is deemed unnecessary for the public convenience because said road
15 does not provide primary access to occupied properties and that traffic on said road is
16 intermittent and of low volume; and
- 17 2. Skyline Drive is a narrow circuitous dirt road, with numerous blind curves, steep up
18 and down segments, and is difficult to navigate by conventional motor vehicles; and
- 19 3. Skyline Drive is isolated and not contiguous to any county maintained road, and is
20 only accessible through the City of Corona; and
- 21 4. Skyline Drive is not currently a commuter thoroughfare, nor is it projected to be one in
22 the near future; and
- 23 5. That this action is categorically exempt from the California Environmental Quality Act
24 (CEQA) pursuant to CEQA Guidelines Section 15301.

25 **BE IT FURTHER RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board
26 of Supervisors of the County of Riverside, State of California, in regular session assembled, in
27 the meeting room of the this Board at the Administrative Center, 4080 Lemon Street, Riverside,
28 California, at the close of the December 17, 2013 public hearing, that this Board authorizes the

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 12-11-13
SYNTHIA M. GUNZEL DATE

1 termination of the maintenance of Skyline Drive in the County of Riverside, State of California,
2 more particularly described as follows, and said road is hereby deleted from the County's
3 maintained road system:

4 That portion of Skyline Drive in Sections 8, 9 and 10, Township 4 South, Range 7 West,
5 San Bernardino Meridian, and approximately 24,710 feet or 4.68 miles in length.

6 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the Director of
7 Transportation for the County of Riverside shall cause all notices required by the Streets and
8 Highways Code Section 954.5 to be posted and maintained for a period of one year.

9 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the Clerk of this
10 Board cause a certified copy of this resolution, attested by the Clerk under seal, to be recorded
11 without acknowledgement or further proof, in the Office of the Recorder of Riverside County,
12 California as provided in Section 8325 of the Streets and Highways Code.