

**M e m o r a n d u m**

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 27, 2015

Reference No.: 2.2b.  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: Katrina C. Pierce, Chief  
Division of  
Environmental Analysis

Subject: **COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT**

**RECOMMENDATION:**

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) review and comment at the August 2015 Commission meeting on the following Draft Environmental Impact Report (DEIR).

**ISSUE:**

**07-LA-710, PM various**

This DEIR proposes the sale of Department-owned surplus properties that are not impacted by the project alternatives being evaluated in the State Route 710 (SR 710) North Study Draft Environmental Impact Report/Environmental Impact Statement for sale in the cities of Pasadena, South Pasadena, and the El Sereno neighborhood in the city of Los Angeles. These surplus properties are to be offered for sale in a manner that will preserve, upgrade, and expand the supply of housing available to affected persons and families of low or moderate income, in accordance with Senate Bill (SB) 86 (Roberti, 1979), SB 416 (Liu, 2014) and the Affordable Sales Program (ASP) regulations. Senate Bill 416 requires proceeds from the sale of surplus properties to be allocated to the SR 710 Rehabilitation Account for the rehabilitation of surplus single family homes being sold to low- and moderate-income occupants for which lenders of government housing assistance programs require repairs. The SR 710 Rehabilitation Account is continuously refilled with each sale. When the balance of this accounts reaches \$500,000, additional proceeds go to the State Highway Account and are to be allocated by the California Transportation Commission exclusively for projects located in Pasadena, South Pasadena, Alhambra, La Canada Flintridge, and the 90032 Zip code area of Los Angeles (El Sereno).

Alternatives considered for the proposed project include:

- Alternative 1 – No Action (No Sale) Alternative: The No Action Alternative assumes the proposed sales will not be adopted or implemented. The Department would retain ownership of the parcels and continue to make them available for rent throughout the cities of Pasadena, South Pasadena, and Los Angeles.
- Alternative 2 – Action Alternative: Alternative 2 assumes the proposed sale is implemented and will consist of selling surplus parcels that are no longer needed for the SR-710 North Study, pursuant to Streets and Highway Code Section 118.6, SB 86, SB 416, and ASP regulations.

The decision to prepare an EIR was made due to the scope of the project, the substantial amount of public controversy surrounding the project, and the anticipated significant impacts associated with the project. Impacts of the project include:

- Cultural Resources
- Land Use and Planning

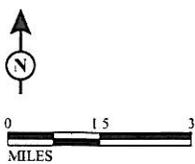
The proposed project includes measures to minimize harm and an Environmental Commitments Record has been prepared and is included in the DEIR.

Attachment



**LEGEND**

- Cities and Unincorporated Communities
- Previously Planned SR 710 Freeway Alignment (Approximate Location)\*



\* Note: Surface route is no longer under consideration.

**FIGURE I-2**

*SR 710 Surplus Property Sale  
Proposed Action Study Area Map*

SOURCE: ESRI (2008); SCAG (2010)

E:\CDT1502\GIS\PropStudyArea.mxd (5/18/2015)

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## CALIFORNIA TRANSPORTATION COMMISSION

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August 27, 2015

Mr. Ron Kosinski  
 Deputy District Director  
 California Department of Transportation, District 7  
 Division of Environmental Planning  
 100 S Main Street MS 16A  
 Los Angeles, CA 90012

RE: Draft Environmental Impact Report: SR-710 Surplus Property Sales

Dear Mr. Kosinski,

The California Transportation Commission (Commission), as a Responsible Agency, received on August 6, 2015, the California Department of Transportation (Department) prepared Los Angeles SR-710 Surplus Property Sales Draft Environmental Impact Report (DEIR). The Department prepared the DEIR to environmentally clear the sale of surplus highway properties that are no longer needed for the construction of the surface freeway proposal, commonly referred to as the SR-710 Gap Closure Project.

Streets and Highways Code (S&HC) Section 118.6 requires the Department to adopt rules and regulations to determine which real property (land and improvements) outside of calculated right-of-way lines is no longer needed for highway purposes. Further, Section 118.6 requires the Department to the greatest extent possible to sell real property within one year from the date the Department determines the property to be excess. S&HC Section 118(a) allows the Department to sell real property or interest therein in the manner and upon terms, standards, and conditions established by the Commission. S&HC Section 118(b) requires that any conveyance of highway property shall be approved by the Commission. In addition, Government Code Section 54235 – 54238.7 (Roberti Law) allows for sale of surplus residential SR-710 properties at less than fair market value to persons and families of low or moderate income to mitigate the environmental effects, within the meaning of Article XIX, of the California Constitution, caused by highway activities.

Ron Kosinski  
August 27, 2015  
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In 2007, the Los Angeles County Superior Court in Case No BC 331628 (City of South Pasadena v. The California Department of Transportation) determined that legal title to SR-710 real residential property parcels shall remain vested in the Department until appropriate regulation for the disposal of the parcels under the Administrative Procedure Act pursuant to the Roberti Law are adopted. The Department is in the process of adopting the said appropriate disposal regulation.

The Commission has no comments with respect to the DEIR's purpose and need, the alternatives studied, and the evaluation methods used. Please be aware that if actions under the purview of the Commission are anticipated, notification should be provided to the Commission. Fund allocations, new public road connections, route adoptions and surplus property conveyances require Commission action.

If you have any questions, please contact the Commission's Deputy Director/Chief Engineer Stephen Maller at (916) 653-2070.

Sincerely,

WILL KEMPTON  
Executive Director

c: Katrina Pierce, Chief, Caltrans Division of Environmental Analysis