

APPENDIX G: SECTION 4(F) CONCURRENCE LETTERS

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December 18, 2023

Sean Woods, Chief of Planning
Los Angeles County Department of Parks and Recreation
1000 S Fremont Ave Ste 40
Alhambra, CA 91803

Subject: Request for Section 4(f) Concurrences

Dear Mr. Woods,

In September 2022, the California High-Speed Rail Authority (Authority) released a Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Palmdale to Burbank Project Section (project) of the statewide California High-Speed Rail Program in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The Draft EIR/EIS included descriptions and preliminary engineering drawings of six build alternatives; analysis of environmental impacts of the alternatives; and discussion of measures to avoid, minimize, and mitigate adverse environmental effects. Chapter 4 of the Draft EIR/EIS is a Draft Section 4(f) Evaluation pursuant to Section 4(f) of the Department of Transportation Act of 1966, as amended (codified at Title 49 United States Code (U.S.C.), section 303). The Draft EIR/EIS evaluated the project's impacts on resources subject to Section 4(f), including the proposed Littlerock Trail Extension, the proposed Palmdale Hills Trail extension, and the proposed Vasquez Loop Tail extension. The Authority is preparing a Final EIR/EIS, which will include responses to comments received on the Draft EIR/EIS and a Final Section 4(f) Evaluation.

The purpose of this letter is to request concurrence on the Section 4(f) *de minimis* impact findings that the Authority would intend to make with respect to the proposed Littlerock Trail Extension, the proposed Palmdale Hills Trail extension, and the proposed Vasquez Loop Tail extension, to the extent the preferred alternative (known as the SR14A Build Alternative) is considered to use each of the three trails. The basis for this finding was originally detailed in the Draft EIR/EIS. A summary of the Authority's Section 4(f) evaluation for each of the three trails is set forth below.

Overview of Section 4(f) and the Authority's Responsibilities

Section 4(f) declares that "it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges and historic sites." The Authority is responsible for Section 4(f) compliance for the California High-Speed Rail Program as the federal lead agency pursuant to 23 U.S.C. § 327 and the terms of the NEPA Assignment Memorandum of Understanding dated July 23, 2019, and executed by the Federal Railroad Administration (FRA) and the State of California, under which the Authority assumed FRA's responsibilities for compliance with NEPA and other federal environmental laws, including Section 4(f) and related U.S. Department of Transportation (USDOT) orders and guidance, for the California High-Speed Rail Program.

In general, Section 4(f) specifies that the USDOT agencies may only approve a project that "uses" a Section 4(f) resource if (1) there is no prudent and feasible alternative that completely avoids the Section 4(f) resource and (2) the project includes all possible planning to minimize harm to that resource. In lieu

of making these findings, the USDOT also can approve the use of a Section 4(f) resource if the USDOT determines that the project will have a “*de minimis*” impact on that resource and the official with jurisdiction over the resource concurs in that determination. For public parks, recreation areas, and wildlife and waterfowl refuges, the official with jurisdiction is the agency (or agencies) that owns or administers the property.

Prior to making a *de minimis* impact determination for parks, recreation areas, and wildlife and waterfowl refuges, public notice and an opportunity for public review and comment concerning the effects on the protected activities, features, or attributes of the property must be provided. This requirement was satisfied in conjunction with the public circulation and comment period provided on the Draft EIR/EIS. In addition, following this opportunity for public review and comment, the official with jurisdiction over the Section 4(f) resource must concur in writing that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection.

1. Proposed Littlerock Trail Extension

Applicability of Section 4(f) to Proposed Littlerock Trail Extension

The Littlerock Trail is a publicly owned and publicly accessible resource that is managed by the Los Angeles County Department of Parks and Recreation, the official with jurisdiction. Recreation is a primary use of the multi-use trail. For these reasons, the Littlerock Trail is protected by Section 4(f). The proposed extension of the trail is evaluated as protected by Section 4(f) in the EIR/EIS because the Los Angeles County Department of Parks and Recreation has confirmed the trail extension has been formally designated as a planned recreational resource.

Description of High-Speed Rail Project Impacts to Proposed Littlerock Trail Extension

The SR14A Build Alternative, would include a new traction power facility¹ and overhead utility power lines that would cross over a short segment of the proposed Littlerock Trail Extension in the area of the SR 14/Sierra Highway interchange. Refer to Attachment A: Parks and Recreation Resource Study Area – SR14A Mapbook to see the proposed trail extension in relation to the SR14A Build Alternative. In this location, the proposed Littlerock Trail Extension would be adjacent to the existing SR 14 and Angeles Forest Highway, and the existing Metrolink corridor, exposing future trail users to noise associated with the operation of these existing transportation facilities.

The overhead utility lines would be approximately 70 to 200 feet above the trail at the crossing and would not require realignment of the trail. The overhead utility lines would permanently cross approximately 270 feet of the 1-mile proposed Littlerock Trail Extension, constituting a permanent use of that portion of the trail. If the trail extension is built before the SR14A Build Alternative is built, the trail would remain open and available to the public during project construction through a minor detour and would function as it did before construction and operation of the SR14A Build Alternative. Construction of the SR14A Build Alternative would not involve construction easements or staging areas within the trail.

If the trail extension has not been constructed prior to implementation of the SR14A Build Alternative, the SR14A Build Alternative would not preclude the proposed Littlerock Trail Extension.

Coordination Activities with the Los Angeles County Department of Parks and Recreation

¹ Traction power facilities are power stations and accompanying facilities that produce only traction current, which is the electric current used for railways, trams, trolleybuses or other conveyances.

The Los Angeles County Department of Parks and Recreation confirmed through email communication with the Authority in June 2023 that the proposed trail extensions to Littlerock Trail, Palmdale Hills Trail, Acton Community Trail, and Vasquez Loop Trail are still anticipated to be completed. The public was given an opportunity to comment on the preliminary Section 4(f) determination for the proposed Littlerock Trail Extension during the public comment period of the Draft EIR/EIS from September 2022 to December 2022. No comments regarding the proposed Littlerock Trail Extension were received during the public comment period.

The Authority's Section 4(f) Determination

The Authority has determined that the SR14A Build Alternative would neither adversely affect or otherwise restrict the public's use of the proposed Littlerock Trail Extension for recreation, nor would the project adversely affect the activities, features, or attributes that make the proposed Littlerock Trail Extension eligible for Section 4(f) protection as a recreational resource. Therefore, the Authority has determined that the SR14A Build Alternative would result in a *de minimis* impact to the proposed Littlerock Trail Extension, as defined by 49 U.S.C. § 303(d).

2. Proposed Palmdale Hills Trail Extension

Applicability of Section 4(f) to Proposed Palmdale Hills Trail Extension

The Palmdale Hills Trail is a publicly owned and publicly accessible resource that is managed by the Los Angeles County Department of Parks and Recreation, the official with jurisdiction. Recreation is a primary use of the multi-use trail. For these reasons, the Palmdale Hills Trail is protected by Section 4(f). The proposed extension of the trail is evaluated as protected by Section 4(f) in the EIR/EIS because the Los Angeles County Department of Parks and Recreation has confirmed the trail extension has been formally designated as a planned recreational resource.

Description of High-Speed Rail Project Impacts to Proposed Palmdale Hills Trail Extension

The SR14A Build Alternative would include a new, at-grade railway that would cross the proposed Palmdale Hills Trail Extension at grade. Refer to Attachment A: Parks and Recreation Resource Study Area – SR14A Mapbook to see this resource in relation to the SR14A Build Alternative. The SR14A Build Alternative would require permanent realignment of an approximately 300-foot (0.06-mile) portion of the proposed 12-mile trail extension. This impact would be a permanent use of the proposed Palmdale Hills Trail Extension. A realignment plan for the approximately 300-foot (0.06-mile) portion of the 12-mile proposed trail extension would be developed in consultation with the Los Angeles County Department of Parks and Recreation.

If the trail extension is built before the SR14A Build Alternative is built, access to the trail may be temporarily restricted during project construction; however, segments of the trail outside of the temporary construction area would remain open and accessible to the public. The Authority commits to implementing Impact Avoidance and Minimization Feature PK-IAMF#1: Parks, Recreation, and Open Space (described in Section 3.15 of the Draft EIR/EIS) to minimize project impacts on parks, recreation, and open space, including the proposed Palmdale Hills Trail Extension. Specifically, PK-IAMF#1 requires that prior to construction, the Authority's contractor will prepare a technical memorandum that identifies project design features to be implemented to minimize impacts on parks, recreation, and open space, including the proposed trail extension. In preparing the technical memorandum, the Authority (or its contractor) will coordinate with the Los Angeles County Department of Parks and Recreation to

determine connectivity features surrounding the proposed trail extension. These features may include safe and attractive access for present travel modes to ensure ease of use. By applying PK-IAMF#1, the connectivity of the trail would not be diminished and the trail would remain open and available to the public along its new alignment after construction of the SR14A Build Alternative is completed.

If the proposed trail extension has not been constructed prior to implementation of the SR14A Build Alternative, the SR14A Build Alternative would not preclude future extension of the proposed Palmdale Hills Trail.

Coordination Activities with the Los Angeles County Department of Parks and Recreation

The Los Angeles County Department of Parks and Recreation confirmed through email communication with the Authority in June 2023 that the proposed trail extensions to Littlerock Trail, Palmdale Hills Trail, Acton Community Trail, and Vasquez Loop Trail are still anticipated to be completed. The public was given an opportunity to comment on the preliminary Section 4(f) determination for the proposed Palmdale Hills Trail Extension during the public comment period of the Draft EIR/EIS from September 2022 to December 2022. No comments regarding the proposed Palmdale Hills Trail Extension were received during the public comment period.

The Authority's Section 4(f) Determination

The Authority has determined that the SR14A Build Alternative would neither adversely affect or otherwise restrict the public's use of the proposed Palmdale Hills Trail Extension for recreation, nor would the SR14A Build Alternative adversely affect the activities, features, or attributes that make the proposed Palmdale Hills Trail Extension eligible for Section 4(f) protection as a recreational resource. Therefore, the Authority has determined that the SR14A Build Alternative would result in a *de minimis* impact to proposed Palmdale Hills Trail Extension, as defined by 49 U.S.C. § 303(d).

3. Proposed Vasquez Loop Trail Extension

Applicability of Section 4(f) to Proposed Vasquez Loop Trail Extension

The Vasquez Loop Trail is a publicly owned and publicly accessible resource that is managed by the Los Angeles County Department of Parks and Recreation, the official with jurisdiction. Recreation is a primary use of the multi-use trail. For these reasons, the Vasquez Loop Trail is protected by Section 4(f). The proposed extension of the trail is evaluated as protected by Section 4(f) in the EIR/EIS because the Los Angeles County Department of Parks and Recreation has confirmed the trail extension has been formally designated as a planned recreational resource.

Description of High-Speed Rail Project Impacts to Proposed Vasquez Loop Trail Extension

The SR14A Build Alternative would cross under the proposed Vasquez Loop Trail Extension in a bored tunnel near the SR 14/Sierra Highway interchange (see Attachment A: Parks and Recreation Resource Study Area – SR14A Mapbook to see the proposed trail extension in relation to the SR14A Build Alternative). No topographical changes at the ground surface and/or other permanent changes to the proposed trail extension would occur as a result of tunneling. However, overhead electrical utility lines would be installed across the proposed trail extension at Red Rover Mine Road. Construction of the overhead electrical utility lines would require the permanent acquisition of approximately 160 feet of the 3-mile proposed Vasquez Loop Trail extension.

If the proposed trail extension is built before the SR14A Build Alternative is built, the trail would remain open and available to the public during project construction through a minor detour and would function as it did before construction and operation of the SR14A Build Alternative. Construction of the SR14A Build Alternative would involve a construction easements at the utility crossing but no staging areas within the trail.

The Authority has preliminarily concluded that the permanent use of a portion of the proposed trail would constitute a *de minimis* impact because the features and attributes that qualify the resource for protection under Section 4(f), including its purpose as a contiguous recreational hiking trail, would not be diminished with operation of the Build Alternatives. The existing trail intersects with and crosses existing transportation corridors along its alignment. The trail would remain open and connectivity would be maintained after construction of the SR14A Build Alternative.

If the proposed trail extension has not been constructed prior to implementation of the SR14A Build Alternative, the SR14A Build Alternative would not preclude the future proposed extension of the Vasquez Loop Trail.

Coordination Activities with the Los Angeles County Department of Parks and Recreation

The Los Angeles County Department of Parks and Recreation confirmed through email communication with the Authority in June 2023 that the proposed trail extensions to Littlerock Trail, Palmdale Hills Trail, Acton Community Trail, and Vasquez Loop Trail are still anticipated to be completed. The public was given an opportunity to comment on the preliminary Section 4(f) determination for the proposed Vasquez Loop Trail Extension during the public comment period of the Draft EIR/EIS from September 2022 to December 2022. No comments regarding the proposed Vasquez Loop Trail Extension were received during the public comment period.

The Authority's Section 4(f) Determination

The Authority has determined that the SR14A Build Alternative would neither adversely affect or otherwise restrict the public's use of the proposed Vasquez Loop Trail Extension for recreation, nor would the project adversely affect the activities, features, or attributes that make the proposed Vasquez Loop Trail Extension eligible for Section 4(f) protection as a recreational resource. Therefore, the Authority has determined that the SR14A Build Alternative would result in a *de minimis* impact to proposed Vasquez Loop Trail Extension, as defined by 49 U.S.C. 303(d).

Sean Woods, Chief of Planning
Los Angeles County Department of Parks and Recreation
December 18, 2023
Page 6

Request for Los Angeles County Department of Parks and Recreation Concurrence on Section 4(f) Findings

The Authority seeks your concurrence in these Section 4(f) determinations for the proposed Littlerock Trail Extension, the proposed Palmdale Hills Trail Extension, and the proposed Vasquez Loop Trail Extension. A concurrence clause is provided at the end of this letter for this purpose.

We respectfully request your reply to this matter within **30 days** of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact us.

Please return a scanned copy of this letter by email to Stefan Galvez-Abadia, Director of Environmental Services, at Stefan.Galvez@hsr.ca.gov.

If you have any questions, please contact Brett Rushing, Cultural Resources Program Manager, at Brett.Rushing@hsr.ca.gov or (916) 908-1230.

Sincerely,


Stefan Galvez-Abadia

Director of Environmental Services
California High-Speed Rail Authority

Cc: LaDonna DiCamillo, Southern California Regional Director, Authority
Christine C. Inouye, P.E., Chief Engineer of Strategic Delivery, Authority

CONCURRENCE:

Based on the information set forth in this letter and the Draft EIR/EIS, the Los Angeles County Department of Parks and Recreation concurs with the California High-Speed Rail Authority's determinations that the SR14A Build Alternative for the Palmdale to Burbank Project Section of the California High-Speed Rail Program would not adversely affect the activities, features, or attributes that make the proposed Littlerock Trail Extension, the proposed Palmdale Hills Trail Extension, and the proposed Vasquez Loop Trail Extension eligible for Section 4(f) protection. Therefore, the Los Angeles County Department of Parks and Recreation concurs in the Authority's determinations that the SR14A Build Alternative for the Palmdale to Burbank Project Section of the California High-Speed Rail Program will have *de minimis* impacts on the proposed Littlerock Trail Extension, the proposed Palmdale Hills Trail Extension, and the proposed Vasquez Loop Trail Extension in accordance with Section 4(f) of the United States Department of Transportation Act of 1966.

SEAN WOODS / 
Printed Name

2/14/2024
Date

CHIEF OF PLANNING
Title

PARKS AND RECREATION - PLANNING & DEVELOPMENT
Agency



**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100
Telephone: (916) 445-7000 FAX: (916) 445-7053
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

Lisa Ann L. Mangat, Director

September 3, 2021

Reference Number: FRA_2018_0418_001

Submitted Via Electronic Mail

Brett Rushing
Cultural Resources Program Manager
California High-Speed Rail Authority
770 L Street, Suite 620
Sacramento, CA 95814

Re: High Speed Rail Program, Palmdale to Burbank Project Section, Request for Review and Concurrence on the Findings Presented in the Finding of Effect Report

Dear Mr. Rushing:

The California State Historic Preservation Officer (SHPO) is in receipt of the California High-Speed Rail Authority's (Authority) August 6, 2021 letter continuing consultation regarding the Palmdale to Burbank project section of the California High-Speed Rail Program. This consultation is undertaken in accordance with the 2011 *Programmatic Agreement Among the Federal Railroad Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California High-Speed Rail Authority, as Amended (PA)*. In support of this consultation, the Authority has prepared the following report: California High-Speed Rail Authority, Palmdale to Burbank Project Section, Section 106 Finding of Effect Report (FOE) (May 2021)

There are 18 historic properties within the SR14A Build Alternative APE, consisting of five built-environment properties, 12 unevaluated archaeological resources treated as historic properties for the purposes of this undertaking, and once archaeological property listed on the National Register of Historic Places (NRHP). The FOE concludes that the construction and operation of the Palmdale to Burbank Project Section will have no effect on two built-environment historic properties and no adverse effect on three built-environment historic properties, as listed in Table 1 included in your August 6, 2021 letter.

Additionally, the FOE finds that construction and operation of the Palmdale to Burbank Project Section will have no effect on two of the 13 archaeological resources and that determination of effects for the 11 remaining archaeological resources will be phased as access to sites is granted and the project design

Mr. Brett Rushing
September 3, 2021
Page 2 of 2

advances. These sites are listed in Table 2 of your August 6, 2021 letter. None of the archaeological resources listed in Table 2 appear exempt from evaluation under Attachment D of the Section 106 PA. To date, approximately 9.6 percent of the archaeological APE has been surveyed for the current undertaking, and additional archaeological resources may be identified during future phased identification efforts, including survey and construction monitoring. Moreover, consultation with tribal consulting parties will continue to be conducted for the undertaking, as appropriate. To date, this consultation has not identified previously unrecorded archaeological resources or traditional cultural properties. The SR14A alignment would have no effect on two archaeological resources, as shown in Table 2.

Section 4(f) of the United States Department of Transportation Act of 1966 requires consultation with the SHPO, the official with jurisdiction over historic properties, as stipulated in 23 CFR § 774.17. The Authority is consequently notifying the SHPO of its intent to make a de minimis impact determination for the Palmdale Ditch and the East Branch of the California Aqueduct in accordance with 23 CFR § 774.5. For historic properties, a de minimis impact determination under Section 4(f) is based on findings made in the Section 106 consultation process and can be made if the project will have no adverse effect on the historic property. The Authority has determined that the Palmdale Ditch and the East Branch of the California Aqueduct will not be adversely affected and, therefore, will incur a de minimis use under Section 4(f). By concurring with the Authority's finding of no adverse effect under Section 106, the SHPO also concurs with this 4(f) determination.

In accordance with PA Stipulation VII.A, the Authority requests SHPO concurrence findings presented in the FOE. Having reviewed the recommendations summarized in the FOE, SHPO concurs that the undertaking will not adversely affect historic properties.

If you have any questions, please contact State Historian Tristan Tozer at (916) 445-7027 or tristan.Tozer@parks.ca.gov.

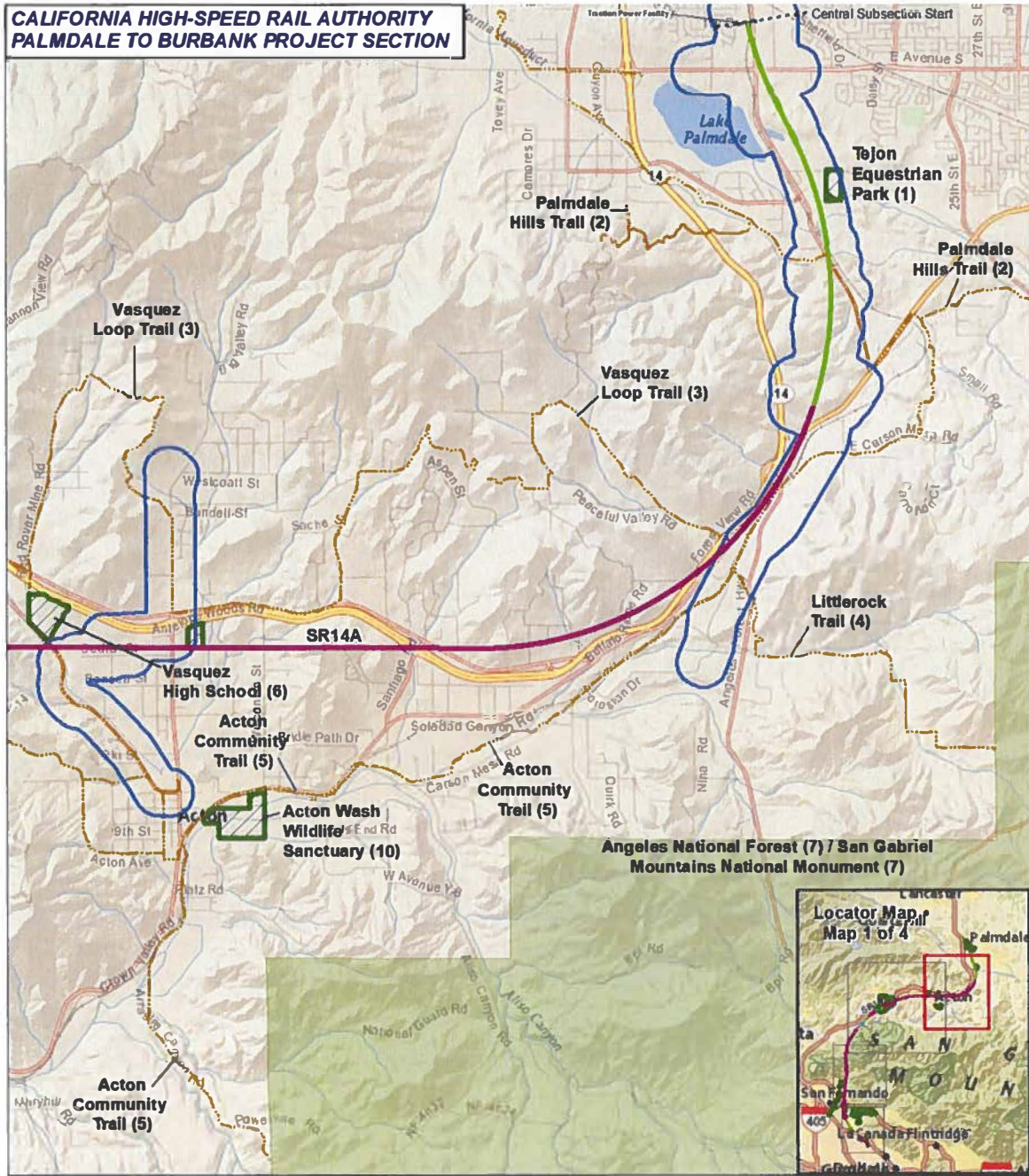
Sincerely,

A handwritten signature in blue ink, appearing to read 'J Polanco', with a long horizontal line extending to the right.

Julianne Polanco
State Historic Preservation Officer

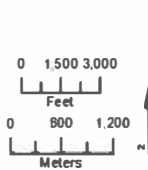
Sean Woods, Chief of Planning
Los Angeles County Department of Parks and Recreation
December 18, 2023
Page 8

**Attachment A: Parks and Recreation Resource Study Area – SR14A
Mapbook**



PRELIMINARY DRAFT/SUBJECT TO CHANGE - HSR ALIGNMENT IS NOT DETERMINED
 Source: Authority, 2020, Los Angeles County LMS, 2016, National Geographic, 2021

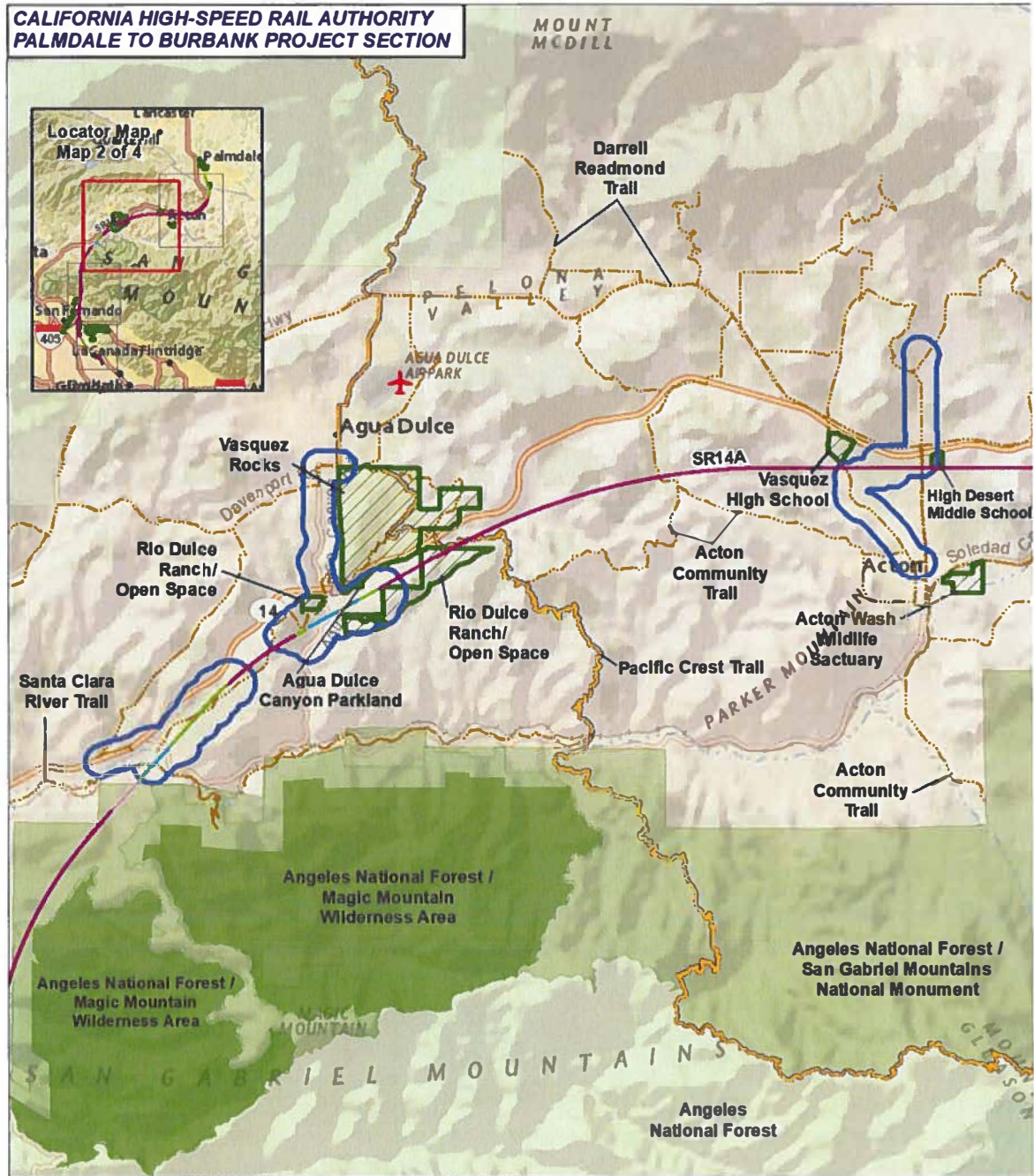
July 27, 2023



- HSR Alignment Profile
 - At Grade
 - Tunnel
 - Subsection break
- Resource Study Area (RSA)
- Existing trail
- Proposed trail
- School, park, or recreation resource
- Angeles National Forest
- San Gabriel Mountains National Monument

NOTE: Parks and recreation RSA excludes belowground tunnel alignments.

Figure 1 Parks and Recreation Resource Study Area – SR14A



PRELIMINARY DRAFT/SUBJECT TO CHANGE - HSR ALIGNMENT IS NOT DETERMINED
 Source: Authority, 2020; Los Angeles County LMS, 2016; National Geographic, 2020

July 27, 2023

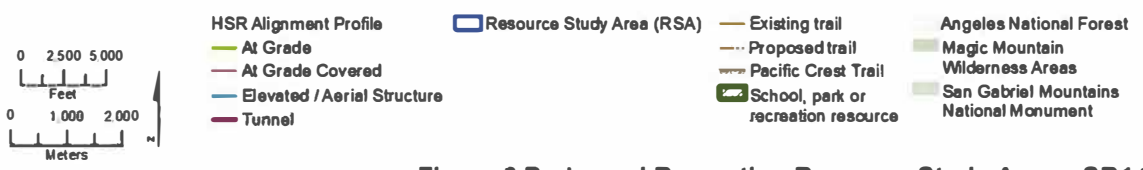


Figure 2 Parks and Recreation Resource Study Area – SR14A

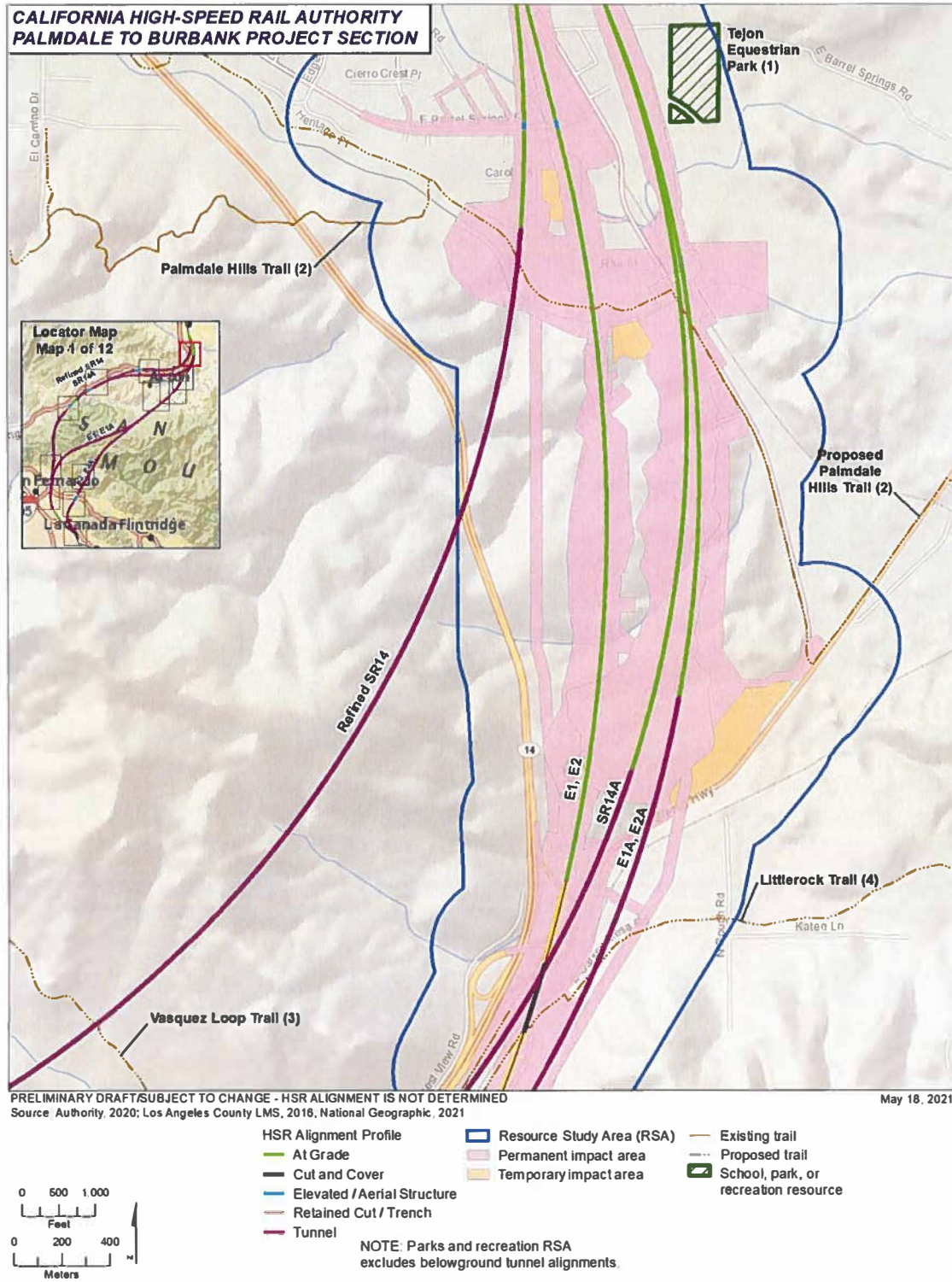
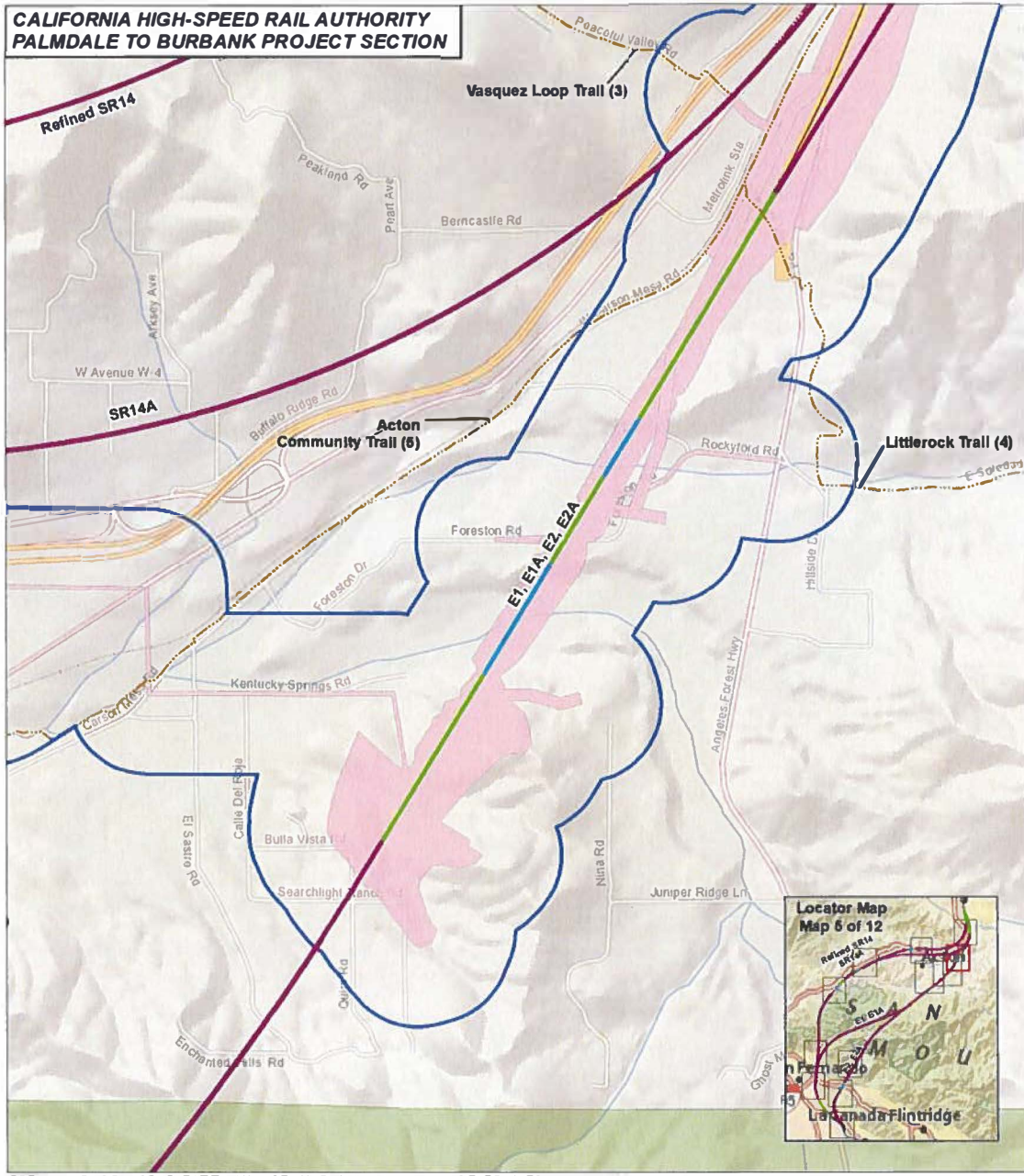


Figure 3 Potential Recreational Section 4(f) Resources



PRELIMINARY DRAFT/SUBJECT TO CHANGE - HSR ALIGNMENT IS NOT DETERMINED
 Source: Authority, 2020; Los Angeles County LMS, 2016; National Geographic, 2021
 May 14, 2021

	HSR Alignment Profile At Grade Elevated / Aerial Structure Retained Cut / Trench Tunnel	Resource Study Area (RSA) Resource Study Area (RSA) Permanent impact area Temporary impact area	Existing trail Proposed trail Angeles National Forest San Gabriel Mountains National Monument
	<p>NOTE: Parks and recreation RSA excludes belowground tunnel alignments</p>		

Figure 4 Potential Recreational Section 4(f) Resources

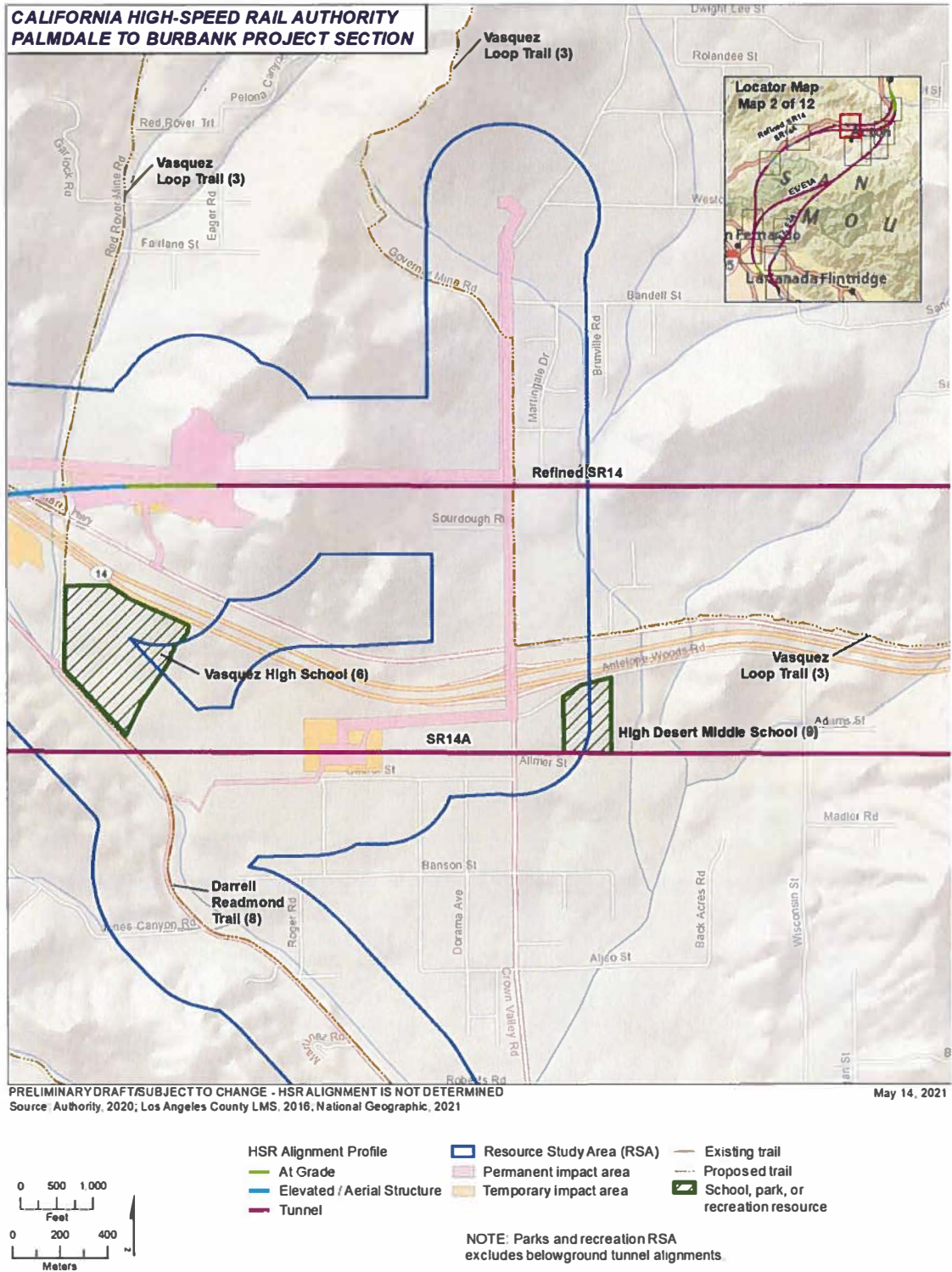


Figure 5 Potential Recreational Section 4(f) Resources



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

January 22, 2024

IN REPLY REFER TO:
ER 22/0384
411

Mr. Brett Rushing
Cultural Resources Program Manager
California High-Speed Rail Authority
770 L Street
Sacramento, CA 95814

Subject: California High-Speed Rail Authority Palmdale to Burbank Project Section: Draft Environmental Impact Report / Environmental Impact Statement

Dear Brett Rushing:

This letter is in response to your recent request for the Department of the Interior (Department) to provide concurrence on the Section 4(f) *temporary occupancy – no use* finding on the proposed Rim of the Valley Trail Extension, to the extent the preferred alternative (known as the SR14A Build Alternative) is considered to use the proposed trail. As required under Section 4(f) of the Department of Transportation Act of 1966, the Department, through the National Park Service (NPS), has reviewed the Department of Transportation Act (DOTA), Section 4(f) Evaluation report for the California High-Speed Rail Authority Palmdale to Burbank Project Section: Draft Environmental Impact Report / Environmental Impact Statement.

In a report dated August 2022, the California High-Speed Rail Authority evaluated Section 4(f) properties affected by the California High-Speed Rail Project between Palmdale, California and Burbank, California. Relevant NPS programs have indicated no comments, and no other Department Bureaus have identified any concerns with the 4(f) evaluation. The Department has no objection to Section 4(f) approval of this project and concurs with the California High Speed Rail Authority's finding of Temporary Occupancy/No Use under DOTA Section 4(f). If you have any questions, please contact me at (415) 420-0524 or at janet_whitlock@ios.doi.gov.

Sincerely,

JANET
WHITLOCK

Digitally signed by JANET
WHITLOCK
Date: 2024.01.22 13:05:03
-08'00'

Janet Whitlock
Regional Environmental Officer

cc: Roxanne Runkel, National Park Service: roxanne_runkel@nps.gov
Danette Woo Nolan, National Park Service: danette_woo@nps.gov
Shawn Alam, Department of the Interior: shawn_alam@ios.doi.gov

TRANSMITTED ELECTRONICALLY – NO HARDCOPY TO FOLLOW