

CARMEL VALLEY COMMUNITY PLANNING BOARD

c/o Pardee Homes

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February 5, 2010

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VIA EMAIL & U.S. MAIL
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Subject: COMMENTS ON THE 22ND DISTRICT AGRICULTURAL
ASSOCIATION MASTER PLAN UPDATE 2008 DEIR

Dear Mr. Fuller:

Introduction:

The Carmel Valley Community Planning Board ("Board"), an elected advisory group to the City of San Diego, represents all community residential, developer, and business interests in the Carmel Valley and Pacific Highlands Ranch communities of the City of San Diego, directly east of I-5. Additionally, the North City Future Urbanizing Area Subarea II (NCFUA Subarea II) stretches along our northern community boundary, as does the City of San Diego's portion of the western San Dieguito River Valley, adjacent to the 22nd DAA's ("the District") fairgrounds and "Horsepark" properties. Because there is no local City planning group in this NCFUA portion of San Diego, the Board serves as the official advisory group overseeing land uses for the City of San Diego for +/- three miles along the river valley.

The Board represents some 15,000 households (14,000 in Carmel Valley, nearly 1,900 in Pacific Highlands Ranch); two existing (one major) retail centers and one planned one; thriving industrial/office parks; and approximately 3,000 acres of open space. A large portion of this open space is contiguous with the western San Dieguito River Valley on our northern slopes, as is the northern tier of the City's Multiple Habitat Planning Area (MHPA) of the "Multiple Species Conservation Plan (MSCP) as it merges with the community open space.

The guiding principle of the Carmel Valley Community Plan (1975) is comprehensive planning:

"Such development, because it is considered in a comprehensive sense...necessarily requires the consideration of the total environment, and, therefore, recognition of conservation and preservation as elements which sculpture new communities is required." (introduction, p. 5)

Thus, the community plan was written to emphasize preservation of the natural hills, valleys, vegetation, waterways and wildlife in our development area. And we also have worked to preserve those lands which are the natural extensions of Carmel Valley. "To *preserve the natural environment*" remains a key plan objective (p. 50). Stated more explicitly in our "Park, Recreation, and Open Space Element":

"Design concepts for open space simply expressed revolve around the necessity to keep open space in its natural state for conservation, biological, and psychological reasons. Any deviation, even for recreational or public facility purposes from this natural environment, must be justified by favorable environmental impact analysis." (p. 94)

Since its inception, the Board has, for the most part, been successful in fighting efforts to overdevelop in these open spaces. The Board continuously worked with developers to encourage cluster development or do more sensitive development to preserve this rare and continuous greenbelt of contiguous and adjacent open space. We have taken seriously our role as being a good neighbor in land use decisions, taking active roles in preservation of lands not directly in our jurisdiction, such as the San Dieguito River Park. The Board and other planning communities along the western river valley have all done our share in preserving this rare greenbelt, opposing *carte blanche* rezoning attempts to allow unfettered commercial and intense residential development.

The Pacific Highlands Ranch Community/Subarea III Plan was approved by the voters in 1998, containing equally strong language about preserving considerable acres of open space, all of which connects directly to the NCFUA Subarea II open space and that of the western river valley. In fact, this master plan assured the connectivity of open space from the Los Peñasquitos Canyon Preserve northward through Pacific Highlands Ranch and into the western river valley.

These community plans and other City and/or citizen actions have combined to shape development and preserve our rare and diverse natural areas. They emphasize that "open space", or "Open Space Elements" in land use plans are not merely about biology; open space planning is intended to provide a break from urbanization, to visually and psychologically underscore community identity and, from a larger perspective, to avoid "Los Angelization" of our part of coastal Southern California.

Since 1985, our community and those surrounding the District have dedicated thousands of volunteer hours, money, and energy preserving the shrinking natural environment, including the lands and wetlands around the District:

In 1985, with the real threat of a "Mission Valley" hotel/commercial development throughout the western river valley, local residents and those throughout San Diego put a Managed Growth initiative on the city-wide ballot as Proposition A. This unprecedented legislation halted any development in the NCFUA until such time as comprehensive subarea plans were approved by the voters, ensuring significant and continuous open space preservation in the undeveloped portion of the City's mostly A-1-10 (agricultural use) zones. Voters approved the measure to prevent urbanization of the City's most sensitive natural sources, its canyons, hillsides, natural valleys and connected open spaces, critical for species of plants and animals endemic to San Diego.

The North City Future Urbanizing Area Framework Plan (1993, 1995) further protected this area from indiscriminate development by setting forth the guidelines and planning criteria for NCFUA subarea plans.

In 1994, Proposition C on the city-wide ballot was defeated at the polls. This proposition, if favored, would have instituted development throughout the 12,000 acres of the NCFUA without assurances of open space protections and adequate infrastructure. It was defeated by the citizenry through major lobbying by the same cities and communities adjacent to the District, most of whose residents could not vote in the City of San Diego.

In 1996, the western San Dieguito River Valley from I-5 to beyond El Camino Real was the subject of city-wide ballot measures Propositions F and G. Much of this land was in private hands and, because of Proposition A, voter approval was required. These proposals would have enabled overly intense development of much of the western San Dieguito River Valley and the voters of San Diego, again, vetoed it. Carmel Valley leaders were a major force in this effort.

In 1996, as a direct result of these previous attempts to develop one of the state's last remaining wetlands/uplands habitat, the Carmel Valley Community Planning Board entered into negotiations with Pardee Homes to discuss possible development of the Pardee holdings in the western river valley. These negotiations took nearly 2 years and resulted in the success of Proposition M for Pacific Highlands Ranch in 1998, a city-wide-approval of additional development in NCFUA Subarea III, which preserved and restored 2,000 acres of open space in the Gonzalez Canyon tributary to the San Dieguito River Valley.

The land use plans and ballot measures cited above have, together, resulted in a viable open space system throughout the northern tier of San Diego, and, especially, that of the western San Dieguito River valley. Together with the San Dieguito River Park Concept Plan (1994) and San Dieguito Lagoon Restoration Project (current), these land use actions have created a continuous "greenbelt" along San Diego's northern edge. Over the years, land owners, including large developers, small investors, and public agencies have swapped and consolidated land, reduced or clustered development and attracted mitigation to this area. Sacrifices have been made by all parties concerned.

We have always considered the District and its lands to be a part of this greenbelt. Even though the grandstand is large, its form is not typically urban and the exhibit halls are low-rise. The presence of plants, animals, and the people devoted to them--horses, livestock, 4-H groups, herding dogs, prize landscaping all do their part in reminding us that, amid urbanization, our agricultural heritage is alive and well. Travelers on I-5 look to the west and take a deep breath, seeing that the stretch to the ocean is clear, a beautiful slice of nature with shorebirds and, now, marine life because of the success of the wetlands restoration.

Through all of these preservation efforts, a key goal for the land and floodplain/wetlands surrounding was to "preserve the sweeping, open view of the floodplain" (SDRP Concept Plan). The River Park's "Park Master Plan For The Coastal Area of the San Dieguito Valley Regional Open Space Park" (2000) goal is to restore not just the lagoon but also non-tidal habitat states:

"In addition, the natural landforms of sweeping open space and coastal mesas are important characteristics of the coast lagoon ecosystem. It is the expanse of open

space adjacent to water bodies that attracts migratory waterfowl (and other benefits of upland habitat..." (p. 12)

The Concept Plan's major goal for the lagoon area is that "future development should be compatible with the open space character of the lagoon area in terms of both visual compatibility and intensity of use."

Given that the goal of so many land use plans and communities, as well as the California Coastal Act, is to preserve and restore this vital western river valley wetlands/uplands setting, it is inconceivable that the District would propose:

- some 940,000 sq.ft. of new building space
- 514,000 sq.ft. of which would be 2- 4 stories with rooftop "sports fields" on three of them
- 70-80 ft. pole lights on each rooftop
- a new 4-story, 300-room hotel/convention center
- a new sports and training center
- nearly 30,000 sq.ft. more exhibit hall space
- a new 500,000 sq.ft. parking garage

All of these projects proposed in the Master Plan Update are adjacent to the lagoon and cannot be seen as consistent with any land use plan addressing sensitive coastal resources.

Worse, the DEIR characterizes this wholesale change in character from the fairgrounds today as nothing but modification of existing uses (4.5-23). Viewing these changes from an aesthetic point of view alone, the character of the western river valley will be altered from an "open, sweeping floodplain" break in development to that of a floodplain running up against a highly commercial wall.

Since the time of the District's late 1990s initial planning process to amend its Master Plan, this Board participated actively in the District's Master Plan Update ad hoc committee. The Board formally responded to the District's expansion plans (May 11, 1999) and to the NOP of this Draft EIR (April 8, 2008). These Board comment letters are attached to this document in order to emphasize the continuity of our concerns over the vast increase in commercialization of the District's property, a major deviation from its mission statement, which espouses that the District should be a major agricultural and educational center.

General Comments

The California Environmental Quality Act (CEQA) Guidelines (15126.6 [f]) require that (1) an EIR evaluate alternatives which are necessary to lead to a reasoned decision, and (2) alternatives "shall be limited to ones that would avoid or substantially lessen any of the significant effects (impacts) of the project."

The Master Plan Update DEIR is misleading, inaccurate, and incomplete:

- It minimizes or completely ignores impacts to sensitive resources and neighboring communities to the north, east, and south;
- It particularly fails to adequately or properly assess visual, noise, and traffic impacts, or the Project's incompatibility with existing nearby land uses;

- It misrepresents the extent of construction proposed, insisting that the Master Plan Update 2008 is merely modification of existing uses.
- When impacts are cited, the DEIR falls back on its governmental supremacy status as a State agency, which does not have to follow the land use rules and regulations of other jurisdictions.

Sadly, this action by the District demonstrates that it is not a "good neighbor" to this greenbelt of the western river valley; to the communities surrounding it; nor to state-wide efforts to preserve and de-intensify development at sensitive coastal resources. This is especially egregious because the District is owned by the public, held in trust by the State of California.

Given the proximity of Carmel Valley to the District, especially to "Horsepark" at Via de la Valle, and given the potential impacts to land use compatibility, traffic, growth, noise, lighting, air quality, etc. we are stakeholders in the 22nd DAA's massive expansion plans.

Our detailed comments are grouped as I Omissions and II Comments on the Adequacy of the DEIR Regarding (A) Land Use Compatibility; (B) Aesthetics/Lighting; (C) Noise; (D) Traffic; and (E) Alternatives.

I. Omissions:

- A. "Horsepark": The DEIR is silent on any environmental analysis of this facility, one of six other "long-term projects" included in the Master Plan Update, but whose impacts are not examined in this DEIR. Under project description (1.2): "*Long-term projects are currently being analyzed at a programmatic-level CEQA analysis and will require further analysis upon final design... The long-term projects will require additional planning to define precise building parameters...*"
1. Under "Project Description (3-11) the DEIR states that "The 2008 Master Plan update...includes both the fairgrounds and Horsepark; however, this DEIR only evaluates projects on the fairgrounds property..." Horsepark expansions are not even evaluated as a long-term project. This calculated omission can only be seen as an overt attempt at piecemeal analysis that hides or minimizes cumulative impacts.
 2. Deferring environmental review on six important elements of the update to some future "further analysis" or "additional planning" prevents the public and decisionmakers from making intelligent, "reasoned" decisions" (CEQA) as to whether the entire Master Plan Update should be accepted and its EIR certified. Programmatic level of review is allowed by CEQA; however, for an intensification of this level in a sensitive wetlands habitat and surrounded by established communities all elements should be fully exposed.
 3. The Board communicated its concern with this piecemeal approach in its NOP comment letter of April 8, 2008:

The EIR scope must include analysis of the 'conceptual' plans for Horsepark, if just at the same programmatic level the (Ag District) contemplates for the analysis of long-term projects elsewhere... Other regional agencies and bodies need to know that coordinated planning is taking place.

- B. Project Alternatives: The EIR must fully discuss alternatives, which would not include the large, new, and highly commercial structures proposed, and leave in place those proposals, which primarily maintain the fairgrounds as a county fair and thoroughbred horse racing venue. Improving or rebuilding existing exhibit halls, improving the Solana Gate road, widening the existing turf track, and similar improvements suggest a moderate change to the property. The other, higher intensity proposals are another thing, altogether.

- C. CEQA Guidelines Section 15124 requires that an EIR provide sufficient information on projects to enable the public to fully understand and evaluate the project and its impacts. Missing from this DEIR are any concise details portraying the 19 project features. Even the summary tables provided in 1.0 Executive Summary or in 3.0 Project Description lack total size on two of the major components, the "Exhibit Halls" and the "Hotel/Convention Center". Information comparing the existing fairgrounds structures' footprints and heights with the proposed expansion is totally missing in the text of the DEIR. Additionally, there is no quantification of the underground garage.

- D. Land Use Intensity: The DEIR completely fails to portray the complete scope of impacts from the major changes in land use intensity found in the proposed Master Plan Update. Currently, the existing fairgrounds and horse racing entity serves the public as an agricultural use in a sensitive river habitat locale, next to residential neighborhoods, including Carmel Valley. Even today, without the proposed changes, the fair draws 1.2 million attendees and the Thoroughbred Club attracts 1.2 million visitors for its annual race meeting (Master Plan pp. 1-7). Yet, the DEIR insists that the large and new structures are merely "a continuation of the existing uses" (p. 4.1-27). By size and by use, the proposal changes the District lands to a major, commercial year-round convention center complex. These intensification of use impacts are not adequately assessed or acknowledged.

II. Comments on the Adequacy of the DEIR regarding:

- A. Land Use Compatibility
- B. Aesthetics
- C. Alternatives

A. Land Use Compatibility

1. In "Project Description" (3.2-1) "surrounding land uses" are limited to the San Dieguito River Park, its trails, and the Southern California Edison ongoing wetland restoration. In other places in the DEIR potential impacts to Del Mar, Solana Beach, and development along Via de la Valle are described but these cities and communities are not considered a "surrounding land use". Carmel Valley is not even mentioned. The DEIR fails to accurately describe these communities and thus, throughout the document, emphasizes impacts that will ensue from construction noise or impacts to the fairgrounds itself.

Aesthetics, noise, lighting, air quality and traffic impacts will affect these communities.

2. 4.1.2 Existing Environmental Setting cites SANDAG'S Regional Comprehensive Plan (RCP) policies as they might relate to the proposal:

Protect agricultural areas, natural systems, high-value habitat areas (as reflected in adopted habitat plans), and other open-space areas that define the character of our communities... The proposed Master Plan projects that would be located within the City of San Diego include the proposed East Parking Lot improvements, the electronic reader board sign, Health Club/Sports Training Facility, and a multilevel parking structure (long-term)... (these) uses that would be located within (San Diego) will be on State-owned land and operated by the 22nd DAA. These uses are not subject to local zoning and building regulations. (emphasis added).

Throughout this DEIR, much space is dedicated to land use policies of jurisdictions surrounding the District, and somewhat on the incompatibility of the proposed project to those land use policies only to conclude, in each case, that the District is under its own rules. If the District is required by CEQA to assess potential impacts of a project on its surroundings, it must also provide the likely negative effects if those impacts are not mitigated or otherwise addressed, irrespective of the District's status as a State agency. The DEIR simply ignores these negative impacts.

Why give copious information about a jurisdiction's zoning and land use regulations only to ignore them? Another example is reference to San Diego's open space zoning:

Open space active and passive recreation is a permitted use; however, permanent and temporary parking and Fairgrounds are not permitted under this open space zone... While some of the uses on the Fairgrounds are zoned consistently [with City zoning], as a State agency, the 22nd DAA has jurisdictional authority over use and activities within the Fairgrounds). (4.1-14)

3. The City of San Diego's "Multiple Species Conservation Program (MSCP) Subarea Plan" is briefly explained and its specific guidelines listed. However, "the portion of the Del Mar Fairgrounds that is within the boundaries of the City of San Diego is not within the MHPA." (4.1-26) The San Dieguito Lagoon and its upland habitat are directly adjacent to the District property. The proposed 58,065 sq.ft., 2-story "Health Club/Sports Training Center", a future 4-story, 1,300 stall parking structure, and a 192 sq.ft., 49 ft.-high electronic reader board would introduce significant new uses to the lagoon system, much of which is in the MHPA, as would the 256,000 sq.ft., 4-story hotel/convention center. The argument cannot be made that commercialization at this level would have no lasting effects on this coastal MHPA resource.

The MSCP Subarea Plan has guidelines for development both near and adjacent to the MSCP sensitive wetland/upland resources:

"C 17: If this area develops or redevelops, the MHPA boundary should be accommodated with the majority of the floodplain to be placed in open space and restored where possible to natural habitats.

C 18: A minimum 200-foot-wide wetland buffer is recommended adjacent to the wetlands in this area."

Aside from project impacts from greatly increased general urbanization, increased lighting from structures as well as from 3 rooftop sports fields could seriously jeopardize MHPA/San Dieguito Lagoon wildlife balance: nocturnal predators would have a field day.

The hotel/convention center is designed to be barely 10 ft. from the lagoon's water edge. This would place one of the highest intensities of use on the property merely 10 ft. from wetlands, and place a semi-underground parking garage directly adjacent to them. The District plan to install a "10 ft. landscaped buffer" (p. 3-33) ignores the MSCP Subarea Plan, the Coastal Act, and the SDRP Concept Plan requirement that buffers be substantial, with varying widths recommended by each land use policy. The MSCP Subarea Plan guideline (above) is clearly being ignored, again because the District does not have to comply with other jurisdictional regulations. The District does have to comply with the Coastal Act and receive California Coastal Commission approval.

4. The City's General Plan, Conservation Element (4.1-17-18) is addressed but also ignored. Major goals pertaining to wetlands/uplands habitat are:

CE-B.1: Protect and conserve the landforms, canyon lands, and open spaces that define the City's urban form; provide public views/vistas; serve as core biological areas and wildlife linkages; are wetland habitats; provide buffers within and between communities...

CE-B.2: Apply the appropriate zoning and Environmentally Sensitive Lands (ESL) regulations to limit development of floodplains, sensitive biological areas, including wetlands, steep hillsides, canyons, and coastal lands....

CE-C.1: Protect, preserve, restore and enhance important coastal wetlands and habitat (tide pools, Lagoons, and marine canyons) for conservation, research, and limited recreational purposes."

5. The San Dieguito River Park Concept Plan is also referenced, but, again no impacts are seen to occur: *The plan "was established (2002) to provide preservation and protection policies for sensitive resources within a 55-mile FPA... 'to create an open space park within the San Dieguito River Valley that will protect its unique resources,..."*

The DEIR asserts that:

"While the Fairgrounds lie in the 100-year floodplain near sensitive wetlands habitat, the 2008 Master Plan projects will consist of a continuation of the existing uses as well as project designs that address the park objectives, including preservation of the...floodplain and open space corridor, conservation of sensitive and water resources...and limited encroachment on visual and physical development in the FPA. The 2008 Master Plan components are consistent with the San Dieguito River Park Concept Plan".

Once more, the DEIR dismisses potentially significant impacts as limited encroachment, without meaningful analysis to understand these impacts.

6. The DEIR's section on "Impact Significance Criteria" (4.1-32) elaborates the District's insistence that its proposals are only a benign continuation of existing uses and that they will only in the most minimal sense impact local communities or sensitive resources. This analytical approach proposes thresholds of impacts.

Threshold 4.1.3 addresses "Substantial conflict with existing adjacent land use..." (4.1-38-48)

A lead in-to this overall assessment is, again, that "the proposed Master Plan involves the redevelopment of existing facilities and the addition of new facilities and uses that will be used year round." Additionally, the proposed intensification will have minimal impacts to resources, residences, etc. because the District is separated from residential and other uses because the project site is located within the SDRP Focused Planning Area and is adjacent to the San Dieguito River and the lagoon restoration project. These natural resources are portrayed as physical barriers or buffers between the fairgrounds and neighboring communities.

On the one hand, the District minimizes or dismisses potential impacts to these natural open spaces, then cites these open spaces as mitigating features for potential impacts to other land uses. This analytical sleight of hand is both logically flawed and disingenuous.

As regards land use compatibility, the sole location cited is the river valley trail south of the fairgrounds to the ocean. No impacts other than temporary construction activities, noise, and air emissions from the hotel, exhibit buildings, and administrative offices are addressed (4.1-39). Again, the DEIR appears to completely fail to address adjacent land uses in the wider community -- anything beyond its absolute boundaries. Additionally, the DEIR message appears to be that increasing the number and size of facilities that "will be used year-round" is their financial justification for more intense use of the land.

The same argument is offered for compatibility with the San Dieguito River/Lagoon and the San Dieguito River Park. The proposal "has the potential to also impact the water quality of the (river) and Lagoon." However, "Storm Water BMPs are being implemented, reducing impacts to less than significant." Since the fairgrounds and parking lots are on wetland fill, how can paving the south lot, and erecting 940,000 sq.ft. of new facilities not increase pollution into the river and lagoon? Increased traffic, increased activities on site, increased year-round surfaces in the parking lot, a new 4-story parking garage---these are just some of the impacts of vast commercialization on this constrained location. As of this writing, the fairgrounds parking lots and interior are inundated with 10" of storm water, sending surfactants from year-long vehicular use directly into the river, lagoon, and wetlands. Storm Water BMPs are typically calibrated to mitigate the effects of "first flush" runoff or the 25-year storm event; they are easily overwhelmed, and the larger the area of rooftops and other impervious surfaces adjacent to biologically sensitive areas, and the closer the runoff gathering areas are to sensitive resources, the more likely it is that "unfortunate" pollution events will occur.

7. The DEIR summary assessment of impacts to the regionally important river park and wetlands is that neither the short-term nor the long-term projects will adversely affect these resources because they are not in conflict with "existing land uses". The existence of commercial development on Via de la Valle to the northeast is used to argue that commercial development in the river/lagoon is not a conflict with the sensitive lagoon/wetlands/upland habitat. Given the relative distance the Via de la Valle development is from the lagoon, how can this comparison be made?
8. Land use compatibility with Carmel Valley is mentioned only once in the DEIR, in "4.5 Aesthetics", where a visual simulation is chosen to show that views from High Bluff Drive in this community will not be compromised (4.5-45). That impacts to Carmel Valley get short shrift in the DEIR is because the chapter on "Land Use" states that "The cumulative study area for project land use effects is considered to be from the adjacent San Dieguito River Valley on the ocean side of the I-5 corridor to the ocean shoreline". (4.1-79) This purposefully narrow scope for the study area is drawn specifically to exclude a large number of residents and natural habitat located in the San Dieguito River Valley and adjacent highlands lying east of the I-5 corridor.

A clue to why the DEIR chooses to not consider Carmel Valley in its sphere of influence is the DEIR treatment of homes on the north side of Via de la Valle (4.1-46). The proposed 3- and 4-story projects are seen to be compatible with these residences because "these (fairgrounds) projects are over 2,500 ft. from the residences and are at a lower elevation". (4.1-46) Not considered is the obvious intensification of lighting over the entire fairgrounds, especially from the rooftop light poles on the new exhibit halls (for three sports fields) and from the proposed Health Club/Sports Training Facility. Also not addressed is the increase in noise from these rooftop events.

9. The DEIR concludes its Threshold 4.1.3 analysis of significant conflict with adjacent land use with an examination of the Fairgrounds and racetrack area itself (4.1-47). The intensification of land use is portrayed as a solution to the fairgrounds' erratic use:

During the Interim Season (app. 40 weeks during the year few large events are held during the week...(they are) typically...small trade shows...The presence of the proposed hotel and exhibit buildings(s) would offer the Fairgrounds the ability to better utilize the site on weekdays. The enhanced facilities for conference and trade shows would be expected to increase the site's attractiveness to business meeting planners and increase use of the site Monday through Friday during the Interim Season... the increased use of the Fairgrounds site as a result of the hotel complex will occur on weekdays during the Interim Season, when activity levels are currently low. Health Club/Sports Training Facility traffic is expected to be year round."

Inexplicably, this analysis asserts no significant impacts to surrounding uses arising from the intensification of use on the District lands:

- [they] are visitor- and community-serving uses that are consistent with the existing Fairgrounds operations and compatible with nearby off-site land uses
- because a new incompatible land use is not being introduced

- the events that are and will be hosted at the Fairgrounds are community-level events and programs that benefit the local and regional population

In other words, new uses are extensions of existing uses, or they aren't new uses at all, or they have some ancillary benefit to the general public.

10. Threshold 4.1.4 addresses "Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, including but not limited to the general plan, Chapter 3 of the Local Coastal Act, or zoning ordinance adopted for the purpose of avoiding or mitigating an environmental effect."

- (a) SANDAG's "Regional Comprehensive Plan" (RCP) [4.1-48] advises jurisdictions on land use and transportation policy with sustainability and Smart Growth. The entire fairgrounds proposal is declared to be "consistent with the goals and policies of the RCP that promote a sense of place, integrated transportation systems, and interregional habitat preservation." Further, the proposal:

"will enhance the unique sense of place at the Fairgrounds by continuing to implement the established Mission-style architecture into the new projects, including the proposed hotel, Health Club/Sports Training Facility, maintenance structures, and electronic reader board sign".

- (b) The final EIR should explain how the height and mass of the new proposed construction (more than doubling the size of the fairgrounds) is beneficial to the "interregional habitat preservation" when any and all Federal, State, and local land use plans and regulations direct development away from areas of habitat protection, preservation, and, when possible, restoration. It is true that the proposal includes providing space for the extension of the SDRP "Coast to Crest Trail" along the river, linking it to the trail eastward; however, this and other "landscaping" improvements mentioned are a minor cosmetic fix. The DEIR ignores the larger picture -- intense urbanization where, today, most aspects of the District are seen and understood as agricultural, in size, arrangement, uses and purpose. Conformity with the City of San Diego General Plan's "Land Use and Community Plan Element" is explored (4.1-56). The DEIR reminds reviewers that "the 22nd DAA is not subject to local zoning laws" but if a Conditional Use Permit from the City is required, "findings for the CUP could be made because the various projects do not adversely affect the land use plan..." and, in fact, "are all appropriate uses of the site because the projects support the Fairgrounds which has been an existing use at this site for many decades".

In order to justifiably assert conformity, the final EIR must explain how a large, commercial enterprise can be seen as not affecting the City's General Plan. Conversely, how does this alteration of size and uses reflect the goals of the General Plan?

- (c) The City of San Diego's General Plan "Conservation Element" (CE 1-50) is the most appropriate element to reference for the District proposals. The DEIR addresses the question of compatibility with this important element. However, it selectively chooses to recite the elements' broad goals but stays mute on how the project's impacts meet these goals. It especially is remiss in not quoting the Conservation Element's policies which strive to "remove jurisdictional barriers"

among land use authorities in order to better manage and preserve wetlands environments.

- (d) The final EIR should explore the "Conservation Element" policy (CE-H.2) of the General Plan which argues for removing jurisdictional barriers "that limit effective wetland management through public/private partnerships". Given the DEIR's repetitive emphasis that the District should not have to respect or be consistent with other jurisdictions' land use policies, it is understandable why this goal was included in the City's General Plan.

The major goals regarding wetlands and their upland habitat are:

".Preservation of San Diego's rich biodiversity and heritage through the protection and restoration of wetland resources.

Preservation of all existing wetland habitat in San Diego through a 'no net loss' approach." (CE-36)

Wetlands other than those addressed in the MSCP are described as "tidal and freshwater marshes, riparian wetlands and vernal pools. Wetlands are vitally important to the survival of many fish, birds, and plants".

Waterways and their riparian areas are critical habitats for a variety of wildlife. Straightening, cementing over, and otherwise altering waterways and wetlands removes the opportunities for biodiversity and also impacts important ecological processes that remove pollutants and improve water quality. The health of wetland areas is an important indicator of ecosystem health, (CE-36)

All of the policies in the "Conservation Element" (CE-37) adhere to the statement above, which is tantamount to saying that San Diego's diminishing wetlands are critical to biodiversity and overall quality of life. How can a major increase in use and development at the San Dieguito River and Lagoon be seen as acceptable to the City of San Diego?

11. The Coastal Commission is the major reviewer of the DEIR and it is hoped that the public can access their comments. However, we ask that the final EIR do a better job of explaining how this vast commercial expansion can comply with Coastal Act Section 30240 and others in Table 4.1.D:

Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas and shall be compatible with the continuance of those habitat and recreation areas.

The DEIR posits that there are few impacts because "The Master Plan contains a land use plan, programmed avoidance of sensitive habitat areas, and (other measures)" and that those impacts are fully mitigated (4.1-70-72)

The final EIR should provide information that supports the contention that despite the wholesale urbanization of the District property, "a land use plan...(and) "programmed avoidance" are sufficient to comply with The Coastal Act.

12. Chapter 4 sections on land use compatibility ends with the summary that:

The proposed development of the site is an incremental contribution to cumulative land use intensification, but does not create or contribute to a significant land use impact. (4.1-79)

The final EIR must defend its self-focused approach to environmental analysis. Why are its expanded and new uses considered to be just a continuation of existing uses and, therefore, present no new impacts? Why is the study area so limited to "the adjacent San Dieguito River Valley on the ocean side of the I-5 corridor to the ocean shoreline"?

B. Aesthetics

1. Under "Existing Viewsheds" (4.5-2) the DEIR takes a limited perspective. First, it characterizes the fairgrounds complex near the ocean as "an attractive landscape that is largely characteristic of Southern California", which is largely true for most people because of the still open vista through the river valley to the coast from points east of Old El Camino Real and the nearby highlands. Although the track grandstand is 83-96 ft. with towers reaching +/- 118 ft., its graceful design and siting on the land prevents it from being overwhelming. The remainder of the fairgrounds is one-story and spread out, reducing its visual impact.

Missing from this discussion is the change in this vista if the Master Plan projects are built.

The limited perspective is even more revealed in the DEIR's criteria for viewshed analysis:

The Fairgrounds can be viewed by passing motorists on surrounding streets...(and) from adjacent commercial and residential neighborhoods located to the north, northwest, and south....Several of the off-site areas are at higher elevations than the Fairgrounds site, particularly east of I-5.

The working criteria here appears to be that areas east of the site and higher in elevation, such as Carmel Valley, are not impacted by activity at the fairgrounds, now or in the future. The "off-site areas" such as our community may not be particularly viewable to the fairgrounds but the fairgrounds, its lighting, noise, and its spread are very viewable to the parts of Carmel Valley facing the ocean. Homes, northern and western open space slopes and trails, and a particularly important overlook park on High Bluff Drive will be impacted by extraordinarily higher new building elevations,

with their rooftop "sports fields" and 70-80-ft. light poles. Even today, noisy events reach these Carmel Valley locations, and beyond.

The current conditions and future simulated views are shown in figures 4.5.5 and 4.5.9 in section 4.5, described as from High Bluff Dr. (without mentioning its location in Carmel Valley), adjacent to the northern open space slopes in the community.

From the residences, lights and noise from the fairgrounds are viewable despite residential landscaping. From Carmel Valley open space slopes and the lengthy park walkways mentioned above the view is a wide panorama of the river valley from east of El Camino Real, through the uninterrupted expanse of the valley floor, wetlands, floodplain, lagoon, and to the ocean. The fairgrounds partially interrupts this visual experience but its existence is softened by the undisturbed river valley. The eye just kind of skips over the intrusion of the fairgrounds and its many parked or moving vehicles.

During the county fair run, rides are prominent but are just a seasonal experience. The DEIR maintains that the distance from the fairgrounds and the elevation of residences above it dilutes any impacts from the proposed new construction. For anyone at these locations in Carmel Valley tall, lighted structures would completely change the experience of this uncluttered view. The hotel/convention center (four stories, 66.5 ft. to 86.5 ft. high), the health club/sports training facility (three stories, 48 ft. high, with 60-80-ft. light poles), and the three exhibit buildings, each three stories, 51.5 ft. high, with three rooftop sports fields and 70-80 ft. high light poles is not an incremental increase in mass but a metamorphosis. What is still unknown is what kind of evening events the rooftop sports fields will host aside from sports. Will there be nighttime social events attended by conventioners or by race-goers?

The DEIR fails to address these viewshed impacts to Carmel Valley.

2. The San Diego Municipal Code, Chapter 14 has regulations for outdoor lighting, for glare reduction and general aesthetics. The rooftop sports fields lighting and the 2-sided, 192-sq.ft. electronic reader board along I-5 south of the fairgrounds would not meet the code requirements. The DEIR cites pertinent sections of the code "for information only" as "the 22nd DAA...is not subject to local ordinances..." However, the purpose of these lighting regulations is to, overall, "minimize impacts from light pollution, including light trespass, glare, and urban sky glow to preserve enjoyment of the night sky and minimize conflict caused by unnecessary illumination". (Section 142.0740) The final EIR should explain why these extreme light sources demonstrate responsible land use planning and consideration for the District's neighbors and the public.

The methodology of the DEIR in assessing impacts of lighting, is summarized in section 4.5.4: "There are no universally adopted standards or set of criteria for determining whether an aesthetic impact is significant". There is, however, common sense and a respect for the regulations of neighboring communities. Therefore, the DEIR "Impact Significance Criteria threshold 4.5.1 (4.5.5), which asks if the lighting impact of the project will "Have a substantial adverse effect on a scenic vista?" needs to be-examined. The finding that the proposed 15 master plan projects will

merely "alter the existing visual conditions on the site" with no significant impacts is not true.

The analysis of the nine near-term projects' effects on views emphasizes I-5 travelers and ignores the views from the river valley, its current and planned trails, and Carmel Valley:

Views across the site from I-5 toward the ocean will be punctuated (emphasis added) by the Master Plan projects: however, views from I-5 are fleeting as a result of vehicle speeds and, while public, views from I-5 are not considered to be views of a scenic vista. Therefore, views for passengers would not be adversely impacted... The urban character of the surrounding area and the planned Mission-style architecture is consistent with the existing buildings on site; therefore, the proposed project will blend into its surroundings when viewed from a significant distance and elevation. (4.5-25)

The long-term proposed 4-story parking garage in the east parking lot is concluded to not impact public views from I-5 because these views are not seen as those of "a scenic vista". 4.5-26. This conclusion statement contradicts the DEIR's previous assertion (4.5-2) that the fairgrounds site, with the proposed expansion, is a desirable view:

The existing project site and its setting include the coastal community combined with views of the Pacific Ocean, open space, and the San Dieguito River, resulting in an attractive landscape that is largely characteristic of Southern California..."

As we stated earlier, the DEIR concludes that its 940,000 sq.ft. expansion is merely a continuation of existing uses and, therefore will produce no new impacts beyond those already produced by its existing uses. If the new parking structure "has the potential to punctuate the view from I-5", why isn't this logically assessed as an impact to "a scenic vista"?

C. Alternatives

The summary goal of the proposed project -- all 15 near- and long-term components -- is:

"...to identify key physical improvements that will promote the mission of the Del Mar Fairgrounds as a regional entertainment, recreational, cultural, and community asset, while continuing the financially responsible practice of maintaining economic self-sustainability." (5-3)

In each of the five alternatives considered, the DEIR places heavy emphasis on two key goals of the "Master Plan 2008":

5.5.2 Objectives:

3. Provide visitor-serving uses on the Fairgrounds site that address the needs of participants and patrons who require overnight stays in order to enable the successful operation of major events.

4. Enhance the Fairgrounds attractiveness to conference planners by providing sufficient on-site hotel accommodations, dining facilities, and modern exhibit hall space to support multiday conference/convention events." (p. 5-3)

A central question arises: what is the source of these objectives, which turn the fairgrounds into a major venue for convention, entertainment, and sports events?

It appears that the transition from a simple agricultural use -- a racetrack and a county fairgrounds -- has been planned in increments, culminating in this latest proposal which, if approved, would rival the San Diego Convention Center. The accumulation of changes to the fairgrounds is clearly obvious in the goals and objectives cited in the DEIR.

1. Alternatives Rejected: The two Project alternatives considered but rejected are (1) Alternative 4 - Reduced Project/No Interim Uses) (5-9) and (2) Alternative 5 – Alternate Location (5-11)
 - (a) Alternative 4 "assumed implementation of the 2008 Master Plan near-term and long-term projects, with the exception of the Health Club/Sports Training Facility" which as a new use intended for year round operation, could not "sit dark" nine months of the year under this scenario. The Alternative would "reduce significant traffic, greenhouse gas...and operational air quality effects by substantially reducing traffic and emissions during the nonsummer months." This alternative was rejected because the fairgrounds "is a self-sufficient facility, and one of the Master Plan objectives is to 'enhance the economic self-sustainability of the Fairgrounds.'" (5-9)

One has to wonder at the reasoning for rejecting this alternative. The Health Club/Sports Training Facility is not critical to the success of the Master Plan. If it were not built, the rest of the Master Plan facilities could still be built. The potential "darkness" of the Health Club/Sports Training Facility should not be an issue.

- (b) Alternative 5 "could attain the majority of the 22nd DAA's 2008 Master Plan objectives at a new location" with all new facilities and "new environmental regulations would be met..." The rationale for rejecting this alternative is that the "Fairgrounds and Racetrack have been located in the Cities of Del Mar and San Diego since 1926 and regional access from I-5...would be difficult to replace." Relocation "would be difficult and expensive for the 22nd DAA and is likely to face community opposition if introduced as a new use in a developed area." (emphasis added). The District surely must be well aware that there is strong "community opposition" to the vast expansion proposed on the existing site, yet, they are moving forward.

So, an alternative that removes the Health Club/Sports Training Facility would not provide enough revenue for the District and one that was built in an alternate location would be expensive and "likely to face opposition if introduced as a new use in a developed area."

In these arguments, the DEIR emphasizes the economic gain of a major sports center and the cost and likely community opposition to its plans. Both of these alternatives would reduce the impacts associated with large expansion of use and size in its sensitive coastal environment and those associated with its aesthetics, traffic, and land use compatibility with surrounding communities. the District clearly indicates here its bias towards financial goals and its awareness that its expansion could be rejected by developed communities.

Because of these factors, these alternatives were eliminated and not further considered.

2. Alternatives Considered - The three Project alternatives considered in the DEIR are:

- Alternative 1: "No Project/No Development Alternative" (5.5.1)
- Alternative 2: "No Project/Existing Master Plan" (5.5.2) and
- Alternative 3: "Reduced Project/No Hotel" (5.5.3)

The proposed project, with 15 near- and long-term components, is favored in the DEIR. With the impacts of the preferred project identified in the DEIR, Alternative 3 is considered to be the "most environmentally superior alternative". Nevertheless, this environmentally superior Alternative 3, which removes only the hotel/convention center, is disfavored because it does not accomplish the key goal of the District put forward in this document, that of providing:

"On-site hotel accommodations or dining facilities to support multiday conference/convention events...to provide overnight stays to patrons in order to enable the successful operation of major events...or to provide additional amenities to Racehorse owners and racing fans such as short-term residential accommodations." (5-35)

Alternative 3 also "would not promote better year-round use of the Fairgrounds...(and) it is not anticipated that the Fairgrounds would increase in the number of year-round activities, particularly on weekdays, without the provision of a hotel to support conferences and trade shows in the Interim Season". (5-24-25)

We note that the 2000 Master Plan did not include a hotel, and asserted that there was no need for a hotel because nearby communities (now including Torrey Hills) offered plenty of accommodations. Again, what is the impetus to turn the fairgrounds into a center for year-round conferences and trade shows?

Alternative 1 "is the existing condition of the project site..." (5-12) The negatives towards this option are that it "would not satisfy any project objectives". (Table 5.A, p. 5-35-44). It would be useful for the final EIR to provide the basis of arguments on how this option would impede the District's continuing operations as primarily a county fair, trade show, and horseracing facility. The DEIR finds that because the hotel/convention center and new exhibit halls would not be built:

Alternative 1 would not enhance the Fairgrounds' attractiveness to conference planners by providing sufficient on-site hotel accommodations, dining facilities, and modern exhibit hall space to support multiday conference/conventions...(and without a new Health Club/Sports Training Facility...(this) alternative would

enhance the economic self sustainability of the Fairgrounds by attracting a variety of events and users. (5-12)

These comments about Alternative 1, and all others to follow, raise a critical question to this community: How can any reviewer of this DEIR ascertain how valid any comment or conclusion is when absolutely no information is provided to explain why the District requires this expansion in order to be "self sustainable". There is a vacuum of information in the DEIR regarding the impetus for this expansion.

Alternative 2 would attain the current master plan's objectives for needed repairs and modernization. Again, however, this alternative is disfavored because "The Fairgrounds site would not be developed in a way that would address the needs of participants and patrons who require overnight stays...(and it) would not make substantive contributions to the financial security of the Del Mar Fairgrounds...". (5-14)

3. Summary Regarding Alternatives

We question the DEIR's central premise in assessing the five alternatives to the preferred Project. Apparently, no alternative is acceptable because in one way or another they all fail because they do not:

- create new opportunities to attract Conventions and other major entertainment events
- provide hotel and condominium stays
- provide dining for these large crowds
- attract major social events
- invite sports training and a health/fitness center
- attract roof-top sports events
- turn the fairgrounds into a year-round mecca for entertainment and enterprise.

The DEIR concludes that only the preferred Project proposal is acceptable, despite its impacts to surrounding land uses. If a CEQA-level environmental study starts with the premise that its growth and financial goals are the basis on which all potential impacts are revealed and all alternatives are assessed, the resulting document all too likely will be incomplete, illogical, internally inconsistent, and circular in its arguments.

Sincerely,
Carmel Valley Community Planning Board

Frisco White, AIA
Chair