SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK
JOINT POWERS AUTHORITY

9:30 a.m. – 12:00 p.m.
Friday, October 16, 2009
County Administrative Center
1600 Pacific Highway, Room 302/303
San Diego

Speaker slips will be available. Please fill out a slip and give it to the Chair prior to the meeting if you wish to speak to an item on the agenda. The Board may take action on any item listed on the Consent or Action agenda.

Introductions and Announcements

Approval of the Minutes of September 18, 2009

Executive Directors Report

Public Comment

This portion of the agenda provides an opportunity for members of the public to address the Board on items of interest within the jurisdiction of the Board and not appearing on today's agenda. Comments relating to items on today's agenda are to be taken at the time the item is heard. Pursuant to the Brown Act, no action shall be taken by the Board on public comment items.

ACTION

1. Appointment of Nominating Committee for Board Officers (page 3)

2. Award Contract for Sycamore Creek Office Reconstruction (page 5)

3. Award Contract for West Bernardo Bike Path & Cantilever Construction (page 7)

4. San Dieguito Lagoon Center – Revised Design (page 9)

5. El Camino Real Road Widening (page 19)
INFORMATION

6. Marine Life Protection Act Status – Maps of Proposals 1, 2 and 3 and Existing Conditions attached (page 34) Click here for full details:

http://www.dfg.ca.gov/mlpa/scrsg-dprops-r3.asp

7. Coordination Reports (oral)
   a. San Dieguito River Valley Conservancy
   b. Friends of the San Dieguito River Valley
   c. Volcan Mountain Preserve Foundation
   d. San Dieguito Lagoon Committee

8. Status Reports (Oral)
   a. River Park Projects

9. Jurisdictional Status Reports
   An opportunity for the Board members to report on actions taken within their jurisdictions to further the park planning process, or on problems which have arisen.

10. Communications

THE NEXT REGULAR JPA MEETING IS SCHEDULED FOR FRIDAY, NOVEMBER 20, 2009.

If you have any questions, please call Dick Bobertz at (858) 674-2270.

****Due to the high cost of printing and mailing the JPA and CAC agendas, the JPA has converted to an email distribution of both agendas. Please advise the office at 858 674-2270 if you do not have an e-mail address and want other arrangements will be made. Full packets will continue to be mailed free of charge to JPA and CAC members upon request. For others, the cost of the full agenda, with backup material, is $45 per year, and the cost of the agenda without backup material is $10 per year. The agenda and minutes are available at no cost on the San Dieguito River Park web site at www.sdrp.org

2
TO: JPA
FROM: Staff
SUBJECT: Nominating Committee for next year’s Chair and Vice-Chair & Committees

RECOMMENDATION:
Appoint Nominating Committee for next year’s Chair and Vice-Chair & Committees

SITUATION:

A. Summary and Recommendation

In accordance with JPA Board Rule #1, Election of JPA Board Officers, a nominating committee is to be appointed by the Chair each calendar year. The nominating committee is to present to the Board of Directors for their consideration at their next meeting, a proposed slate which includes nominations for the two officers (Chair and Vice-Chair) and membership on the Land Use Committee, Acquisition and Financing Strategies Committee, and Budget/Administration/Policy Committee. It is customary for the Chair to appoint a committee of three JPA Board members to serve on the Nominating Committee. The Committee would confer before your next meeting to prepare a slate of officers and committee members for the Board’s review and approval. New officers will assume office in January.

B. Citizens Advisory Committee Recommendation – This item has not been reviewed by the CAC.

C. Issues – No issues have been identified.

ALTERNATE ACTIONS

1. Approve the Nominating Committee selected by the Chair.
2. Do not approve the Nominating Committee selected by the Chair and elect other members instead.

Respectfully submitted,

Dick Bobertz
Executive Director

Attachments:
1) JPA Board Rule #1, Election of JPA Board Officers
PurPOSE

The San Dieguito River Park Joint Powers Authority (JPA) was formed to create, preserve and enhance the San Dieguito River Valley Regional Open Space Park (Park). The Joint Powers Agreement provides for the Board to select its officers from among the members. The purpose of this policy is to provide direction on the selection of officers.

POLICY

The success of the JPA in fulfilling its functions as authorized by its member agencies and in carrying out its programs to serve the people of San Diego County is in the hands of its Boardmembers and most importantly its officers. Therefore, it is the policy of this Board to select officers who are enthusiastically supportive, willing and able to promote the San Dieguito River Park and its goals and objectives, and to implement the will of the Board.

OFFICERS/TERMS

The Joint Powers Authority officers shall consist of a Chair and a Vice-Chair who will serve one year terms. In January of each year, customarily the Vice-Chair from the previous year will assume the Chair’s office. At any time during the year should the Chair resign or be unable to serve in the function of Chair, the Vice-Chair will assume the Chairmanship. An effort shall be made to rotate the Chair and Vice-Chair positions among the various jurisdictions.

NOMINATING COMMITTEE

A nominating committee will be appointed by the Chair in October of each calendar year. The nominating committee shall present to the Board of Directors for their consideration at the next JPA meeting a proposed slate which includes nominations for the two officers and membership on the Land Use Committee, Acquisition and Financing Strategies Committee and the Budget/Administration/Policy Committee. These committees will meet as needed to accomplish the business of the JPA. The Board may accept the recommendations of the nominating committee or amend them by a majority vote.

REMOVAL FROM OFFICE

An officer of the San Dieguito River Park JPA may be removed by a majority vote of the Board of Directors.
TO: JPA Board

FROM: Staff

SUBJECT: Award Contract for Sycamore Creek Office Reconstruction

RECOMMENDATION:

Staff recommends that your Board award the contract to the lowest, responsible bidder as reported at today’s meeting and authorize the Executive Director to execute all documents necessary to complete construction of the office.

SITUATION:

Summary and Recommendation

The plans and technical specifications for reconstruction of the JPA’s Sycamore Creek office were sent to six qualified contractors. The bid deadline was October 8th at 2 p.m. Five firms submitted proposals. As the agenda was distributed, the architect was reviewing the bids to make sure they were comparable, complete and accurate. Staff will report the results at your meeting. Staff recommends that your Board award the contract to the lowest, responsible bidder as reported at today’s meeting and authorize the Executive Director to execute all documents necessary to complete construction of the office.

Background

At your February 2008 meeting, your Board authorized staff to hire the architectural firm of Rinehart Herbst to prepare architectural designs and construction plans to rebuild the San Dieguito River Park office that was burned in the October 2007 Witch Fire. The architects proceeded to have the site surveyed, develop alternative concepts, work with JPA staff, the City of Poway (the jurisdiction where the office was located) and the insurer. Once the requirements of the City and the insurance company were identified, the architects moved forward with architectural designs for the preferred concept that best met staff needs. The proposed replacement structure is 2,250 square foot office with 1,115 square foot garage/workshop for ranger use. At your Board’s direction at your January 2009 meeting, the plans were submitted to the City of Poway for review and approval. Poway Development Services staff required a Minor Development Review and identified the need for a Variance to allow a zero front yard setback, which is the same setback that the original office building had. Poway City Council approved the Variance at their September 1st meeting. Concurrent with the Minor Development Review,
the building plans were under review by Development Services staff.

Financial Consideration

The office was insured for replacement value. The insurance company is willing to pay for replacement of a structure of like size and quality as the office that was burned. The original office, an older house a portion of which dated to 1923, that had been built onto over the years, was 2,372 square feet in size, including garage space and 3 storage sheds. The amount of money the insurer has agreed to reimburse for construction is $509,178. In addition to the office, a small cabin on the Lake Sutherland East property was also destroyed in the Witch Fire. That cabin had no significant purpose and represented a maintenance responsibility. We have informed the insurance company that the JPA will not rebuild the cabin and will assign the full replacement value of $124,023 to the office reconstruction budget. Therefore $633,201 is available for construction, in addition to the costs of the architect’s services for construction support.

ALTERNATE ACTIONS

1. Award the Contract to the lowest, responsible bidder.
2. Do not award the Contract to the lowest, responsible bidder and give staff other direction instead.

RECOMMENDATION:

Staff recommends that your Board award the contract to the lowest, responsible bidder as reported at today’s meeting and authorize the Executive Director to execute all documents necessary to complete construction of the office.

Respectfully submitted,

Dick Bobertz
Executive Director
TO: JPA Board

FROM: Staff

SUBJECT: Award Contract for Construction of West Bernardo Bike Path & Cantilever (Phase Three of Lake Hodges Bikeway Access Project)

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RECOMMENDATION:

Award Contract to the lowest responsible bidder as reported at today’s meeting, and authorize the Executive Director to execute the contract and other documents as may be necessary.

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SITUATION:

Summary and Recommendation

This project is the third and last phase of the Lake Hodges Bikeway Access project. It is a 2,800-foot-long Class I bike path that will connect to the south end of the David Kreitzer Lake Hodges Bicycle/Pedestrian Bridge and extend up West Bernardo Drive to Rancho Bernardo Community Park Drive. The project was advertised on September 21st. On September 30th, a pre-bid meeting was held at the site and 18 bidders were present. The bid deadline is scheduled for October 15 at 2 p.m. The bid results will be reported at today’s meeting.

Background

The West Bernardo Bike Path/Cantilever project consists of approximately 2800’ of Class I bike path linking the southern abutment of the David Kreitzer Lake Hodges Bicycle/Pedestrian Bridge to the Rancho Bernardo Community Park to the southwest. The first 720 feet features a concrete section that cantilevers out over the adjacent slope. A significant length of the slope adjacent to the lake will be built up or repaired with riprap. The trail will be extended beyond the cantilever portion all the way to the community park for approximately 2,080 feet. Approximately 500 feet of the trail will be aligned immediately adjacent to an existing sidewalk on the southbound lane side of West Bernardo Drive. The trail will have a constant width of 10’ to 12’ consisting of an 8’ paved path plus 2’ buffers on each side where possible (other than the cantilever section which will be minimum of thirteen feet wide).

FINANCIAL CONSIDERATION

Construction costs will be reimbursed by two grants, a State Environmental Enhancement Mitigation Program grant for $350,000 and a SANDAG Transnet grant for $1,425,000.
ALTERNATIVE ACTIONS

1. Award the contract to the lowest responsible bidder.
2. Award the contract to another bidder.
3. Do not award the contract and give staff other direction.

RECOMMENDATION

Award contract to lowest responsible bidder as reported at today’s meeting.

Respectfully submitted,

Susan Carter
Deputy Director
TO: JPA
FROM: Staff
SUBJECT: San Dieguito Lagoon Center Revised Version

RECOMMENDATION:

Staff recommends that your Board approve the revised concept designs (Scheme B) for the San Dieguito Lagoon Center as presented today, direct architect team to prepare detailed cost estimates, direct staff to continue preparation of a Business Plan for ongoing operational and programming costs, and direct staff to pursue grants and other funding opportunities for the proposed Center.

SUMMARY:

At today’s meeting, the architect team will present a revised concept design for your review and approval. As reported last month, the architect team (Roesling Nakamura & Terada Architects and Spurlock Poirier Landscape Architects) has met with numerous stakeholder groups to receive input, held a 3 day design open house, and made multiple presentations to various groups, including the CAC. The designs were uploaded to our website and visitors were encouraged to send comments via a blog set up just for that purpose. Many comments were received, and the architect team worked on revising the concepts in response. The revised scheme was presented to the Design Advisory Committee (DAC) at a meeting this week. The Design Advisory Committee, chaired by Tom Golich, was put together by the San Dieguito River Valley Conservancy to provide expertise in several areas, including science, education, architecture and operational experience in running a nature center. In addition, Ann Gardner with the Friends of the San Dieguito River Valley and Dawn Rawls with the San Dieguito Lagoon Committee are on the DAC. The DAC has met three times to provide advice to the Architect Team.

In general, a number of the comments repeated that the original design was too big, had too much hardscape, would require extra staffing due to inefficient flow, had too much space devoted to specialized uses, and had too harsh and modern a look for the site. Comments were also made about the size of the community/class room and the look of the solar chimney and whether a science research lab was necessary.

The revised design (Scheme B) is much smaller than the original design (Scheme A) shown to your Board last month. Scheme A was 7475 square feet. Scheme B is 6,000 square feet. Scheme B is one-story instead of two-story, and it has one viewing deck instead of two. The
dedicated classroom was eliminated but there is a still a large multipurpose room that can be divided into two spaces as needed. The archive room was folded into the conference room. A small teaching lab replaced the dedicated classroom. The science research lab was also retained because it will be used for ongoing scientific monitoring of the wetland restoration area and for marine wildlife conservation research. Emphasis on education and scientific research is consistent with the funding guidelines for the upcoming Proposition 84 Nature Education Facilities grant program.

To address the complaint that the design was too harsh, the new design integrates the center into the site in a more organic manner than Scheme A, utilizing a living roof over more of the built areas, and following the contour of the land more closely. The living roof design has the advantage of improved temperature regulation; however, it is more expensive to build than a facility without a living roof.

The solar (or cooling) chimney has not changed, but it is lowered into the center by about 8 feet, reducing the overall height. The purpose of the solar chimney is to enable warm air to be drawn up and released from the building. It promotes ventilation and airflow. This is one of the many “green” or sustainable features that the Center will have. Another purpose of the solar chimney is to provide a recognizable design feature that can be identified with the Center.

The Design Advisory Committee described above voted unanimously in favor of Scheme B as presented. At today’s meeting, Tom Golich, the Chair of the Design Advisory Committee, will be present to describe the Committee and explain their recommendation.

CAC RECOMMENDATION

At their October 2nd meeting, the CAC discussed the revised Scheme B, and voted 16-2 in favor of recommending that your Board approve Scheme B. They proposed that there should be some kind of landscaping feature that would soften the look of the courtyard.

FINANCIAL CONSIDERATION

Part of the Architect Team’s scope of work on their existing contract is to prepare a cost estimate of the selected design. An engineering firm that specializes in construction cost estimates will prepare the cost estimate for the design that your Board approves. JPA staff is also working with a consulting firm to identify operational costs (staffing needs, programming, maintenance) and realistic ongoing revenue sources. A marketing analysis will be performed. Some of the potential revenue sources that will be evaluated to determine how much income they can realistically generate are donations at the door, book store proceeds, rental concessions, fees associated with student field trips, and proceeds from special events such as lecture series. This information will form the basis of the Business Plan.

State Parks Department, which is administering the Proposition 84 Nature Education Facilities grant program, held a hearing recently on the proposed grant guidelines. The tentative grant
deadline is April 1st. As currently proposed, applications will be divided into tiers. There will be $40 million available statewide for projects in the highest tier, which will be from $3-$5 million. Based on the criteria, which strongly favor nature education, marine wildlife conservation research, visitor outreach, public access, sustainability, and project readiness, staff believes the San Dieguito Lagoon Center grant application will be very competitive. However, even if completely successful, the maximum grant would not be enough to build the complete Center as proposed. Your Board may desire to initiate a capital fundraising campaign to raise the remainder or seek matching funds from potential corporate sponsors. Alternatively, phasing of the Center construction will be indicated. Information resulting from the cost estimate and Business Plan development will be brought back to your Board when it is available.

**ALTERNATIVE ACTIONS**

1. Approve the revised concept designs (Scheme B).
2. Approve an alternative concept design.
3. Do not approve a design and give staff other direction.

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**RECOMMENDATION**

Staff recommends that your Board approve the revised concept designs (Scheme B) for the San Dieguito Lagoon Center as presented today, direct architect team to prepare detailed cost estimates, direct staff to continue preparation of a Business Plan for ongoing operational and programming costs, and direct staff to pursue grants and other funding opportunities for the proposed Center.

Respectfully submitted,

Susan Carter
Deputy Director

Attachment:

1. Site Plan
2. Revised Scheme B Floor Plan (lower)
3. Revised Scheme B Floor Plan (upper)
4. Site Section - through Admin Wing
5. Site Section - through Multi-purpose room
6. Site grading
7. Amphitheatre Design
San Dieguito Lagoon Center
Site Cross Section A
September 30, 2009
Scale 1" = 50'
San Dieguito Lagoon Center
Site Cross Section B
September 30, 2009
Scale 1" = 50'
Agenda Item 5
October 16, 2009

TO: JPA Board
FROM: Staff
SUBJECT: El Camino Real Widening Project

RECOMMENDATION:

Support the City’s plans to widen El Camino Real as designed including the replacement of the existing culvert with a single-span structure at the time the road is widened, provided that the new structure is designed so that it would also function as a wildlife undercrossing and potential trail undercrossing, with a dirt bottom (as opposed to concrete) and habitat restoration at the entrance and exit.

SUMMARY:

The City of San Diego is scheduled to approve the final plan to widen El Camino Real from Sea Country Lane to San Dieguito Road. The road is currently 2 lanes and will be widened to 4 lanes with a stamped concrete median, decomposed granite parkway, sidewalks, and bike lanes. The project is funded by a developer (DR Horton) to comply with a mitigation condition for Black Mountain Ranch and is being processed through the City for a Site Development Permit (SDP). JPA staff sent a comment letter to the City in late September 2009 in response to the Draft Mitigated Negative Declaration for this project (Attachment 1). The hearing is scheduled for October 28th, 2009 (Hearing Officer level).

BACKGROUND:

Plans to widen both El Camino Real and Via de la Valle have generated many concerns over the years by the JPA, the Carmel Valley Community Planning Board and many other concerned citizens and community organizations. One of the primary concerns has been the potential for the widened roadway to block wildlife movement from Gonzales Canyon to the San Dieguito Lagoon. Your Board took action on this project on several occasions most recently in February and June 2009 when letters were sent expressing ongoing concerns about the project’s impact on the western River Valley (Attachments 2&3). In 2006 a task force was formed by the Mayor’s office and then-Councilmember Scott Peters to address concerns about the widening plans. JPA staff, members of the Carmel Valley Planning Board and community representatives met over several months and generated a report (March 2007) that described a compromise plan that attempted to meet goals of accommodating traffic while still retaining some of the character of the area, wildlife movement, and trail connections.
Agenda Item 5  
October 16, 2009

**ISSUES:**

The project design reflects some of the recommendations of the task force. In particular, the task force recommended that the widening be kept to a total width curb-to-curb of 64 to 76 feet (depending on parkway width). The project as designed will be 64-78 feet wide curb-to-curb although individual components such as number of travel lanes and landscaping differ from the recommendations. For example, no landscaping is proposed – the median will be stamped concrete and the parkways will be decomposed granite with a meandering concrete sidewalk. JPA staff has been told that a maintenance assessment district does not exist to maintain landscaping in Subarea II of the North City Future Urbanizing Area (NCFUA).

JPA staff and community representatives have been meeting with City staff for several years in an effort to add a wildlife and trail undercrossing to the project design, originally recommended in the City’s MSCP Subarea Plan. Discussions have ranged from redesigning the road to incorporate a bridge allowing for a 70-foot wide by 120-foot long wildlife undercrossing (favored by the task force) to replacing the existing triple-box drainage culvert (see photo, Attachment 4) with an improved undercrossing structure that could also function as a wildlife undercrossing and trail. It was determined later that a bridge would not be feasible due to interference from existing sewer main lines under the road.

**Need for Wildlife Undercrossing**

The project area is at the foot of a major canyon system and drainage (Gonzalez Canyon) that originates from Los Penasquitos canyon and terminates at the San Dieguito lagoon. It has been well documented that all types of wildlife move through the surrounding open space area. The City has long recognized this area as important for wildlife movement and wildlife in general as documented in several City plans including the MSCP, NCFUA plans, and General Plan. The corridor was again substantiated in the Cavallo Farms Draft MND recently published by the City (October 2009). The city has been active in requiring that private projects set aside open space in compliance with the MSCP. Projects on the east side of El Camino Real have included major property dedications of open space (Pacific Highlands Ranch, Rancho Valley Farms, Cavallo Farms, former equestrian center). These open space areas are designed to protect and restore the river valley from degradation and harm to wildlife and to implement the MSCP. These projects essentially channel wildlife through two corridors, one just south of Pacific Highlands Ranch (Gonzalez Canyon) and a smaller corridor south of the equestrian boarding areas along Old El Camino Real. Both corridors end up in the habitat area just east of El Camino Real.

Based on recent studies of wildlife corridors, the MSCP guidelines for wildlife corridor design, opinions from local wildlife experts, and the fact that new corridors have been built in many places throughout the county including further upstream along Gonzalez Canyon in the Carmel Valley area, JPA staff’s opinion is that the current culvert is
inadequate as a wildlife crossing and will become worse with a wider roadway. Considering the substantial investment to ensure wildlife will continue to use this important corridor and the fact that a 78-foot wide expanse of roadway will create a major impediment to wildlife movement, replacing the box culvert with a single-span structure would be the minimum that could be done to improve its function.

**Trail Connections**

There is strong support in the community to implement the community plan for public trail connections. The JPA has been working with the City’s trail coordinator to finalize a multi-use trail connection from the western extent of the Pacific Highlands Ranch trail to the Coast to Crest Trail (located on the north bank of the San Dieguito River). However, a final trail alignment has not been approved for this area and alignments are still in the planning stages (Attachment 5). The Rancho Valley Farms approved plan (not built) includes a separated trail although connections to it will need to be made as other development proposals are approved. An undercrossing could serve as a safe trail passage under El Camino Real as part of the connector trail. An alternative to the undercrossing would be to use sidewalks and intersection crosswalks to cross El Camino Real and access trails in the lagoon area. In addition, bicyclists could use bike lanes although by design bike lanes are not physically separated from vehicular traffic (other than a painted line). Equestrians in particular would be better served by a separated d.g. trail and the undercrossing. Using the existing culvert and even a new undercrossing would require that an equestrian dismount due to limited clearance.

**CEQA and Forthcoming Hearing Officer Decision**

On September 2, 2009 the City released a CEQA Draft Mitigated Negative Declaration for the project. The project evaluated in the Draft MND did not reflect a commitment to build a wildlife undercrossing but referred to replacing the existing culvert with a new 7-foot high by 24-foot wide single-span drainage structure that would also function as a wildlife and potential trail undercrossing, but that would be “accomplished by others at a later date” (Attachment 6). Nor did the Draft MND evaluate whether the project would impact wildlife movement. This generated many comment letters since no funds or responsible party were identified to implement the undercrossing nor was an undercrossing suggested as mitigation for impacts caused by the widening (letters were submitted by the Carmel Valley Planning Board, Endangered Habitats League, California Dept of Fish and Game, and others). The JPA staff’s comment letter is attached (Attachment 1).

JPA staff learned at the writing of this staff report that a condition is being added to the project requiring that the box culvert be replaced with the new drainage structure. Community Finance District (CFD) funds will be used by the City to pay for construction of the new drainage structure that will also function as the undercrossing. These funds will be used to reimburse the developer responsible for the roadway widening (DR Horton). At this time it is not clear whether any other improvements to the new drainage
structure would be done as part of this project to improve its function as a wildlife undercrossing or who would be responsible for those improvements (for example, habitat restoration may be needed at both ends to encourage animals to use it). In addition, the drainage structure would not include an actual trail. Its functionality as a trail undercrossing is unclear due to its limited height, its primary use to convey storm water, and the fact that some regulatory agencies have expressed concern over using it for equestrians. It is anticipated that when a trail alignment is approved the new drainage structure may need to be modified to include a trail surface. Nevertheless, the new structure would be an improvement over the existing condition.

The project has been scheduled for a Hearing Officer decision on October 28th and the draft permit conditions that should reflect the condition to build the undercrossing will be available to the public on October 21st.

**CAC RECOMMENDATION:**

The CAC has been following this project for many years and has supported the efforts described above. Several members of the PRC have been very active in effecting changes to the project design to reduce the project’s impact on the western River Valley. The CAC also received a copy of the JPA staff’s comment letter on the Draft MND.

**RECOMMENDATION:**

Support the City’s plans to widen El Camino Real as designed including the replacement of the existing culvert with a single-span structure at the time the road is widened, provided that the new structure is designed so that it would also function as a wildlife undercrossing and potential trail undercrossing, with a dirt bottom (as opposed to concrete) and habitat restoration at the entrance and exit.

**ALTERNATIVES**

1. Support the proposed project.
2. Do not support the project as designed.
3. Provide direction on additional issues/items.

Respectfully submitted,

Shawna Anderson
Principal Environmental Planner
Agenda Item 5  
October 16, 2009

Attachments:

1. JPA staff comment letter on Draft MND
2. JPA letter dated 2/20/09
3. JPA letter dated 6/19/09
4. Photograph of existing triple-box culvert
5. Future Trail System
6. Plan of single-span drainage structure
San Dieguito River Valley
Regional Open Space Park
14103 Highland Valley Road
Escondido, CA 92025
(858) 674-2270  Fax (858) 674-2280
www.sdrp.org

September 29, 2009

Jeffrey Szymanski
Environmental Planner
City of San Diego Development Services
1222 First Ave., MS 501
San Diego, CA 92101

Subject:  El Camino Real Road Widening Project #145081
         Comments on Draft Mitigated Negative Declaration

Dear Mr. Szymanski:

San Dieguito River Park Joint Powers Authority (JPA) staff considers the Draft MND for
the above-listed project deficient and inadequate because it does not disclose the
significant impacts associated with this project or mitigate for those significant impacts.

Our main issue concerns the failure of the Draft MND to adequately disclose impacts
associated with the lack of adequate wildlife passage under a widened El Camino Real.
The MND fails to acknowledge that widening the road will cause a significant impact to
wildlife by creating a barrier to wildlife movement from Gonzalez Canyon to the newly-
restored San Dieguito Lagoon. The MND claims the project would “improve wildlife
movement” (IS checklist, Section IV.D) using a hypothetical wildlife crossing that cannot
be considered part of this project since there is no commitment or funding to build it.
This approach represents a deferral of mitigation. In addition, factors in the western San
Dieguito river valley are affecting the conditions of wildlife movement and habitat, none
of which are discussed in the MND. Specifically:

1. The Initial Study project description (page 2) describes a “proposed” new
   single-span drainage structure that would function as a wildlife and trail
   undercrossing “to be accomplished by others”. The MND does not explain
   that there is no funding or commitment by anyone to construct the
   undercrossing. Therefore the undercrossing cannot be represented as a
   legitimate part of the proposed project.

2. The MND fails to evaluate the issue of wildlife movement. The project area is
   at the foot of a major canyon system and drainage (Gonzalez Canyon) that
   originates from Los Penasquitos canyon and terminates at the San Dieguito
   lagoon. It has been well documented that all types of wildlife move through
   the surrounding open space area. In fact, the Cavallo Farms Draft MND that
   was just released by the City for public review (project #89605, comments
due October 15) includes substantial documentation of the Gonzalez Canyon
   wildlife corridor. Widening a 22-foot wide two-lane road with a 78-foot wide
   4-lane road with parkways, medians, sidewalk and curbs represents a
   significantly increased impediment to wildlife passage compared to the
existing condition – effectively creating a barrier. But this information is not analyzed in the Draft MND.

3. The MND incorrectly identifies the project as “adjacent to the MHPA” when in fact the road crosses the MHPA. The City has long recognized this area as important for wildlife movement and wildlife in general as documented in several City plans including the MSCP, NCFUA, and General Plan. The MSCP Subarea Plan includes a wildlife undercrossing (project C15) but no analysis of these MSCP policies and projects are included in the MND. The MSCP was put in place to allow local agencies to conduct their own implementation strategies for mitigating loss of threatened and endangered species habitat from projects. The City is not abiding by its obligations and is ignoring significant project impacts and mitigation for those impacts.

4. A huge public investment has been made to preserve the western river valley including restoring the San Dieguito Lagoon ($86 million), preserving over 600 acres of open space within the floodplain that was once proposed for development (e.g., JPA purchase of former Boudreau property, Caltrans’ recent purchases) and as a consequence most of the western river valley is publicly owned and protected as a wildlife refuge. Other complimenting public and private investments have been made to protect habitat in the area and the city has been active in requiring that proposed private projects set aside open space per the MSCP. Projects on the east side of El Camino Real have included major property dedications of open space (Pacific Highlands Ranch, Rancho Valley Farms, Cavallo Farms, former equestrian center). These open space areas are designed to protect and restore the river valley from degradation and harm to wildlife and to implement the MSCP. Wildlife will be using this habitat yet the subject project will be a barrier to wildlife movement cutting off this important corridor. The MND does not include any mitigation for this significant impact.

5. The MND should describe that urban projects recently built in the NCFUA essentially channel wildlife through two corridors, one just south of Pacific Highlands Ranch (Gonzalez Canyon) and a smaller corridor south of the equestrian boarding areas along Old El Camino Real. Both corridors end up in the habitat area just east of El Camino Real as documented in the Cavallo Farms wildlife corridor assessment. Wildlife must cross El Camino Real to continue just a short distance to access habitat to the northwest. A wildlife undercrossing is essential to allow safe passage across the proposed 78-foot wide paved El Camino Real. In addition, the JPA and Caltrans/Sandag have entered into an agreement to create additional tidal wetlands on the west side of El Camino Real directly adjacent to the subject project. Both sides of El Camino Real will be undergoing substantial habitat preservation and restoration within the next few years, which will further encourage wildlife to use this area as the main corridor to reach water and breeding and foraging areas. Wildlife will be funneled to this area and then forced to cross a 78-foot wide El Camino Real. None of this is discussed in the MND.
6. The function and adequacy of the existing triple-box drainage culvert as a wildlife corridor is not discussed in the MND. Based on recent studies of wildlife corridors, opinions from local wildlife experts, the MSCP guideline for wildlife corridor design, and the fact that new corridors have been built in many places throughout the county including further upstream along Gonzalez Canyon in the Carmel Valley area, JPA staff’s opinion is that the current culvert is inadequate as a wildlife crossing and will become worse with a wider roadway. Considering the substantial investment to ensure wildlife will continue to use this important corridor and the fact that a 78-foot wide expanse of roadway will create a major impediment to wildlife movement, replacing the box culvert with a single-span structure would be the minimum that could be done to improve its function. A single-span structure would allow more daylight to enter the crossing. It is our understanding that a new crossing could be designed with a soft bottom so that some habitat could grow resulting in more cover for wildlife and a better connection to surrounding habitat. However, a new undercrossing is not actually proposed. The MND does not contain any analysis of this.

7. The MND fails to evaluate the incremental effects from projects identified in comment #4 above and others. The MND does not disclose the fact that the city will also be replacing the El Camino Real bridge and widening the road from San Dieguito Road to Via de la Valle. These projects are not described in the MND nor are cumulative impacts addressed. Impacts to wildlife movement from the combination of both projects would be cumulatively considerable. By evaluating these road widening projects independently the City is not considering the “whole of the action” per CEQA 15003 and 15378 nor disclosing their cumulative effects or mitigating for them.

8. The Draft MND does not discuss non-vehicular public circulation in relation to other planned and approved projects in this area. The MND mentions that a new wildlife undercrossing could also function as a trail crossing so that trail users would not have to cross a 4-lane El Camino Real. But the MND relies on an undercrossing that is not part of the project. Widening of El Camino Real without providing an adequate trail undercrossing represents a significant impact that must be disclosed in the MND and to the decision makers. The community connector trail would serve the communities to the south and east (Stallions Crossing, High Bluff in Carmel Valley, Pacific Highlands Ranch, and equestrian boarding properties along Old El Camino Real). Equestrians are a significant user group and a trail undercrossing would provide equestrians with a safe passage under El Camino Real without having to travel on sidewalks and cross intersections. The MND does not address how widening the road would impact the equestrian community.
9. There is strong support in the community to implement the community plan for public trail connections. The JPA has been working with the City’s trail coordinator to finalize a multi-use trail route from the western extent of the Pacific Highlands Ranch trail to the Coast to Crest Trail (located on the north bank of the San Dieguito River). The Rancho Valley Farms project approved in 2008 includes a trail segment that leads right to the existing culvert. The culvert undercrossing is a critical piece of the trail system and the MND does not identify this significant impact.

The San Dieguito River Park is listed on the MND distribution list, but our office never received the document and instead we were alerted through other sources that the MND had been released. Although the timing has not allowed our JPA Board to take action specific to the MND, the JPA has followed this project for several years and has urged the City to include the undercrossing in their widening plans (e.g., letters to City dated 9/17/03 and 6/19/09). Due to the importance of this project, we ask that you not schedule this project for a decision until the JPA Board can take action to officially review and comment on the project design. Their next scheduled meeting is October 16, 2009.

We appreciate the opportunity to comment on the MND and we sincerely hope that you will not recommend approval of this project using a flawed MND that does not meet the basic requirement of CEQA to fully evaluate all potential impacts and mitigate for those impacts. We ask that you revise and recirculate the Draft MND.

Sincerely,

Shawna C. Anderson, AICP
Environmental Planner

Cc: Council Sherri Lightner’s office
    Frisco White, Carmel Valley Planning Board Chair
February 20, 2009

Mayor Jerry Sanders and City Council
City of San Diego
202 C Street
San Diego, CA 92101

Subject: El Camino Real Road Widening Project # 145081
Wildlife Undercrossing Design

Dear Honorable Mayor Sanders and Councilmembers:

It has been brought to the JPA Board’s attention that no progress has been made regarding the design of a required wildlife undercrossing under El Camino Real within the Gonzales Canyon connecting the Los Penasquitos Preserve with the San Dieguito River Valley. This critical undercrossing should be included as part of the widening of El Camino Real between San Dieguito Drive and Sea Country Lane as a component of the City’s MSCP Subarea Plan (project C15, page 26). The Pacific Highlands Ranch and Black Mountain Ranch FFPs include $150,000 collected as mitigation for the design of this wildlife undercrossing (T-12.2). We urge the City to take action and use these funds to design the undercrossing as part of the roadway widening project. With a completed design the city would then be in an excellent position for upcoming funding opportunities to fund its construction, including a Federal stimulus package, TransNet funds, or other funds.

The JPA has voiced its concerns about the lack of cohesive planning for Subarea II of the North City Future Urbanizing Area (NCFUA). These issues including the wildlife undercrossing were first brought to your attention by JPA staff in a letter dated September 17, 2003 followed by a JPA Board letter in 2004. Then in 2006, JPA staff and CAC members participated in the City’s San Dieguito Western River Valley Task Force that produced a detailed report of which the wildlife undercrossing at El Camino Real was a part. We are disappointed that no action has been taken thus far to ensure these projects don’t go forward without implementing measures to preserve the unique landscape, core habitat, and rural characteristics of the San Dieguito River Valley. The City’s last project review report to DR Horton (dated March 21, 2008) raised many of the issues but we are not aware of any progress to date.

The El Camino Real wildlife undercrossing is the last opportunity to make the final connection to preserve the critical Gonzales Canyon wildlife corridor into
the River Valley. We urge you to take immediate action to make these funds available to design the undercrossing as part of the roadway widening project.

Sincerely,

Pam Slater-Price
Chairman

cc: Bernie Turgeon, City Planning Dept.
    Frisco White, Chair, Carmel Valley Community Planning Board
    John Fisher, Development Services Dept., City of San Diego
June 19, 2009

Mr. William Anderson, FAICP
Director, City Planning & Community Investment
City of San Diego
1010 Second Avenue, MS 606F
San Diego, CA 92101

Subject: El Camino Real Widening Project #145081 and Wildlife/Trail Undercrossing

Dear Mr. Anderson:

Thank you for your letter of May 22, 2009 providing an update on the status of the El Camino Real wildlife/trail undercrossing. We are pleased to hear that the undercrossing will be incorporated into the design plans for widening El Camino Real. However, we are disappointed that the City is planning to go forward with the road widening without actually constructing the undercrossing. I understand that the City is faced with a timing obligation to release the development bonds for the road widening project. However, we feel strongly that the undercrossing will never be built if the roadway is widened first and if a retrofitted undercrossing costs an additional $850 thousand as you estimated.

We support the Carmel Valley Community Planning Board’s recent letter to Patti Boekamp (dated May 12, 2009) urging the City to seriously pursue a funding mechanism that would allow the necessary time to find the funds so that the undercrossing can be built at the same time as the road widening. The undercrossing represents the last remaining critical link to allow wildlife passage from Gonzales Canyon to the recently restored and protected San Dieguito Lagoon. We greatly appreciate your attention to this matter and hope that a solution can be reached soon to the satisfaction of all.

Sincerely,

Pam Slater-Price, County Supervisor
JPA Board Chair

Cc: Frisco White, Carmel Valley Community Planning Board
Patti Boekamp, Director, Engineering and Capital Projects
Kelly Broughton, Director, Development Services
John S. Fisher, City of San Diego Development Services
Charlene Gabriel, Facilities Financing Manager
Bernie Turgeon, Senior Planner, City Planning & Community Investment
Brad Johnson, Senior Engineer, Engineering & Capital Projects
City of San Diego Mayor and Councilmembers
Rancho Valley Farms trail (future)

Coast to Crest

Future Mesa Loop Trail

MSCP open space

El Camino Real Bridge

Potential connector trail

Future habitat restoration

Rancho Valley Farms trail (future)

Open Space

Proposed Trail
NOTE: EXISTING TRIPLE ROW CULVERT TO BE REPLACED WITH A SINGLE SPAN STRUCTURE BY OTHERS AT A LATER DATE.
California Marine Life Protection Act (MLPA) Initiative

This map represents a Marine Protected Area (MPA) array generated by a work group within the MLPA South Coast Regional Stakeholder Group. Work Group 1 was charged by the Blue Ribbon Task Force to continue to achieve a high level of cross-interest support and improve achievement of SAT guidelines. This MPA proposal is under review; it is NOT a recommendation to the California Fish and Game Commission.
This map represents a Marine Protected Area (MPA) array generated by a work group within the MLPA South Coast Regional Stakeholder Group. Work Group 2 was charged by the Blue Ribbon Task Force to continue to seek efficiency of MPA design and improve achievement of SAT guidelines. This MPA proposal is under review; it is NOT a recommendation to the California Fish and Game Commission.

For more detailed maps please visit: www.marinemap.org/marinemap

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