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 August 17, 2012

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.

CONSENT

1. Application for Land & Water Conservation Fund grant

2. I-5 North Coast Corridor Widening Draft Supplemental EIR/S

ACTION

3. Wetland Committee Report and Recommendations

4. Public Hearing on Proposed Bandy Canyon Ranch Land Acquisition

INFORMATION

5. Status Reports (Oral)

   a. River Park Projects
6. **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

7. **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.

8. **Communications**

   a. Letter from San Diego City Attorney re Rancho Del Mar, October 3, 2012

   b. Invitational flyer announcing tribute to Supervisor Slater-Price after the December 14th JPA Board Meeting

9. **Closed Session**

   a. Conference with Legal Counsel pursuant to Government Code Sec. 54956.9(a) regarding pending litigation: City of Solana Beach et al. v. 22nd District Agricultural Association.

THE NEXT REGULAR JPA MEETING WILL BE DECEMBER 14, 2012.

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 to be made. The agenda and minutes are available at no cost on the San Dieguito River Park web site at www.sdrp.org.
TO: JPA Board

FROM: Staff

SUBJECT: LWCF Grant Application

RECOMMENDATION:

Adopt Resolution applying for Land & Water Conservation Grant funds for a public restroom in the coastal area near the Lagoon Trail and Open Air Classroom project.

The Land and Water Conservation Fund Program (LWCF) was established in 1965, and originally was authorized for a 25-year period. It has been extended for another 25 years until January 2015. Funds are provided to federal agencies and to states. The National Park service (NPS) and California State Parks administer the program. Funds for the program come from federal recreation fees, sales of federal surplus real property, federal motorboat fuel tax and the Outer Continental Shelf mineral receipts. The money allocated to the states may be used for statewide planning, and acquiring or developing outdoor recreation areas and facilities. California’s allocation for fiscal year 2013 is approximately $3.2 million. Approximately $1.74 million is available for grants to local agencies: 60% for Southern California and 40% for Northern California.

Funds used under the LWCF program must be used for acquisition or development of public outdoor recreation areas and facilities. Property acquired or developed under the program must be retained in perpetuity for public outdoor recreation use. It is important to note that this grant has a 100% match requirement. Up to fifty percent of the project will be funded by the grant, less surcharge for administration. The match may include cash, in-kind services, force account funds, state grant funds, federal Housing and Community Development block grant funds. No other federal funds may be used to match a LWCF grant.

Development projects shall include the construction of new and/or renovation of existing facilities for outdoor recreation. Associated support facilities (i.e. restrooms, utilities) are eligible. Indoor facilities which support outdoor recreation activities in the immediate vicinity are also eligible. Projects that involve new construction or renovation of facilities must provide access in accordance with all laws relating to accessibility.

Staff has identified a need for a public restroom that would be located adjacent to the Lagoon Trail and the Open Air Classroom (“Birdwing”) project. We propose to acquire a pre-engineered building and have it delivered to the project site. The manufacturer’s staff will complete final installation on site. The manufacturer provides a turn-key installation except for the pad, which will be prepared by others in advance. A large crane will lift the multi-ton pre-engineered structure off the transport trailer onto the prepared building pad/foundation in just a
few hours. Utility point of connections are stubbed out six feet from the building. Final utility connection and sidewalks are completed by others. The architecture of the pre-engineered building system will be designed to match the architectural style and exterior cladding of the adjacent ranger maintenance building. Cost of the restroom is $95,000. Additional costs of $20,000 for site preparation and utility connections are anticipated. The total project cost is therefore $115,000. Because this grant program only pays 50% of the total project cost, staff will identify and apply for other grant funds to pay for the remaining 50%.

The grant guidelines state that for development projects, the applicant must own or lease in perpetuity the site at the time of application. Currently, the project site is still owned by Southern California Edison. Our MOU with Edison provides that they will transfer the property to the JPA when the construction phase of the wetland restoration project is completed. This time has come, and discussions regarding the timing of the transfer are ongoing now. We trust that we can provide sufficient evidence of land tenure to satisfy the federal grantor.

**ENVIRONMENTAL REVIEW**

The EIR/S for the Park Master Plan for the Coastal Area, dated September 15, 2000, included a proposed Interpretive Center, Ranger Maintenance Building and Public Restroom on this site.

**CAC RECOMMENDATION:**

This item has not been reviewed by the CAC

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**RECOMMENDATION:**

Adopt Resolution applying for Land & Water Conservation Grant funds for a public restroom in the coastal area near the Lagoon Trail and Open Air Classroom project.

**ALTERNATIVES**

1. Adopt Resolution Applying for LWCF Grant Funds
2. Do Not Adopt Resolution Applying for LWCF Grant Funds
3. Give staff other direction

Respectfully Submitted,

Susan A Carter
Deputy Director
TO: JPA Board  
FROM: Staff  
SUBJECT: Interstate 5 North Coast Corridor Project Draft EIR/EIS  

RECOMMENDATION:
Send letter affirming JPA staff’s comments on the I-5 North Coast Corridor Supplemental Draft EIR/EIS.

SITUATION:
In July 2010, Caltrans released a Draft EIR/S for its plan to widen Interstate 5 from La Jolla to Oceanside. The public’s response to the Draft EIR/S was largely negative and many letters of concern were submitted in response to the document and project design including the JPA’s comment letter (Attachment 1). Primary concerns voiced by the JPA included potential impacts to the San Dieguito Lagoon and Coast to Crest Trail from the freeway widening, lack of specificity in the EIR/S analysis, what appeared to be a lack of consideration for public transit, and the lack of community enhancements proposed for the San Dieguito River Park.

In response to concerns raised by many regarding the lack of specificity on wetland impacts particularly where the freeway crosses six lagoons, Caltrans released a Supplemental Draft EIR/S on August 27, 2012 to provide more design details for the lagoon areas (including San Dieguito Lagoon) and to better address the project’s relation to public transit.

Public comments on the Draft Supplemental EIR/S are due by October 15, 2012, so JPA staff will submit a comment letter by the deadline (a draft of this letter is Attachment 2). The draft letter was reviewed by the JPA Wetland Review Committee at their meeting on October 11, 2012. A final EIR/S will be published by Caltrans in early 2013.

Locally Preferred Alternative

One major change in the SEIR/S is the selection of a Locally Preferred Alternative (LPA) for the freeway widening called an 8+4 with buffer configuration: a total of 8 “general purpose” lanes (aka, single occupancy vehicle) and 4 HOV (High Occupancy Vehicle) lanes separated by 4-foot wide painted buffers (Attachment 3). Currently, the I-5 freeway through the San Dieguito River Valley consists of five general purpose lanes and one HOV lane in each direction (painted stripes separating), and a north-bound auxiliary lane that exits at Via de la Valle. The new 8+4 configuration in this area means that the lanes would be changed to 4 general purpose lanes and 2 HOV lanes in each direction. The northbound auxiliary lane would remain but would be lengthened to extend from the Del Mar Heights onramp to Via de la Valle. In order to fit the 8+4 lanes while retaining the auxiliary lane, the freeway bridge over the river would be widened by
79 feet total (approximately 40 feet on both the west and east sides). See Attachment 4.

Also now proposed along the entire freeway is a dedicated bike path along the west side of the freeway. The bike path in the San Dieguito stretch would be placed on the west-side freeway embankment and suspended on a hanging platform on the freeway bridge over the river (Attachments 5 and 6).

The existing embankments on the west and east sides of the freeway would be modified to accommodate the widened freeway/bridge and bike path, and a retaining wall would be added to the east side of the freeway on the south of the river.

According to the SEIR/S, the existing Coast to Crest Trail would not be impacted by the freeway widening.

**ISSUES:**

The SEIR/S better addresses some of the JPA’s concerns, but leaves other issues not adequately addressed. Although the Draft EIR/S only addresses the freeway widening, the Caltrans project is part of a larger transportation plan called the North Coast Corridor System Management Plan that includes vehicular, rail, and pedestrian and bicycle routes. One change in the I-5 SEIR/S is incorporation of SANDAG’s updated 2050 Regional Transportation Plan (RTP) which considers freeway widening as well as implementation of double tracking the LOSSAN rail corridor although the rail project is not funded and its timeline remains uncertain.

Regarding public transit, the new document does a better job of identifying how the project fits into the regional plan for public transit. The document updates the project in response to California Senate Bill 468 (sponsored by Senator Kehoe, 2011) that requires a balanced multimodal approach to transit such as not to compromise or diminish existing natural resources and also requires a Public Works Plan to provide an integrated process with California Coastal Commission approval such that PWP elements are identified as part of the transit projects including coastal access, transit, multimodal, environmental restoration, and mitigation. SB 468 also requires that construction of all or a portion of the I-5 project be done concurrently with the multimodal projects as well as the environmental mitigation and enhancement projects identified in the SEIR/S.

**Public Works Plan**

The complete Public Works Plan (PWP) will include a number of “community enhancements” along the entire freeway corridor (and other projects along the rail corridor). However only the enhancements related to the freeway widening are included in the I-5 SEIR. These enhancements include bike and pedestrian paths, improved east/west bike and pedestrian connections, landscaping, utility undergrounding, and other amenities. However, the project did not propose any enhancement projects within the San Dieguito River Park even though several “opportunities” were identified during their planning process. JPA staff met and corresponded with Caltrans earlier this year about adding a community enhancement to the PWP, specifically a
portion of the Coast to Crest Reach the Beach Trail alignment. JPA staff was told that the portion of the Reach the Beach Trail alignment that falls within the railroad right-of-way (ie, the LOSSAN corridor), including the bridge tunnel through the railroad berm, has been added to the PWP. According to Caltrans the PWP is due to be released for public review in early 2013.

Summary of Concerns

Based on our 2010 comments and review of the SEIR/S, we have identified the following remaining or new comments/concerns:

- Even with more detailed maps in the Draft SEIR/S, it remains unclear how the project would avoid physically impacting the Coast to Crest Trail that travels under the freeway and parallel with the east side of the freeway, and crosses two drainage channels on both sides of the freeway. Based on information in the SEIR/S, the proposed bike path and widened freeway bridge would entail replacing at least one of the channels with an underground pipe to convey the runoff but it makes no mention of how the trail or trail bridges would be avoided.

- Even if the trail is avoided, the project would negatively impact the quality of public open space and recreational experience in the San Dieguito River Valley. Impacts such increased noise, litter, fire exposure, and visual intrusion are not identified or mitigated.

- There remains a lack of mitigation or community enhancements to address potential impacts on open space quality and trail experience including an increase in noise level (2 dBA) and increased visual intrusion. Although adding the Reach the Beach Trail segment to the PWP would resolve the railroad barrier issue, it is associated with the LOSSAN project and not the freeway. A suggestion is made in the JPA’s comment letter to request that Caltrans improve the existing trail under the freeway to at least partially mitigate the freeway widening. Improvements could include increasing light under the freeway (light shaft or shielded lighting) and adding artwork or textural materials (rock, fossils, shells, etc.) along the retaining wall to improve the trail experience.

- No details are provided to show a connection of the proposed North Coast bike path to the existing Coast to Crest Trail. Both are regional facilities and should be connected but the SEIR/S only refers to a “possible connection” with no information to show how that would be done.

- While the San Dieguito Lagoon will benefit from the W19 mitigation project proposed to mitigate biological and wetland impacts from the freeway project and Caltrans/SANDAG is following a regional approach to mitigating those impacts, no mitigation is proposed in the form of community enhancements in the San Dieguito River Park to offset recreational impacts from the increased freeway footprint/intrusion.

- Noise attenuating surface materials, such as rubberized asphalt, should be used along the freeway where it crosses lagoons. It is our understanding that other stretches of freeway
and roads in San Diego that have this material show significant and measurable reductions in tire noise.

To meet the comment deadline of October 15 for the SEIR/S, JPA staff will submit a comment letter by the deadline, but is recommending that your Board send a follow-up letter affirming the comments.

CAC RECOMMENDATION:

The CAC reviewed the summary of issues to be included in the JPA’s comment letter and voted in support of the comments at their meeting on October 5, 2012.

ALTERNATIVES

1. Direct staff to send letter affirming comment letter mailed on 10/15/12 (handout).
2. Give staff other direction.

Respectfully submitted,

Shawna Anderson
Principal Environmental Planner

Attachments:

1. JPA comment letter dated 11/19/10 on I-5 Draft EIR/S
2. JPA draft comment letter on Supplemental EIR/S
3. I-5 widening 8+4 schematic (Figure 2-2.8 LPA Cross Section)
4. Project schematic at San Dieguito Lagoon (Figure 2-2.7b)
5. North Coast Bikeway route (Figure 2-2.4c)
6. Bikeway suspended over lagoon/river crossings (Figure 2-2.3)
November 19, 2010

Shay Lynn M. Harrison
Branch Chief
Environmental Planning Branch C
Caltrans District 11 (MS 242)
4050 Taylor Street
San Diego, CA 92110

Subject: Comments on Interstate 5 North Coast Corridor Draft EIR/EIS

The San Dieguito River Park Joint Powers Authority (JPA) Board considered the Draft EIR/S for the I-5 North Coast Corridor at their meetings of September 17 and November 19, 2010. Interstate 5 travels across the newly restored San Dieguito Lagoon and through the western portion of the San Dieguito River Park, a 55-mile long regional river valley open space corridor. It bisects the San Dieguito Lagoon as it does through the other San Diego County coastal lagoons, representing a major impediment to east/west tidal flow and connectivity.

The JPA, with representation from each land use jurisdiction within the San Dieguito River Park’s focused planning area, is empowered to plan and maintain the San Dieguito River Park. The adopted San Dieguito River Park objectives include not only the preservation of open space, but to preserve the natural character, visual quality and sensitive resources of the open space corridor, including protection of water resources, and creation of recreational opportunities throughout the Park (San Dieguito River Park Concept Plan, 1994). The San Dieguito Lagoon represents the western gateway to the San Dieguito River Park. While the JPA recognizes the importance of I-5 as a coastal transportation route and the need to keep goods and services flowing efficiently, we also place great value in the role our coastal lagoons play in the region. We support a fair balance between these two vital resources. The project to widen I-5 through this area must not occur at the expense of the San Dieguito River Park and the associated coastal lagoon.

The JPA’s comments specific to the Draft EIR/S are substantial and warrant a recirculation of the DEIR/S with our questions and comments addressed:

1. The Draft EIR/S does not adequately address the need for the project as required by NEPA, in particular the need relative to or in combination with the proposed LOSSAN rail corridor. In Section 1.3 (Need for the Project), a statement is made “even with the proposed improvements (to the rail corridor), capacity would not be sufficient to address anticipated travel demand along the I-5 corridor in 2030”, yet no further explanation or analysis is provided to justify why widening of the I-5 to 14 lanes is needed if public transit along the LOSSAN corridor is expanded (ie, double tracking). Caltrans’ NEPA guidance regulations require explanation of and justification for the purpose and need of a project in an EIS. The Draft EIR/S should
Comments on Interstate 5 North Coast Corridor
Page 2

provide a quantified comparison of vehicular and rail trips within the I-5 corridor and how implementation of both the I-5 widening project and double tracking affects those trips. In addition, Table 1.3-11 states that the LOSSAN double tracking (to expand public transit) is a “vision” yet it is included in SANDAG’s 2030 RTP. It is not clear in the Draft EIR/S that expanding public transit would still require a need for the project to the extent proposed. Without this knowledge, it cannot be determined if impacts to the San Dieguito Lagoon wetlands and Park are justified or if other less impactive alternatives are feasible.

2. How does the project fit with the I-5 NCC Corridor System Management Plan (CSMP) with respect to a multi-modal approach to the corridor? Again, the Draft EIR/S does not adequately convey how the different modes of transit work together to meet demand and how public transit would reduce vehicular travel. If Caltrans continues to widen freeways to improve level of service and decrease vehicular travel times then there is no incentive for the public to use public transit. Impacts associated with widening the freeway are numerous and significant and are not adequately justified.

3. Main arterials adjacent to I-5 within the Del Mar/San Diego region, such as Via de la Valle and El Camino Real, are also proposed to be widened. Widening the adjacent roadways will also have significant effects on the San Dieguito River Valley. It is unclear in the Draft EIR/S how the I-5 project may affect vehicular flow and level of service on the area roadways. The Draft EIR/S must adequately address the cumulative impacts of all proposed vehicular roadway/freeway widening in this sensitive coastal area.

4. The EIR/S does not adequately describe the amount of additional freeway right-of-way (R/W) needed for the widening. Figure 10 (page A-25) shows new R/W over the Coast to Crest Trail (east side of freeway), but states that the project would not “interfere with existing trails or planned trails” (page 3.1-44) and “would not result in permanent impacts to any of the trails…” (page A-28). There appears to be a direct conflict in the analysis, which shows new R/W proposed right over the existing Coast to Crest Trail yet a statement that no impacts would occur to the trail. Page 3.1-25 refers to “minor acquisitions” in the San Dieguito River Park but provides no detail on what is proposed within the new R/W. What are the “minor acquisitions” proposed in the San Dieguito River Park?

5. We disagree with the unsubstantiated blanket statement on page A-28 that the project “would not affect the visual quality of the SDRP because they would simply extend the Caltrans’ right-of-way boundary outward slightly and ultimately result in a view of the area adjacent to I-5 very similar to the existing condition.” Figures 2-2.10 and 2-2.11 show an expansion of 48-60 feet into the park and directly over the Coast to Crest Trail. The DEIR/S must provide specifics, as required by CEQA Section 15126.2, to substantiate the conclusion of no impact.

6. The first paragraph on page A-29 addressing the Coast to Crest Trail completely dismisses any impacts to the trail and San Dieguito River Park as de minimis. We strongly disagree with that assessment, which is based on vague unsubstantiated statements that appear to ignore the addition of 120 feet of freeway lanes, tall retaining walls, higher traffic volumes, increased shadowing in the river channel from a wider
bridge, loss of habitat, and new R/W over the Coast to Crest Trail. Incremental additions to the freeway width and vehicular use over the past twenty years has contributed substantially to adverse effects on the River Valley from the freeway, which would be made worse by the proposed project. These impacts must be addressed in greater detail and mitigated by the project.

7. The buffer design would reduce the footprint needed for the expansion through the sensitive coastal areas by 26 feet. Minimizing the project footprint should be one of the project objectives.

8. The project description is not clear on what exactly is proposed northbound at Via de la Valle. The configuration for the Via de la Valle northbound section appears to be a 12+4 configuration (not 8+4 or 10+4 as described in the DEIR) since the auxiliary lane apparently would remain. The DEIR/S does not accurately describe the project details. Please clarify what is proposed for the existing auxiliary lane northbound at Via de la Valle, which adds another lane to the existing 5 lanes northbound.

9. The text in the 2nd paragraph on page A-27 that discusses the existing trails within the lagoon area should be updated. For example, the Coast to Crest Trail lagoon segment is not proposed, but is now complete from Horsepark to Jimmy Durante and includes a freeway undercrossing. Inaccurate information misleads the decision makers and does not allow for an accurate assessment of impacts.

10. The last sentence of this same paragraph conflicts with the statement on Figure 10 “not subject to 4(f) (private)” shown for the area that contains the existing recreational trail and on land that is clearly part of the San Dieguito River Park. Clearly, public open space and recreational trails are subject to 4(f) analysis. In addition, the aerial background should be updated to show the current condition of newly created wetlands in order to accurately analyze impacts to the wetlands. Inaccurate information misleads the decision makers and does not allow for an accurate assessment of impacts.

11. The Coast to Crest Trail lagoon segment is not clearly described or shown accurately in the Draft EIR/S. Figure 9 describes it as “proposed hiking trail”. The trail already exists and is not a “hiking trail” but a regional public multi-use trail (pedestrians, bicycles, and horses) and the western extent of the CTC Trail.

12. During the widening of I-15 Managed Lanes in the Lake Hodges area the Coast to Crest Trail undercrossing was impacted by the lengthy freeway widening construction period and was not rebuilt in a satisfactory condition. Litter and drainage impacts occurred throughout the multi-year construction period and adequate notice was not provided to JPA staff and trail users during periods of trail closures. Trail facilities such as bollards, fences, benches, and signs were also damaged or removed by Caltrans’ contractors and, in some cases, were not repaired or replaced. Better communication and coordination with JPA staff must occur during project implementation. Please add the JPA to the agencies with which Caltrans will be coordinating and clearly describe in detail what communication and coordination you plan to undertake with the JPA.
13. Aerial backgrounds used for base maps are outdated and do not show the dramatic changes in the lagoon area from the restoration/creation of over 150 acres of wetlands, a new tidal basin just west of I-5, new tidal wetlands on both sides of freeway, and the new Coast to Crest Trail lagoon segment. Views of this area from the freeway and surrounding area have been greatly enhanced and the coastal wetland and upland habitat has been expanded and greatly improved. Inaccurate information misleads the decision makers and does not allow for an accurate assessment of impacts.

14. Of great concern to the JPA is the lack of community enhancements proposed for this portion of the North Coast Corridor that includes the western gateway to the regional 55-mile long San Dieguito River Park. The I-5 corridor provides vehicular access and public views to the park but at the same time represents the major urban intrusion into the valley as it does for the other coastal lagoons in San Diego County. Proposed I-5 widening will negatively impact this area by greatly expanding the freeway expanse through the lagoon and park by as much as 146 feet (Figure 2-2.10). Several opportunities for community enhancements were documented in Caltrans’ Community Enhancement Plan (Jan 2008) including an extended trail along San Dieguito Drive and a nature center east of I-5 visible from the freeway, but are not proposed as part of the I-5 NCC project. A lack of public parking also exists in this area to provide adequate public access to recreational facilities that were recently expanded. In addition, the Coast to Crest Trail is incomplete west of Jimmy Durante. The JPA has obtained over $7.1 million in grants and donations to acquire open space and build public park facilities in this area (in addition to SCE’s $86M wetlands mitigation project) that could be further expanded and enhanced. The I-5 NCC does not contribute to any enhancements in the San Dieguito River Park area, a substantial deficiency in the project.

15. The JPA opposes traditional sound walls along the I-5 lagoon corridor because they would block scenic views to the lagoon, valley floor, and ocean beyond. Coastal estuarine views define the character of the coastal drive through north San Diego County. These views would be destroyed by sound walls that also would form a tunnel along the freeway. We agree with the impact assessment in the Draft EIR/S of sound wall 573 described on page 3.15-9 and oppose any traditional noise barriers (e.g., S603).

16. Because of the negative visual impact that sound walls would create through the lagoon area, the Draft EIR/S should address other design solutions to attenuate freeway noise along the Coast to Crest Trail as feasible mitigation measures required by CEQA/NEPA. Since tire/road noise accounts for 75-90% of overall roadway noise (I-5 NCC Traffic Noise Basics), then alternative freeway surface materials that reduce vehicular wheel sound should be examined as a mitigation measure. Also since wind is an important meteorological factor that effects noise levels and off shore wind is prevalent adjacent to I-5 in the San Dieguito River Valley, shorter noise walls that may reduce noise at sensitive receptors below the freeway elevation could also be examined as a mitigation measure (the trail is located at least fifteen feet below the freeway elevation). The DEIR/S should address other design solutions to attenuate freeway noise.

17. The information in the Draft EIR/S about retaining walls proposed for both sides of the freeway is inadequate to accurately determine impacts to habitat and scenic views. The
EIR/S should describe exposed height, design, length, and proposed landscaping, etc. for these walls. Native landscaped buffers should be incorporated into any wall design within the San Dieguito River Valley specifically adjacent to the existing preserved open space.

18. Recent landscaping done by Caltrans has included planting acres of ice plant along widened freeway corridors. Some varieties of ice plant, as well as other invasive non-native species, spread to adjacent native habitat causing significant impacts to native plants and the wildlife that depend on them and, therefore, should be strictly forbidden within the I-5 NCC. All landscaping within and adjacent to wetlands and adjacent uplands should be required to be native species.

19. The information in the Draft EIR/S about widening San Dieguito Bridge over the river lacks the specificity needed to accurately determine impacts to habitat, hydrology, tidal flushing, and to the existing trail undercrossing. We are opposed to adding any new piers in the already impacted river. Page 3.9-5 under San Dieguito River states that the bridge would be widened by 39 feet on each side. How is this widening to be accomplished without impacting the existing trail, habitat, or drainage channels?

20. Widening the San Dieguito River bridge without lengthening its span would cause unmitigated impacts because the only connection between the west and east sides of the coastal estuary/river being under the freeway would be further constrained. As stated on page 3.17-5 of the Draft EIR/S, the freeway represents a barrier to east/west wildlife movement across the lagoon. An opportunity exists to provide habitat connection between the west and east sides, but instead the project proposal is to further constrain the only link by widening the concrete bridge. The conclusions reached in the Draft EIR/S about wildlife movement are unsubstantiated calling the trail under the freeway a wildlife trail. The concrete trail under the San Dieguito River bridge does not function as a wildlife corridor. No connecting habitat exists on the north side of the bridge and the south side is also constrained with little habitat connectivity. Widening the bridge without providing a better wildlife corridor connection will further constrain wildlife movement in this corridor and is not mitigated by the project.

21. How are the two existing drainage channels paralleling I-5 impacted by the project? Coast to Crest Trail bridges exist over both drainages that drain into the river. The Draft EIR/S does not describe these or identify impacts.

22. Why doesn’t the EIR/S address a potential DAR to the Fairgrounds? The Draft EIR/S (page 1-9) states “A DAR at Via de la Valle may be analyzed in conjunction with the anticipated traffic impacts from the Del Mar Fairgrounds project.” This statement is outdated since the Fairgrounds Master Plan Draft EIR circulated at the end of 2009 did not include a DAR. Not providing this information is potentially piecemealing the project.

23. The biological analysis must be updated to reflect the current condition of the lagoon since SCE created 150 acres of new tidal wetlands including a new tidal basin on the west side of the freeway and several acres of new marsh habitat on both sides of the freeway. The restoration has substantially increased the number and species of fish and birds at the
lagoon as well as the quality of habitat. The biological surveys were conducted prior to the restoration (lagoon technical study is dated June 2006, which is during construction of the restoration project) and do not reflect the existing condition. In fact, if the surveys were conducted during lagoon restoration construction then the results may be even further underestimated. Indirect impacts to species are of particular concern from increases in noise (temporary during construction and permanent after project completion), urban intrusion, particulate matter, edge effects, litter, and visual. Inaccurate information misleads the decision makers and does not allow for an accurate assessment of impacts.

24. The floodplain and hydrologic analyses are based on conditions that existed prior to the San Dieguito Lagoon restoration and must be updated to accurately assess the impacts of the project since areas were dredged and new wetlands created.

The JPA appreciates the opportunity to comment on the Draft EIR/S. Pursuant to CCR 15088.5, we strongly recommend that Caltrans recirculate the DEIR/S prior to its certification as it is presently inadequate in its evaluation of significant effects and mitigation regarding the San Dieguito River Park. The JPA would be pleased to work with Caltrans to identify design solutions to mitigate some of the impacts to the Park. Please keep us informed as the environmental process continues and feel free to contact our Environmental Planner, Shawna Anderson at shawna@sdrp.org if you have any questions about our comments.

Sincerely,

JPA BOARD OF DIRECTORS

Richard Earnest, Del Mar City Council
JPA Board Chair
Subject: Comments on Interstate 5 North Coast Corridor Supplemental Draft EIR/EIS

The San Dieguito River Park Joint Powers Authority (JPA) staff has carefully reviewed the SEIR/S and appreciates the outreach from Caltrans staff to address concerns expressed by the JPA regarding potential impacts from this project on the San Dieguito Lagoon and the Coast to Crest Trail. While some of the concerns expressed in our letter dated November 19, 2010 on the Draft EIR/S had been addressed in this SEIR/S, several concerns remain as outlined below. We anticipate that these concerns will be addressed to our satisfaction in the Final EIR/S expected in early 2013. While the public review period deadline of October 15, 2012 for the SEIR/S did not allow JPA staff to bring this new document to the JPA Board for consideration before the comment period deadline, the Board will review this project at their next meeting on October 17, 2012 and send a follow-up correspondence.

As documented in the Supplemental EIR/S, Interstate 5 travels across the newly restored San Dieguito Lagoon and the western portion of the San Dieguito River Park’s Focused Planning Area, and is adjacent to the regional Coast to Crest Trail that travels parallel to (east side) and under the freeway. We understand that the decision by Caltrans to prepare a supplemental EIR/S was driven by concerns from the permitting agencies (e.g., Army Corps) about insufficient details contained in the Draft EIR/S regarding potential impacts to the coastal lagoons in the freeway corridor. The JPA comment letter voiced similar concerns about impacts to the San Dieguito Lagoon.

The SEIR/S quantifies project impacts on wetlands and hydrologic functions from widening the San Dieguito freeway bridge. However, more qualitative impacts to the lagoon area from the expanded footprint of the freeway still have not been adequately documented. These potential impacts are listed below.

1. Although the SEIR/S states that no new right-of-way is needed to widen the San Dieguito freeway bridge, it is not clear in the figures included in the Draft EIR/S or SEIR/S (particularly Figure 2-2.10c in SEIR/S) that the existing Coast to Crest Trail would not be directly impacted. For example, the existing trail includes two trail bridges over the existing channels on both sides of the freeway that the SEIR describes as being put into pipes. How will the trail bridges be avoided? How will widening the freeway bridge avoid impacting the trail under the freeway? How will the project avoid the existing trail that parallels the freeway on the east side? If direct impacts to the trail can be avoided on the east side, how close will the freeway footprint be to the existing trail? As we commented in our letter of 11/19/10 (comment #5), the Draft EIR/S must provide specifics, as required by CEQA Section 15126.2, to substantiate a conclusion of no impact.
2. Assuming all direct impacts to the existing trail can be avoided, the project will still negatively impact the existing recreational environment and quality of open space in the river valley. We stated this concern in our 11/19/10 comment letter on the Draft EIR/S (comments #5, 6, and 10). Neither the draft nor supplemental EIR/S contain sufficient analysis on the potential impacts of noise and expanded visual intrusion on the recreational enjoyment of the San Dieguito River Park and regional Coast to Crest Trail. NEPA requires a 4(f) analysis for public open space and recreational areas. One such example of impacts to the trail and surrounding habitat is increased freeway edge effects including litter, fire, etc. as a result of the freeway expansion.

3. Due to the anticipated impacts that this project would have on the public open space and regional trail experience along the San Dieguito Lagoon, the project must include mitigation to offset these impacts. Recognizing that the freeway already impacts this area to some degree, the project would worsen those impacts through increased noise levels (2dBA as described on page 3-10) and visual deterioration associated with expanding the freeway footprint by 79 feet. Why is there no mitigation proposed?

4. The proposed NC Bikeway (added to the project and cited in the SEIR/S as a community enhancement for the San Dieguito Lagoon area) would not offset impacts associated with noise and visual deterioration from the freeway widening and in fact would require more pavement to implement. These impacts remain unmitigated. How would project design address potential impacts to wildlife from elevating a bike way over the river (fishing, noise, etc) particularly at night?

5. Page 3-9 of the SEIR/S states that the proposed NC bikeway “would provide a possible connection to the Coast to Crest Trail” yet makes no commitments to do that and provides no details on how a connection could be made. Because the Coast to Crest Trail is a 55-mile long regional trail, the proposed bikeway should provide a connection and it should be detailed in the SEIR/S and coordinated with local bicycle groups such as the San Diego County Bicycle Coalition.

6. While we recognize the benefits of a regional approach to mitigating the biological impacts from this extensive project and we applaud Caltrans and SANDAG for their efforts at developing in particular the REP taking a regional approach to wetland enhancement and improvements up and down the North County Coast, we remain greatly concerned that no community projects are included to offset the impacts to the public open space and recreational setting at the San Dieguito Lagoon. While the lagoon will greatly benefit from the W19 restoration project proposed to partially mitigate wetland impacts caused by the project, no mitigation is identified for community impacts in this area that will be significant and unmitigated. We expressed this concern in our Draft EIR/S comment letter (comment #14) and it remains unaddressed. Where is the analysis of impacts from the project on the overall trail experience and regional park quality and how will they be mitigated?

7. The SEIR/S relies on the PWP for mitigation of the project, yet the PWP has not yet been released for public review. The PWP should be available well before the comment period deadline for this SEIR/S so that organizations and the general public would have sufficient time to review the PWP and judge whether the projects, timeline, and funding adequately mitigates the impacts.

DRAFT* * DRAFT
8. As we suggested in our previous letter (comment #16), noise attenuating materials should be used along the freeway where it crosses sensitive lagoon areas. Dramatic reductions in sound levels have been reported from materials such rubberized asphalt that reduce noise from tires. Threatened and endangered species such as the California least tern and Beldings savannah sparrow live adjacent to the freeway and will be further impacted by the increased noise levels from more vehicles closer to their habitat. Why isn’t this measure included in the minimization measures to reduce noise impacts?

9. As we commented in our previous letter (comment #12), construction activities during the I-15 Managed Lanes project in the Lake Hodges area were not adequately coordinated with JPA ranger staff. The Coast to Crest Trail in that area (Hodges North Shore Trail segment located under and adjacent to the I-15 freeway) was damaged and not replaced in a satisfactory condition. The JPA requests that a construction official at Caltrans be assigned as a liaison to the JPA prior to and during construction of the I-5 project to ensure construction details, schedule, and activities near the trail are coordinated with JPA staff.

10. We appreciate Caltrans engineering staff meeting with JPA staff recently on the project design. We request continued involvement as project construction details and methods evolve to ensure that impacts to the trail are avoided and that design details adjacent to the trail are reviewed and discussed and any problems resolved. The JPA requests that Caltrans ensure engineering staff will coordinate project design details with the JPA where they are adjacent to the Coast to Crest Trail.

The JPA staff appreciates the positive working relationship with Caltrans staff and remains hopeful that our concerns will be adequately addressed. We look forward to receiving additional details on the project design to ensure impacts to the San Dieguito River Park as a regional asset to the community and county are minimized.

Sincerely,

Dick Bobertz
Executive Director
Figure 2-2.8: LPA Cross Section

**EXISTING INTERSTATE 5**

- **EXIST ETW** (Edge of existing travel way)
- **I-5**
- **SHLD**
- **66 ft**
- **(Centerline of Roadway)**
- **5%**
- **1.5%**
- **EXIST ETW** (Edge of existing travel way)
- **SHLD**
- **10 ft**
- **12 ft**
- **10 ft**
- **12 ft**
- **12 ft**
- **12 ft**
- **12 ft**
- **8 ft**
- **1.5%**
- **South Bound (4 LANES)**
- **North Bound (4 LANES)**

**NO BUILD ALTERNATIVE**

- **EXISTING INTERSTATE 5**
- **EXIST ETW** (Edge of existing travel way)
- **I-5**
- **SHLD**
- **50 ft (Proposed widening)**
- **66 ft**
- **(Centerline of Roadway)**
- **5%**
- **1.5%**
- **EXIST ETW** (Edge of existing travel way)
- **SHLD**
- **2 ft**
- **24 ft**
- **24 ft**
- **18 ft**
- **2 ft**
- **4 ft HOV/ML HOV/ML HOV/ML 4 ft**
- **1.5%**
- **3.5%**
- **1:2 Slope**

**SOUTH BOUND (4 LANES + AUXILIARY LANE)**
- **BUFFER**
- **EXISTING EXISTING INTERSTATE 5**
- **8+4 WITH BUFFER ALTERNATIVE**
- **NORTH BOUND (4 LANES + AUXILIARY LANE)**
Figure 2-2.7b: I-5 NCC Project Configuration

Schematic View, not to scale

Revised 7/13/12

Proposed Auxiliary Lanes
Existing Auxiliary Lanes
HOV/Managed Lanes
Direct Access Ramps
Intermediate Access Points
(At Grade Entry/Exit HOV Lanes)

Undercrossing
Overcrossing
Streets not directly impacted
Jurisdictional Boundaries
Structures over Waterways

LEGEND

UC Undercrossing
OC Overcrossing

Page 2-64
Figure 2-2.3: Suspended Bike/Pedestrian Path Typical Configurations

Only configuration available at San Elijo Lagoon crossing due to clearance and wildlife corridor issues.
Agenda Item #3  
October 19, 2012

TO: JPA Board
FROM: Staff
SUBJECT: Wetland Advisory Committee Report

RECOMMENDATION:
Approve the Wetland Advisory Committee’s recommendation to name the W4 and W16 restored wetlands as a memorial to Peter Douglas, and to authorize staff to submit comments to the CCC on the 22nd District Agricultural Association’s Cease & Desist Order submittals on the JPA’s behalf.

At their October 11th meeting, the JPA’s Wetland Advisory Committee (Pam Slater-Price, Tom Golich, Lesa Heebner, Don Mosier and Jacqueline Winterer) met to discuss several items related to the coast, including a location for a memorial to Peter Douglas, review and comment on the 22nd DAA’s submittals to the Coastal Commission, the I-5 North Coast Corridor Draft Supplemental EIR/S (Agenda Item #2 in this agenda package) and other issues.

A. Peter Douglas Memorial

At your April 20, 2012 meeting, Diane Coombs, former Executive Director of the San Dieguito River Park, described the leadership role that Peter Douglas, late Executive Director of the California Coastal Commission from 1985 to 2011, had played in directing the Southern California Edison mitigation project to the San Dieguito Lagoon and guiding it to approval and implementation, even when there were forces that would have led to a significant reduction of the project size at San Dieguito. Mr. Douglas passed away in April of this year. Peter Douglas was a fierce defender of the California coast and worked on wetland and public access projects until the end of his life. CAC Chair Golich appointed a subcommittee to propose an idea to the CAC as to where and what would be named for Mr. Douglas that would be consistent with your Board’s adopted “Donation Acceptance and Recognition Policy”. The subcommittee identified three options: In order of preference they were:

a. The wetlands (W4 and W16 in Area 3 on the 2004 SCE lagoon restoration maps – See Attachment 3) east of San Andres Dr. See Attached Map.
b. A native plant garden near the future Open Air Classroom on DS32.
c. The wetland between Camino del Mar and the RR tracks west of the fairgrounds.

The CAC reviewed this proposal at their October 5th meeting. They voted 18-1 that the San Andres wetlands (#a) were the most appropriate for this purpose because they are the result of the excavation associated with the Edison project, and did not exist there prior to the Edison project. Therefore that site is closely identified with his influence and also does not conflict with the Naming Rights clause that a geographic feature of the Park should not be named after an
individual, because it is only one part of the overall San Dieguito Lagoon. The CAC split 10-9 on whether the wetlands should be named the Peter Douglas Wetland or the Douglas Wetland. A memorial panel will be installed at a site overlooking the Wetland with information about Peter Douglas’ life and influence.

Recommendation: Approve Wetland Advisory Committee recommendation to name the W4 and W16 wetlands after Peter Douglas.

b. 22nd District Agricultural Association Submittals to the Coastal Commission in compliance with the Cease & Desist Order.

The Cease & Desist Order that was agreed to by the Coastal Commission and the 22nd District Agricultural Association required that the 22nd DAA to submit certain studies and reports and CDP applications to the Coastal Commission. The 22nd DAA recently submitted a number of the required documents, including a new wetland delineation, parking assessment study and buffer restoration plans. The JPA Wetland Advisory Committee reviewed the new wetland delineation and observed that the new report has identified wetlands in the East Overflow Lot and the Golf Driving Range, both of which are proposed for continued parking during the Fair and Racing Season as well as intensified year-round use. The Wetland Advisory Committee directed staff to complete its review of the documents and to immediately prepare a letter to the Coastal Commission to express the JPA’s strong concerns about the proposed uses on delineated wetlands, and to offer alternative suggestions for parking on those sites consistent with the parking assessment study.

Because of the need to submit comments promptly, the Wetland Committee recommends that your Board authorize them to review and approve staff’s comments on this matter and submit them on the JPA’s behalf.

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RECOMMENDATION:
Approve the Wetland Advisory Committee’s recommendation to name the W4 and W16 restored wetlands as a memorial to Peter Douglas, and to authorize staff to submit comments to the CCC on the 22nd District Agricultural Association’s Cease & Desist Order submittals on the JPA’s behalf.

Respectfully Submitted,

Dick Bobertz
Executive Director

Attachment:
1. Overview Map of Lagoon Restoration Area
2. New Wetland Delineation Map at EOL and GDR
3. Proposed Uses for EOL 3 areas and GDR
Del Mar Fairgrounds: East Overflow Lot and the Golf Driving Range Jurisdictional Delineation Report

Source: Landiscor 2010
Scale: 1:3,000; 1 inch = 250 feet

Figure 4
Vegetation Communities and Cover Types

Legend
Survey Area

Vegetation Communities and Cover Types
- Coastal Salt Marsh, 1.13 acres
- Disturbed Alkali Marsh, 5.81 acres
- Disturbed Southern Riparian Scrub, 3.73 acres
- Disturbed Alkali Playa, 2.92 acres
- Disturbed/Developed, 28.47 acres
TO: JPA Board
FROM: Staff
SUBJECT: Bandy Canyon Ranch Acquisition

RECOMMENDATION:

Give final approval to the Parcel B Bandy Canyon Ranch acquisition.

At your Board’s August 17th meeting, your Board adopted a resolution authorizing the Executive Director to execute a purchase agreement and open escrow to acquire the 74-acre Parcel B of Bandy Canyon Ranch, contingent on several things including, but not limited to, obtaining funding from State or Federal sources and publishing the required legal notice of the proposed acquisition. Accordingly, the legal notice (see Attachment 1) was published in the Daily Transcript on September 28th, October 4th and October 11th. The legal notice was required before your Board could give your final approval of the proposed acquisition. No comments from the public or any other source have been received regarding the proposed acquisition. Therefore, staff recommends that your Board hold a public hearing at today’s meeting to determine if there is any public comment before giving your Board’s final approval of the proposed acquisition. The other contingencies to the purchase agreement still apply.

Background

The Bandy Canyon Ranch (formerly known as Fenton Ranch) has been on the JPA’s “Identified Properties List for Potential Acquisition” for many years. The property is the Bandy Canyon Ranch Parcel B, located in the unincorporated county area along Santa Maria Creek. (See Attachment 1. Vicinity Map). It lies between the County-owned Ramona Grasslands Preserve and San Pasqual Valley. The entire property consists of Parcel A and Parcel B. (See Attachment 2. Site Map). Parcel A is 238 acres which is already preserved as “Environmental Tier” and can only be sold for mitigation purposes. Parcel B, 74.66 acres, has an approved final map for 9 development units. In 2008, Palomar Community College District purchased mitigation credits on 90 acres of the overall property, and your Board accepted a Conservation Easement for the 90 acres and an endowment to manage the Conservation Easement. The Conservation Easement follows habitat lines, not parcel lines (see Attachment 3. PCC Easement Map). Thirteen acres of Parcel B are already encumbered by the Conservation Easement and therefore would not be included in the purchase.

The purchase price that the seller is asking for the remainder 61.25 acres of Parcel B is $2.23 million, or approximately $36,408 per acre.
Reasons for the purchase include:

- The property is natural open space along the Santa Maria Creek, a continuation of the Ramona Grasslands Preserve into San Pasqual Valley, providing a natural open space connection for wildlife movement;

- The property is located in a highly scenic area. Development of 9 houses on this Parcel would create an island of development in a rural area with limited development, adjacent to the City of San Diego Agricultural Preserve. The development would have jarring, visual impacts on this pastoral landscape,

- Development of 9 houses on this Parcel would make it very difficult for our rangers to manage the Conservation Easement that crosses in different locations over each of the 9 individual parcels. Our rangers would have to respond and deal with a variety of issues caused by individual property owners trying to fence their property or put in grass or other unknown complications.

- have negative impacts on the habitat in the adjacent mitigation site that we are currently managing, and would have negative effects on the adjacent Santa Maria Creek;

- Ownership of the property would enable us to utilize a portion of the Old Survey Road 97 for a trail connecting the Coast to Crest Trail to the Ramona Grasslands Preserve.

- The property is expected to provide habitat for several threatened and endangered species, among them arroyo toad and California gnatcatcher. Protocol surveys could be done to verify presence.

- Eagle nests are located on cliffs just to the south of this property. Owning the property will enable us to have more control over unauthorized access to the nests, which has been identified as an existing concern.

The California Wildlife Conservation Board has funding available for certain land acquisitions from Propositions 40, 50 and 84. Which projects they fund is determined based on recommendations by the California Department of Fish & Game. JPA staff has been in discussions with CDFG about this property. They have requested additional information and will consider it at a preliminary local committee level later this month. Their initial analysis will focus on whether this property meets the criteria for funding by the California Wildlife Conservation Board. Depending on the presence of identified Federally endangered species, the property could also qualify for funding via Federal Section 6 money, a source that was used to purchase much of the Ramona Grasslands.

Respectfully submitted,

Dick Bobertz
Executive Director
Agenda Item 4
October 19, 2012

Attachments:

1. Copy of Legal Notice “Notice of Proposed Acquisition
2. Site Map
3. Parcel Map
NOTICE OF INTENTION TO PURCHASE REAL PROPERTY

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NOTICE IS HEREBY GIVEN THAT it is the intention of the Board of Directors of the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA) to purchase on behalf of said JPA the following described real property known as Parcel B of the Bandy Canyon Ranch located in the County of San Diego, State of California, from the named vendor at the designated price. Call (858) 674-2270 for more information.

Assessor's Parcel No. 276-170-01, 02, 03, 04, 05, 06, 07, 08, 09. The property consists of 74.66 acres, located east of I-15, south of Bandy Canyon Road, (Thomas Brothers Map Book, page 1151, C2, C3, D2, D3, E2, E3). VENDOR: The Rosenthal Family Trust UTND 8/25/88 and CGA Properties, LLC PRICE: $2.3 million

NOTICE IS FURTHER GIVEN that said Board will meet to consummate this purchase in Room 302/303, San Diego County Administration Center, 1600 Pacific Highway, San Diego, CA on Friday, October 19, 2012 at 9:30 a.m. Pub. Sept 27, Oct 4, 11 -00103364
Proposed purchase area - Parcel B
Olga Diaz  
San Dieguito River Valley  
Regional Open Space Park  
18372 Sycamore Creek Road  
Escondido, CA 92025  

Re: Your letter of September 4, 2012, regarding the Rancho Del Mar Project  

Dear Ms. Diaz,  

We received your letter dated September 4, 2012, regarding the proposed Rancho Del Mar Project. Our office has carefully reviewed your comments and concerns. As you know, it is ultimately the City Council’s decision whether any required findings for project approval can be made. We encourage your members to participate in the public hearings on the proposed project and convey their concerns to the decision makers. This Office will continue to work with our clients to address any legal issues that arise during the processing of the proposed project.  

JAN I. GOLDSMITH, City Attorney  

By: Shannon M. Thomas  
Deputy City Attorney  

ST:als
Please join the Board of Directors and Staff of the San Dieguito River Park Joint Powers Authority in thanking Pam Slater-Price for her friendship and years of support of the San Dieguito River Park at a special tribute after the JPA Board Meeting on Friday December 14, 2012 in the 6th Floor Tower Reception Room, County Administrative Center, 1600 Pacific Highway, San Diego. Approximate Time: 11:00 a.m.

Friday, December 14th, will be the last JPA Board meeting that Pam will attend representing the County of San Diego as Supervisor. This is our opportunity to remember highlights of her tenure as a JPA Board member and Chair, and wish her well as she heads off on new endeavors.

Refreshments will be served.

Please RSVP to Jan Lines, 858-674-2270, or email jan@sdrp.org