



San Dieguito River Park  
Joint Powers Authority  
18372 Sycamore Creek Road  
Escondido, CA 92025  
(858) 674-2270 Fax (858) 674-2280  
www.sdrp.org

**JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

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Poway City Council

Vice-Chair Joe LaCava  
San Diego City Council

Dwight Worden  
Del Mar City Council

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Escondido City Council

Marni von Wilpert  
San Diego City Council

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Supervisor, County of San Diego

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Supervisor, County of San Diego

Kelly Harless  
Solana Beach City Council

Chris Khoury  
Citizens Advisory Committee

Dustin Fuller, Ex Officio  
22<sup>nd</sup> District Agricultural  
Association

Shawna Anderson  
Executive Director

**AGENDA  
SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK  
CITIZENS ADVISORY COMMITTEE  
VIA TELECONFERENCE ONLY  
Friday, August 5, 2022 ~ 10:30 A.M.**

Pursuant to the State of California Executive Order N-29-20, and in the interest of public health, San Dieguito River Park is temporarily taking actions to reduce the spread of the COVID-19 pandemic by holding the Citizens Advisory Committee Meeting via teleconference. All members and staff will be participating remotely.

**To join this meeting via Teleconference**

Topic: SDRP CAC meeting

Time: August 5, 2022 10:30 AM Pacific Time (US and Canada)

<https://zoom.us/j/96894531823>

Meeting ID: 968 9453 1823

One tap mobile

+16699009128,96894531823# US (San Jose)

+13462487799,96894531823# US (Houston)

It is highly recommended to call in **at least** 15 minutes prior to the commencement of the meeting.

**Roll Call**

**Introductions and Announcements**

**Approval of the Minutes of June 24, 2022** (Page 3)

Chair's Report

Chair

Executive Director's Report

Staff

Public Comment

Public

### DISCUSSION/ACTION

1. Proposed Letter to JPA Board regarding Surf Cup Sports Activities (Page 5)
2. Reach the Beach Trail Update (Page 11)
3. Committee Reports
  - a. Project Review Committee
  - b. Trails Committee
  - c. Interpretation Committee

### INFORMATION

Park and Project Status and Updates (oral)

Adjournment

The next meeting is scheduled for September 2, 2022  
If you have any questions, please call Christal Ames at (858) 674-2270 Ext. 10

**SAN DIEGUITO RIVER PARK  
CITIZENS ADVISORY COMMITTEE  
Minutes of 6-24-2022**

**MEMBERS PRESENT**

Chris Khoury  
Phil Pryde  
Candace Bowman  
Linda Oster  
Maggie Brown  
Monica Demler  
Judy LaVine  
Eric Jones  
Liz Gabrych  
Jim Kirchmer  
David Wilson  
Jeremy Blacksphear  
Julie Klein  
Julie Kawasaki  
Susan Williams  
Peter Shapiro  
Jan Fuchs  
Bob Dudley  
Bill Adelson

**REPRESENTING**

CAC Chair  
Audubon Society  
Carmel Valley Planning Board  
Del Dios Town Council  
Friends of the San Dieguito River Valley  
Friends of Sikes Adobe  
Lake Hodges Native Plant Club  
Volcan Mountain Foundation  
League of Women Voters  
Lomas Serenas Property Owners  
Rancho Bernardo Planning Board  
San Diego Mountain Biking Association  
San Diego Trails Alliance  
San Dieguito Lagoon Committee  
San Dieguito Planning Group  
San Dieguito River Valley Conservancy  
Coastal Property Owner  
San Pasqual Property Owner  
San Pasqual Property Owner

**VISITORS/STAFF PRESENT**

Shawna Anderson  
Christal Ames  
Ayden Zielke  
Dwight Worden  
Cheryl Goddard  
Sue Carr

San Dieguito River Park JPA  
San Dieguito River Park JPA  
San Dieguito River Park JPA  
JPA Board Chair – Del Mar  
San Dieguito River Valley Conservancy  
Coastal Property Owner Alternate Nominee

**Introductions and Announcements**

No introductions.

**Approval of Minutes -**

Chair Khoury asked for a motion to approve the May 6, 2022 Minutes. Maggie Brown made the motion; seconded by Phil Pryde. All in favor.

**Chair's Report –**

Chair Khoury summarized a conversation with JPA Counsel Wayne Brechtel regarding procedure for quorum. Recommendation is that if quorum is not achieved after a reasonable time, that the meeting be ended. Chair Chris Khoury announced that Sue Carr is pleased to accept the nomination as an Alternate for both Coastal Property Owner positions.

**Executive Director's Report** – Executive Director Shawna Anderson provided an update on the successful Sikes Adobe Farmhouse 150<sup>th</sup> Anniversary event, followed by an announcement that the JPA and Partners

have received a \$258,000 State Parks Outdoor Equity Grant that will expand recreational and educational opportunities for underserved youth and families through the Watershed Explorers Program. The Grant's focus is on the underserved youth and families in the Escondido area, offering them an opportunity to explore and learn about the San Dieguito Watershed. The program also includes an overnight camping opportunity. The SDRVC is also working with the Ilan Lael Foundation to incorporate art into the program through their James Hubble Compound in Julian.

**Public Comment** - no comments

## **DISCUSSION/ACTION**

1. **Discussion of Surf Cup Trail and Property Activities:** Director Anderson began with an overview of the Surf Cup property and the location of property recently acquired by Surf Cup Sports. Maggie Brown continued the discussion with a timeline presentation and evidence of illegal grading and filling of wetlands without a permit as well as other impacts to the river valley and habitat from Surf Cup operations. Following the presentation were numerous comments, questions, and concerns regarding the situation. Ms. Brown requested that the CAC send a strong letter of concern asking the JPA Board to get involved in the situation. CAC asked Ms. Brown to draft a letter for consideration at the August CAC meeting. Ms. Brown agreed to bring a draft letter to the August meeting.
2. **Committee Reports**
  - a. **Project Review Committee** – No PRC report.
  - b. **Trails Committee** –Jeremy Blakespear stated that there was no quorum at their June meeting, no report. Site visit may be planned for 8/10/22 along the coast.
  - c. **Interpretation Committee** – Liz Gabrych stated that the Interpretation Committee had a meeting, signage has been updated along with the kiosks.

## **INFORMATION**

**Park and Project Status and Updates (oral)** Director Anderson introduced JPA Environmental Planner Ayden Zielke who presented and demonstrated a new interactive trail resource (known as Story Maps) to be available for use on the San Dieguito River Park website. Ms. Zielke stated that the new feature should be ready for public use this summer and will accompany the traditional trail maps on the website.

**Adjournment:** Chris Khoury adjourned the meeting at 12:20pm

**TO:** CAC

**FROM:** Staff

**SUBJECT:** CAC Letter to JPA Board regarding Surf Cup Activities

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At the CAC's June 24, 2022 meeting, CAC member Maggie Brown representing the Friends of the San Dieguito River Valley (FSDRV) asked the CAC to consider impacts of recent activities conducted by Surf Cup Sports on property located on Via de la Valle adjacent to the Surf Cup operations and within the San Dieguito River Valley. She presented information and photographs demonstrating grading and filling of wetlands was done without required approvals or permits on land recently purchased by Surf Cup Sports (formerly known as the "Milan Property").

The CAC Bylaws state "the purpose of the CAC shall be to advise the JPA on land use matters within or which directly impact the focused planning area". Ms. Brown suggested that the CAC notify the JPA Board of these illegal activities and urge them to investigate the activities and the lack of progress from Surf Cup Sports on restoring the Coast to Crest Trail and adjacent habitat on their leasehold as required by their lease with the city. The CAC recommended that a letter to the JPA Board be drafted for CAC consideration at their next meeting.

Attachment 1 is a letter to the JPA Board prepared by CAC members Maggie Brown and Jan Fuchs for the CAC's consideration.

Respectfully submitted,

Shawna Anderson  
Executive Director

Attachment:

1. Proposed Letter to JPA Board

July 20, 2022

To: JPA Board, SDRP

From: CAC, SDRP

Subject: Request for JPA to Contact the City of San Diego with Concerns Regarding Potential Impacts to the Western River Valley from Surf Cup Sports' Acquisition of the 24-Acre "Milan Capital Management parcel" at 3975 Via de la Valle, at the corner of El Camino Real.

On June 24, 2022, the CAC voted to make a request that JPA get involved in the subject issue and further requested a letter to be drafted for the August JPA meeting. This letter states the concerns, shared by the SDRP, and asks that the JPA meet with City Staff and officials and seek answers to several key questions.

A report was made to the CAC by the Friends of the San Dieguito River Valley (FSDRV) a 501 (c)(4), stating concerns that City oversight of the treatment/preservation of the former Milan parcel is negligible or non-existent. The parcel is a relatively small but key component of this semi-rural, open space plain of the SDRP.

A slide introduction to this report was made by the Park.

The land is zoned A-1-10 (open space/agricultural) and protected from intensity of development by the voter-approved "Proposition A" (1985). The site is more than 10% wetlands and is listed on the National Wetlands Inventory map. It and its surrounding property comprise a majority of the North City Future Urbanizing Area, codified in 1992 (NCFUA Subarea 2) —a basis of the City's Multiple Species Conservation Program plan—and is designated an area of protection under the City's Environmentally Sensitive Lands Ordinance.

This parcel, and the adjacent (public open space) Surf Cup Sports leasehold complex, are components of the SDRP/City open space floodplain, the vast restored "San Dieguito Wetlands Restoration" area, and are key elements of the still-developing Coast to Crest Trail, a major JPA project.

Many of the efforts of the JPA, SDRP and environmental advocacy groups, voters, wildlife agencies, local jurisdictions, and planning groups have been applied to preservation of this unique and scarce wetlands/uplands habitat that characterizes the western river valley.

The JPA staff, and FSDRV visual and documentary presentation, indicate that despite warnings to the City, Surf Cup is negating these efforts by 1) mowing all vegetation on the 24 acres, (2) filling in the wetland shallows with saline dirt, excavated from two soccer fields near the San Dieguito River and (3) grading over those filled in shallows in order to create overflow tournament parking on the subject property. Among other prohibitions against degrading the land, the City's municipal code disallows parking on A-1-10 land. The degree of grading suggests parking and potential future turf planting. Surf Cup's April 2022, \$6.6 million dollar purchase of the 24 acres raises alarms regarding expansion of their existing commercial soccer enterprise. Other large commercial uses are already being allowed on "Surf Cup" property, including the La Jolla Festival of the Arts and Mainly Mozart concerts.

The FSDRV has filed complaints with the City's "Code Enforcement" division and with the San Diego Regional Water Quality Control Board regarding intensification of use of Surf Cup's fields and their treatment of their newly acquired "Milan Property." Shorthanded DSD staffing and intransigence from Surf Cup have resulted in



no active oversight and/or resolution of these incursions. Appeals by the San Dieguito Planning Group, neighboring HOAs and other citizen groups have also been filed to no avail.

Regarding the Coast to Crest Trail, we are well aware of recent and historical JPA efforts to encourage implementation of the important trail segment along Surf Cup's southern border, which will ultimately connect to the Osuna Trail segment, and of Surf Cup's resistance to complete their lease-required improvements to the current degraded trail area and Habitat Restoration

Attached to this letter is a Timeline, detailing actions taken Surf Cup, as well as by the FSDRV and other advocacy groups to engender review/actions by the City regarding intensification of use, traffic and impacts on the wetlands/uplands of the river valley. Included is documentation of the history of this public open space.

**The CAC requests that the JPA help contact the City for answers to several key questions pertaining to the current and future direction of oversight on this property, or lack thereof:**

1. In 2017, former owner, Milan proposed plans for a senior living facility, Hacienda Del Mar, on their property. Due to the design's footprint, Proposition A, Zoning restrictions, location in the FEMA Floodplain, and because at least 10% is designated wetlands, Milan was required to enact serious mitigation measures.  
    . **What is the City's disposition of this act? What mitigations and protections will be applied to prevent future commercialization/intensification of uses?**
2. Adjacent to the Surf Cup Sports leasehold is the Fairbanks Polo Club HOA, current successor to the original Grant Deed from Watts Industries. The HOA, the FSDRV, and SDRP advocacy groups have for years registered concerns with the City's Dept of Real Estate and Airport Management (DREAM) regarding violations of the grant deed by both the former lessee, (the Polo Club) and by Surf Cup. The CAC concurs with these groups that the City has been uncommunicative about, and lax in response to these concerns.  
    . **Will the City respond to the JPA regarding this lack of oversight?**
3. Surf Cup paid \$6.6 million for these (agricultural) acres, has filled, and graded the wetlands portions, and is currently using this parcel for illegal large event overflow parking.  
    . **What other uses are envisioned?**
4. For 4-5 years, Surf Cup has had City-approved plans for the Habitat Restoration and completion of the Coast to Crest Trail aligning the complex, a condition of their lease, yet little to no effort has been made to fulfill this obligation, despite consistent efforts by the JPA to work with them to accomplish these tasks.  
    . **Will the City continue to largely ignore its oversight responsibilities, and evade accountability on this land use?**

**Attachment: ADDENDUM**

**Brief History of the Milan/Surf Cup Property**



**Two issues of concern are highlighted in this Timeline:** 1) Acquisition of an adjoining lot by Surf Cup Sports. 2) Surf Cup's leasehold obligation of the Restoration of the Coast to Crest Trail and Habitat.

**2015:**

Milan Capital, an Orange County real estate developer, purchased a 24-acre parcel on the corner of Via de la Valle and El Camino Real with plans to construct Hacienda Del Mar (HDM), a senior living facility. This parcel contains about 10% wetlands and shares a north/south property line with Surf Cup Sports.



Wetlands on the National Wetlands Inventory Map: US Fish and Wildlife Service

**Late 2021:**

After a total of seven years trying unsuccessfully to shepherd HDM through the City of SD Development Services and given the difficulties of moving through the pandemic with ever-changing project managers, lost documents, and continuing poor communications from the City, Milan Capital ownership sought to sell the property.

**April 21, 2022:**

Milan sold the Hacienda Del Mar site to Surf Cup Sports for \$6.6 million.

***It is important to note, that while the City has a lease with Surf Cup Sports, the City ALSO has regulatory oversight of the adjacent private property (formerly Milan) that Surf Cup now owns.***

**Between April 21 and May 2:**

Surf Cup mowed down all vegetation on the former Milan parcel. FSDRV can find no permits for this action. Surf Cup excavated saline dirt from two full soccer fields immediately adjacent to the San Dieguito River, where fresh and saline water begin to mix. Surf Cup then trucked the saline dirt to the former Milan parcel where they filled and graded over all the wetland shallows. No permits for this action.





### **May 2, 2022**

The former Milan parcel is zoned AR-1. Per the SD Municipal Code, parking is not allowed on this parcel. Anticipating Surf Cup's plan to park cars on the former Milan parcel, the Friends of the San Dieguito River Valley (FSDRV) opened a code complaint with the City of San Diego on May 2, 2022.

**Case # CE-051-8995** is still open. Per the City Auditor's June 2022 audit, this department is severely understaffed, backlogged, and ill-trained to utilize the tech tools available to them. Initially, the Code Complaint officer was eager to investigate, spoke with us on the phone, and emailed progress reports. A **Notice of No Parking** was delivered to **Surf Cup**. The notice was received in person by Jeremy MacDonald, Surf Cup VP of Business Development. The Friends are now having trouble hearing from this formerly eager Investigator. There has been no response to our most recent requests for updates since early June. **Unclear as to when this department can issue a ruling.**

### **June 3, 2022**

FSDRV also contacted the San Diego Regional Waterboard to request some oversight of the wetland abuse on the former Milan parcel. Tony Felix of the waterboard contacted Rob Haskell. According to Tony, Haskell said they'd only mowed the property. On a second round of questions from the waterboard, Haskell denied being responsible for the land involved. Unable to move forward, Tony Felix and the Waterboard staff recommended that we file a complaint with the newly formed CalEPA Complaint Database.

During the development process, Milan was required by the City to submit Wetland Mitigation plans, as well as to create an Impact Analysis for the Stormwater Basin on the west end of the parcel. Stormwater runoff is a major issue on the Former Milan parcel. There is no current evidence of Surf Cup adhering to any of these requirements.

### **May 28, 29, 30, 2022**

Parking at Surf Cup's Manchester City Cup Memorial Day weekend. The trees mark the north/south demarcation line. All cars in the foreground, or north of the trees, are parked on the former Milan parcel.



### **June 24 - July 1, 2022**

Surf Cup also parked cars on the former Milan parcel during the 7-day ECNL Boy's Playoffs Tournaments. The installation of the WAVE headquarters on the east end of the Surf Cup leasehold has reduced their available parking. It is expected that Surf Cup will continue to use the former Milan parcel for large tournament overflow parking. **What else can be anticipated?**



## 2) Surf Cup's leasehold obligation of the Restoration of the Coast to Crest Trail and Habitat.

October 2015

From Surf Cup's Response to the City's RFP to lease the Polo Fields:

***"We will offer significantly increased public access and community benefits."***

***Our proposal opens the property for public enjoyment and includes repairing and rebuilding the Coast to Crest Trail, maintaining public access for pedestrians, cyclists, horse riders, and bird watchers, and constructing turf fields available for free public use. We are committed to increased community engagement and dialogue, and to maintain the open space nature of the property."***

December 29, 2021

Collapse of the Coast to Crest Trail after December Rains



In numerous public meetings, including the City's Land Use and Housing Committee's review of the proposed lease, as well as the subsequent City Council vote to grant the lease to Surf Cup, Lobbyist Jim Madaffer made the following promise to the public: ***"On Day One, Surf Cup Sports will either begin the Coast to Crest Trail and Habitat Restoration, or hand the Park a check for a million dollars to fund the work. The choice is up to the Park."*** Madaffer made this same promise to the sitting JPA board in 2015. These promises were heard by many of us.

August 2022:

The question now is: **Who, amongst the City of San Diego agencies, will hold Surf Cup accountable for their ongoing flagrant dismissal of this obligation.** While the lease does not specify a date by which this work to be completed, Surf Cup has, for 6 years, used a variety of baseless excuses to hold the Park hostage. How is it possible for Surf Cup Sports to purchase an adjacent parcel for \$6.6 million dollars and continue to duck their leasehold obligation to complete this task? To whom can the public and the SDRP turn for resolution?

**The Friends are deeply concerned that only the various State agencies, such as the US Corps of Engineers, and Fish and Wildlife can effectively impact this situation.**

**TO:** CAC

**FROM:** Staff

**SUBJECT:** Update on Reach the Beach segment of Coast to Crest Trail

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The purpose of this item is to update the CAC on the status of the Reach the Beach trail and related activities.

In 2012 the JPA completed a feasibility study addressing the plan to extend the Coast to Crest Trail to the beach in Del Mar. The feasibility study identified a preferred trail route and other recommendations although little progress has been made to implement them.

#### Current Status

Since the feasibility study, the CTC Trail is now extended to Jimmy Durante Boulevard adjacent to the Fairgrounds' newly restored wetlands. The 22<sup>nd</sup> DAA has also set aside a fenced recreational buffer (currently 25-30 feet wide) along the north edge of the San Dieguito River from Jimmy Durante to the railroad bridge. The 22<sup>nd</sup> DAA is required to expand the buffer area to 100 feet if and when they replace their exhibit halls (timeline unknown), and to grant an easement to the JPA for the buffer area.

The City of Del Mar has made progress on the RiverPath Del Mar trail, which now extends from Camino Del Mar to the Grand Avenue Overlook and is planned to continue to Crest Canyon where it will terminate. The City also improved pedestrian access along Jimmy Durante by installing a roundabout with pedestrian crossings and a wider sidewalk. These improvements provide a better connection between the CTC Trail and RiverPath Del Mar.

#### Challenges

The existing railroad bridge remains an obstacle to extending the CTC Trail west to the beach until the bridge is replaced.

The challenges regarding extending the CTC Trail to the beach are:

- The approved plan for a replacement railroad bridge and Fairgrounds event platform includes a trail undercrossing on the south end of the new bridge (Del Mar). The undercrossing will allow safe passage of pedestrians and cyclists using RiverPath Del Mar trail but will not accommodate horses due to its limited height clearance (8 feet). The planned undercrossing will allow two of the multi-use CTC Trail users to access the beach using the RiverPath Del Mar. The new railroad bridge will also be higher and with substantially fewer piers in the river, improving views to the ocean from the trail.

## Agenda Item 2

### August 5, 2022

-The railroad bridge design does not include a trail undercrossing on the north end (Fairgrounds) of the bridge. Therefore, no trail access will be provided under and west of the new bridge (north Fairgrounds end). Wetlands and other obstacles also exist west of the railroad tracks. The feasibility study identified a trail route for the CTC Trail along several hundred feet of the railroad embankment and along the edge of sensitive tidal wetlands, which is difficult and expensive to overcome particularly with a trail undercrossing available at the south end.

-The coastal permit for the CTC Trail lagoon segment contains a condition that prohibits equestrians west of the I-5 freeway until a “feasible trail connection is identified”. An amendment to the permit is required before horses will be allowed west to the beach.

-Horses are currently allowed only on the north side of the beach by Del Mar ordinance (from the 1970s). The ordinance is controversial and the public voiced safety issues and other concerns during meetings held in Del Mar in 2015 and 2017, regarding mixing horses with heavy beach use by people and dogs. The issue remains unresolved and is expected to be addressed by Del Mar in the future.

#### Recent Plans

JPA staff has been consulting with the JPA Board and Del Mar staff on other access improvements that could be made now. The Reach the Beach Feasibility Study included a design for a trail to extend along the Fairgrounds buffer area (north side of river) with a turnaround at the west end before the railroad tracks. The trail plan has not been implemented and the buffer area is unimproved and neglected for several years. JPA staff would like to see the buffer area plan implemented with an ADA-accessible trail and native landscaping. Plans to add a west end SDRP gateway in the form of an artistic monument are also being discussed. The desire is to “bookend” the Hubbell-designed gateway at the east end of SDRP at Volcan Mountain with a gateway at the west end. A new trail along the Fairgrounds buffer area is a potential location for the gateway.

Plans and photographs of the Reach the Beach study area will be shared at the CAC meeting.

Respectfully submitted,

Shawna Anderson  
Executive Director