

Notice of Public Meeting San Diego River Conservancy

A public meeting of the Governing Board of
The San Diego River Conservancy
will be held Thursday,

January 5, 2012
2:00 pm – 4:00 pm

Meeting Location

County of San Diego Administration Center (CAC)
1600 Pacific Highway, Room 302
San Diego, California 92101

Tele-Conference Locations

Natural Resources Agency
1416 Ninth Street, Room 1310
Sacramento, CA 95814

Department of Finance
State Capitol, Room 1145
Sacramento, CA 95814

(877) 287-0283 / Pass code 606349

Contact: Michael Nelson
(619) 645-3183

Meeting Agenda

The Board may take agenda items out of order to accommodate speakers and to maintain a quorum, unless noted as time specific.

1. Roll Call
2. Approval of Minutes (ACTION)
Approve minutes of November 3, 2011

3. Public Comment

Any person may address the Governing Board at this time regarding any matter within the Board's authority. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Submission of information in writing is encouraged. The Board is prohibited by law from taking any action on matters that are discussed that are not on the agenda; no adverse conclusions should be drawn by the Board's not responding to such matters or public comments.

4. Chairperson's and Governing Board Members' Report (INFORMATIONAL)

5. Deputy Attorney's General Report (INFORMATIONAL)

6. Executive Officer's Report (INFORMATIONAL / ACTION)

The following topics may be included in the Executive Officer's Report. The Board may take action regarding any of them:

- SDRC / SDRPF: Board of Director's Workshop
- SDRC/ SCC/DGS: Transfer of Administrative Services
- City of San Diego/ Carlton Oaks Golf Course: Proposed Sale / 68 acres
- State Conservancies Summit - December 6 & 7, 2011

7. San Diego State University (INFORMATIONAL)

Memorandum of Intent -Status

Michael Nelson, Executive Officer, will provide an update regarding the status of the Memorandum of Intent as well as the partnership's existing and proposed projects or programs.

Watershed Data Collection and Restoration Program: San Diego RiverNet (Proposition 84 & Supplemental Environmental Project Grants)

Matt Rahn, Director of Research and Education College of Sciences

Carlton Oaks: Invasive Control and Restoration (Proposition 40)

Tom Zink, Biology Department, Soil Ecology and Restoration Group

San Diego River Research Center

Matt Rahn, Director of Research and Education College of Sciences

8. San Diego River Coalition / 2012 Work Plan (INFORMATIONAL / ACTION)

Presentation and Report

Rob Hutsel, Executive Director

9. San Diego River Gorge Trail: Cedar Creek Falls Permit and Parking Improvement Project (INFORMATIONAL)

Presentation and Report

Bjorn Fredrickson, Recreation and Lands Program Manager
Palomar Ranger District, Cleveland National Forest

10. San Diego River Conservancy: Strategic Plan / 2012 -2017 (INFORMATIONAL/ACTION)

Status & Funding Constraints

Michael Nelson SDRC

Scope of Work / 2012 -2017 Strategic Plan

Ann Miller Haddad

Infrastructure Plan & Financial Strategy

Andrew Poat

11. Department of Transportation: Auction / Former Old Town Office (INFORMATIONAL / ACTION)

Staff will provide an update regarding Caltrans' proposed disposal and auction of the Former California Department of Transportation District Office Complex and seek direction from the Board.

12. EXECUTIVE SESSION: Initiation of litigation pursuant to Government Code section 11126, subd. (e): 1 potential case

The governing board will be meeting in closed session pursuant to Government Code section 11126, subdivision (e) "to confer with legal counsel to decide whether, based on existing facts and circumstances, to initiate against the California Department of Transportation to enforce the Conservancy's first right of refusal under Public Resources Code section 32646 to purchase the former California Department of Transportation District Office Complex located in Old Town."

13. Next Meeting

The next regularly scheduled board meeting is scheduled for March 1, 2012 from 2:00 to 4:00 p.m.

14. Adjournment

Accessibility

If you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call Michael Nelson at 619-645-3183.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 1

SUBJECT: **ROLL CALL AND INTRODUCTIONS**

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 2

SUBJECT: **APPROVAL OF MINUTES (ACTION)**
The Board will consider adoption of the **November 3, 2011** public meeting minutes.

PURPOSE: The minutes of the **November 3, 2011** Board Meetings are attached for your review.

RECOMMENDATION: Approve minutes

SAN DIEGO RIVER CONSERVANCY (SDRC)

Minutes of November 3, 2011 Public Meeting

(Draft Minutes for Approval on January 5, 2012)

Governing Board Member Chair, Ben Clay called the November 3, 2011 meeting of the San Diego River Conservancy to order at approximately 2:06 p.m.

1. Roll Call

Members Present

Brent Eidson	Mayor, City of San Diego (Designee)
Dianne Jacob	Supervisor, County of San Diego, Second District
Lorie Zapf	Council Member, City of San Diego District 6
Todd Gloria	Council Member, City of San Diego District 3 (arrived at 2:39 p.m.)
Bryan Cash	Natural Resources Agency, Alternate Designee (via phone)
Karen Finn	Department of Finance, Alternate Designee (via phone)
Ben Clay, Chair	Public at Large (arrived at 2:04 p.m.)
Ruth Hayward	Public at Large
Andrew Poat	Public at Large (arrived at 2:11 p.m.)
Ann Miller Haddad	Public at Large
Gary Strawn	San Diego Regional Water Quality Control Board
John Donnelly	Wildlife Conservation Board (via phone)

Absent

Ronie Clark	Department of Parks and Recreation, Alternate Designee
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Staff Members Present

Michael Nelson	Executive Officer
Hayley Peterson	Deputy Attorney General
Julia Richards	Administrative Services Manager
Ann Van Leer	Consultant, San Diego River Conservancy

Attendees

Mark Weston, Chuck Muse, Clay Phillips, Deanna Spehn, Robin Rierdan, Janis Shackelford, Robin Shifflet, Janice Downs, Jack Straw, Stephen Hill

2. Approval of Minutes

Ann Miller Haddad moved approval of the minutes of the September 1, 2011 public meeting. The motion was seconded by **Ruth Hayward** and the minutes were unanimously adopted.

3. Public Comment

Any person may address the Governing Board at this time regarding any matter within the Board's authority. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Submission of information in writing is encouraged.

Mark Weston, General Manager of Helix Water District (Helix) announced his retirement and gave an update on issues associated with management of Helix properties that he felt would be of interest to the Conservancy. He began by reminding the Board that Helix owned 7 miles of the 52 mile San Diego River, that their ownership involved 3 assemblages that had direct impacts on the San Diego River: 3.5 mile of main river channel in El Monte Valley, 2.5 miles in the canyon just downstream from Cedar Creek Falls, and 1,000 acres around Lake Cuyamaca.

He stated that Helix had just sold 266 acres upstream, called the Fletcher Dam site, near Cedar Creek Falls, which was secured in the 1800's for a dam that was never built. He said that this property was acquired as mitigation by SDG&E and should eventually be conveyed to the US Forest Service as an addition to Cleveland National Forest. He reported that that a second issue involving their holdings was federal, state and county agencies initiatives to control rapidly increasing populations of feral pigs. He concluded by stating that Helix had suspended its El Monte Valley Project and completion of its Environmental Impact Report.

Ruth Hayward asked if he would restate how many acres of property were involved in the sale of property at the Fletcher Dam site.

Mark Weston responded the sale was for 266 acres.

Ruth Hayward followed up with a question about the El Monte Valley Project inquiring whether Helix might consider another partnership with an environmental group to reclaim the valley for water quality, habitat and trails.

Mark Weston said the Helix board was very supportive of efforts to improve habitat and control non-native plants, but said their first objective was to create a long term and reliable water supply for its customers, decisions about a new partnership would be made in the future.

Ruth Hayward asked Mark Weston if he felt the district might sell the El Monte Valley property.

Mark Weston responded that development of alternatives for the long-term ownership of that property was one of the recommendations in the Helix Water District's Board Report.

4. Chairperson's and Governing Board Members' Report

No comment.

5. Deputy Attorney's General Report

No Report.

6. San Diego River Trail: Status

Intergovernmental Working Group-Status

Michael Nelson, Executive Officer

Michael Nelson reported that the Intergovernmental Working Group (IWG), comprising program leaders and agency chiefs for each jurisdiction, as well as, the San Diego River Coalition, the San Diego County Bicycle Coalition, and Lakeside's River Park Conservancy met October 18, 2011 and invited SANDAG to be a member. SANDAG representatives discussed the San Diego Regional Bicycle Plan and its complementary relationship with the Regional Transportation Plan and explained that funding for preliminary planning had been allocated for the Trail.

County of San Diego: Gaps Analysis – Assessment of Segments

Megan Hamilton, Department of Parks and Recreation

Michael Nelson stated that the Governing Board had endorsed priorities selected by each jurisdiction and he encouraged them to make them capital priorities for funding in their respective capital budgets and improvement programs, and, the focus of their trail planning and design efforts. He stated that there was evidence of this commitment within the jurisdictions and said he had requested a presentation of San Diego County's Department of Parks and Recreation's work as an example. He said that the Gaps Analysis and the recommendation of the County had identified the Historic Flume Trail. Recently the County had begun preliminary planning and developed a cost estimates for the Flume Trail. He also advised that the Flume Trail was a project SDRC had endorsed on two occasions before the Gaps Analysis was developed and the County had identified it as their priority.

Dianne Jacob said before introducing Megan she suggested to the Board that Megan's presentation would offer SDRC an opportunity to move aggressively on a 2.5 mile segment of the San Diego River Trail on land that was acquired by the County. She stated that the trail segment would connect the north-south trail and bring users from Lakeside and Blossom Valley to the San Diego River through El Monte County Park. She said the County was completing environmental review with in-house resources and utilizing the California Conservation Corps for design and construction. She said the project could constitute a major accomplishment towards completion of the San Diego River Trail from the Pacific Ocean to El Cap reservoir; and SDRC by could save \$150,000 and complete the 2.5 mile section for less than \$500,000.

Megan Hamilton began her presentation by testifying that the historical significance of the San Diego Flume would greatly enhance the 2.5 mile segment of trail by providing fantastic opportunities for historical interpretation.

She stated that the San Diego Flume was an incredible engineering feat; the 36 mile San Diego Flume extended from Lake Cuyamaca to just west of El Cajon and was completed by the San Diego Flume Company in 1889. It supplied water via pipelines to La Mesa, Lemon Grove, Spring Valley and San Diego. The flume was superseded in 1935 by the El Capitan Reservoir and was abandoned in 1937.

Megan Hamilton continued, the flume required nine million feet of lumber to construct 315 trestles to bridge valleys and canyons and maintain an even fall of 5 feet per mile from 5,000 ft to 680 feet. The longest trestle was 1,700 feet and the highest was 85 feet high. The timber had to be hauled 700-800 feet up the sides of steep and rocky mountains, which was achieved by cars that ran on a portable track and were attached to a heavy wire cable powered by a portable engine.

Although all of the wooden structures have long since gone, the hand-built retaining walls from the 1800's remain sturdy and intact. She said eight tunnels were cut through solid granite; Tunnel 4 within El Monte Park is one of the few tunnels that remain and a portion of the flume traverses the southern boundary of El Monte Park and the bench cut can still be seen.

She continued that the County proposes to construct the trail within the historical flume's footprint and identified a 2.5-mile segment from Furnace Creek to the eastern end of county's boundary, which was referenced in the 'Gaps Analysis' report as Segment 60A and a portion of Segment 63. When this project is complete, there will be an additional 2.5 miles of trail that will be able to be reached from the El Monte Staging Area providing 5 miles of trail offering scenic views, interpretive signage and quite a challenge for users that chose to continue on up the steep slope towards higher elevation.

She added that the El Monte Staging Area that was recently opened is very popular and provides the trailhead to the Historic Flume Trail. El Monte is one of San Diego's original County parks and has approximately 100,000 visitors a year.

One advantage of this trail alignment is about 85% is within the bench cut that exists and the surface will just need to be cleared for hikers, bicyclists and equestrians; however in areas where trestles were used, it will be necessary to design the trail to cross these drainages. She provided that cost estimate listed below.

TRAIL COST ESTIMATE	
TASK	AMOUNT
Survey Work	\$90,000
Design and Construction 60-A	\$105,000
Design and Construction 63	\$85,000
Interpretive Signage	\$75,000
Environmental Compliance	\$85,000
Project Management	\$45,000
TOTAL	\$485,000

Megan Hamilton concluded by outlining several advantages of the project: 1) San Diego County owns the flume alignment, so there is no acquisition cost. 2) The County designs the trail and signage in-house, keeping costs low and efficiency high. 3) Environmental compliance will be done in-house or utilize consultants that were already under contract to the County. 4) Construction of the trail can be accomplished for very competitive rates by the California Conservation Corps, which is also under contract. 5) This project could be completed within two years.

Ben Clay asked what the County would like from SDRC.

Megan Hamilton responded that funding that acknowledged the County's investment would be extremely helpful if there is a desire to complete it in 2 years.

Ben Clay acknowledged the \$800,000 loan the County was providing SDRC to complete the Riverford Road Segment of the Trail and suggested that SDRC should consider assisting the County as an incentive for jurisdictions to complete key segments of trail identified in the Gaps analysis.

Dianne Jacob asked Megan for a rough cost estimate of the County's finance requirements for the project.

Megan Hamilton responded that \$485,000 would assure completion of the project in two years.

Michael Nelson stated that SDRC potentially had access to about \$3.5 million. Its priorities for the San Diego River Trail continue to be those trail segments between Carlton Oaks Golf Course and the City of San Diego's Mission Trails Regional Park and the segment between Lakesides Baseball Park and Santee that traverses the Walker Property. He said that design monies for this project was included in the SDRC grant Santee would receive including the acquisition costs for the Walker property.

He suggested that if the Board wanted to finance a partnership with the County for this 2.5 mile segment, he would like to present to the Board a plan that demonstrates how the project could be accomplished and continue SDRC's financial commitment to the aforementioned projects in the City of San Diego and Santee. As an aside, he mentioned that he had spoken to the State Coastal Conservancy about the project, since they must also approve SDRC's Proposition 84 funding. He reported that they were enthusiastic and recognized that it was an expenditure consistent with the Gaps Analysis they had helped fund.

He made two final points. 1) That making a fiscal commitment to this project achieved a funding allocation that was geographically balanced. He recalled the investments that SDRC has made in the City of San Diego for the extension of the Ocean Beach Bike Path, Mast Park and Walker with the City of Santee, and the Riverford Road segment in Lakeside. 2) He recommended that any final funding approval by SDRC should occur after CEQA compliance had been achieved by the County, since the State Coastal Conservancy will not entertain approval of a trail project unless CEQA had been completed. He said that this approach would also allow the partnership to update the project's costs and provide a fiscal analysis of the project and its relationship to other SDRC endorsed trail projects.

Ruth Hayward asked Megan what assurances the County could provide that the trail did not run amuck, cut corners, ruin the environment, habitat and perhaps encroach on private property owner's lands.

Megan Hamilton mentioned the project would be connected to El Monte County Park and its staff was committed to the Parks' resource management plan which requires visitation to be monitored and

controlled and construction performed in a manner that prevented environmental impacts. She emphasized that El Monte County Park had a Ranger on-site and access to the Flume Trail could be controlled at this location. She said the Ranger actually lives on site and there is a fence surrounding the park that is locked and gated after hours.

Ben Clay asked whether this trail would accommodate equestrians and off road bikes.

Megan Hamilton responded the trail would be for non-motorized off road biking, equestrians and hikers.

Andrew Poat asked whether structures involved and did the \$485,000 include them.

Megan Hamilton responded that the cost estimate included design of the trail, environmental compliance and construction. She said final design would analyze crossing drainages and what types of structures would be necessary, but staff had attempted to accommodate structures within the \$485,000.

Dianne Jacob asked SDRC's Executive Officer what the rough cost of building a 1-mile segment of a trail that included design, environmental compliance and construction.

Michael Nelson responded that it varies by jurisdiction and the terrain covered. He said the cost of the City of San Diego's .75 mile Ocean Beach Bike Path Extension was \$2,500,000; and, preliminary estimates for the 1.3 mile trail across the Walker Property in Santee could be between \$2.5 and 3 million.

Gary Strawn asked whether people could gain access to the Flume Trail from locations outside the Park.

Megan Hamilton said that it was possible for visitors to gain access through Blossom Valley, but she expressed confidence that most people would use the staging area at El Monte Park for public access.

Ben Clay asked whether an improved trail and increased visitation might create problems for the folks in Blossom Valley.

Megan Hamilton responded that because the County has a great 2 acre staging area and El Monte Park is about 88 acres, there should not be a problem in Blossom Valley.

Dianne Jacob said it is important to be sensitive about the impacts of increased visitation, but stated that the situation in Blossom Valley was totally different situation than Cedar Creek.

Janice Shackelford introduced herself as a resident of the Blossom Valley area of Lakeside. She said as co-president of the Lakeside Historical Society, she would like to commend the County for acknowledging the historic nature of the flume as it runs through Lakeside and welcomes efforts to preserve it for the future. She said she was also a member of the Blossom Valley Riders and Gardeners and reported that the club has been maintaining the flume prior to the County's acquisition, which meant clearing out the brush or overgrowth on the flat part of the flume. She stated that she was pleased the County can come in with SDRC grant funding and repair the trails so that it can be used, since the trail has been in use for over 40 years by residents in Blossom Valley and Lakeside.

Ben Clay asked if there was a motion to support a partnership with the County of this trail project.

Michael Nelson advised that it would be necessary for the Board to provide final funding approval after the design had been completed and compliance with CEQA had been achieved.

Andrew Poat responded that the motion was for the Conservancy to support the first phase of the project's development.

Michael Nelson agreed stating that SDRC will partner with the County of San Diego to complete the design, achieve CEQA compliance, and final estimates of construction cost. Staff will return to the Board to secure final funding approval before approaching the State Coastal Conservancy for funding. A formal item and resolution would be presented to the Board.

Dianne Jacob said that the motion was a referral back to SDRC staff to work with the County and return to the Board with a recommendation and resolution for final approval.

Ben Clay restated that the motion was to direct staff to work with the County and return with a report and recommendation.

Brent Eidson amended the motion to require that the report to the Board include balances of all funds available to SDRC, to determine and assess funding needs for SDRC priorities and projects.

Dianne Jacob seconded and the motion which was approved unanimously.

7. San Diego River Conservancy: Strategic Plan / 2012 -2017

Scope of Work and Budget Estimate

Ann Miller Haddad, Michael Nelson SDRC

Peter MacCracken, Strategic Communications

Ben Clay said he would like to withdraw Item 7 and continue its deliberation after the chairs of both committees agree on a direction and return with a joint recommendation. This action should not be interpreted as an effort to stop the development of the 2012 – 2017 Strategic Plan.

8. Department of Transportation: Auction/ Former Old Town Office

Draft Environmental Impact Report

Michael Nelson, Executive Officer

Michael Nelson advised the Board of his actions regarding a proposal by Caltrans to auction the former Old Town Office Complex, rather than convey it to the Department of Parks and Recreation as an expansion of Old Town State Historic Park, as agreed many years ago. He mentioned before beginning that he had asked Clay Phillips, from Old Town State Historic Park and Deanna Spehn a policy director for Senator Kehoe to speak to the Board, since they have both been part of negotiations to prevent the auction.

He stated that he had prepared comments in response to the Draft Environmental Impact Report for Disposal of the Former California Department of Transportation District Office Complex which advised that the SDRC has a statutory interest in the property, and most importantly a statutorily prescribed first right of

refusal. He said that his comments acknowledged that there had been years of consultation with Parks about a transfer of ownership to Old Town Historic Park, but that consultation did not absolve Caltrans of its legal responsibility to offer the property to SDRC or to acknowledge its right of first refusal should it negotiate an agreement to sell it.

He indicated that he received a response to his correspondence that stated consultations with 27 agencies in 2006 satisfied their legal obligations and Caltrans would continue to move forward with finalization of the Environmental Impact Report and marketing the property for auction in January of 2012. He also reported that Senator Kehoe's Office and the Secretary of Natural Resources had been trying to schedule a meeting with Caltrans to restart negotiations to transfer the Old Town Complex to Old Town State Historic Park. Ruth Coleman, Director of Parks and Recreation Department confirmed that this meeting was scheduled, but unfortunately had to be cancelled. She expressed her appreciation for any actions SDRC could take until a meeting could be rescheduled.

He asked the Board for guidance and direction if Caltrans determined SDRC's comments and statutory authority to be "non substantive". He stated that he was seeking authorization to continue to defend SDRC statutory authorities and added that the Board should consider legal action, if Caltrans continued to ignore SDRC's standing. He reported that his discussions with counsel indicated that legal action by SDRC was not without merit. He stated his concern that there was no assurance that negotiations between Caltrans and the Natural Resources Agency in Sacramento would occur and that the next meeting of SDRC was not scheduled until January. Consequently, he was seeking an expression of the will of this board that he and counsel pursue be allowed to aggressively defend SDRC's statute until the next meeting of the governing board.

(What follows are summaries of statements made by Clay Phillips, Acting District Superintendent for San Diego Coast District for State Parks, Deanna Spehn, Policy Director, State Senator Christine Kehoe, and Rob Hutsel, Executive Director, San Diego River Park Foundation.)

Clay Phillips stated that the parcel is very important on many counts. The simplest, though not the most important is the property is a logical addition to the State Park and would provide road frontage on Old Town's busiest roadway. He said if acquired the property would be the front door to Old Town San Diego State Historic Park. He continued by saying the property tells important stories about San Diego's past. As example, the reason why Old Town is located there was because the historic streambed ran through the property. It provides an opportunity to describe the river's role in San Diego's history. It begins to tell the story of the Native American community that was there long before the Mexicans or Americans settled there. The parcel also contains two sites that tie directly to an earlier history, the Mexican era, which is an underrepresented part of Old Town's history by the river. These are some of the reasons why we cannot afford to lose this site. It is why Senator Kehoe's office, local elected officials, and more than 50 agencies have opposed the sale and support transfer to Old Town State Historic Park. State Parks is thrilled that SDRC is willing to help us to secure this property.

Deanna Spehn, Policy Director for Senator Kehoe stated that Senator Kehoe thought the issue of the transfer was settled over 5 years ago when a Memorandum of Understanding was executed by Caltrans and the Department of Parks and Recreation. A central concept is a requirement that transportation funds can only be spent on transportation projects, and Caltrans must receive compensation for that investment, before the asset could be transferred to another Department. She advised that as the economy changed and the mitigation program that was proposed became less feasible, the resources that were once

available were no longer. Nonetheless, the Department of Finance is adamant that the value of the building has to be conveyed to Caltrans; complicating this transaction are disputes over the complex's value. Certainly a building that has sat empty for over 5 years with a leaking roof, filled with asbestos and other toxic materials and is not as attractive on the market as it once might have been. Chuck Ross who has the lease for Old Town State Park commissioned a study by a reputable real estate appraiser. Their estimate is that the Caltrans building is really worth very little because of repairs necessary to bring it to today's seismic standards. Yet, State Parks is still prepared to put down \$2.5 million in cash and to provide \$6.75 million to tear down the building, remediate the site, get rid of all the toxics, and began unearthing the archeological treasures that exist beneath it.

It is important to realize that we are not just speaking of San Diego's history, this is California's history, and it is why this site has been referred to as the Plymouth Rock of the western United States. It is the location of the first European settlement, the site of California's first store remains at this location.

When the complex was constructed in 1951, it was an acceptable practice to allow archeological treasures to be buried so at some time in the future, another generation could unearth them and make them available to the public. The vision of many and certainly the Senator is that this area would be uncovered to become an interpretive center for Old Town's early days and the Kumeyaay village located on the banks of the old San Diego River which actually ran under these buildings.

In closing, this is a great project and a cultural invaluable site. There is money to do it, but the question is how much Caltrans determines the building is currently worth. In conversations with Laurie Berman, District 11 Caltrans, they estimated the value somewhere between \$8- \$12 million, though most of us think that is not likely. We are all awaiting the release of the EIR.

Interestingly, the building turned 50 this year, which is the magic age to conduct a historic assessment. The Senator has been in conversation with Governor Brown's administration and has elevated the importance of the property. The 50 letters also included responses from several tribes, not just local tribes, but tribes throughout the state expressing their concern about the potential loss of not only an early Kumeyaay village site, but also potential burial ground. It would be very difficult for somebody to come in, scrape and rebuild on this site because the water table is very high, a problem that Metropolitan Transit System has encountered. The water table is just under the surface, so constructing a deep parking structure would be unlikely, plus there is a three story height limitation at the site.

Whether someone will come forward and buy this building at auction remains a mystery. Caltrans has the authority to not only to set the appraised value of the building, but to sell it at auction on the steps of their new headquarters across the street, and that is just what they are proposing to do. Since there is some urgency involved the Senator seeks your support and will tell you that the concerns the Conservancy has raised are of great interest to the Brown Administration.

Rob Hutsel explained that he predated the existence of SDRC. When the Coalition went to Sacramento to get the Conservancy's legislation enacted. We worked very hard. He stated that he was the one who coined the phrase "California's first river." He added that the history of the San Diego River and its statewide significance was one of the reasons the Conservancy was created. It is what makes it unique and distinct from all of the other rivers in California. This distinction has been a number one priority for the San Diego River Coalition since day one. We were part of the press conference when then Assembly member Kehoe and everyone thought we had a deal done, that everything was sorted out. The issue dropped off

the radar until all of a sudden this notice that the property was to be sold at auction was released. I don't believe that the role of the Conservancy should be to buy this property. It should be gifted over to State Parks in a fair transaction that is what we should focus on. Now, if we need to stall and delay, I am all for that. All we really need from you is your support. We encourage you to do whatever you can do to delay this process. If we can get back into a legislative year, we can take a legislative action that potentially will fix this problem in some way. That is what the Coalition and its 78 members are asking you do to support the preservation of this site.

Lorie Zapf expressed concern regarding the Conservancy's financial interest in the property since its mission focused on the waterway and there were so many competing priorities for funding, such as the San Diego River Trail particularly a 1.75 mile gap identified by the City and the Gaps Analysis.

Michael Nelson provided clarification stated that SDRC does not have \$8 million, nor is he recommending that SDRC's remaining funds be obligated. He stated that SDRC's enabling statute could potentially slow the transaction; assist State Parks and the Coalition to re-start negotiations that would lead to a transfer of the property to Old Town State Historic Park. He emphasized that he was not asking for spending authorization, but permission to defend SDRC's statutory authority and particularly its first right of refusal when involving public property within one-half mile of the river. He also recalled that the SDRC enabling statute specifically places an emphasis on connection between the river and Old Town State Historic Park and the Presidio.

Bryan Cash asked if Mike had any conversations with Caltrans or State Parks about the proposed auction.

Michael Nelson responded that he had spoken Ruth Coleman yesterday who encouraged SDRC action, which was also the reason Clay Phillips, Acting District Superintendent for San Diego Coast District for Department of Parks and Recreation is here. He added that his recent conversations with Deputy Secretary Bright at the Natural Resources Agency had also been supportive; and he talked to Bruce April Deputy Director for District 11, who confirmed Caltrans's intention to finalize the DEIR in mid-November and market the property for an early 2012.

Karen Finn asked if Bruce April had said the agency (SDRC) would have a first right of refusal once it is auctioned.

Michael Nelson responded that is Bruce April was non committal.

Karen Finn remind the board that SDRC was a state agency and state agencies rarely take legal action against one another and said she would recommend against SDRC taking such an action.

Michael Nelson said he worries that District 11 will move forward without acknowledging SDRC's statutory role and SDRC does not take action to defend the legal obligations the legislature intended it to implement.

Andrew Poat suggested that this was Caltrans way of doing business that they are set on a course and at such time as a right of first refusal is appropriate, they will offer it.

Michael Nelson responded that the letter he received did not indicate that was their course of action.

Andrew Poat said that Caltrans's disposition might lead to a legal question about SDRC's statutory authority. He asked if a loop hole could be found in the SDRC's the right of first refusal.

Haley Peterson explained that the right of first refusal was pretty straight forward: "notwithstanding any other provision of law the Conservancy has the first right of refusal to acquire any public lands that are within the Conservancy's jurisdiction when those lands become available", Public Resources Codes Section 32646. She continued that it was the intention of the Executive Officer to request confirmation from Caltrans that they in fact intended to comply with the provision. Unfortunately, the letter that was received in response did not contend or acknowledge, nor specifically confirm that this statute applied. Since the Conservancy is not scheduled to meet again until January, the Executive Officer is trying to protect this agency's rights. Hopefully at some point we will have clarification and confirmation that Caltrans intends to comply with our statute. One possible way of complying is to proceed with the action, but any bid would be subject to SDRC's right of first refusal. So, essentially, the winning bid comes in assuming it meets Caltrans minimum bid, then this board would have an opportunity to consider matching the successful bidder's offer.

Ben Clay stated that he thought the issue is first a question of what Caltrans will decide to do, and then second, if something is offered to us, we sit down with Department of Parks and Recreation and others because we don't have the financial capability.

Todd Gloria said he appreciated the dialog because it helped clarify what SDRC needs to do. He stated that it is necessary to establish the will of the board and provide guidance to the Executive Officer. He added that SDRC was correct to notify Caltrans and advise them of its statutory authority. Their response was a form letter with pretty standard language in an EIR process that failed to address the concerns that were raised. As a consequence, I believe the Board would be derelict in our duty to not try to keep this property. The concern I have deals with what I heard Ms. Spehn very clearly say, that this auction is potentially on a fast track and you may need the authorization to show up and assert our claim, since it is conceivable that an action could happen before our next meeting. He asked if that assessment was correct and if so questioned why today's item was noticed only as an information item.

Michael Nelson said his assessment was correct, but if the board wanted to take an action and provide guidance it could.

Ben Clay added that if we receive notice of an action, he thought a special meeting should and could be scheduled.

Todd Gloria agreed and said he hoped the Chair would do just that, because we are not noticed to take particular action and that is regrettable, because we should give our staff the wherewithal to assert our desire to be involved in the disposition this property. We have partners would or could provide funding. He said that he would like to give the Executive Officer the necessary to preserve this property. If we have the ability to facilitate this outcome, we should, because it makes complete sense. He continued by asking Brent if the Mayor has taken a position. He concluded by stating that he would make himself available if a special meeting were necessary and that he would like to let the Executive Officer know that at least this board member would like you to take some sort of action and would hope the City would weigh in.

Brent Eidson responded the City has not weighed in and that he would confer with the Mayor.

Deanna Spehn remarked that Council member Faulkner and his office are in support of trying to keep this the property in public ownership. She said he had confirmation that the Mayor's office was also still supportive.

Dianne Jacob agreed that staff should work with counsel so that the board may take action on any item on the agenda so we won't run into this situation where because of the Brown Act are not able to take action. She stated that after a review of the Caltrans letter, where it says "Caltrans will address all substantive comments" her understanding of CEQA was that Caltrans must address all comments.

Hayley Peterson agreed that her interpretation was correct.

Dianne Jacob stated that as third generation San Diegan, she was intrigued by the history of this property and remarked that it might be easier if the river ran through the property again. She asked Deanna, if she received input from tribal governments particularly those with financial resources.

Deanna Spehn said that a more than six tribal organizations had weighed in and directly contacted the Governor's Office as well as sending copies to Caltrans. She said she did not have the list with her, but said she would send it to her.

Dianne Jacob recalled when Padre Dam once tried to install a water tank in east county, the Veijas tribal government stepped in, said that were significant native American cultural resources on this site, and the project was stopped. She said a letter from the Native American Heritage Commission encouraging early consultation with the tribal governments could be critical. If there is a burial site or evidence of significant Native American cultural resources and the site, Caltrans will be stopped dead in their tracks. She also felt SDRC was on strong legal ground defending its first right of refusal

Hayley Peterson agreed.

Dianne Jacob said she would like to see this organization work with our State Senator, the tribal organizations and local governments and others who are involved to achieve a positive outcome. She said the Board should refer this issue back to the Executive Officer and direct him to work all parties to preserve and restore this site, and, if necessary to exercise if necessary SDRC's first right of refusal and communicate that this position to Caltrans.

Hayley Peterson responded she would not use the terminology, "exercise SDRC's right of first refusal", but rather "direct staff to continue its efforts to defend SDRC's first right of refusal".

Ben Clay added "and assert our right."

Hayley Peterson agreed.

Andrew Poat asked for what period of time does our first right of refusal exist.

Hayley Peterson responded that she had read the sum total of our language in our statute and it is a right. If and when Caltrans sells this property or seeks to sell this property then our right of first refusal takes effect.

Ann Miller Haddad remarked that this situation seems very similar to the issue SDRC confronted with the Carlton Oaks disposal, when a first right of refusal could have been offered between meetings. She recalled that we gave the Executive Officer the authority to keep tabs on the situation and to take action if necessary between meetings.

Dianne Jacob said that even though SDRC may not have the money, it could utilize its rights to play a coordinating role in bringing partners together that have a common interest. She mentioned that there was a Kumeyaay-Diegueno Land Conservancy that may be interested in working with SDRC to pull together some funds at the appropriate time to purchase this property. She said that she didn't see SDRC playing a role as a buyer, but could envision a leadership role in bringing parties together to facilitate a solution satisfactory to all.

Andrew Poat stated that he didn't think Caltrans have said they're not going to deal with us, but he felt they are going to look at us at some point and say put up or shut up. So I think the question will be whether we are prepared to put up. I guess I would be willing to make a motion. Caltrans has an objective and we stand in the way of part of that objective. He said to him this is all about us being prepared to put up or shut up when someone else brings a check and puts it on the barrel head, either we have to match that check or we have to get it out of the way.

Dianne Jacob agreed saying that the only way we prepare for that is to bring the tribal governments and others to the table, since we don't have the money.

Clay Philips said the \$8- \$10 million figure is Caltrans' figure; is not the conclusion of an independent appraisal.

Dianne Jacob said they need to do an appraisal, since SDRC has the ability to mess up the whole process. SDRC can use its rights to cause a delay, but sooner or later we have to have some back up, should we exercise our first right of refusal. If the \$2.5 million is insufficient, I think there is a way to bring the tribal and local governments and others together. Because of the property significance, it will be necessary to get an appraisal that is reasonable.

Ruth Hayward said it was strange that the property has sat vacant for 5 years and now suddenly Caltrans is in a panic to get it sold. If cultural artifacts are buried by or under the building, that should represent real leverage. She asked Deanna whether the State had done an inventory of what is perceived to be underneath the building or what remains and whether it needs to be updated.

Deanna Spehn said it probably does need updating, but we cannot get at it. Referring to the previous question regarding an appraisal, she said, Caltrans had been asked if they would let State Parks match the bid if it came in at the \$2.5 million or less; the answer was no. She believes Caltrans is intent on selling the parcel on the steps of their headquarters and it will be sold to the bidder who can meet the minimum they set for the buildings value. She said her first choice would have been that State Parks would have the right of first refusal with the cash they have available, but unfortunately, that approach is not available.

Brent Eidson asked whether State Parks has similar statutory authority and if it doesn't, does SDRC have the capability or mechanism to accept money from State Parks.

Deanna Spehn responded that State Parks did not have a right of first refusal.

Michael Nelson responded that SDRC's enabling statute was broad enough to allow acceptance of money from others.

Brent Eidson said that he would encourage SDRC to work with the local historical organizations such as Save Our Heritage Organisation ("SOHO"), because we don't want the Executive Officer too be working at cross purposes with these entities.

Deanna Spehn assured Brent that was not the case and that SOHO and SDRC were part of the group that was working together to ensure that the building was transferred to State Parks.

Ben Clay said what he was getting a sense from everyone's testimony that SDRC in addition to asserting its statutory authority, may also be in a position to work with all the parties to assemble whatever funds could be available. If that is accurate, I will need a motion.

Andrew Poat said I move that the Executive Officer be directed to prepare a feasibility assessment, framework or methodology that and guides SDRC in exercising its right of first refusal. This option would give SDRC the option exercising its rights or not within some reasonable period of time.

Dianne Jacob asked that the motion also authorize the Executive Officer to work with other organizations, the City and tribal governments and other, and partners that could secure an independent appraisal.

Ben Clay asked if there was a second.

Karen Finn interjected that she did not believe the Conservancy would have sufficient acquisition authority to buy the whole property. Even if you received funding from other entities, you should be mindful of your spending authority.

Hayley Peterson said the bottom line is that at this point we have the value Caltrans has set for the property, under their auction rules they can have a minimum bid. Once SDRC is made aware of what the winning bid is, if it is \$8-\$10 million they may offer it to us and SDRC says no because the price is too steep. If the winning bid is \$2 million, that would change things. With respect to SDRC and its right of first refusal, it is really whatever the market will bear. Whatever the winning bidder is willing to pay, will be the value SDRC will be asked to match.

Dianne Jacob said, I think Mr. Chairman what we have is leverage and the ability to work on a parallel track with other partners to create a financial package.

Ben Clay said and that is the direction we are going, is there a second?

Todd Gloria then clarified the spirit of the motion was to authorize staff to take reasonable steps to preserve the Conservancy's rights to the former Caltrans Office property located in Old Town,

Andrew Poat said he think it should be more aggressive and include a plan or proposal that would enable us to exercise our right of first refusal, because he anticipates there will be that SDRC will receive and offer to provide a matching amount in so many days.

Ben Clay said in that only 10 minutes remain, there was a motion on the floor, and a second, he would like to conduct a roll call vote; but before doing so do he had a question whether his residence in Mission Hills would preclude his voting on the motion.

Hayley Peterson said her office did not provide conflict of interest advice and he would need to contact the FPPC.

A roll call vote was conducted:

Resources Agency, Bryan Cash, Dept. of Finance, Karen Finn, Dianne Jacob, Lorie Zapf, Mayor Sanders, Brent Eidson, Ruth Hayward, Andrew Poat, Ann Miller Haddad, and Todd Gloria all voted **AYE**

Dept. Parks & Recreation - **ABSENT**

Ben Clay - **RECUSED**

9. City of San Diego/ Carlton Oaks Golf Course: Proposed Sale / 68 acres

City Council of San Diego / Land Use and Housing Committee: October 5, 2011

Michael Nelson, Executive Officer

Michael Nelson said that the Land Use and Housing Committee have made no decision regarding the proposed sale of 68 acres at Carlton Oaks Golf Course. He added that it had not been added to the Committee's agenda for any of the remaining meetings in 2011.

10. Executive Officer's Report

Michael Nelson said the board has been provided a proposed meeting schedule for 2012 and asked for guidance or approval of a next year's schedule.

Ben Clay asked if everyone agreed or had revisions to the 2012 schedule as proposed.

Lorie Zapf moves for approval of the schedule, which was seconded by **Todd Gloria** and it approved unanimously.

Ben Clay adjourned the meeting.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 3

SUBJECT: PUBLIC COMMENT

PURPOSE: Any person may address the Governing Board at this time regarding any matter within the Board's authority. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Submission of information in writing is encouraged. The Board is prohibited by law from taking any action on matters that are discussed that are not on the agenda; no adverse conclusions should be drawn by the Board's not responding to such matters or public comments.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: **4**

SUBJECT: **CHAIRPERSON'S AND GOVERNING BOARD
MEMBERS' REPORTS (INFORMATIONAL)**

PURPOSE: These items are for Board discussion only and the Board
will take no formal action.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 5

SUBJECT: **DEPUTY ATTORNEY'S GENERAL REPORT
(INFORMATIONAL)**

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: **6**

SUBJECT: **EXECUTIVE OFFICER'S REPORT
(INFORMATIONAL / ACTION)**

The following topics may be included in the Executive Officers Report. The Board may take action regarding any of them:

- **SDRC/SDRPF: Board of Director's Workshop**
- **SDRC/SCC/DGS: Transfer of Administrative Services**
- **City of San Diego/ Carlton Oaks Golf Course: Proposed sale/68 acres**
- **State Conservancies Summit – December 6 & 7, 2011**

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 7

SUBJECT: **SAN DIEGO STATE UNIVERSITY (INFORMATIONAL)**

Memorandum of Intent -Status

Michael Nelson, Executive Officer, will provide an update regarding the status of the Memorandum of Intent as well as the partnership's existing and proposed projects or programs.

Watershed Data Collection and Restoration Program: San Diego RiverNet (Proposition 84 & Supplemental Environmental Project Grants)

Matt Rahn, Director of Research and Education College of Sciences

Carlton Oaks: Invasive Control and Restoration (Proposition 40)

Tom Zink, Biology Department, Soil Ecology and Restoration Group

San Diego River Research Center

Matt Rahn, Director of Research and Education College of Sciences

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 8

SUBJECT: **SAN DIEGO RIVER COALITION / 2012 WORK PLAN
(INFORMATIONAL / ACTION)**

Presentation and Report
Rob Hutsel, Executive Director

San Diego River Coalition

2012 Work Plan

Adopted
November 18, 2011



The mission of the San Diego River Coalition is preserve and enhance the San Diego River, its watershed, and its natural, cultural and recreation resources and to work together to advance the vision of the San Diego River Park system

I. Introduction

The San Diego River Coalition was formed to bring together the numerous non-governmental organizations interested in the future of the San Diego River. The Coalition serves as a community forum to advance the vision of a river-long park system which connects the communities along the river while protecting and improving the river's natural and cultural resources.

Each year, the Coalition comes together to establish a list of priority projects to serve as a roadmap to achieve this vision. This list is developed through public meetings and workshops and is known as the Work Plan. The 2012 Work Plan was unanimously adopted by the River Coalition on November 18, 2011.

The Work Plan is divided into 5 categories

- Acquisitions
- San Diego River Trail System
- Parks, Centers and Other Improvements
- Water Quality
- Habitat Restoration and Enhancement



Categories are divided into three priorities. Projects are placed into these priorities through an analysis of several factors. Sequencing is an important part of this analysis. As an example, a feasibility study for a trail would come in advance of the construction of the trail. A habitat restoration project might come before another based upon how invasive plants spread. Each project also requires a champion on the Coalition who wants to work to advance the project. Other factors include capacity of lead organization, cost and available funding, regional importance, and project readiness.

The Coalition works with many partners to accomplish these priority projects. The State of California's San Diego River Conservancy, County of San Diego, City of Santee, City of San Diego, Water Agencies and other federal, state and local agencies are just a few of these partners which also include landowners, businesses, funders and individuals.

II. Work Plan Categories

Acquisitions – Much of the San Diego River is privately owned. Creating a continuous river parkway will require working with landowners for trail and open space easements. In some cases land acquisitions and donations of land will be required to complete the river parkway. Acquisitions are made with willing sellers. Acquisitions can also play an important role in watershed protection. The following factors are considered in determining acquisition priorities:



- Water Quality
- Viewshed Protection
- Trail Connectivity
- Wildlife and habitat
- Cultural Resource Protection
- Recreational Experience and Public Access

San Diego River Trail System – Areas along the river are rich with recreational opportunities. There are trails in close proximity to natural areas, urban centers and active recreation fields. Trails from the mountains to the sea provide people with opportunities for walking, hiking, biking, and at times, horseback riding. In addition to the trails provided within the parks and recreational facilities along the river, a number of trails are proposed to connect communities and existing regional trails to the River Trail. Existing trails in Lakeside, Santee, Mission Trails Regional Park, Mission Valley and the estuary need to be connected. A high priority is completing the River Trail from El Capitan Reservoir and Alpine to the Ocean.



Park, Centers and Other Improvements – Connecting people with the river is essential for its long-term stewardship. Park improvements include management of existing park user facilities as well as the creation of new ones.



The River Park anticipates a series of interpretive and community facilities which are connected by the River Trail. Active and passive parks will complement this “string of pearls” along with wildlife preserves.

Park Improvements also include enhancing the park user experience with informational signs, seating areas and other amenities.

Water Quality- A healthy San Diego River is essential to a successful River Park. This requires a watershed level approach and understanding of these processes.

Sediment transport has been altered throughout the watershed by dam construction, roadways, extensive sand and gravel mining, and other hydromodifications. Changes in water volume have affected flood, surface, and groundwater levels. The River and its tributaries have been channelized in several places to help control flooding. This process can eliminate the natural regeneration of native habitats. Loss of riparian habitat along the River has decreased the natural ability of wetlands to filter contaminants and impacted the health of the ecosystem. Water quality issues make the River water unhealthy resulting in it being placed on the federal list of impaired water bodies. Trash and debris are a significant problem exasperated by encampments and urban runoff.

Habitat Restoration and Enhancement – The San Diego region has been classified as a global conservation hotspot and is home to more species at risk of going extinct than any other county in the continental United States.



The San Diego River plays an important role in ensuring the viability of these and other species of plants and animals. The removal of non-native vegetation is essential. Where necessary, areas will need to be “re-engineered” to provide for the health of the ecosystem. Habitat restoration requires strategic planning as invasive plants can move through floods and seeds can be transferred by wind and other means. Habitat restoration requires a sustained management effort and coordination.

III. 2012 Work Plan Projects – PRIORITY 1

ACQUISITIONS

Priority 1

1. **River Parkway** As opportunities become available, any acquisition of title or other interest which advances the vision of a continuous river park from the mountains to the ocean should be pursued. This can be done through development agreements, easements, access agreements and other arrangements. If acquisitions become available, they should be a high priority of any available funding.

SAN DIEGO RIVER TRAIL SYSTEM

Priority 1

1. Hanson Pond: Construct multi-use trail from El Monte Road to Collwood \$2,000,000
2. Stadium to Fenton Parkway: Construct porous concrete trail to connect existing trail at Fenton Parkway Trolley Station to stadium parking lot \$600,000
3. Camino del Este Mid-Block Crossing: Construct mid-block crossing on south side of the river to connect existing trails. \$400,000
4. Mission Valley Greenway Crossing at Qualcomm Way: Construct trail crossing on south side of the river from existing trail to planned Discovery Center at Grant Park. Coordinate construction with construction of Grant Park project. \$1,754,000
5. Santee Trail: Construct .386 mile trail across County of San Diego owned property in Santee. \$313,000
6. West River Crossing: Construct trail bridge over river to connect existing east end of Estuary trail segment to Mission Valley YMCA/ Friars Road. This connects YMCA facility and Sefton Park as well as creates “return-trip” opportunity on north side of the river along existing trail network. \$1,000,000
7. El Capitan Reservoir Trail: This is for a feasibility study to create an Alpine community connection to proposed River Trail segment near El Capitan Reservoir boat ramp facilities and to explore trail to Conejos Creek along existing flume bench. \$100,000

Category Total Cost \$6,167,000

HABITAT RESTORATION AND ENHANCEMENT

Priority 1

1. Estuary: Control Invasives through a volunteer-based program \$50,000
2. El Capitan Reservoir: Remove Arrundo Donax from buffer around reservoir and establish control program to eliminate this emerging invasive plant population. \$75,000

Category Total Cost \$125,000

WATER QUALITY

Priority 1

1. Remove Trash and Debris: Support ongoing program to eliminate trash from the San Diego River through a coordinated volunteer program of surveys, monitoring and debris removal. \$75,000

Category Total Cost \$75,000

PARKS, CENTERS AND OTHER IMPROVMENTS

Priority 1

1. Old Town Center / Former Caltrans Headquarters: Work with Caltrans, State Parks and others to pursue acquisition of this facility. If successful, identify funding for a community design process. \$200,000
2. Discovery Center at Grant Park: Construct this 17 acre neighborhood park, eco-park and 7000 sq. foot community education center. \$6,300,000
3. Gateway Project – Murphy Canyon Road: Conduct a community design process for this City of San Diego property which can serve as a gateway to the River Park System. The project would be designed to be carried out by the community through donations and volunteer work. \$35,000

Category Total Cost \$6,535,000

Priority One Category Costs (excluding acquisition category) \$12,902,000

San Diego River Coalition Member Organizations

San Diego River Park Foundation (Chair)	Mission Trails Regional Park CAC
Allied Climbers of San Diego	Mission Trails Regional Park Foundation
Audubon Society, San Diego Chapter	Mission Valley Community Council
Back Country Coalition	Mission Valley Planning Group
Back Country Land Trust	Navajo Community Planners, Inc.
California History and Culture Conservancy	National Wildlife Federation
California Native Plant Society, San Diego Chapter	Ocean Beach Community Planning Board
California Wild Heritage Campaign	Ocean Beach Town Council
Canyonlands	Ocean Discovery Institute
Citizens Coordinate for Century 3	Preserve Wild Santee
City Beautiful of San Diego	Project Pacific
Cuyamaca Rancho Foundation	Project Wildlife
Endangered Habitats Conservancy	Ramona Trails Council
Endangered Habitats League	San Diego Archaeological Center
Founders' Trail Associates	San Diego Coastkeeper
Friends of Adobe Falls	San Diego County Bicycle Coalition
Friends of Buchanan Canyon	San Diego County Trails Council
Friends of Dog Beach	San Diego Fly Fishers
Friends of Dove Canyon	San Diego Mountain Biking Association
Friends of Famosa Slough	San Diego Presidio Park Council
Friends of Mission Valley Preserve	San Diego Stream Team
Friends of Normal Heights Canyons	Santee Historical Society
Friends of the Point Loma Garden	San Diego Tracking Team
Friends of Ruffin Canyon	Serra Mesa Community Council
Friends of the San Diego River Mouth	Serra Mesa Planning Group
Friends of Santee's River Park	Sierra Club, San Diego Chapter
Friends of Tierrasanta Canyons	Surfrider Foundation, San Diego Chapter
Friends of University Heights Canyons	Tecolote Canyon CAC
I Love a Clean San Diego	The Nature Conservancy
Julian Community Planning Group	Tierrasanta Community Council
Lakeside Community Planning Group	Tierrasanta Fire Safe Council
Lakeside Historical Society	Trust for Public Lands
Lakeside's River Park Conservancy	Urban Corps of San Diego
Maine Avenue Revitalization Association	Wilderness 4 All
Mission Bay Park Committee	

ABOUT THE SAN DIEGO RIVER PARK FOUNDATION

The San Diego River Park Foundation serves as chair of San Diego River Coalition. The River Park Foundation is dedicated to engaging people in creating a better future for the San Diego River. Through advocacy, volunteer programs, education and special projects, the River Park Foundation is a regional voice for the San Diego River.

www.sandiegoriver.org

2012 Adopted San Diego River Coalition Work Plan

Land Acquisition							
ID	Priority	Title	Type	Description	Estimated Cost	Coalition Assignment	
1	1	River Parkway	Acquisition	Acquire easements or fee title properties within the River 100 year floodplain and adjacent areas which can be incorporated into the river park system	TBD	Multiple	
2	2	River Parkway Connections	Acquisition	Acquire easements or fee title properties which are needed to create connections to community facilities and trails	TBD	Multiple	
3	2	Famosa Slough Additions	Acquisition	Acquire 2 parcels to add to Famosa Slough	TBD	FoFS	
4	2	Headwaters Protection Program	Acquisition	Protect identified lands near El Capitan Reservoir and the Upper San Diego River Gorge for 1) Wildlife Corridors to River Corridor; 2) Reservoir Buffer; 2) Trail Access; 3) Viewshed Protection; 4) Continuity of Public Lands	\$2,809,000	SDRPF	
5	3	Watershed	Acquisition	Protect lands for the following: 1) Wildlife Corridors to River Corridor; 2) Reservoir and Stream Buffers; 2) Trail Access; 3) Viewshed Protection; 4) Continuity of Public Lands	TBD	Multiple	
				Priority 1 TOTAL	TBD		

Adopted 2012 San Diego River Coalition Work Plan

PARK, Centers and Other Improvements						
ID	Priority	Title	Type	Description	Estimated Cost	Coalition Assignment
1	1	Old Town Center	Planning	This is to support the transfer of the former Caltrans Headquarters to State Park or another entity. Funding would be used to support a community design process for the use of the facility.	\$200,000	SDRPF
2	1	Discovery Center at Grant Park	Construction	This is to create a 17 acre nature park, community center and discovery center.	\$6,300,000	SDRPF
3	1	Gateway Project - Murphy Canyon Road	Planning	This is to conduct a community design process for a City of San Diego owned property which can serve as a gateway to the River Park	\$35,000	SDRPF
4	2	Lakeside Nature and Culture Center	Construction	This is to construct a nature center on property which has been secured for this use.	TBD	LRPC
5	2	Estuary Center	Planning	This is to explore the location, cost and programming of a outdoor interpretive center along Sea World Drive.	\$100,000	SDRPF
6	2	Estuary Trail Enhancement Plan	Planning	This is to design a vision for the River Trail on the south bank of the Estuary.	\$125,000	SDRPF
7	2	Eagle Peak Preserve Facility	Planning	This is to explore the feasibility and design of a interpretive facility and staging area.	\$150,000	SDRPF
8	2	Hanson Pond Facility	Planning	This is to consider the design and feasibility of a public facility at Hanson Pond.	\$150,000	LRPC
9	2	Heritage Museum	Planning	This is to design and implement an interpretive program for a heritage center in Mission Valley in a building which will be donated.	\$85,000	SDRPF

Adopted 2012 San Diego River Coalition Work Plan

10	3	Stadium River Park	Planning	This is to advance a world-class river park and river restoration plan at Qualcomm Stadium if the facility use changes.	TBD	SDRPF
11	3	Tierrasanta Blvd. Overlook	Construction	This is to design and construct an overlook of the San Diego River and Mission Gorge at the terminus of Tierrasanta Blvd.	TBD	FOTC
12	3	Old Mission Dam Maintenance Project	Implement	This is to develop and implement an ongoing project to protect the Historic Old Mission Dam from sediment accumulation.	TBD	MTRPF
13	3	Lakeside Science Field Station	Construction	This is to create a Science Field Station within the Lakeside River Park	TBD	LRPC
14	3	Ruffin Canyon Education Station	Study	This is to explore the feasibility and design of an education center at the top of Ruffin Canyon.	TBD	FORC
15	3	Estuary Center	Construction	This is to construct the estuary center if it is determined feasible.	TBD	SDRPF
16	3	Camping Facilities Assessment	Planning	This is to explore the feasibility of a system of public camping sites from the mountains to the ocean along the River Trail.	TBD	UNK
17	3	Eagle Peak Preserve Facility	Construction	This is to construct an interpretive facility and staging area if it is feasible.	TBD	SDRPF
18	3	Hanson Pond Facility	Construction	This is to construct a public facility if it is determined to be feasible.	TBD	LRPC
				Priority 1 TOTAL	\$6,535,000	

Adopted 2012 San Diego River Coalition Work Plan

SAN DIEGO RIVER TRAIL SYSTEM							
ID	Priority	Title	Type	Description	Estimated Cost	Coalition Assignment	Agency Priority
1	1	El Capitan Reservoir	Feasibility	Conejos Creek to Reservoir Boat Ramp and community connections	100000	SDRPF	no
2	1	Hanson Pond	Construction	Multi-Use Earthen Trail from El Monte Road to Collwood	2000000	LRPC	no
3	1	Stadium to Fenton Parkway	Construction	Paved Trail from Stadium to existing trail at Fenton Parkway	600000	SDRPF	yes
4	1	West River Crossing	Construction	Paved Trail from Sefton Field to Friars Road connecting YMCA	1000000	SDRPF	yes
5	1	Mid-Block Crossing	Construction	Mid-block crossing on Camino del Este. South side of river.	400000	SDCBC	yes
6	1	Mission Valley Greenway Crossing	Construction	Build bridge to cross roadway over Qualcomm Way on south side of river as demonstration for other FSDRIP crossings	1754000	SDRPF	no
7	1	County of San Diego Parcel	Construction	This is a .386 mile trail across a County of San Diego owned property in Santee.	313000	FOSRP	yes
8	2	Mast Park to Town Center Park	Construction	This is to construct a trail from the existing trail at Cuyamaca St. to a County owned property. This project should hold until it is determined if a trail across the County property is feasible.	350000	FOSRP	yes
9	2	Hanlon Walker Trail	Construction	City of Santee project across this property once it is acquired	2500000	FOSRP	yes
10	2	Mast Park West to W.Hills Parkway	Construction	Multi-Use Trail from Mast Park West connecting to W. Hills Parkway	1500000	SDRPF	yes
11	2	Sefton Park to AAA Trail	Construction	Conduct improvements to complete missing gap	TBD	SDRPF	no
12	2	Channel Road Gap	Construction	Multi-Use Earthen Trail from Channel Road to existing trail at Highway 67 includes acquiring easement from private land owner	175000	LRPC	yes
13	3	Forester Creek Connection	Feasibility	Explore opportunities for trail connection between Forester Creek Bike Path and River Trail	TBD	FOSRP	no
14	3	Mission Valley Crossing	Construction	Construct Bridge for crossing between Stadium/Library and Camino del Rio S.	TBD	UNK	no
15	3	El Monte Valley	Construction	Class 2 Bike Lanes from El Monte Park to Hanson Pond	TBD	UNK	no
16	3	Grantville Corridor	Construction	Multi-use paved trail from MTRP to Stadium	TBD	SDCBC	no
17	3	Rim to Rim Trail	Construction	Multi-Use Trail from Normal Heights to Camino del Rio N and Ruffin Canyon to River Trail	TBD	Multiple	no
18	3	805 Gap	Construction	Build culvert crossing to connect River Trail under 805	TBD	SDRPF	no
19	3	West Mission Valley Trail	Construction	Multi-Use Paved Trail from West River Crossing to Fashion Valley Road.	TBD	UNK	no

Adopted 2012 San Diego River Coalition Work Plan

20	3	Pacific Highway Connection	Construction	Create paved multi-use connection from Pacific Highway to Friars Road.	TBD	UNK	no
21	3	El Monte Valley Trail Plan	Study	Earthen Trail System in Valley	TBD	UNK	no
				PRIORITY 1 TOTAL	\$6,167,000		

Adopted 2012 San Diego Coalition Work Plan

HABITAT RESTORATION & ENHANCEMENT						
ID	Priority	Title	TYPE	Description	Estimated Cost	Coalition Assignment
1	1	El Capitan Reservoir	Implementation	Remove Arrundo from Buffer Area around Reservoir	75000	SDRPF
2	1	Estuary	Implementation	Remove invasives in Estuary	50000	SDRPF
3	2	Stadium Segment	Implementation	Remove Invasives on property owned by City of San Diego Public Utilities Department	TBD	SDRPF
4	2	City of San Diego at Carlton Hills GC	Implementation	Complete Removal of Invasives	TBD	FOSRP
5	2	Mast Park West	Study	Remove Invasives	TBD	FOSRP
6	2	Sefton River Park	Study	Remove Invasives. Complete work after Mission Valley West River Crossing	TBD	FOMVP
7	2	County of San Diego Property in Santee	Implementation	Remove Invasives	TBD	FOSRP
8	2	Chocolate Creek	Study	Work with Property Owners to Remove Invasives along identified Wildlife Linkage	TBD	BCLT
9	2	Crowne Plaza Riparian Area	Study	Work with Property Owners to Remove Invasives	TBD	SDRPF
10	2	El Monte Valley - Upper	Study	Remove Invasives from Public Property below El Capitan Dam	TBD	SDRPF
11	3	Cedar Falls to El Capitan Reservoir	Study	Work with Land Owners to Map Invasives and Develop Action Strategy as access is allowed	TBD	SDRPF
12	3	RCP Property	Study	Work with Property Owners to Remove Invasives	TBD	UNK
13	3	El Monte Valley - Middle	Study	Work with Property Owners to Remove Invasives	TBD	UNK
14	3	MidWest TV Riparian	Study	Work with Property Owners to Remove Invasives	TBD	UNK
15	3	Private Property Project	Study	Develop a program to remove invasives on private property	TBD	SDRPF

Adopted 2012 San Diego Coalition Work Plan

HABITAT RESTORATION & ENHANCEMENT						
ID	Priority	Title	TYPE	Description	Estimated Cost	Coalition Assignment
16	3	805 to Qualcomm Way	Study	Work with Property Owners to Remove Invasives	TBD	SDRPF
17	3	Major Tributaries	Study	Map Major Tributaries and develop action plan as needed	TBD	UNK
18	3	Estuary Cobble Project	Implementation	Recontour area near I-5 and re-create appropriate habitat	TBD	UNK
Priority 1 TOTAL					\$125,000	

Adopted 2012 San Diego River Coalition Work Plan

WATER QUALITY						
ID	Priority	Title	Type	Description	Estimated Cost	Coalition Assignment
1	1	Remove Trash and Debris	Implementation	Document and Remove Debris and establish ongoing management program	75,000	SDRPF
2	2	Map Hydromofications	Study	Document Hydromodifications to major tributaries and connections to urban canyons	TBD	SDRPF
3	2	Monitoring Program Expansion	Study	Expand Data Integration and monitoring programs	TBD	SDRPF
4	2	Determine Watershed Effective Boundaries	Study	Stormwater is being pumped into watershed. This needs to be mapped to determine effective watershed boundaries	TBD	SDRPF
5	2	Hanson Pond	Study	Examine oportunities to re-engineer pond	TBD	LRPC
6	2	Kumeyaay Lake Berm Restoration and Dredging	Construction		TBD	MTRPF
7	2	Develop Action Plan to Remove Hydromodifications	Study	Based upon Hydromodification Study	TBD	SDRPF
8	2	SD Mission Road Bridge	Study	Study benefits of all-weather crossing	TBD	SDRPF
9	3	Estuary Model	Study	Conduct sediment transport study to determine health and management strategy	TBD	UNK
10	3	Tributary Pre-Treatment	Study	Determine opportunities for runoff pre-treatment prior to entering main stem of river	TBD	UNK
11	3	Hanson Pond	Construction	Implement recommendations of study	TBD	LRPC
12	3	Implement Hydromodification Removal Strategy	Construction	implement recommendations of Action Plan	TBD	UNK
				Priority 1 TOTAL	\$75,000	

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 9

SUBJECT: **SAN DIEGO RIVER GORGE TRAIL: CEDAR CREEK
FALLS PERMIT AND PARKING IMPROVEMENT
PROJECT (INFORMATIONAL)**

Presentation and Report

**Bjorn Fredrickson, Recreation and Lands Program Manager
Palomar Ranger District, Cleveland National Forest**



United States
Department of
Agriculture

Forest
Service

Cleveland National Forest

Palomar Ranger District
1634 Black Canyon Road
Ramona, CA 92065-1205
(760) 788-0250
(760) 788-6130 FAX
CRS 1-800 735-2922

File Code: 1950-
Project Environmental
Assessments
Date: December 12, 2011

Dear Forest User:

This letter initiates public scoping for the ***Cedar Creek Falls Visitor Permit and Parking Improvement Project***. This analysis is required in order to ensure that recreational activities are consistent with goals, objectives, and the standards and guidelines of the Cleveland National Forest Land Management Plan. I am informing you about this action because of your potential interest in this project.

The Palomar Ranger District is preparing an environmental assessment (EA) in compliance with the National Environmental Policy Act (NEPA). This EA addresses the District's proposal to designate a permit area in the vicinity of Cedar Creek Falls, which would restrict public use of this area to visitors that have obtained a visitor use permit through the National Recreation Reservation System (NRRS). This proposal also includes the construction of an unpaved parking area of approximately 1 acre adjacent to Eagle Peak Road and a trail of approximately ½ mile in length to connect the San Diego River Park's southernmost Eagle Peak Preserve property with Eagle Peak Road. This proposal would address concerns related to:

- Public health and safety at Cedar Creek Falls and on the San Diego River Gorge Trail
- Resource impacts stemming from high levels of recreational use at Cedar Creek Falls and on the San Diego River Gorge Trail
- Impacts to the San Diego Country Estates (SDCE) neighborhood adjacent to the San Diego River Gorge Trailhead that stem from high levels of recreational use at Cedar Creek Falls
- Compromised emergency and administrative access along Eagle Peak Road during periods of high recreational use at Cedar Creek Falls

Following the construction of the San Diego River Gorge Trail I heard from many of you about a number of concerns. Specifically, you were concerned with the following issue: 1) trail users are parking on the residential streets; 2) trail users are leaving trash at the trailhead and along the trail; 3) some trail users are unprepared for the challenging terrain leading to Cedar Creek Falls and need to be rescued; 4) some forest users are jumping from the cliffs into the pool below Cedar Creek Falls, which has resulted in severe injuries and fatalities; and 5) some groups are



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using the trailhead area and the area around Cedar Creek Falls for partying, including illegal activities.

This attached Proposed Action addresses these concerns plus a number of resource issues that need to be corrected along the trail system and at Cedar Creek Falls. If you have any comments about this proposal we are asking that you please submit them to us during this scoping period. Accompanying this letter is a description of the Proposed Action and a project map.

How You Can Provide Input

You can provide your input to our proposal in a number of ways.

Written or oral comments may be submitted to: Bjorn Fredrickson, Recreation and Lands Officer, Palomar Ranger District, 1634 Black Canyon Road, Ramona, CA 92065; TEL: 760-788-0250 x3327; FAX 760-788-6130; EMAIL bfredrickson@fs.fed.us. In-person comments can be delivered to the address above between 8 a.m. and 4 p.m. on normal business days.

Comments must be received or postmarked by the end of the 30-day scoping period for this project. The scoping period begins with publication of a legal notice of scoping in the *San Diego Union Tribune*. The publication date is scheduled to be on or around December 13, 2011.

To be eligible for appeal rights, persons who submit comments must either sign the comments or verify identity upon request. Names and addresses of persons making comments will become part of the public record. Only persons who provide comments or otherwise express interest in the proposal during the scoping or comment periods will have appeal rights. Comments must meet the requirements of 36 CFR 215.

We appreciate your interest and continuing cooperation and support. Should you have any questions, or need additional information about this project, please contact me or Bjorn Fredrickson, Recreation and Lands Officer for the Palomar Ranger District at 760-788-0250 or by email at bfredrickson@fs.fed.us.

Sincerely,

A handwritten signature in cursive script that reads "Joan Friedlander".

JOAN FRIEDLANDER
District Ranger

Location

The location of the proposed permit area is Cedar Creek Falls and its immediate vicinity, within the San Diego River Gorge. The legal land description is Township 14 South, Range 2 East, Section 1; and Township 13 South, Range 2 East, Section 36; San Bernardino Meridian.

The location of the proposed parking area is the junction of Eagle Peak Road and Cedar Creek Road. The legal land description is Township 13 South; Range 3 East; Section 31; San Bernardino Meridian.

The location of the proposed trail is between the San Diego River Park Foundation's southernmost Eagle Peak Preserve property and the junction between Eagle Peak Road and Cedar Creek Road. The legal land description is Township 13 South; Range 3 East; Section 31; San Bernardino Meridian.

Purpose and Need

The designation of a permit area in the vicinity of Cedar Creek Falls will allow the Palomar Ranger District to more effectively manage a number of concerns that result from increased visitation to Cedar Creek Falls. Specifically, these concerns are related to public health and safety at Cedar Creek Falls and on the San Diego River Gorge Trail; resource impacts from high levels of recreational use at Cedar Creek Falls and on the San Diego River Gorge Trail; impacts to the San Diego Country Estates (SDCE) neighborhood adjacent to the San Diego River Gorge Trailhead from high levels of recreational use at Cedar Creek Falls; and compromised emergency and administrative access along Eagle Peak Road during periods of high recreational use at Cedar Creek Falls.

The construction of an unpaved parking area at the junction of Eagle Peak Road and Cedar Creek Road and a trail between the San Diego River Park Foundation's southernmost Eagle Peak Preserve property and the junction between Eagle Peak Road and Cedar Creek Road would allow the Palomar Ranger District to improve emergency and administrative access along Eagle Peak Road, as the roadway is often blocked by hikers' vehicles.

Cedar Creek Falls can be accessed from both the West and East sides of the Palomar District (the San Diego River Gorge Trailhead and Eagle Peak Road, respectively). The San Diego River Gorge Trailhead parking lot, adjacent to SDCE, is built to accommodate 29 vehicles; no developed parking currently exists at the alternate trailhead along Eagle Peak Road. Visitation patterns have evolved such that on a typical weekend hundreds of cars are parked in SDCE and vehicles parked along both sides of Eagle Peak Road hinder emergency and administrative access for fire engines and other emergency vehicles.

The falls has long been a popular recreation destination in San Diego County, though recreational use of this area has dramatically increased in recent years. Since 2007, visitor use at the San Diego River Gorge Trailhead has increased 5 fold from 50-60 cars on a peak weekend to a high of 260 cars observed on multiple occasions. Increased public use of this area over the past 5 years is likely the result of a rise in media attention, especially in the form of social media –

Cedar Creek Falls now has its own “Facebook” page. Further complicating this issue, three consecutive wet years following a prolonged drought have resulted in higher visitation year-round in contrast to the past when visitor use substantially declined when the water dried up. Trail improvements, completed in the spring of 2011, and high levels of media attention to the controversies surrounding the site have increased use and exacerbated existing problems.

Since 1998 three individuals have died while jumping from the cliffs into the pool below Cedar Creek Falls, and others have suffered severe injury, including permanent paralysis. According to the San Diego Sheriff’s Office, Cedar Creek Falls and the San Diego River Gorge Trail produce more rescues than any other area in the San Diego County Sheriff’s jurisdiction. During the 2010 calendar year, rescue personnel conducted a total of 48 helicopter medical assist calls to the Cedar Creek Falls area. Ninety percent of these calls were related to dehydration; many of the remaining rescues were associated with injuries sustained by visitors who were jumping and diving from the cliffs surrounding the falls.

The Cedar Creek Falls area has had a history of excessive alcohol consumption. Safety issues stemming from alcohol use are exacerbated by hot temperatures routinely exceeding 100 degrees Fahrenheit during the summer months. Further, large assemblages of young people and partying are becoming commonplace around the falls – the area is becoming known widely as a “party spot.” Illegal campfires, jumping or diving from cliffs, and dehydration are exacerbated by alcohol use. There is also concern that the area is becoming known for drug (marijuana) use, especially among minors.

In addition to safety concerns, increasing levels of visitation to the falls is resulting in resource impacts, both at the falls and along the San Diego River Gorge Trail. Signage and other infrastructure, such as wire fencing, are increasingly being torn down by recreationists at the falls and along the trail. As visitation has increased littering has also become commonplace, and is focused at the falls but additionally occurs along the trail. Finally, user-created trails, which can cause heavy erosion during rain events, have proliferated as visitation to the falls has increased and have threatened the integrity of the existing trail.

The majority of visitors to Cedar Creek Falls access the falls by way of the San Diego River Gorge Trailhead, which is located adjacent to the SDCE neighborhood. The trailhead parking lot can only accommodate 29 vehicles, so during periods of high use hundreds of cars spill over into the neighborhood. With such high levels of visitation, neighbors from SDCE consistently complain of trespass, unruly behavior, and heavy traffic and speeding on neighborhood streets, and also frequently report that large groups are partying at the falls or trailhead.

While a minority of visitors to Cedar Creek Falls access the falls by way of Eagle Peak Road, there is currently no developed parking at this trailhead. Thus, visitors park along both sides of the narrow shoulders on Eagle Peak Road during periods of high use, which constricts access along the road for fire engines and other emergency vehicles. Compromised emergency and administrative access reduces the ability of the Palomar Ranger District and other emergency response organizations to respond to emergencies and wildfires, as well as engage in law enforcement activities. Compromised access would also reduce the ability of visitors to evacuate the area in a timely fashion in the event of a wildfire. Furthermore, the western side of Eagle

Peak Road in the vicinity of the trailhead drops steeply into the river gorge below, increasing the risk that a vehicle attempting to park on this side of the road could fall hundreds of feet into the gorge.

Limiting the number of visitors allowed to access the permit area in the vicinity of Cedar Creek Falls to those visitors that obtain a visitor use permit through NRRS would encourage a shift in the atmosphere at the falls from that of a “party spot” to that of a remote, primitive landscape consistent with the area’s designation as backcountry non-motorized as identified in the Cleveland National Forest Land Management Plan. Furthermore, the permitting mechanism would allow the District to more effectively provide visitors to the falls with information related to health and safety at the time of permit application. Together the provision of improved safety information and shift in atmosphere at the falls would improve health and safety at the falls and along the San Diego River Gorge Trail, and additionally decrease the need for rescues of distressed visitors. Limiting the number of visitors allowed to access the permit area in the vicinity of the falls would also alleviate resource impacts at the falls and on the San Diego River Gorge Trail, reduce recreation impacts to the SDCE neighborhood, and improve emergency and administrative access along Eagle Peak Road.

Constructing an unpaved parking area at the junction of Eagle Peak Road and Cedar Creek Road as well as a trail of approximately ½ mile in length to connect the San Diego River Park Foundation’s southernmost Eagle Peak Preserve property with Eagle Peak Road would improve emergency and administrative access along Eagle Peak Road during periods of high recreational use at Cedar Creek Falls. Additionally, formal parking facilities and a trail at this location would address the potential safety risks associated with members of the public parking adjacent to the steep drop off along the west side of Eagle Peak Road

This action additionally provides an opportunity to work toward the forest management goals as described in the 2005 Revised Cleveland National Forest Land Management Plan (Forest Plan). Forest Plan goals relevant to the proposed permit area are summarized below:

- Forest-wide direction is in Part 2 (Strategy) of the Forest Plan. Specific management direction on pages 25-26 states “*The recreation staff ... emphasize providing balanced, environmentally sustainable, recreation opportunities to meet the needs of a growing, urban, culturally diverse population, particularly day-use opportunities.*”
- Additional forest-wide direction in Part 2 of the Forest Plan, on page 103, states “*Analyze, stabilize and restore areas where visitor use is negatively affecting recreation experiences, public safety and environmental resources. Manage visitor use within the limits of identified capacities. Implement control measures in specific high-use areas as use levels become a concern.*”
- Place-Based Program Emphasis areas (‘places’) are also described in Part 2 of the Forest Plan. Cedar Creek Falls is located in the Upper San Diego River ‘place.’ On page 67 the program emphasis for this ‘place’ states, “*Recreation management in the vicinity of Cedar Creek Falls will be improved ... to allow safe access to popular destinations.*”

Proposed Action

The proposed action designates a permit area around Cedar Creek Falls to reduce visitation to this site, thus improving public health and safety, decreasing the severity of resource impacts at the falls and along the San Diego River Gorge Trail, reducing impacts to the SDCE neighborhood, and improving emergency and administrative access along Eagle Peak Road.

A permit system would allow visitors to reserve the opportunity to visit the permit area in the vicinity of the falls via the National Recreation Reservation System (NRRS). In addition to allowing members of the public to reserve the opportunity to visit the permit area on a given day, NRRS would present the Palomar Ranger District with a novel opportunity to provide visitors – as part of their permit package – with information related to public health and safety. It is additionally important to note that NRRS currently charges an administrative fee of \$6 per permit reserved. This administrative cost is distinct from a recreation fee, and is not collected by the Cleveland National Forest.

The visitor use permit is designed to limit the number of parties allowed to access the falls from Thornbush and Eagle Peak Roads on a given day; this number – set initially at 75 – is based on parking capacity and the rate of parking turnover at the trailheads. A permit would allow a party of up to 5 people – the capacity of a typical passenger vehicle – to access a permit area surrounding the falls. The number of permits issued on a daily basis would be fluid and would be adjusted according to an adaptive management process.

The logic behind permitting access to a limited area surrounding Cedar Creek Falls is that most visitors to this part of the Palomar district – up to 95 percent – have historically sought to visit the falls. Most of the impacts outlined above in the Purpose and Need section of this document would therefore be addressed by implementing a permit area in the vicinity of the falls. Furthermore, permitting a limited area around the falls would allow for continued access to the San Diego River Gorge by hikers, hunters, equestrians, and mountain bikers, which would minimize the loss of recreation access to National Forest System lands.

The proposed action would also allow the Palomar Ranger District to construct a unpaved parking lot of approximately 1 acre in size at the junction of Eagle Peak Road and Cedar Creek Road, as well as a trail of approximately ½ mile in length to connect the San Diego River Park Foundation's southernmost Eagle Peak Preserve property with Eagle Peak Road. This parking area would be designed to accommodate up to 30 vehicles and/or horse trailers.

Issues

A number of preliminary issues pertaining to the designation of a permit area in the vicinity of Cedar Creek Falls have been identified:

- Designating a permit area around the popular recreation destination Cedar Creek Falls would decrease the number of visitors able to access the falls and would require reservations in advance.
- Designating a permit area in the vicinity of Cedar Creek Falls would reduce visitation to the falls from levels observed in recent years, thus improving public health and safety at the falls and along the trail, and additionally reducing the frequency of rescue operations.

- Designating a permit area in the vicinity of Cedar Creek Falls would reduce visitation to the falls from levels observed in recent years, thus relieving resource impacts such as the proliferation of user-created trails, littering, and the destruction of signage and recreation infrastructure.
- Designating a permit area in the vicinity of Cedar Creek Falls would reduce visitation to the falls from levels observed in recent years, thus relieving impacts to the SDCE neighborhood adjacent to the San Diego River Gorge Trailhead.
- Designating a permit area in the vicinity of Cedar Creek Falls would reduce visitation to the falls from levels observed in recent years, thus improving emergency and administrative access along Eagle Peak Road.
- Constructing an unpaved parking area at the junction of Eagle Peak Road and Cedar Creek Road and a trail connecting the San Diego River Park Foundation's southernmost Eagle Peak Preserve property with Eagle Peak Road may result in increased visitation to this part of the Palomar Ranger District. However, any potential increase in visitation due to the construction of parking facilities may be mitigated by the designation of a permit area in the vicinity of Cedar Creek Falls.

The Palomar Ranger District will evaluate public comments and potential environmental consequences related to the proposed action in order to identify any additional significant issues or potential adverse impacts that would likely result from designating a permit area in the vicinity of Cedar Creek Falls.

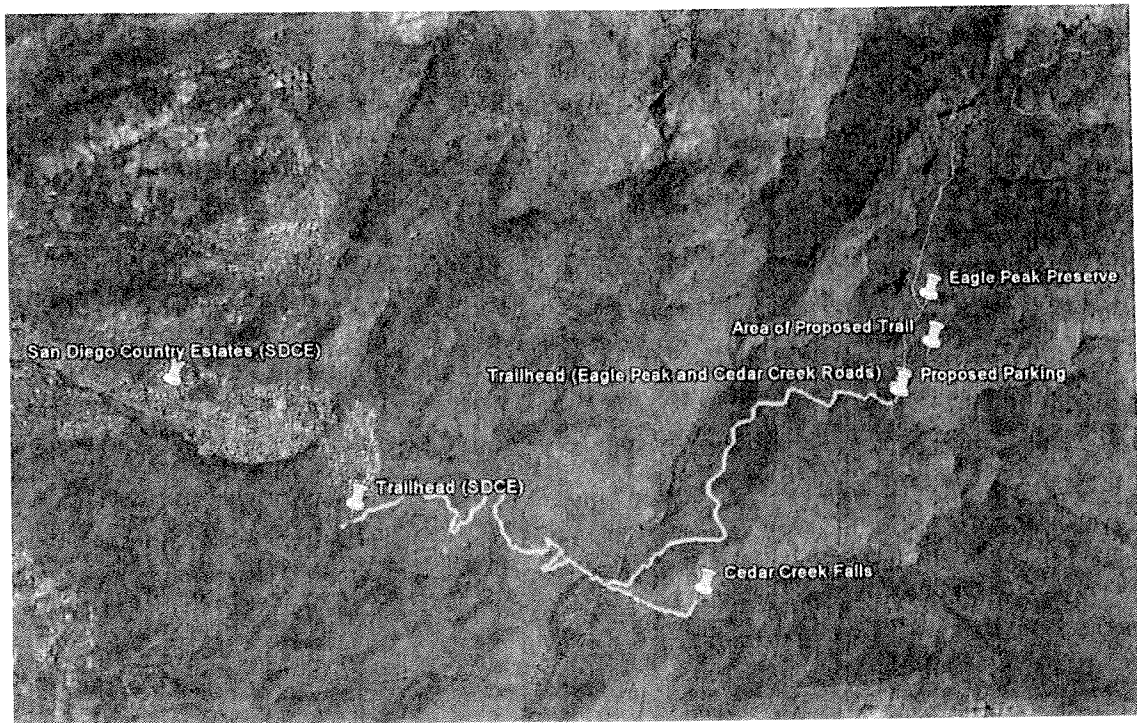
Decision to be Made

The Palomar District Ranger is the Responsible Official for this project. The decision to be made is whether or not to authorize the permit area and permitting process, parking improvements, and trail construction, as well as in what manner, as described in the Proposed Action.

Contact Person

Team Leader: Bjorn Fredrickson, Recreation and Lands Officer, Palomar Ranger District (760-788-0250 x3327 or bfredrickson@fs.fed.us).

CEDAR CREEK FALLS VISITOR PERMIT AND PARKING IMPROVEMENT PROJECT MAP



State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 10

SUBJECT: **SAN DIEGO RIVER CONSERVANCY: STRATEGIC
PLAN / 2012-2017**

Status & Funding Constraints
Michael Nelson SDRC

Scope of Work / 2012 -2017 Strategic Plan
Ann Miller Haddad

Infrastructure Plan & Financial Strategy
Andrew Poat

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 11

SUBJECT: **DEPARTMENT OF TRANSPORTATION: AUCTION/
FORMER OLD TOWN OFFICE (INFORMATIONAL /
ACTION)**

Staff will provide an update regarding Caltrans' proposed disposal and auction of the Former California Department of Transportation District Office Complex and seek direction from the Board.



September 16, 2011

California Department of Transportation
Division of Environmental Analysis
Attention: Olga Estrada
4050 Taylor Street, MS 242
San Diego, CA 92110

RE: Comments on the Draft Environmental Impact Report for Disposal of the Former California Department of Transportation District Office Complex

Dear Ms. Estrada:

The purpose of this correspondence is to raise statutory issues and questions regarding the Draft Environmental Impact Report prepared for the Disposal of the Former California Department of Transportation District Office Complex in San Diego County, California (PI# 1100000072).

The San Diego River Conservancy (SDRC or Conservancy) is an independent state agency within the Natural Resources Agency. It was established by the San Diego River Conservancy Act (Pub. Resources Code, §§ 32630-32661) in 2002 to restore a riparian corridor along the length of the San Diego River and to build a stream valley park. Interestingly, the findings of the Act expressly reference reestablishing cultural and historic connections between the San Diego River, Old Town San Diego State Historic Park, the Military Presidio, and the Kumeyaay Nation:

(a) The San Diego River is a natural, historic, and recreational resource in the heart of San Diego. From its headwaters near the town of Julian in east San Diego County, it runs 52 miles through Mission Valley and the first settlement in California at Old Town San Diego The river has been subjected to intense development in some parts; it runs through one of San Diego's most populated neighborhoods and is in need of restoration, conservation, and enhancement all along its length. . . . Reestablishing the cultural and historic connections between the San Diego River, Old Town San Diego State Historic Park, the Military Presidio, and the Kumeyaay Nation will provide the public with the opportunity to appreciate the state's historic beginnings.

(b) Given the opportunities available, the state recognizes the importance of holding this land in trust to be preserved and enhanced for the enjoyment of present and future generations.

(Pub. Resources Code, § 32631.)

Buttressing these findings and conclusions, the Act's first statutory purpose for which SDRC was created includes acquisition of land and historic interpretation:

(a) To acquire and manage public lands within the San Diego River area, and to provide recreational opportunities, open space, wildlife habitat and species restoration and protection, wetland protection and restoration, protection of historical and cultural resources, and protection, maintenance and improvements of the quality of the waters in the San Diego River and its watershed, its tributaries . . .

(b) To provide for the public's enjoyment, and to enhance the recreational and educational experience and historic interpretation on public lands in the territory in a manner consistent with the protection of land and natural resources, as well as economic resources, in the area.

(Pub. Resources Code, § 32633.)

As a consequence, Staff was perplexed that Caltrans did not formally notify SDRC of its intent to sell the former California Department of Transportation District Office Complex and provide SDRC with 60 days to decide whether to purchase the property. (Sts. & Hy. Code, § 118.6.) Streets & Highways Code section 118.6 requires Caltrans to offer the property to SDRC. Staff was equally surprised that Caltrans failed to acknowledge SDRC as an interested and potentially responsible agency or to recognize its statutorily mandated first right of refusal:

Notwithstanding any other provision of law, the conservancy has the first right of refusal to acquire any public lands that are suitable for park and open space within the conservancy's jurisdiction when those lands become available. The conservancy may not exercise the power of eminent domain.

(Pub. Resources Code, § 32646.) The Environmental Impact Report must explain how Caltrans has or will comply with these statutory requirements.

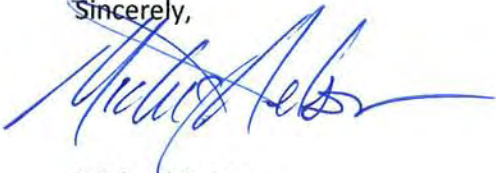
Because the Draft Environmental Impact Report states that the proposed action will have cultural resource impacts that "are both significant and unmitigable" and the action will occur within SDRC's statutory jurisdiction (**Public Res. Code, § 32632**), SDRC seeks an acknowledgement and confirmation of its right to receive formal notification of the disposal of land of notable environmental value and the opportunity as a public agency to consider its purchase. Moreover, SDRC seeks acknowledgement and confirmation of its right to exercise a first right of refusal under **Public Resources Code, section 32646**.

SDRC has established a remarkable record of achievement with federal, state and local governments, as well as nongovernmental organizations, to establish restoration, recreation and

California Department of Transportation
Division of Environmental Analysis
Attention: Olga Estrada
Page 3

land conservation projects and programs along the San Diego River. SDRC would appreciate the opportunity to work with Caltrans in this matter. Please forward any response Caltrans may have to me for the Board's consideration at its next scheduled meeting on November 3, 2011.

Sincerely,



Michael Nelson
Executive Officer
San Diego River Conservancy
1350 Front Street, Suite 3024
San Diego, CA 92101

cc: Christine Kehoe, Senator, District 39
Toni Atkins, Assembly Member, District 76
Ben Clay, Chairman, San Diego River Conservancy
Ruth Hayward, Vice Chair, San Diego River Conservancy
Michael Beck, Endangered Habitats League, San Diego River Park Foundation
Rob Hutsel, San Diego River Park Foundation, San Diego River Coalition
Bruce Coons, Executive Director, Save Our Heritage Organisation
Hayley Peterson, Deputy Attorney General

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, M.S. 242

SAN DIEGO, CA 92110

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FAX (619) 688-4237

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November 22, 2011

Mr. Michael Nelson
Executive Officer
San Diego River Conservancy
1350 Front Street, Suite 3024
San Diego, CA 92101

Dear Mr. Nelson:

The San Diego River Conservancy submitted comments dated September 16, 2011 on the Draft Environmental Impact Report (Draft EIR) for the Disposal of the Former California Department of Transportation District Office Complex in San Diego County (SCH#2011061001). Enclosed are responses to the comments that were provided in your letter.

The California Department of Transportation (Caltrans) is in the process of finalizing the environmental document, and must provide draft responses to comments received from public agencies to those agencies at least 10 days before certifying the EIR in accordance with Public Resource Code, § 21092.5, CEQA Guidelines, § 15088, subd. (a); CEQA Guidelines, § 15088, subd. (b).

If you have any questions, please contact Olga Estrada at (619) 688-0229. Your interest in this important project is truly appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. April', is written over a faint, circular stamp that contains the text 'SAN DIEGO RIVER CONSERVANCY' and 'Received DEC - 1 2011'.

BRUCE L. APRIL

Deputy District Director, Environmental

*"Caltrans improves mobility across California"*



September 16, 2011

California Department of Transportation
Division of Environmental Analysis
Attention: Olga Estrada
4050 Taylor Street, MS 242
San Diego, CA 92110

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Dear Ms. Estrada:

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The San Diego River Conservancy (SDRC or Conservancy) is an independent state agency within the Natural Resources Agency. It was established by the San Diego River Conservancy Act (Pub. Resources Code, §§ 32630-32661) in 2002 to restore a riparian corridor along the length of the San Diego River and to build a stream valley park. Interestingly, the findings of the Act expressly reference reestablishing cultural and historic connections between the San Diego River, Old Town San Diego State Historic Park, the Military Presidio, and the Kumeyaay Nation:

(a) The San Diego River is a natural, historic, and recreational resource in the heart of San Diego. From its headwaters near the town of Julian in east San Diego County, it runs 52 miles through Mission Valley and the first settlement in California at Old Town San Diego The river has been subjected to intense development in some parts; it runs through one of San Diego's most populated neighborhoods and is in need of restoration, conservation, and enhancement all along its length. . . . Reestablishing the cultural and historic connections between the San Diego River, Old Town San Diego State Historic Park, the Military Presidio, and the Kumeyaay Nation will provide the public with the opportunity to appreciate the state's historic beginnings.

(b) Given the opportunities available, the state recognizes the importance of holding this land in trust to be preserved and enhanced for the enjoyment of present and future generations.

(Pub. Resources Code, § 32631.)

A-1

Buttressing these findings and conclusions, the Act's first statutory purpose for which SDRC was created includes acquisition of land and historic interpretation:

(a) To acquire and manage public lands within the San Diego River area, and to provide recreational opportunities, open space, wildlife habitat and species restoration and protection, wetland protection and restoration, protection of historical and cultural resources, and protection, maintenance and improvements of the quality of the waters in the San Diego River and its watershed, its tributaries . . .

(b) To provide for the public's enjoyment, and to enhance the recreational and educational experience and historic interpretation on public lands in the territory in a manner consistent with the protection of land and natural resources, as well as economic resources, in the area.

(Pub. Resources Code, § 32633.)

As a consequence, Staff was perplexed that Caltrans did not formally notify SDRC of its intent to sell the former California Department of Transportation District Office Complex and provide SDRC with 60 days to decide whether to purchase the property. (Sts. & Hy. Code, § 118.6.) Streets & Highways Code section 118.6 requires Caltrans to offer the property to SDRC. Staff was equally surprised that Caltrans failed to acknowledge SDRC as an interested and potentially responsible agency or to recognize its statutorily mandated first right of refusal:

Notwithstanding any other provision of law, the conservancy has the first right of refusal to acquire any public lands that are suitable for park and open space within the conservancy's jurisdiction when those lands become available. The conservancy may not exercise the power of eminent domain.

(Pub. Resources Code, § 32646.) The Environmental Impact Report must explain how Caltrans has or will comply with these statutory requirements.

Because the Draft Environmental Impact Report states that the proposed action will have cultural resource impacts that "are both significant and unmitigable" and the action will occur within SDRC's statutory jurisdiction (**Public Res. Code, § 32632**), SDRC seeks an acknowledgement and confirmation of its right to receive formal notification of the disposal of land of notable environmental value and the opportunity as a public agency to consider its purchase. Moreover, SDRC seeks acknowledgement and confirmation of its right to exercise a first right of refusal under **Public Resources Code, section 32646**.

SDRC has established a remarkable record of achievement with federal, state and local governments, as well as nongovernmental organizations, to establish restoration, recreation and

A-2

A-3

COMMENTS (Letter A)

RESPONSES (Letter A)

Thank you for your comments and your interest in this project.
A-1 Comment noted.



September 16, 2011

California Department of Transportation
Division of Environmental Analysis
Attention: Olga Estrada
4050 Taylor Street, MS 242
San Diego, CA 92110

RE: Comments on the Draft Environmental Impact Report for Disposal of the Former California
Department of Transportation District Office Complex

Dear Ms. Estrada:

The purpose of this correspondence is to raise statutory issues and questions regarding the Draft
Environmental Impact Report prepared for the Disposal of the Former California Department of
Transportation District Office Complex in San Diego County, California (P# 1100000072).

The San Diego River Conservancy (SDRC or Conservancy) is an independent state agency within the
Natural Resources Agency. It was established by the San Diego River Conservancy Act (Pub.
Resources Code, §§ 32630-32661) in 2002 to restore a riparian corridor along the length of the San
Diego River and to build a stream valley park. Interestingly, the findings of the Act expressly
reference reestablishing cultural and historic connections between the San Diego River, Old Town
San Diego State Historic Park, the Military Presidio, and the Kumeyaay Nation:

(a) The San Diego River is a natural, historic, and recreational resource in the heart
of San Diego. From its headwaters near the town of Julian in east San Diego
County, it runs 52 miles through Mission Valley and the first settlement in
California at Old Town San Diego. . . . The river has been subjected to intense
development in some parts; it runs through one of San Diego's most populated
neighborhoods and is in need of restoration, conservation, and enhancement all
along its length. . . . Reestablishing the cultural and historic connections between
the San Diego River, Old Town San Diego State Historic Park, the Military Presidio,
and the Kumeyaay Nation will provide the public with the opportunity to
appreciate the state's historic beginnings.

(b) Given the opportunities available, the state recognizes the importance of
holding this land in trust to be preserved and enhanced for the enjoyment of
present and future generations.

(Pub. Resources Code, § 32631.)

A-1

November 2011

[Type text]

Disposal of the Former District Office Complex

COMMENTS (Letter A)

California Department of Transportation
Division of Environmental Analysis
Attention: Olga Estrada
Page 2

Butressing these findings and conclusions, the Act's first statutory purpose for which SDRC was created includes acquisition of land and historic interpretation:

(a) To acquire and manage public lands within the San Diego River area, and to provide recreational opportunities, open space, wildlife habitat and species restoration and protection, wetland protection and restoration, protection of historical and cultural resources, and protection, maintenance and improvements of the quality of the waters in the San Diego River and its watershed, its tributaries

(b) To provide for the public's enjoyment, and to enhance the recreational and educational experience and historic interpretation on public lands in the territory in a manner consistent with the protection of land and natural resources, as well as economic resources, in the area.

(Pub. Resources Code, § 32633.)

As a consequence, Staff was perplexed that Caltrans did not formally notify SDRC of its intent to sell the former California Department of Transportation District Office Complex and provide SDRC with 60 days to decide whether to purchase the property. (Sts. & Hy. Code, § 118.6.) Streets & Highway Code section 118.6 requires Caltrans to offer the property to SDRC. Staff was equally surprised that Caltrans failed to acknowledge SDRC as an interested and potentially responsible agency or to recognize its statutorily mandated first right of refusal:

Notwithstanding any other provision of law, the conservancy has the first right of refusal to acquire any public lands that are suitable for park and open space within the conservancy's jurisdiction when those lands become available. The conservancy may not exercise the power of eminent domain.

(Pub. Resources Code, § 32646.) The Environmental Impact Report must explain how Caltrans has or will comply with these statutory requirements.

Because the Draft Environmental Impact Report states that the proposed action will have cultural resource impacts that "are both significant and unmitigable" and the action will occur within SDRC's statutory jurisdiction (Public Res. Code, § 32633), SDRC seeks an acknowledgement and confirmation of its right to receive formal notification of the disposal of land of notable environmental value and the opportunity as a public agency to consider its purchase. Moreover, SDRC seeks acknowledgement and confirmation of its right to exercise a first right of refusal under Public Resources Code, section 32646.

SDRC has established a remarkable record of achievement with federal, state and local governments, as well as nongovernmental organizations, to establish restoration, recreation and

RESPONSES (Letter A)

A-2 On January 31, 2006, the Caltrans sent a Letter of Offer to Sell the District Office Complex. The letter was sent to 23 state and local agencies, including your parent agency the State Resources Agency. The only agencies that expressed a formal interest were SANDAG and the DPR. It is our position that formal notification to your agency has been fulfilled by this action. The Secretary of Resources Agency is a Governing Board Member of the San Diego River Conservancy (SDRC), and the Secretary (or designee) is present at the SDRC's bimonthly meetings. The next step in the process is to begin marketing the complex for a planned auction sale in early 2012. As preparations for this occurs, Caltrans continues to look for opportunities to dispose of this excess property.

A-3 Comment noted.

A-2

A-3

COMMENTS (Letter A)

November 2011



December 5, 2011

California Department of Transportation
Division of Environmental Analysis
Attention: Olga Estrada
4050 Taylor Street, MS 242
San Diego, CA 92110

RE: Caltrans Response to San Diego River Conservancy's Comments on the Draft Environmental Impact Report for Disposal of the Former California Department of Transportation District Office Complex

Dear Ms. Estrada:

I am in receipt of your November 22, 2011 response to comments of the San Diego River Conservancy submitted regarding the Draft Environmental Impact Report prepared for the Disposal of the Former California Department of Transportation District Office Complex in San Diego County, California (PI# 1100000072).

SDRC's September 16, 2011 letter raised a number of statutory issues and questions. The two most salient issues were:

1. Caltrans did not formally notify SDRC of its intent to sell the Former California Department of Transportation District Office Complex and provide SDRC with 60 days to decide whether to purchase the property. (Sts. & Hy. Code, § 118.6.) Streets & Highways Code section 118.6 requires Caltrans to offer the property to SDRC.
2. Caltrans has failed to recognize SDRC's statutorily mandated first right of refusal. (Pub. Resources Code, § 32646.)

On the first issue, Response A-2 concludes that Caltrans's January 31, 2006 letter to 23 state and local agencies and the Natural Resources Agency provided adequate notice to SDRC and fulfilled Caltrans' obligations. This response is unsatisfactory as SDRC is a separate state agency. Because SDRC did not receive notice, it never had an opportunity to consider acquisition of the property. Therefore, I disagree that Caltrans has complied with Streets & Highways Code section 118.6.

Regardless of our disagreement over whether notice to Resources may constitute notice to SDRC, Response A-2 does not in any way address SDRC's statutory right of first refusal. Under Public Resources Code section 32646, SDRC has a right of first refusal to acquire any public lands that are suitable for park and open space within the Conservancy's jurisdiction. The Complex falls within SDRC's jurisdiction, and no one disputes the property is suitable for park and open space. Therefore, any sale, by auction or otherwise, must be conditioned upon SDRC's right of first refusal unless SDRC waives such right, which it has not to date done. Please confirm that Caltrans will comply with its statutory obligation so that I may inform my board. Otherwise, I will recommend that my board explore its legal options to enforce its right of first refusal.

Sincerely,



Michael Nelson

Executive Officer

San Diego River Conservancy
1350 Front Street, Suite 3024
San Diego, CA 92101

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, M.S. 242

SAN DIEGO, CA 92110

PHONE (619) 688-0100

FAX (619) 688-4237

TTY 711

www.dot.ca.gov

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December 8, 2011

APN 442-463-01

DD 2489-01-04

EA 0R0002

Dear Interested Parties:

**Notice of Availability of the Final Environmental Impact Report for the Disposal of the
Former California Department of Transportation District Office
Complex**

This is to inform you that the California Department of Transportation (Caltrans) has prepared a Final Environmental Impact Report (Final EIR), which examines the potential environmental impacts of the alternatives, including the preferred alternative being considered for the proposed disposal of the former Caltrans District Office Complex (Complex) project located at 2829 Juan Street, San Diego, California 92110. The document discusses why the project is being proposed; what alternatives have been considered; how the existing environment could be affected by the project; the potential impacts of each of the alternatives; and the proposed avoidance, minimization, and/or mitigation measures.

The purpose of the project is to dispose of an excess state-owned property that is not being occupied or utilized. Since 2006, the property has been vacant and the cost associated with maintaining the facility has been in excess of \$150,000, not including utilities or unexpected maintenance requirements. The project will reduce Caltrans funds expended to maintain the vacant facility, and would generate revenue. The project proposes the sale of the Complex.

Disposal of the Complex without restrictions/covenants to a public or private entity is the preferred alternative. After researching the potential to market the building with protective covenants, and transferring the building to the California Department of Parks and Recreation (DPR), Caltrans has determined that selling the building without protective covenants or restrictions is the only viable alternative.

Interested Parties
December 8, 2011
Page 2

The Final EIR is being distributed to those agencies and individuals that provided substantive comments on the Draft EIR, or those that requested a copy. Appropriate changes have been made to address the comments that were received during the public review period. A Notice of Determination will soon be filed with the State Clearinghouse pursuant to the California Environmental Quality Act.

Caltrans has enclosed a CD copy of the Final EIR for your information. The document can be viewed at the Caltrans District 11 offices during normal business hours, located at 4050 Taylor Street, San Diego, CA 92110. In addition, the document can also be viewed at the Mission Hills Library (closed Sundays and Mondays), which is located at 925 W. Washington Street, San Diego, CA 92103. The Final EIR is also available on the internet at the following location: <http://www.dot.ca.gov/dist11/envir.htm>

If you have any questions regarding this project, please contact Olga Estrada at (619) 688-0229. Thank you for your interest in this transportation project.

Sincerely,



BRUCE L. APRIL
Deputy District Director, Environmental

Enclosure: Final Environmental Impact Report



DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, MS-120

SAN DIEGO, CA 92110

PHONE (619) 688-6668

FAX (619) 688-3122

TTY 711

www.dot.ca.gov

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December 16, 2011

Mr. Michael Nelson
San Diego River Conservancy
1350 Front Street, Suite 3024
San Diego, CA 92101



Dear Mr. Nelson:

Pursuant to Public Resources Code Section 32646 and any other applicable statute, the California Department of Transportation (Seller) hereby offers to sell the above-referenced real property, in fee simple absolute subject to any and all liens or encumbrances of public record and further subject to existing leases for cellular facilities, for the cash sum of \$7,551,000.00 to the San Diego River Conservancy (Buyer).

Without representation or warranty, the following facts are believed to be relevant to the property being offered. While believed to be true, the Seller assumes no liability for their accuracy:

1. Location: 2829 Juan Street, San Diego, CA 92110
2. R/W Parcel Number: 002489-01-04
3. Present Zoning: OTSDPD (Old Town San Diego Planned District Commercial Zone) – Core or Commercial, subject to City of San Diego municipal ordinance 0-18208, "Old Town Business Improvement District."
4. Topography: Level
5. Improvements: Three major buildings totaling approximately 115,735 sq. ft. and additional improvements as follows:
 - A. Original Building (A): Constructed in 1951, two stories, fronting Taylor and Juan Streets
 - B. Second Building (B): Constructed in 1958, two stories situated along Calhoun Street
 - C. Third Building (C): Constructed in 1963, two stories with a basement situated along Juan and Wallace Streets
 - D. Basement
 - E. Three equipment penthouses
6. The Complex has been determined to be eligible for inclusion on the National Register of Historic Places under Criterion C as a good example of a modernist office building in the San Diego area and the best-designed district office complex built during the 1947-1967 period.

Mr. Michael Nelson
December 16, 2011
Page 2

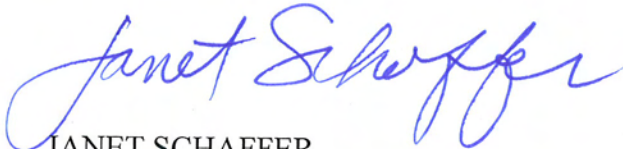
The State Historic Preservation Officer concurred in the determination of eligibility on March 7, 2011, placing it on the Master List of Historical Resources. The complex is also eligible for listing on the California Register of Historic Places under its Criterion 3.

7. The property is assumed to archeological resources and referral to a qualified archeological expert is suggested to confirm said fact and its impact, if any, on any particular development or redevelopment proposal.
8. Due to the date of construction, it is assumed the improvements contain asbestos-containing materials as well as lead-based paint. Remediation would be the responsibility of the Buyer.
9. All due diligence regarding encumbrances, known or unknown, restrictions on development, including compliance with the California Environmental Quality Act and any other applicable statute or ordinance is the responsibility of the Buyer. The Seller makes no warranty or representation regarding any particular development or redevelopment proposal.
10. Termination of Offer to Sell: This offer to sell shall expire January 16, 2012 at 5:00 p.m. unless accepted in writing without condition, qualification, or exception. Written acceptance shall be delivered to:

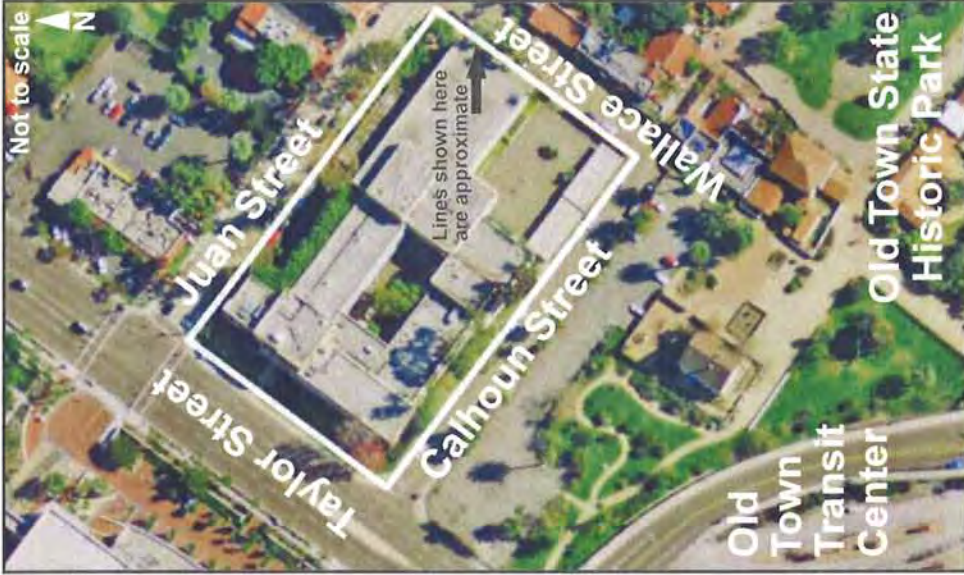
Ms. Janet Schaffer
Deputy District Director Right of Way
Caltrans District 11
4050 Taylor Street
San Diego, CA 92110

You may contact me directly at (619) 688-6915 with any questions or comments.

Sincerely,



JANET SCHAFFER
Deputy District Director Right of Way



Commercial Development Opportunity

State Property Auction

San Diego
Jan. 25, 2012



California Department
of Transportation
San Diego, District 11
4050 Taylor Street
San Diego, Ca 92110



Edmund G. Brown Jr.
Governor,
State of California

Malcolm Dougherty
Acting Caltrans Director
dot.ca.gov/dist11





Historic Old Town San Diego Location

Sitting in the shadow of the Presidio of San Diego just to the north and the downtown city skyline to the south, this prime commercial location is considered the gateway to the city's history, food and fun.

A variety of restaurants, shops, art galleries, museums and trolley tours are all within walking distance, and the ever-popular Old Town San Diego State Historic Park is just a block away.

The Old Town Transit Center is about two blocks away and is a hub of transportation opportunities, featuring plenty of free public parking and bus, trolley and commuter train services. The San Diego International Airport and the downtown Santa Fe Train Depot are minutes away and welcome more than 18 million passengers each year.



Old Town Transit Center

Old Town San Diego is in the heart of the region's Mission Valley, bound on the north by Interstate 8 and on the west by Interstate 5.

This property is located at the corner of Taylor and Juan streets with the average number of vehicles at 23,500 and 8,800 respectively each day. For more information on Historic Old Town San Diego, check out the web site at DiscoverOldTown.com. This commercial development opportunity is located at the site of the vacated California Department of Transportation (Caltrans) District Office Building at 2829 Juan Street in sunny San Diego, California.

The property is a rectangular 2.48 acres (107,500 square feet), with three major buildings totaling 115,735 square feet. It is zoned OTSDPD-Core or Commercial.

Auction

Wednesday, Jan. 25, 2012
Location – Caltrans, Garcia Room,
4050 Taylor Street, San Diego, CA 92110
Registration – 9 a.m.
Bidding – 10 a.m.

Open House

Tuesday, Dec. 6, 2011 – 10-11 a.m.
Tuesday, Dec. 13, 2011 – 10-11 a.m.

Please RSVP one day in advance to Pamela.Lemar@dot.ca.gov. to schedule a tour. Additional tours to be determined.



Property Courtyard

Property Contacts

For more information see the web site or contact the following staff:

Pamela Lemar
(619)688-6942
Pamela.Lemar@dot.ca.gov.

Lena Young
(619)688-3349
Lena.Young@dot.ca.gov.

For Additional Information

dot.ca.gov/property

The former California Department of Transportation District 11 Office Building sold in an "as is" condition. Bidders should confer with local planning officials to determine permitted uses of any property. Old Town Community Planning (619)543-9057 and the City of San Diego Land Development (619)446-5000.

Caltrans reserves the right to omit the sale of any auction item prior to auction date.



Old Caltrans HQ auction set for January

By Thor Kamban Biberman
Tuesday December 6, 2011

About five years after completing its state-of-the-art office complex across Taylor Street, Caltrans is about to put its old brick headquarters on the auction block on Jan. 25. While the names, save for one, weren't available by press time, no fewer than 17 prospective bidders have expressed interest in the site. One person who expects to bid on the property is Perry Dealy.

The Dealy Development president is well acquainted with the old Caltrans asset. It was Dealy who, beginning in 1993, both helped Caltrans masterplan the new Caltrans facility -- completed in 2006 -- and prepare a proposed mixed-use redevelopment plan for the old site that was never realized due to uncertain times. Caltrans spokesman Edward Cartagena said it has taken so long for the old Caltrans site to become available for a public auction because other state agencies, including the State Department of Parks & Recreation, were given the first crack. Local agencies were next, but Cartagena said there were no takers on either front.

The complex, vacant except for a couple of small cellular tenants, will have an open house on Dec. 13.

The Jan. 25 auction, which has a \$4.5 million minimum bid, will take place in the new Caltrans offices at 4050 Taylor St.

Registration is at 9 a.m., with the bidding slated to begin an hour later. A \$200,000 registration fee is required for participants.

The winning bidder will be required to come up with 10 percent of the sales price, minus \$200,000 already submitted by 3 p.m., Feb. 15. The remaining balance is due on or before 3 p.m., April 27.

The 115,735-square-foot former District 11 headquarters complex -- on a 2.5-acre site at the corner off of Taylor and Juan Streets.

streets -- consists of three buildings that could be demolished to make way for a mixed-use development located within a block of the Old Town State Park.

The first structure, built in 1951, is a two story L-shape building fronting Taylor and Juan Streets.

The second building, built In 1958, is a two story rectangular shaped building situated along Calhoun Street.

A third building, dating back to 1963, is a two-story rectangular shaped building with a basement located along Juan and Wallace streets.

The old Caltrans buildings had become cramped, and the agency was forced to lease space at various locations around town for more than a decade before it could move into its consolidated space.

The old property is being sold in an "as-is" condition, meaning the new owner will need to remediate the asbestos.

The environmental document on the property has been approved and circulated Dealy said asbestos removal is not the deal-breaking issue that it was in past decades

There is no clear answer to what might be constructed on the old site.

While the old plan called for multifamily units along with retail, Dealy said the winning bidder will need to assess exactly what mix and how much will make sense.

"You have to figure out what is the highest and best use," Dealy said.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 12

SUBJECT: **EXECUTIVE SESSION -Initiation of litigation pursuant to Government Code section 11126, subd. (e):
1 potential case**

The governing board will be meeting in closed session pursuant to Government Code section 11126, subdivision (e) to confer with legal counsel to decide whether, based on existing facts and circumstances, to initiate against the California Department of Transportation to enforce the Conservancy's first right of refusal under Public Resources Code section 32646 to purchase the former California Department of Transportation District Office Complex located in Old Town.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 13

SUBJECT: **NEXT MEETING**

The next regularly scheduled board meeting is scheduled for
March 1, 2012 from 2:00 to 4:00 p.m.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 5, 2012

ITEM: 14

SUBJECT: **ADJOURNMENT**