



SECTION 1 & 2
 FOOTHILL TRANSPORTATION CORRIDOR - SOUTH
 TRAIL LOCATION
 EXHIBIT 3
 MARCH, 2007

Legend
 Existing Trail
 Proposed Realignment of Trail
 Coastal Zone Boundary



EXHIBIT 28
 Application No.
 CD-018-07
 TCA

EXHIBIT 28
 Application No.
 CC-018-07
 TCA



EXHIBIT 29 FIGURE 2.4-1
Application No.
CD-018-07
 Noise Receptor and Soundwall within the Coastal Zone

- San Onofre State Park leasehold subunits*
- Preferred Alternative (11/26/06)
- Noise Analysis Receptor Locations
- Proposed Sound Walls

CC (2007). Marine Green Association (2007). *Boundaries are not subject to review.

EXHIBIT 29
 Application No.
 CC-018-07
 TCA

EXHIBIT 30

Application No.

CD-018-07

TCA

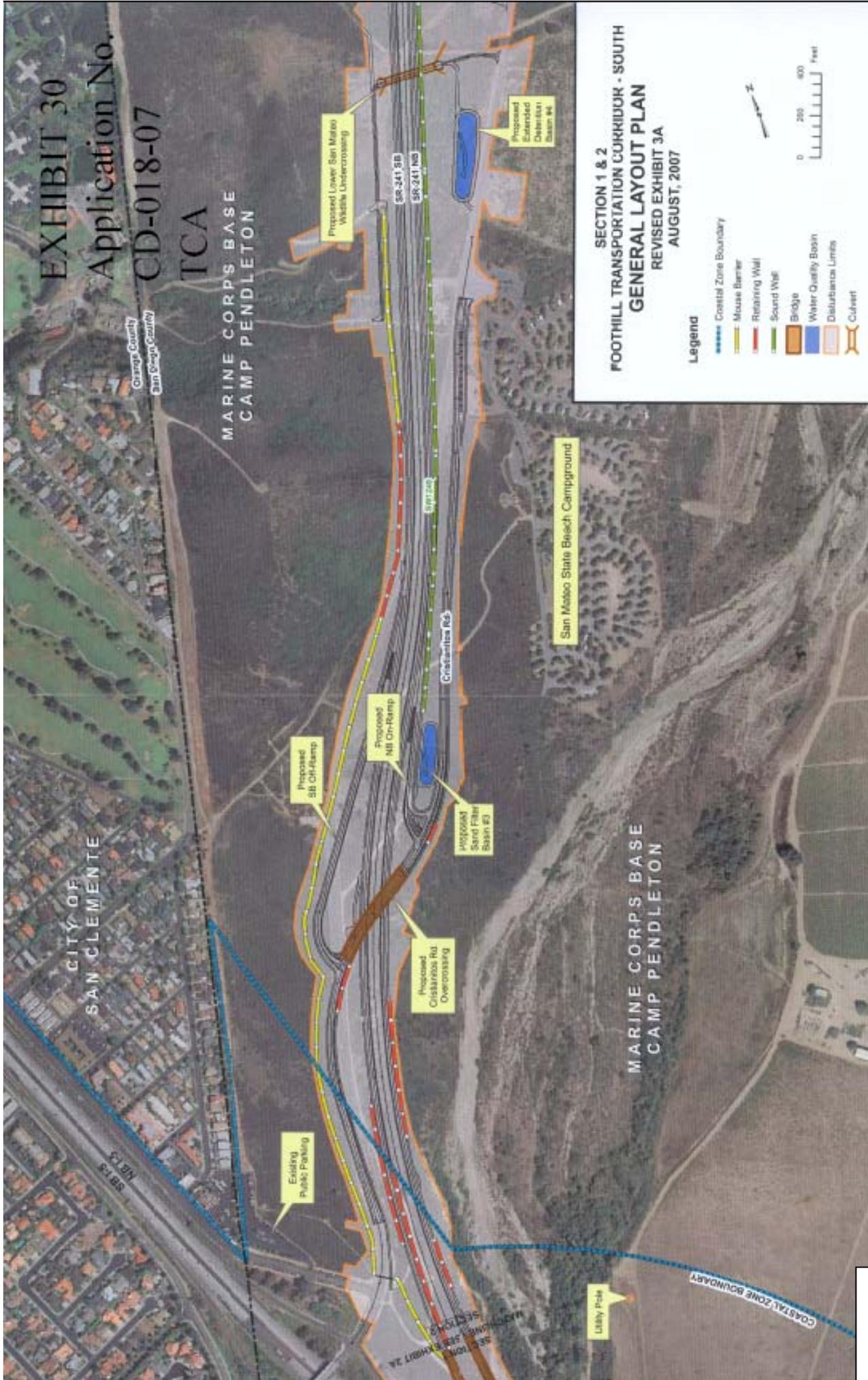
MARINE CORPS BASE
CAMP PENDLETON

CITY OF
SAN CLEMENTE

MARINE CORPS BASE
CAMP PENDLETON

San Mateo State Beach Campground

Orange County
San Diego County



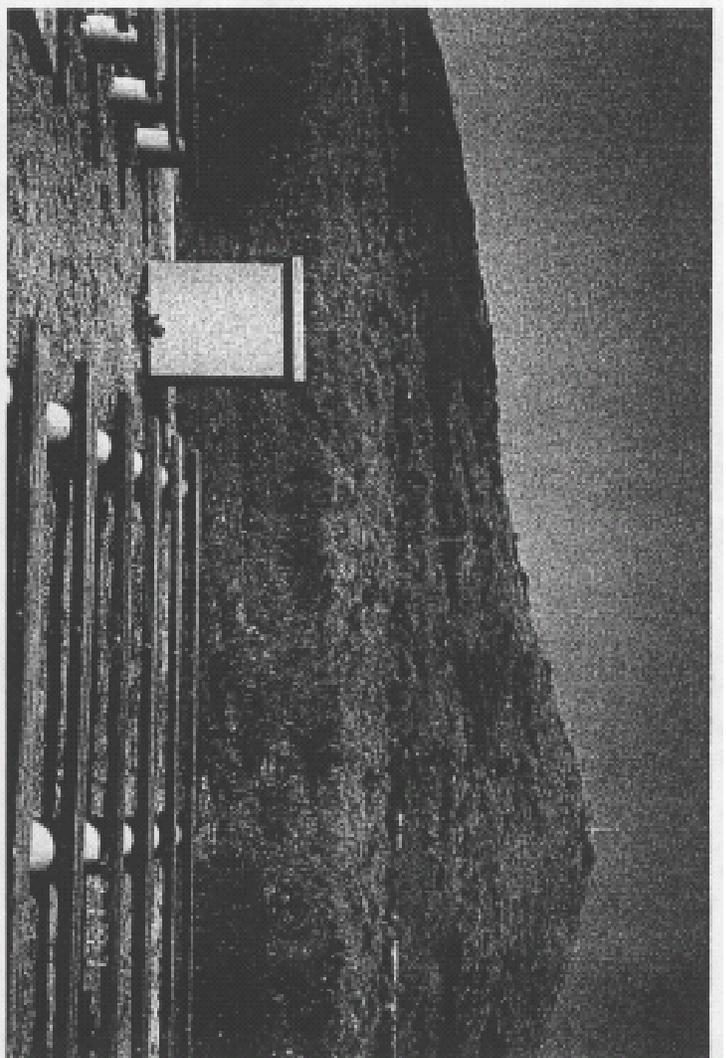
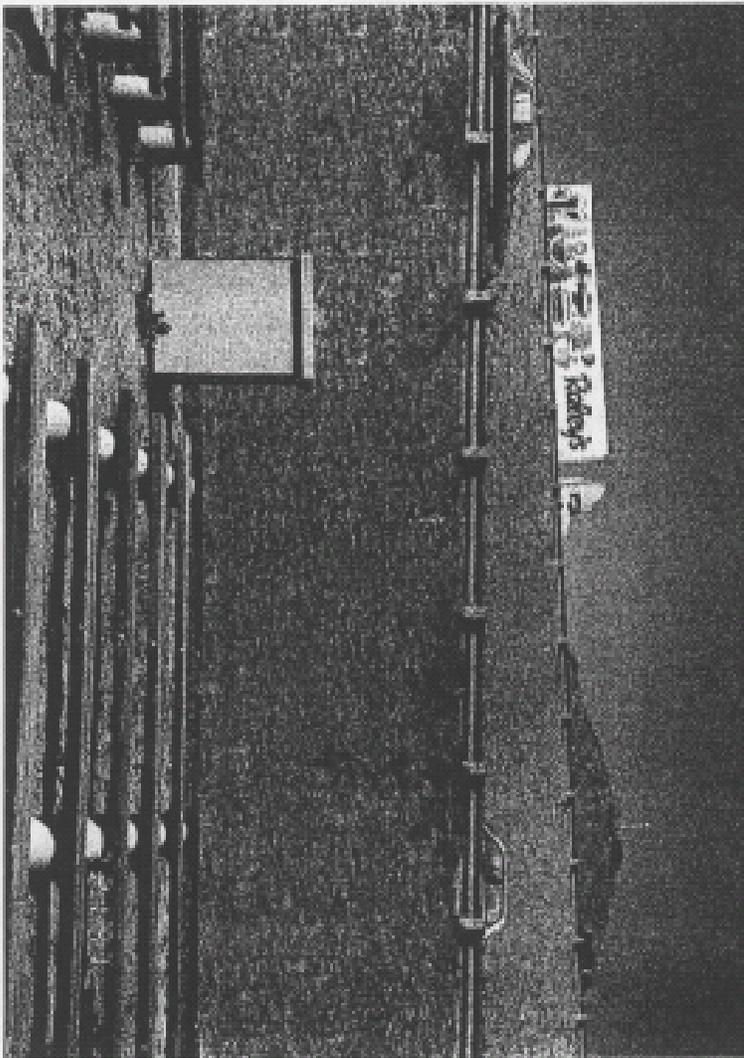
SECTION 1 & 2
 FOOTHILL TRANSPORTATION CORRIDOR - SOUTH
 GENERAL LAYOUT PLAN
 REVISED EXHIBIT 3A
 AUGUST, 2007

Legend

- Coastal Zone Boundary
- Mouse Barrier
- Retaining Wall
- Sound Wall
- Bridge
- Water Quality Basin
- Disturbance Limits
- Culvert



EXHIBIT 30
 Application No.
 CC-018-07
 TCA

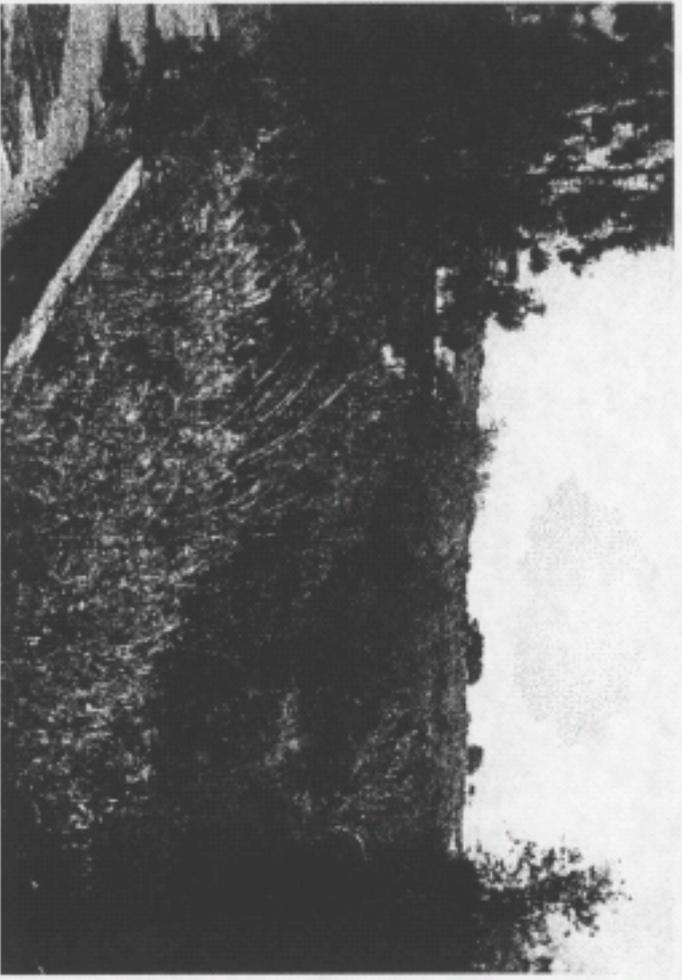


PRE-PROJECT CONDITIONS
Photo was taken from campfire center at San Mateo campground looking west towards San Clemente boundary.

SIMULATED POST CONSTRUCTION VIEW
View shows Christiantos Road realignment from San Mateo campground campfire center.

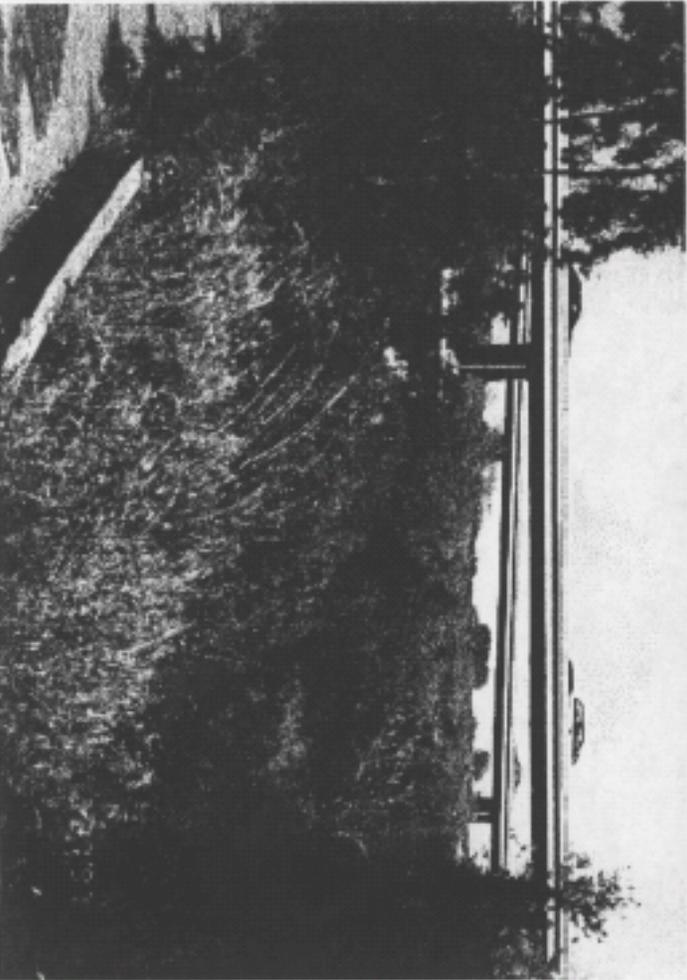
EXHIBIT 31
Application No.
CC-018-07
TCA

EXHIBIT
App
CD-
TCA



PRE-PROJECT CONDITIONS

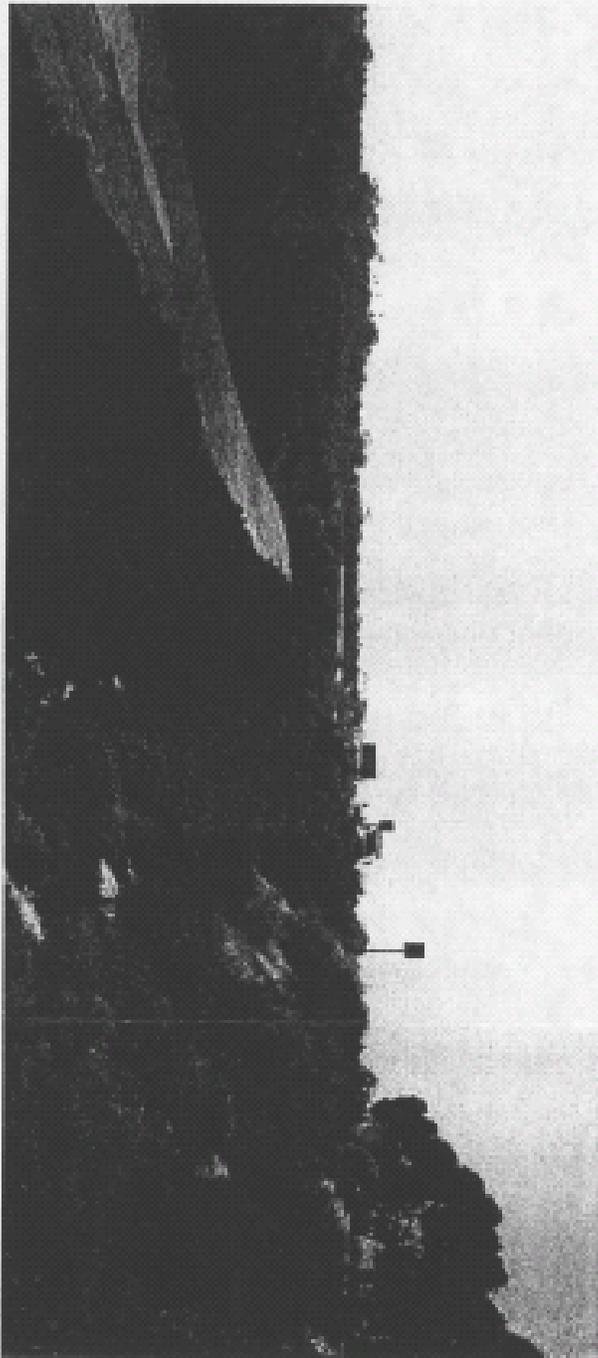
Photo was taken from the Trestles beach access trail looking northeast towards I-5 and the inland San Mateo Valley area. View includes existing I-5 fill section.



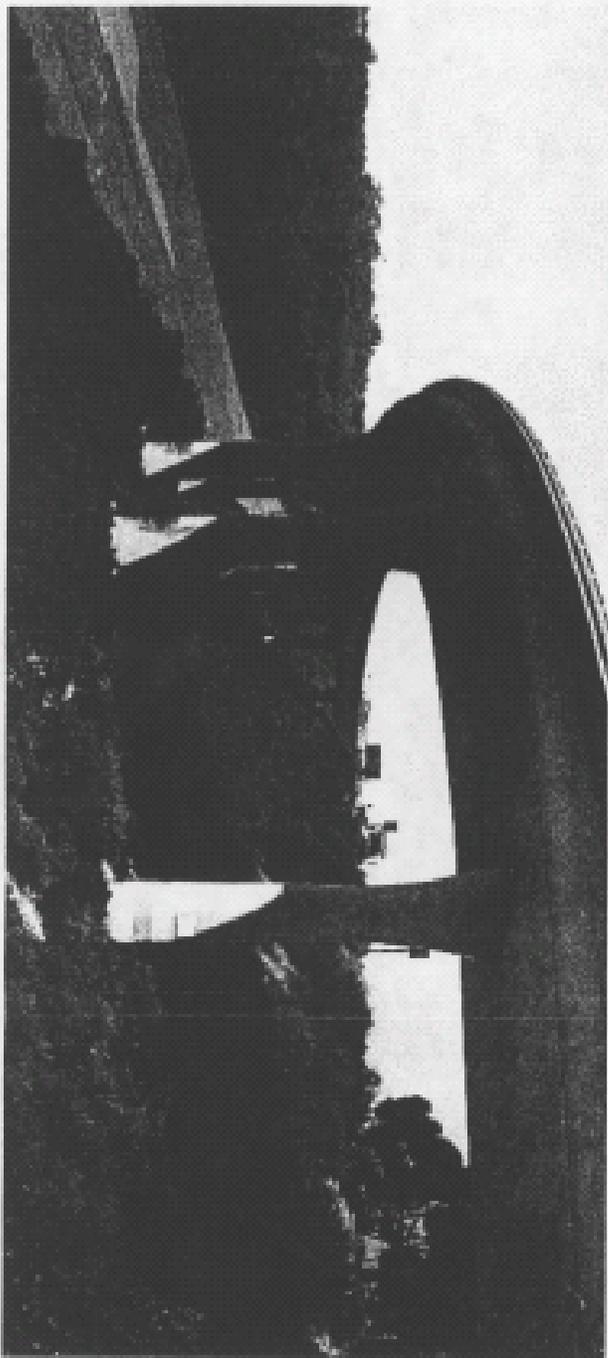
SIMULATED POST CONSTRUCTION VIEW

View shows southbound FTC flyway over San Mateo wetlands.

EXHIBIT 31-1
Application No.
CC-018-07
TCA



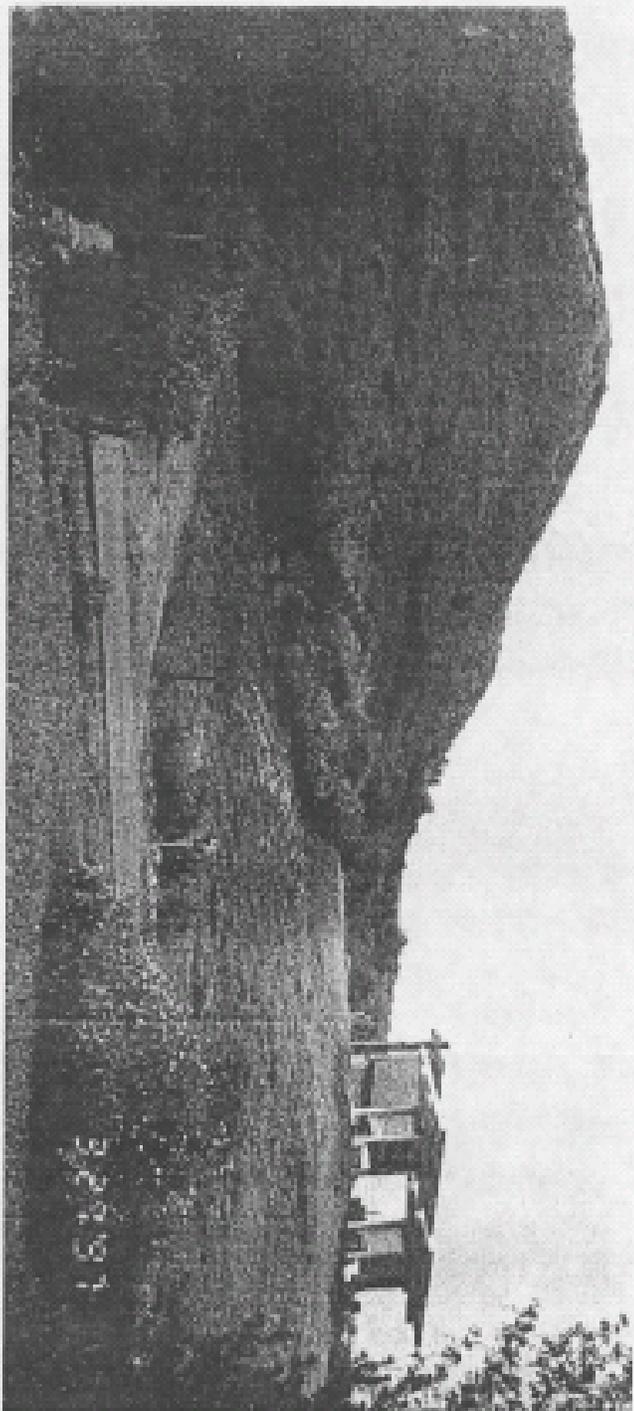
PRE-PROJECT CONDITIONS
Photo was taken from the northwest side of the Baseline Road/I-5 overcrossing looking northwest towards San Mateo Point.



SIMULATED POST-CONSTRUCTION VIEW
View shows southbound FTG flyway between San Mateo wetlands old US 101 alignment and existing southbound I-5 fill section.

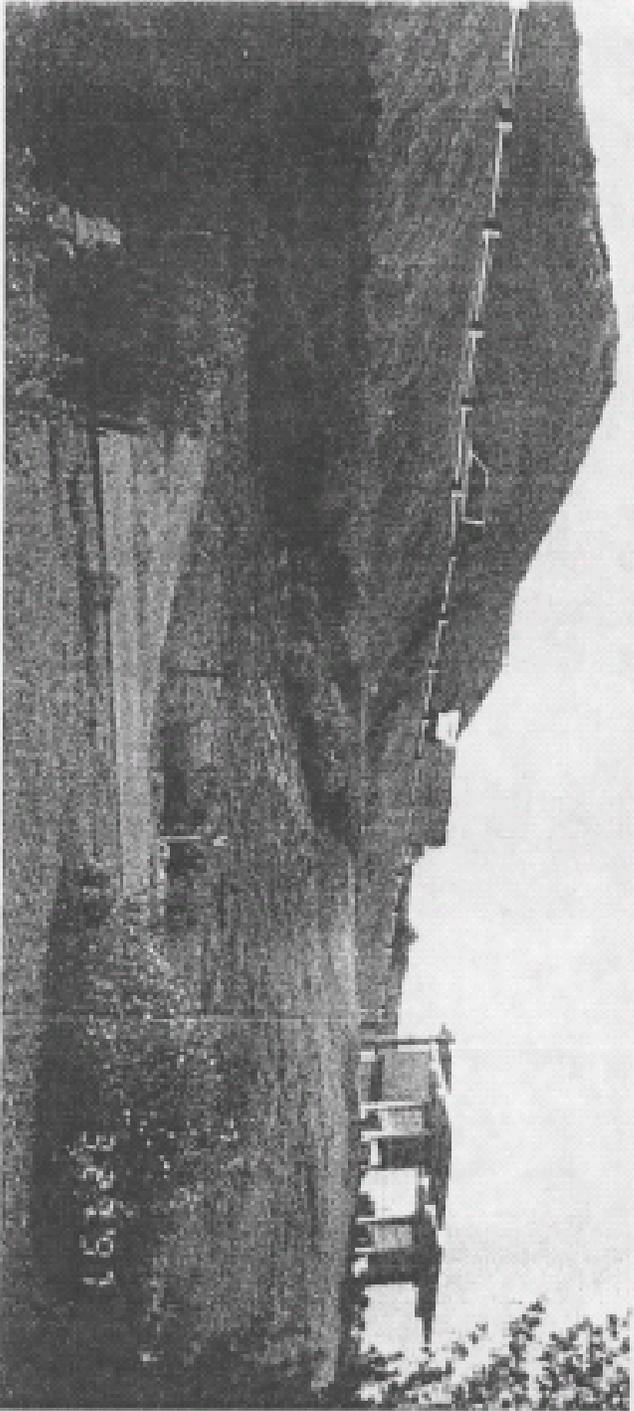
VIEWPOINT A

EXHIBIT 31-2
Application No.
CC-018-07
TCA



3-27-91

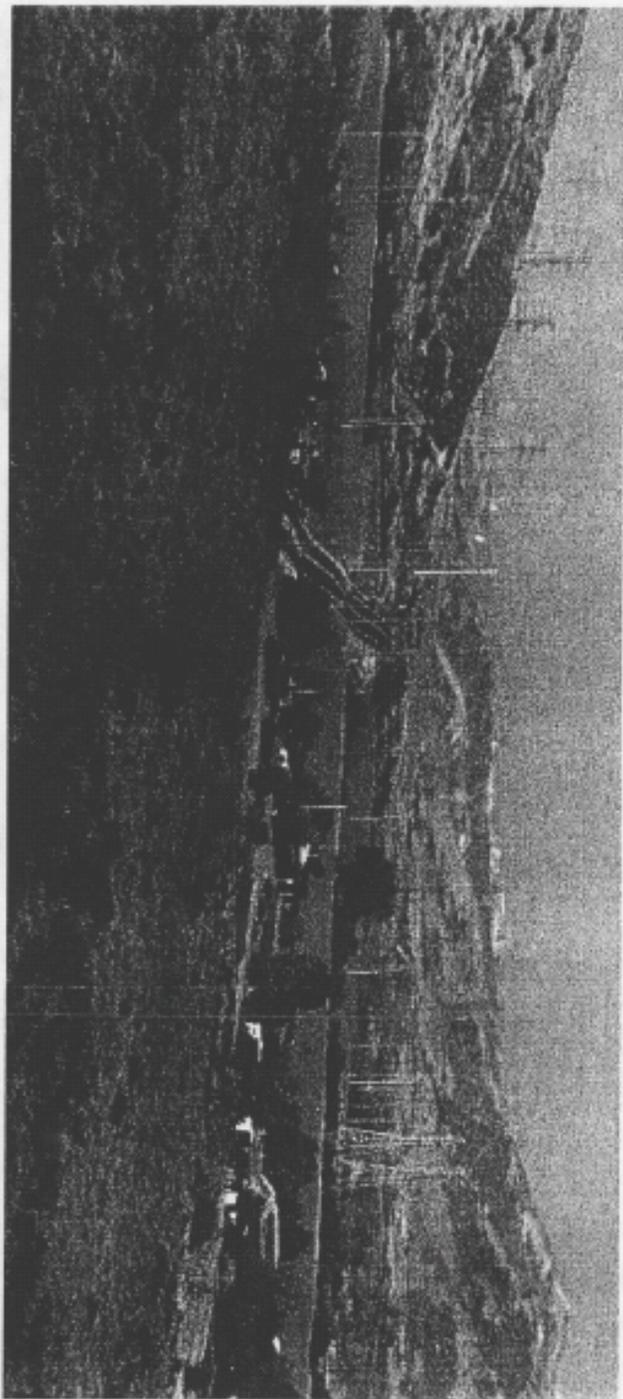
PRE-PROJECT CONDITIONS
 Photo was taken from center of San Mateo camp-
 ground looking west towards campfire center.



3-27-91

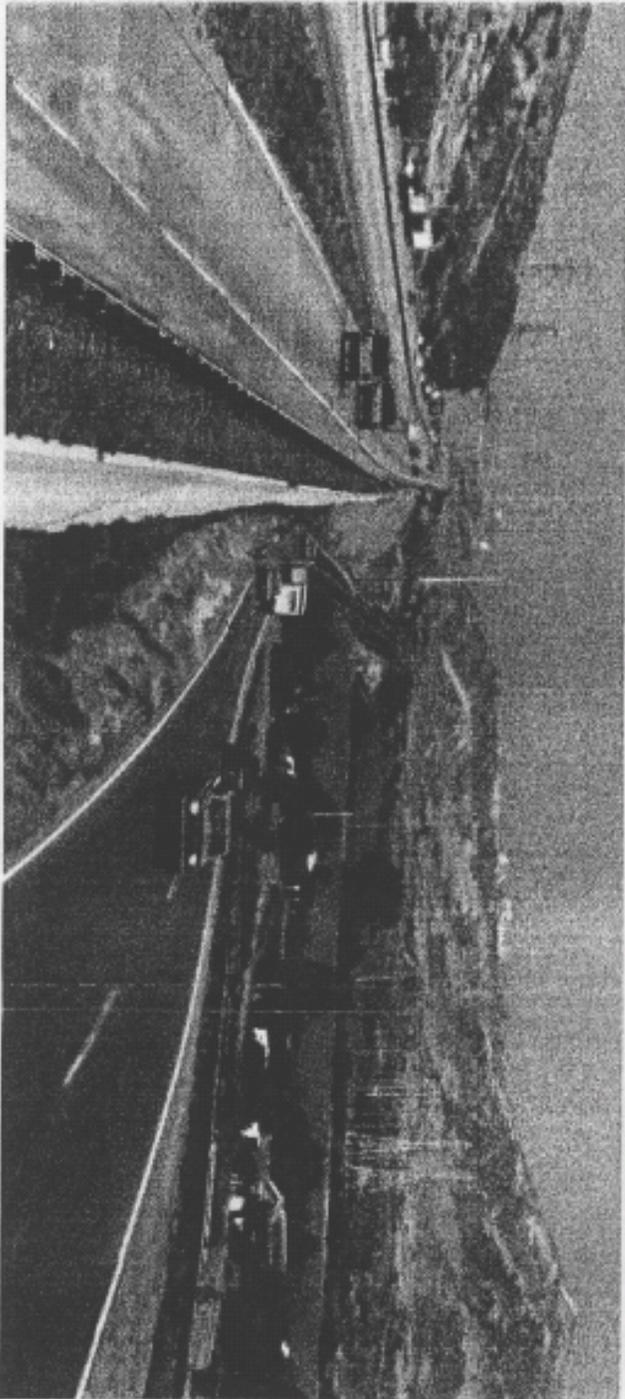
SIMULATED POST CONSTRUCTION VIEW
 View shows proposed Christalinos Road alignment adjacent to campfire center.

EXHIBIT 31-3
 Application No.
 CC-018-07
 TCA



PRE-PROJECT CONDITIONS

View was taken from water tank hill looking north along Christianitos Road alignment. Note San Mateo Campground (right middleground).



SIMULATED POST CONSTRUCTION VIEW

Simulation shows view from proposed Christianitos Road/FTC overcrossing looking north. View shows:

- FTC proximity to campground and alignment along hillsides.
- On-ramp.
- Christianitos Road realignment.

EXHIBIT 31-4
 Application No.
 CC-018-07
 TCA



Mitigated Visual Simulation (5 Years) - Same as unmitigated



Unmitigated Visual Simulation

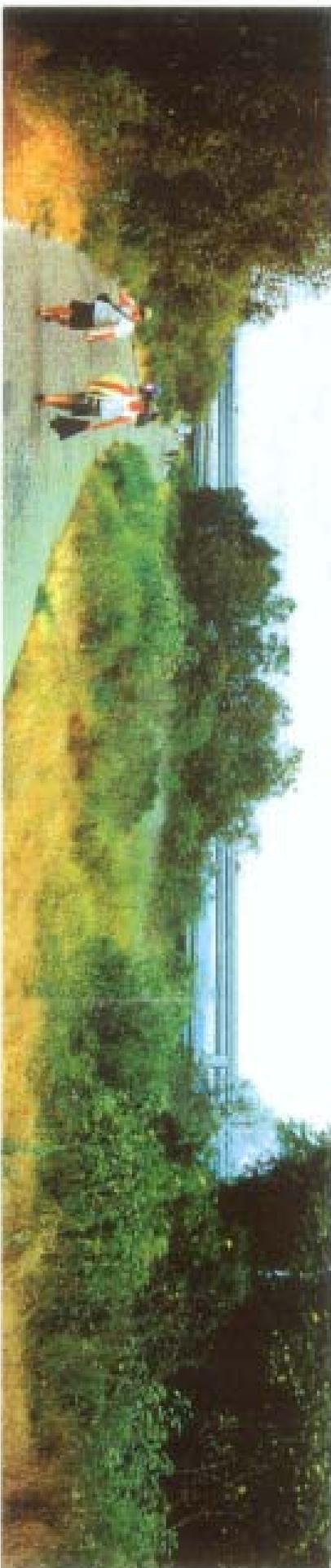


Existing Conditions

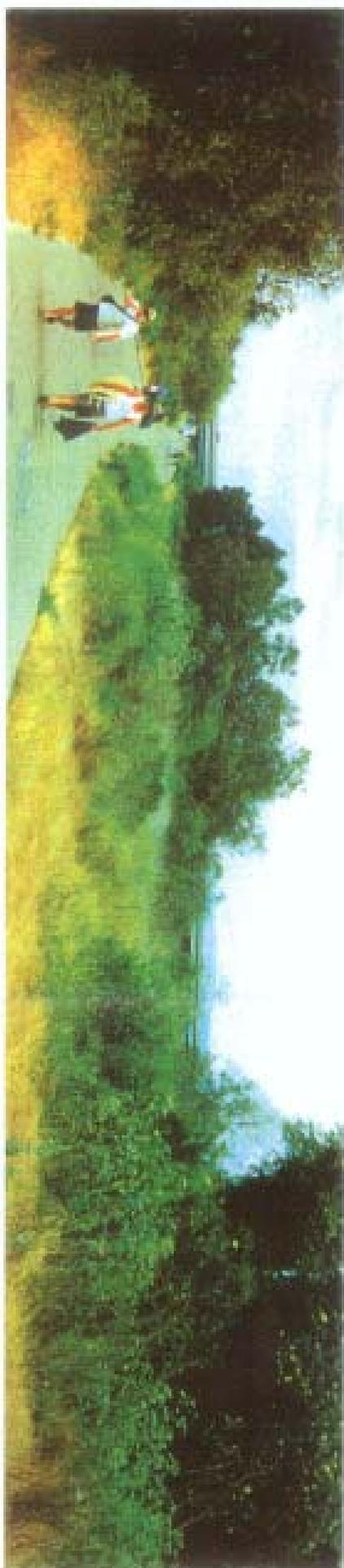
Source: EPA, 1998



Midigated Visual Simulation (5 Years)

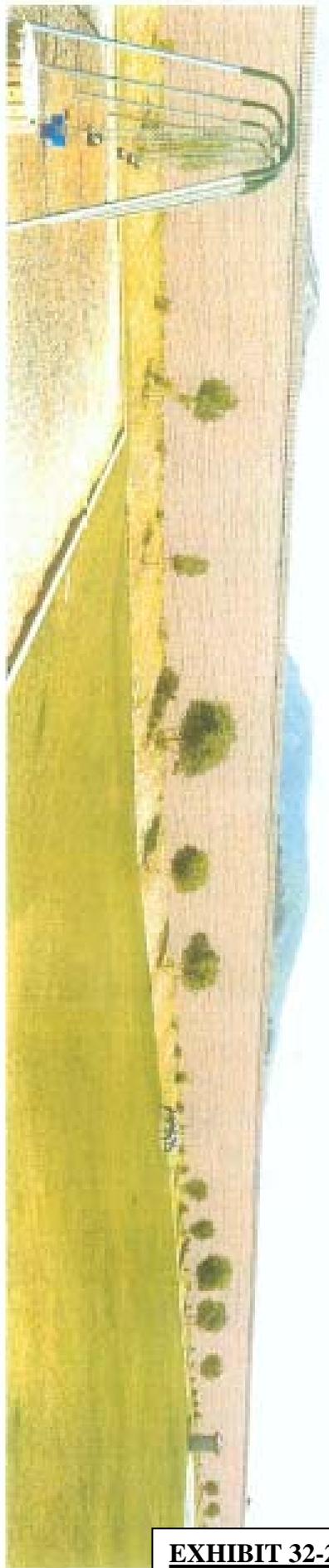


Unmitigated Visual Simulation



Existing Conditions

EXHIBIT 32-1
Application No.
CC-018-07
TCA

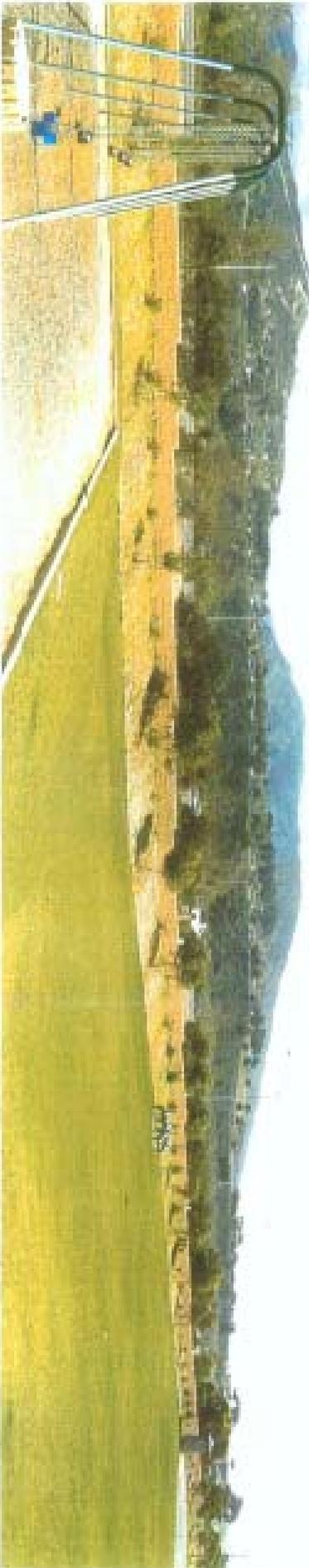


Mitrigated Visual Simulation (5 Years) - includes soundwall

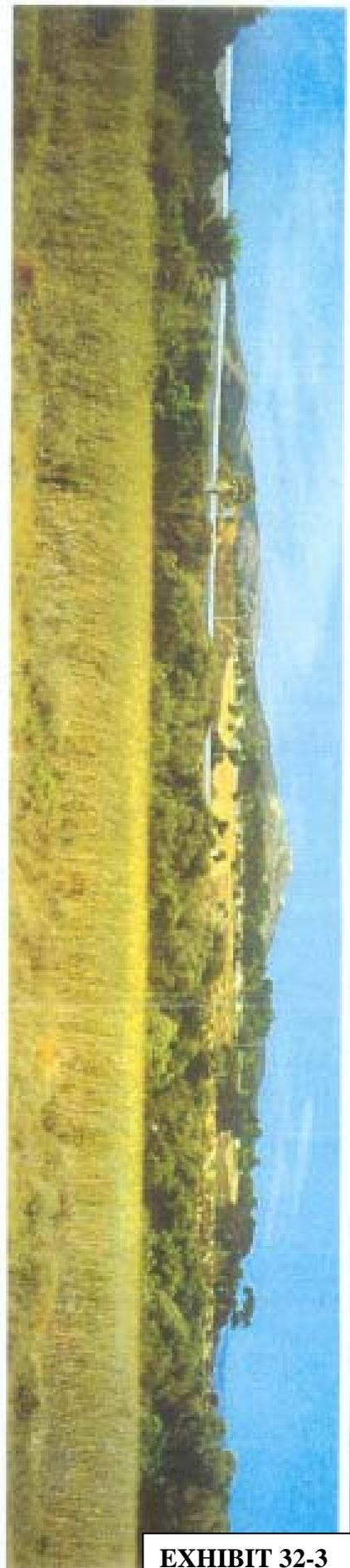


Unmitigated Visual Simulation - without soundwall

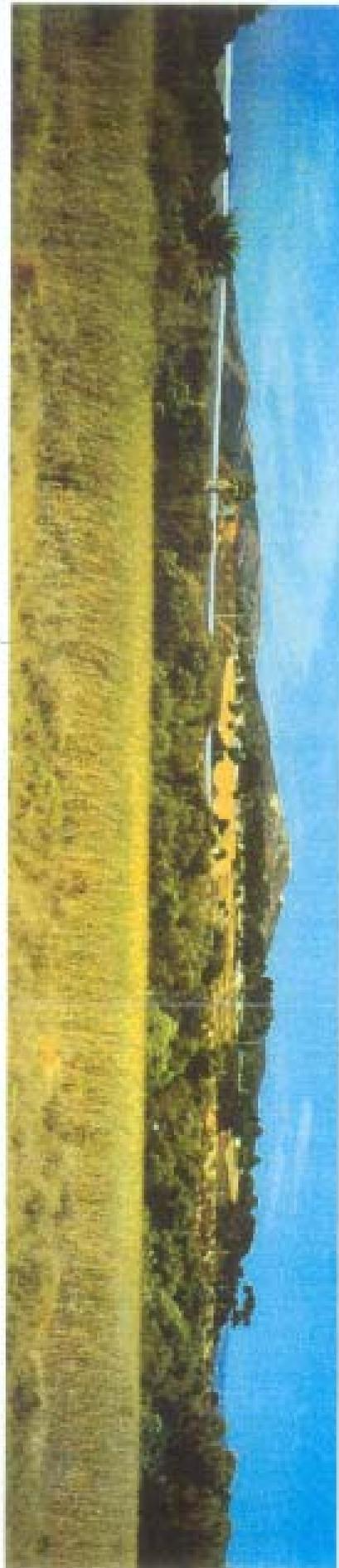
Note: Soundwall is an element of the project, but not shown in unmitigated simulation to reveal other project elements such as retaining walls, retained structures, and curbs when comparing requirements



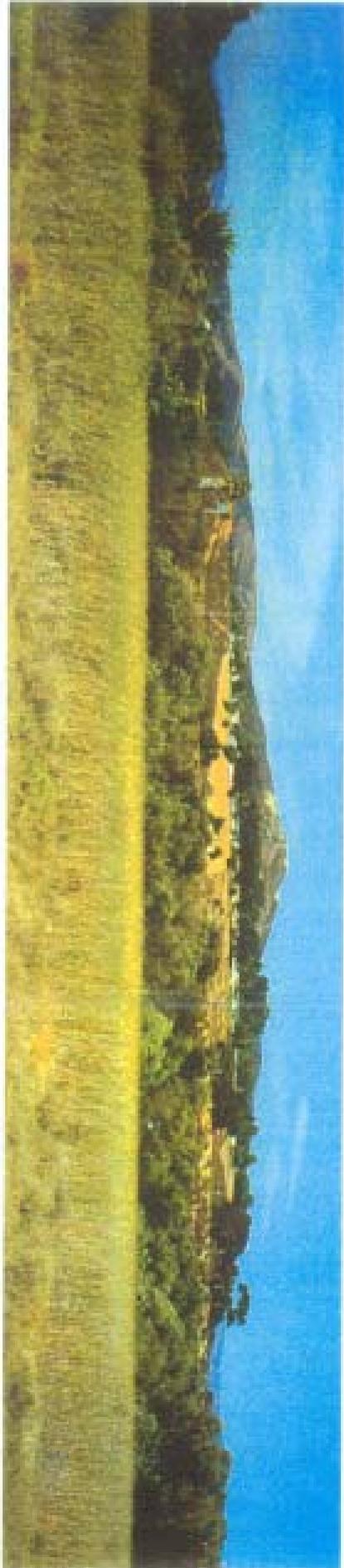
Existing Conditions



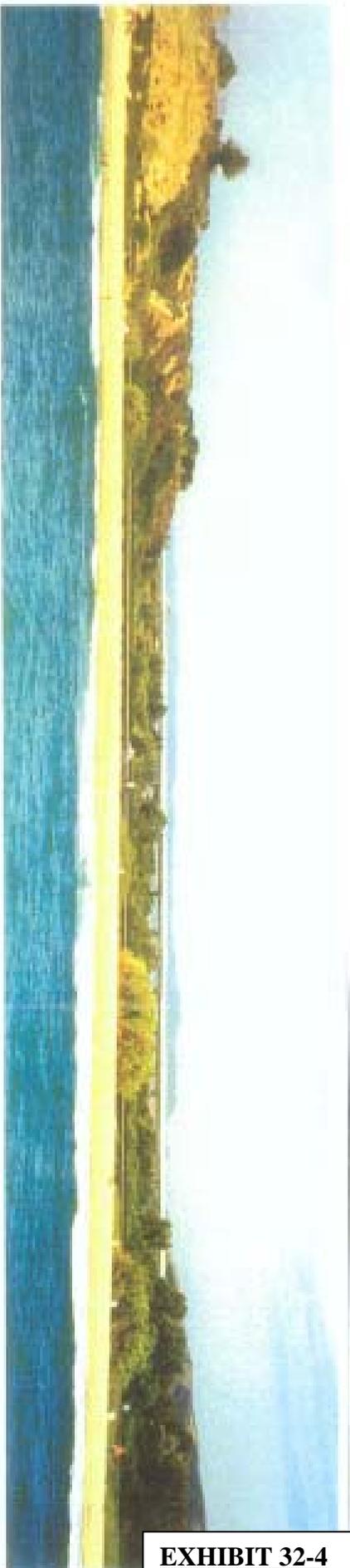
Mitigated Visual Simulation (5 Years) - Same as unmitigated



Unmitigated Visual Simulation



Existing Conditions



Mitigated Visual Simulation (5 Years) - Same as unmitigated



Unmitigated Visual Simulation



Existing Conditions

EXHIBIT 32-4
Application No.
CC-018-07
TCA

Water Quality Findings
Route 56, City of San Diego
Coastal Development Permit No. 6-98-127

3. Water Quality. The project site is well inland of I-5, but the proposed roadway will be located within the Los Penasquitos Lagoon watershed. Portions of the road will also be adjacent to Carmel Creek and/or to other creeks or streams which ultimately feed into the lagoon. Potential runoff both during and post-construction raises concerns over the degradation of water quality. Such runoff can carry significant amounts of both sediments and urban pollutants and deposit these materials in downstream sensitive receiving waters. The following Coastal Act policy is most applicable to this issue:

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

In California, the Regional Water Quality Control Boards (RWQCB) are generally responsible for administering the water pollution control permit programs set up under the state Porter-Cologne Water Quality Act and the federal Clean Water Act. Locally, the *Water Quality Control Plan for the San Diego Basin* has established water quality objectives necessary for achieving its identified beneficial uses for surface waters. Both the City of San Diego and Caltrans have National Pollutant Discharge Elimination System (NPDES) permits under which they construct and operate development. These permits require that all discharges to surface waters meet the standards established in the *Water Quality Control Plan for the San Diego Basin*; the NPDES permits identify the Best Management Practices (BMPs) that can be used to meet these standards.

The proposed freeway segment will result in an increase in impermeable surfaces and thus increase the amount and velocity of stormwater runoff. Use of the coastal zone portions of the freeway for an anticipated 100,000 average daily trips within the first few years (and increasing steadily thereafter) will result in the deposition of a significant amount of vehicular pollutants (oils, fuels, tire residue, etc.) along the road which will become part of the stormwater runoff. In addition, the construction activities will result in an increased likelihood of sedimentation to downstream resources. Grading in the coastal zone will create approximately 7,000 linear feet of freeway, approximately 150 feet in width, resulting in a large area of temporarily exposed soil. Of this total, approximately 5,200 linear feet of freeway are in the Coastal Commission's jurisdiction and addressed in this permit; the remainder was already permitted by the City

EXHIBIT NO. 33
APPLICATION NO.
CC-18-07

of permit jurisdiction. Moreover, the construction equipment itself will produce much the same vehicular-related pollutants as will the future freeway traffic.

Downstream resources include Carmel Creek, the Carmel Valley Resource Enhancement Program (CVREP) area and Los Penasquitos Lagoon, which has been declared an impaired water body due to sedimentation from upstream developments. When the western segment of SR-56 was constructed a few years ago, CVREP was the mitigation component for the entire I-5/SR-56 project. It was intended primarily to allow 100-year flood flows in Carmel Creek at non-erosive velocities and establish a healthy riparian corridor through the valley. In addition to flood control function, the CVREP was designed to trap sediment, thereby reducing sediment loads in the creek and ultimately Los Penasquitos Lagoon. CVREP consists of a significantly widened channel for historic Carmel Creek (ranging from 100 to 300 feet in width), a series of drop structures along the streambed, a detention basin at the western end of the improvements and an intense riparian revegetation program; it occupies the area of Carmel Valley between I-5 on the west and Carmel Country Road on the east. CVREP has been in place now for several years, and the detention basin at its western end has been cleaned out once, at the behest of the RWQCB; approximately 5,000 cu.yds. of sediments were removed.

The Commission finds that while sediment is a primary pollutant of concern in this watershed, other pollutants such as petroleum hydrocarbons and heavy metals are associated with highway runoff. These pollutants can have adverse impacts on coastal resources when cumulative. Although there is no formal testing program for these pollutants, a representative of the California Department of Parks and Recreation, which owns and manages the lagoon, stated that oil slicks are often visible in the upper lagoon areas adjacent to I-5, and just downstream of existing SR 56, after storm events. Therefore, in order to minimize the potential for adverse impacts on coastal resources as a result of stormwater runoff from the proposed development, Special Condition #5 requires the applicant to incorporate BMPs designed to treat, mitigate or remove pollutants of concern, specifically petroleum hydrocarbons, heavy metals, sediment and other particulates, in stormwater runoff from the proposed highway segment located in the coastal zone. The Commission finds that the incorporation of treatment control BMPs will serve to pre-treat stormwater runoff prior to entering the CVREP facility. The CVREP facility will then provide further mitigation for polluted runoff by settling out sediment. In addition, the CVREP contains vegetation which serves to filter runoff through biological uptake of some contaminants.

In this particular case, the middle segment of SR-56 will be constructed and operated under the Caltrans statewide NPDES permit. According to correspondence from the applicant, the City is responsible for constructing the eastern portion of the middle segment, outside the coastal zone. Caltrans will construct the western portion, including all areas within the coastal zone; this portion of the overall construction is not anticipated to begin for at least another year. The City of San Diego, as the applicant for the western portion, is required, under the terms of the Caltrans NPDES permit, to fully mitigate all water quality impacts directly attributable to the construction and operation of the middle segment of SR-56. Thus, the applicant is proposing a wide range of temporary and

permanent erosion control devices and strategies intended to assure that runoff leaves the site at non-erosive velocities and in as clean a condition as at present.

Caltrans submitted a list and descriptions of the temporary and permanent BMPs they suggest for the middle segment of SR 56. The submitted material describes under what circumstances Caltrans would typically apply which BMP. It also provides the BMP's limitations, design guidance and expected maintenance requirements. Temporary (construction) BMPs proposed include silt fences, fiber rolls, check dams, sand/gravel bags, soil stabilization and temporary detention basins. The applicant also proposes to schedule construction activities in conjunction with installation of the proposed temporary BMPs. To date, no temporary erosion control plans incorporating these measures have been prepared for the proposed highway segment to demonstrate how these BMPs are typically deployed on the ground, and the final deployment of said devices is generally left to the discretion of the contractor, who can better place, and possibly adjust, the devices based on actual conditions in the field during construction. Special Condition #4 requires submittal of a final erosion control plan prior to the start of any construction activity, that will clearly delineate all proposed temporary BMPs, provide for mobilization of personnel in the event of a major storm or other unforeseen circumstances and provide for planting of all slopes prior to November 15th of each year construction activities are ongoing.

With respect to permanent drainage facilities, the applicant is proposing to construct concrete ditches at the toe of fill slopes (which will be at a 1:3 slope angle on average) and bioswales at the top of cut slopes (which will be at a 1:2 slope angle on average), as needed/required. Pipe culverts under the new freeway segment will facilitate existing natural drainage patterns, and velocity dissipaters and flared culvert end sections will be installed at culvert entrances and exits. Slopes on both sides of the freeway will be planted, and an asphalt dike along the edge of pavement will direct roadway runoff away from the slopes. Permanent soil stabilization will be installed on slopes under the bridge deck over Gonzalez Creek, where shading prohibits plant growth. Also, the applicant proposes a paved low flow channel within the center five feet of the reserved, 75-foot wide median. The remainder of the median will be vegetated. Caltrans has submitted a drawing of a portion of the coastal zone alignment, as an example to demonstrate the typical placement and types of permanent drainage facilities to be installed within the middle segment of SR 56 (see Exhibit #4).

Staff has analyzed the proposed BMPs, particularly the permanent drainage facilities, and has identified concerns with the adequacy and appropriateness of some of the proposed structural improvements. Specific permanent BMPs proposed to date are designed primarily to control sediments, not remove hydrocarbons and other pollutants associated with automobiles. Both the applicant and Caltrans maintain that sedimentation, not contaminants, is the primary water quality problem identified in the Los Penasquitos watershed. Los Penasquitos Lagoon is identified by the RWQCB as an impaired water body; the City advises this is due to sediments, not pollutants. However, the City has indicated there is no current program to test for various forms of contaminants, either in the lagoon itself or upstream within CVREP.

With this in mind, it appears the proposed BMP program can be augmented, or various components replaced with other improvements, to address both sediments and the pollutants that can be expected in anticipated runoff from the proposed highway segment. Special Condition #5 addresses the proposed permanent project BMPs for the middle segment of SR 56. It requires submittal of a final BMP program that includes several components, including the following features: 1) devices to remove oil and grease; 2) vegetated cover over 70 feet of the 75-foot median; there will be a paved low flow channel down the center 5 feet of the reserved 75-foot median, but the use of permeable gravel is required where gradients are less than 2%; 3) monitoring of the BMPs to determine their efficacy; and 4) a water sampling and testing component with annual reporting requirements.

With respect to the oil/grease separators, there are a number of different products and methods available to achieve this BMP. In fact, the applicant has proposed one type of equipment as a retrofit measure for the existing western portion of SR 56. The applicant is proposing to install two Continuous Deflective Separation Units (CDS units), one at SR 56 and Carmel Creek Road and one at SR 56 and El Camino Real. The underground units create a vortex of water which deflects contaminants into a sump, where they are retained for later removal. The units are designed to handle 100% of the runoff in the tributary area, capture 95% of the gross pollutants and remove coarse sediments. They are designed to treat a one-year, 24-hour storm event and, as proposed, will require clean-out when the units are 85% full or when floating debris is 12 inches deep.

With respect to the median treatment, the Commission finds improving the 5-foot center of the median with gravel where gradients are less than 2% and pavement where gradients exceed 2% is acceptable in order to provide a low flow channel to facilitate drainage, recognizing that most highway runoff is directed to the outside of the highway rather than into the median. Moreover, vegetating the remaining 70 feet will allow most of the expected stormwater to percolate into the ground. It will also serve to reduce the overall velocity of water and will filter out pollutants of concern from whatever highway runoff actually enters the median. The vegetated area will also provide visual relief. Special Condition #6 (Landscaping) requires the applicant, among other things, to identify the species to be used for the required vegetative strip and to use only drought-tolerant, non-invasive plants. The use of such plants will minimize nuisance flows resulting from irrigation and reduce the need for excessive fertilizer and pesticides.

The Commission recognizes that the City proposes the wide center median to reserve adequate area for future highway expansion. Thus, it is possible the vegetation may be removed through some future amendment action approving light-rail transit or additional travel lanes in this location. At that time, the applicant would need to demonstrate how this particular pollution control function was being replaced in the context of an expanded highway. The provision of this vegetated area in most of the center median is only one component in a wide array of runoff and pollution control facilities. As technological advances occur, other BMPs may be discovered/invented which will adequately serve this function as part of an expanded freeway. However, the

Commission finds that the potential that this particular BMP may not be in existence for the full life of the project does not diminish its value at this time.

The two CDS units proposed by the City as a retrofit to existing SR 56 are considered here as an example of one type of oil/grease filtering BMP. These specific units are relatively small in size, since they must be fit into an existing system where available space is a constraint. This should not be a limiting factor in the case of the new middle segment of SR 56, where the proposed alignment is surrounded by undeveloped open land. Whether the applicant proposes this same type of unit to comply with Special Condition #5, or selects a different type of device, the chosen BMPs must meet the performance parameters of the special condition.

In addition, there is an existing detention basin at the eastern end of the CVREP mitigation area. This detention basin was sized and designed to accommodate all flows generated by SR 56, as well as flows generated by future buildout of this portion of the City of San Diego. The areas north of proposed SR 56, part of Subarea 3 of the North City Future Urbanizing Area (Pacific Highlands Ranch), will be developed with residential and commercial uses and several schools. Nearly all the development area of Pacific Highlands Ranch is outside the coastal zone, and thus outside the purview of the Commission. However, opponents of the highway project have raised the issue that this future development will have significant adverse impacts on the resources of the coastal zone, since all runoff from this vast development area will eventually reach coastal streams and lagoons. Development of this area is dependent on having a viable circulation system in place, and the proposed middle segment of SR 56 will complete a major link in that system. Therefore, the Commission finds it entirely appropriate that downstream resources be protected by all possible means, and further finds that the existing CVREP detention basin serves this purpose.

In summary, the Commission finds that the proposed development will have significant adverse effects on downstream water quality. This will occur both because of the construction impacts of grading and massive landform alteration, and through the increase in impervious surfaces which will modify existing drainage patterns and increase the amount and velocity of runoff. Therefore, the Commission finds that Special Conditions #4, #5 and #6, which mitigate these adverse impacts as described above, are necessary in order to find the proposed development consistent with the water quality protection policies of Chapter 3. In combination, these conditions will assure that site runoff is appropriately treated and discharged to protect the quality of downstream waters, which include Carmel Creek, the CVREP mitigation area and Los Penasquitos Lagoon. In addition, the applicant is proposing to retrofit existing SR 56 (west end) with two CDS units which will improve water quality. Only as conditioned can the Commission find the proposed highway construction, and subsequent highway operation, consistent with the cited policies of the Coastal Act.



OFFICE OF THE DIRECTOR
GOVERNOR'S OFFICE OF EMERGENCY SERVICES
3650 SCHRIEVER AVENUE
MATHER, CALIFORNIA 95655
(916) 845-8510
FAX: 845-8511



February 27, 2007

Nancy L. Ward, Regional Director
Department of Homeland Security
Federal Emergency Management Agency
Region IX
1111 Broadway, Suite 1200
Oakland, California 94607

Dear Ms. Ward:

The Governor's Office of Emergency Services (OES) has enclosed the Radiological Emergency Preparedness, Requisite Activities Completion List for Year 2006, in compliance with the provisions of Section C of the Federal Emergency Management Agency (FEMA) Guidance Memorandum (GM) PR-1, "Policy on NUREG-0654/FEMA-REP-1 and 44 CFR Part 350 Periodic Requirements."

All requisite activities have been acknowledged and completed, as appropriate, by state and local organizations, and the licensees. Detailed, supporting information was taken from letters provided to Mr. Ben Tong, Manager, Radiological Preparedness Unit, from: Southern California Edison; Pacific, Gas & Electric; San Luis Obispo County Office of Emergency Services; City of Dana Point; City of San Juan Capistrano; City of San Clemente; San Diego County Office of Emergency Services; Orange County Sheriff Coroner Department; California Highway Patrol; California Department of Transportation; California Department of Parks and Recreation; and California Department of Health Services. These letters are on file at OES Headquarters.

By copy of this letter, I would like to thank all the participants for their valuable input and their hard work as demonstrated in the outstanding achievements in this report. If you need further information, please have staff contact Mr. Ben Tong at (916) 845-8797 or ben_tong@oes.ca.gov.

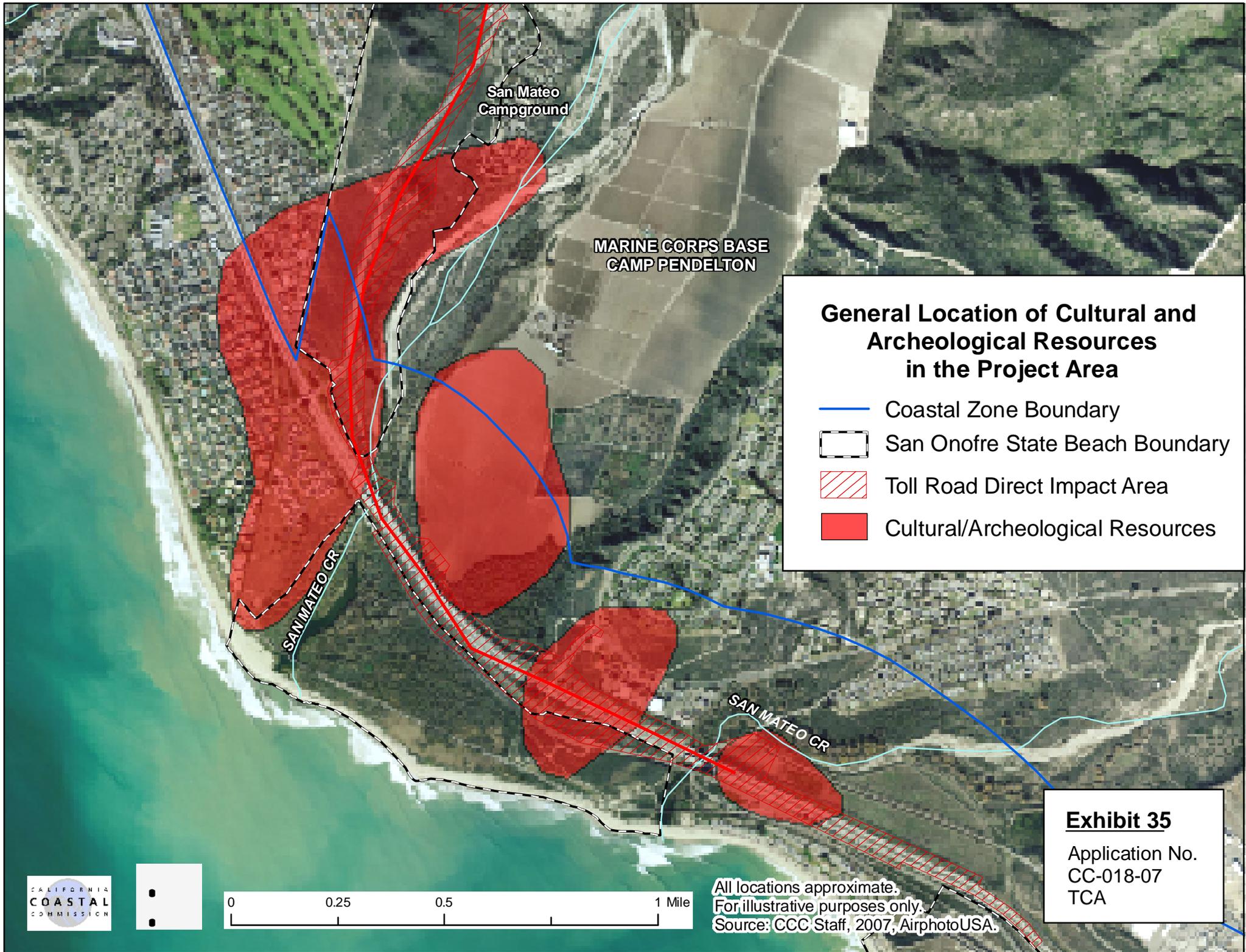
Sincerely,

HENRY R. RENTERIA
Director

Enclosure

c: (See enclosed list)

EXHIBIT NO. 34
APPLICATION NO.
CC-18-07



General Location of Cultural and Archeological Resources in the Project Area

- Coastal Zone Boundary
- San Onofre State Beach Boundary
- Toll Road Direct Impact Area
- Cultural/Archeological Resources

Exhibit 35

Application No.
CC-018-07
TCA

All locations approximate.
For illustrative purposes only.
Source: CCC Staff, 2007, AirphotoUSA.



San Joaquin Hills
Corridor Agency

Chairman:
Jim Dahl
San Clemente



TRANSPORTATION CORRIDOR AGENCIES

Foothill/Eastern
Corridor Agency

Chairman:
Lance MacLean
Mission Viejo

October 4, 2007

Mr. Mark Delaplaine
CALIFORNIA COASTAL COMMISSION
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219
(415) 904-5200

**Subject: Amendment to Project Description for Consistency Certification No. CC-018-07
(Completion of the SR-241 Toll Road)**

Dear Mr. Delaplaine,

As you are aware, TCA recently made a major modification to its Foothill Transportation Corridor-South (SR-241) project that is presently before the Coastal Commission for consistency review (CC-018-07). The purpose of this letter is to augment our project description to officially incorporate that modification, namely an offer of \$100 million to benefit the California State Parks System and public access to the coast, including funds to extend the lease at San Onofre State Beach Park (SOSB) (including, but not limited to the sub-units of the State Park lease that include Trestles Beach and the San Mateo Campground).

To accomplish this goal, the TCA hereby modifies the project to provide as follows:

At the time of grant of the easement to the TCA by the U.S. Department of Navy, TCA will record an irrevocable offer to provide, from the proceeds of the construction financing of the project:

- a. To the Secretary of the Navy up to 70 million dollars, in cash or in kind consideration, for extension of the current lease for SOSB under terms agreed to by the Secretary and the State of California;
- b. To the State of California, 20 million dollars for improvements to recreational facilities at SOSB and Crystal Cove State Park; and
- c. To the State of California, 10 million dollars for coastal sage scrub restoration within Crystal Cove State Park.

Thomas E. Margro, Chief Executive Officer

125 PACIFICA, SUITE 100, IRVINE CA 92618-3304 • P.O. BOX 53770, IRVINE CA 92619-3770 • 949/754-
www.thetollroads.com

Members: Aliso Viejo • Anaheim • Costa Mesa • County of Orange • Dana Point • Irvine • Laguna Hills • Laguna Niguel
Mission Viejo • Newport Beach • Orange • Rancho Santa Margarita • Santa Ana • San Clemente • San Juan Capistrano

Printed on Recycled Paper

EXHIBIT NO. 36
APPLICATION NO.
CC-018-07

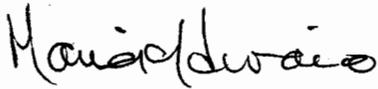
Mr. Mark Delaplaine
October 4, 2007
Page 2

The TCA is willing to reallocate the above \$100 million to one or more of the above uses as is mutually agreeable to the TCA, the Coastal Commission, the State of California and the U.S. Department of the Navy.

This substantial package has taken a long time to come together. It represents an unprecedented contribution to the enhancement of coastal access and to protection and restoration of coastal resources. We believe it will provide a major benefit for coastal public access in California.

Sincerely,

TRANSPORTATION CORRIDOR AGENCIES



Maria Levario
Acting Deputy Director
Environmental Planning

CC: Nancy Lucast, Lucast Consulting
Robert Thornton, NGK&E
Mike Nihan, RBF Consulting



GOVERNOR ARNOLD SCHWARZENEGGER

January 15, 2008

Mr. Patrick Kruer
Chairman
California Coastal Commission
45 Fremont Street
Suite 2000
San Francisco, California 91405

Re: Coastal Zone Management Act Consistency Certification No. CC-018-07 – Southern Segment of State Route 241

Dear Chairman Kruer,

I promised the people of California that, when I became Governor, we would boost our economy, protect our environment and build a great future for our state. Rebuilding our critical infrastructure is one of the single most important steps we can take to keep California strong and prosperous, make our air cleaner, reduce greenhouse gas emissions and protect the unique quality of life that makes California the greatest place to live on Earth.

Many parts of Southern California are becoming known for traffic gridlock and crumbling roads, rather than for the magic of our coastline. That is unacceptable to me. Our freeways were built for a population of 18 million, and today these critical arteries are clogged with cars and trucks serving a population of 37 million. Every mile of stopped traffic poisons our air with tons of carbon and pollution, undermining all the great work we've done to clean our air and reduce greenhouse gas emissions.

For the last few years, my administration has conducted an extensive review of the proposed southern extension of State Route 241 in Orange and San Diego Counties. I personally visited the project site, along with the staff of the California Department of Parks and Recreation and the Transportation Corridor Agencies (TCA). I have concluded that this project is essential to protect our environment and the quality of life for everyone in Southern California. I am convinced that, with the extensive mitigation and avoidance measures proposed by the TCA, the project can be built in a manner that will enhance and foster use of the coast and protect coastal resources.

I therefore urge the Coastal Commission to concur in the TCA's certification that the project is consistent with the California Coastal Zone Management Program.



EXHIBIT NO. 37

APPLICATION NO.

CC-018-07

Mr. Patrick Kruer
January 15, 2008
Page three

I have been a relentless advocate for California's spectacular environment. My family has enjoyed the benefits of our state parks for many years. I will continue to do everything I can to protect these precious assets. The SR-241 project gives us a chance to protect our parks and our coastline and reduce one of the most damaging environmental problems that plagues our state: traffic gridlock. I hope you will join me in supporting this major step forward for California.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Schwarzenegger". The signature is stylized and cursive, with a long horizontal stroke at the end.

Arnold Schwarzenegger

cc: California Coastal Commissioners



BILL LOCKYER
TREASURER
STATE OF CALIFORNIA

January 17, 2008

Commissioner Patrick Kruer
Chairman
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

RE: Opposition to Consistency Certification for Foothill South Toll Road (CC-018-07)

Dear Chairman Kruer:

I write to express my strong opposition to the proposed Foothill-South Toll Road through San Onofre State Beach. I urge the California Coastal Commission to reject a finding that the project is consistent with the federal Coastal Zone Management Act (Act).

I understand Governor Schwarzenegger has expressed his support for the project in a January 15, 2008 letter to you. The Governor's position deeply disappoints me, as someone intimately familiar with the project, its history and the devastation it would visit on one of our state's most cherished natural resources.

I agree with the Governor on the need to reduce the environmental harm caused by traffic gridlock. But the Foothill-South Toll Road, contrary to the Governor's assertion, would produce environmental damage, not benefits. And it would do so in the name of relieving traffic congestion – a goal that is irrelevant to determinations of compliance with the Act and one that could be accomplished with alternative means that do no environmental harm.

As Attorney General, I filed suit on March 23, 2006 to block this toll road project. The action drew support from the state's leading environmental organizations and members of the Native American Heritage Commission. The lawsuit sought to uphold California's important laws on environmental protection and preservation of sacred Native American sites. Filed on behalf of the people of California, the action alleged the Transportation Corridor Agencies (TCA), in approving the project, violated the California Environmental Quality Act (CEQA) and Public Resources Code section 5097.94.

The proposed toll road, according to the lawsuit, would destroy unique environmental resources and sacred religious and ceremonial sites in San Onofre State Beach. I strongly believed then that the TCA's proposal effectively would eliminate a state park from California's world-class system. I still believe that today. The project should not be allowed to proceed.

The toll road would decimate a natural resource that has been treasured by Californians for 37 years. Since its creation in 1971 by Governor Ronald Reagan, the park has been a haven for local residents, a prime recreation spot for visitors and tourists, and a worldwide attraction for the professional surfing community. San Onofre State Beach offers the public access to a natural environment that is

January 17, 2008
Commissioner Patrick Krueer
Page two

unparalleled in northern San Diego County. It also is home to the popular San Mateo Campground, which provides low-cost overnight access to the coast, a great asset to the area. The park ranks as California's sixth most-popular state park, with more than 2.4 million visits per year.

Yet, despite San Onofre State Beach's popularity and prominence in the state park system, the TCA proposes to pave a road through its heart. As detailed in the Coastal Commission staff report, the proposal violates essential Coastal Act policies. Among its harmful effects, the toll road would:

Bisect the entire upland portion of San Onofre State Beach; cause the closure of San Mateo Campground; destroy more than 50 acres of irreplaceable Environmentally Sensitive Habitat Areas; encroach into wetlands; degrade water quality in the San Mateo Creek watershed; and disturb Native American sacred sites, artifacts and relics.

The project would have other impacts that, while not pertinent to the Commission's deliberations related to the Act, are nonetheless significant and worth mentioning. Specifically, the toll road would run through the O'Neill Land Conservancy in the coastal foothills and lead to development of the last undeveloped valley between central Orange County and San Diego.

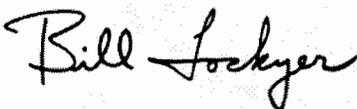
The measures the TCA proposes to mitigate the toll road's harmful effects are wholly insufficient, as a matter of law, to bring it into compliance with the Act. The TCA cannot, as it proposes, make the project consistent with the Act by writing a check to fund unspecified mitigation measures. The additional actions suggested by the Governor, while positive, would do nothing to prevent the project from running afoul of the Act. And none of these steps would prevent the loss of a jewel of our state park system.

As State Treasurer, I understand the importance of finding an appropriate balance between the competing demands of providing an infrastructure that meets the needs of a growing California and protecting the natural resources we cherish. The TCA's proposal fails to balance these interests. On the contrary, it paves over one interest to satisfy the other.

Alternative projects have been suggested that would avoid the state park altogether and focus on improvements to the Interstate 5 (I-5) corridor. Since the stated purpose of the toll road is to relieve congestion on I-5, it makes sense to pursue feasible improvements to that already-built corridor, instead of wrecking a state park on a gamble that the project might relieve traffic on other roadways.

Our state parks are an integral part of California's identity and help make our state "golden." The most iconic images of California are state parks – giant Sequoia groves, ancient Redwood forests, sprawling coastlines and beaches, imposing desert landscapes and more. These parks express our commitment to environmental protection and to preserving our unmatched natural resources for future generations to enjoy. San Onofre State Beach is one of those parks. As such, it deserves the strongest protection. I urge the Commission to provide that protection and reject the TCA's application.

Sincerely,



BILL LOCKYER
State Treasurer

cc: California Coastal Commissioners
Governor Arnold Schwarzenegger
Assembly Speaker Fabian Nunez
Senate President pro Tem Don Perata
Caltrans Director Will Kempton