

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

Name of project: FTC-S/SR-241 (CC 018-07), W.8.b.
Date and time : 1/25/08 (10:15 AM)
Location of communication: K&S Ranch
Type of communication: Personal Meeting
Person initiating communication: Susan McCabe, Robert Thornton

Person receiving communication: Steve Blank

This meeting consisted of:

- a review of the project location within Camp Pendleton and the coastal zone, and maps of the portion of the project within Camp Pendleton, the TCA's map of the project alignment; and a map of the portion of the project within the coastal zone.
- an overview project impacts, proposed mitigations
- why the I-5 widening project is considered infeasible by Caltrans
- A statement that TCA is offering \$100 million to state parks
- Brief discussion of project financing. Citigroup to do a bond offering after TCA receives approvals

TCA then went into some detail regarding the:

- relationship of the proposed project to the existing railroad, old Pacific Coast Highway, I-5, Cristianitos Road, Trestles beach, San Mateo Campground outside the CZ, the various units of San Onofre State Beach (including the fact that the State Park is a leasehold that expires in 2021), and the existing Bluffs campground that is immediately adjacent to I-5 and the railroad.
- TCA claimed:
 - the project will not impact any Native American burial grounds
 - the project will not impact the surf break at Trestles Beach;
 - the impacts on San Mateo Campground will be mitigated;
 - Project will not impact use or enjoyment of the beach as it will be no closer to the beach than the old highway 101.
 - The project is an important component of the regional transportation plans approved by the Southern California Association of Governments, and the San Diego Association of Governments.
 - this process was transparent and open to all interested parties

Also discussed was the TCA's claim that the Commission has used the balancing provisions of the Coastal Act in the past in similar projects to concur with the Consistency Certification. These included:

- the TCA's SR-73 project in the early '90's,
- and more recently, SR-56, and North Co. Transit double-tracking.

TCA claims that the conflict with ESHA policies can be balanced by the benefits the project provides for

- water quality improvements,

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- public access to coastal resources, lower-cost visitor-serving uses and accommodations,
- provision of habitat creation (over and above mitigation requirements),

1/28/08



Date

Signature of Commissioner

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FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATION

RECEIVED
JAN 29 2008
CALIFORNIA
COASTAL COMMISSION

Date and time of communication: Thurs, Jan 24, 2008, 9:30 AM
(For messages sent to a Commissioner by mail or facsimile or received as a telephone or other message, date time of receipt should be indicated.)

Location of communication: San Clemente
(For communications sent by mail or facsimile, or received as a telephone or other message, indicate the means of transmission.)

Person(s) initiating communication: Larry Rannals, Marine Corps Liaison Officer

Person(s) receiving communication: Patrick Kruer

Name or description of project: FTC-S/SR-241 (CC 018-07), W.8.b.

Detailed substantive description of content of communication:
(If communication included written material, attach a copy of the complete text of the written material.)

Without entourage, the Marine Corps representative took me on a tour of the entire alignment of proposed SR-241 through Camp Pendleton (outside the Coastal Zone). He showed me the existing operations of the base within the vicinity of the proposed alignment and explained the near-future (outside of Coastal Zone) Marine readiness training developments that were in the works. He showed me the relationship of the proposed alignment to the existing San Mateo Campground, the existing HKV transmission lines from SONGS, and existing Cristianitos Road, and the Native American reburial grounds. We visited the San Mateo Campground and questioned the Park rangers about usage.

1/28/08
Date


Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

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Date and time of communication: Thurs, Jan 24, 2008, 9:30 AM
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Location of communication: San Clemente
(For communications sent by mail or facsimile, or received as a telephone or other message, indicate the means of transmission.)

Person(s) initiating communication: Tom Margro, Dave Lowe, Donna Andrews, Ann Johnston, Rob Ramey, Supervisor Tom Campbell, Nancy Lucast (all representing TCA)

Person(s) receiving communication: Patrick Kruer

Name or description of project: FTC-S/SR-241 (CC 018-07), W.8.b.

Detailed substantive description of content of communication:
(If communication included written material, attach a copy of the complete text of the written material.)

This meeting consisted of a review of a scale model of the proposed project, followed by a review of the project description, impacts, mitigations and benefits package as outlined in the briefing book previously provided to me and all Commissioners and staff. Specifically discussed, *inter alia*, was the TCA's concept of employing the balancing provisions of the Coastal Act in order to concur with the Consistency Certification. This briefing was followed by a private tour of the Camp Pendleton portion of the project (see separate ex parte disclosure), then by a tour with the parties named above from the State Park parking lot to Trestles beach where we regarded the relationship of the proposed project to the beach, trail and other existing developments.

1/28/08
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-----Original Message-----

From: Jim Bourgart [mailto:JBourgart@bth.ca.gov]

Sent: Tuesday, January 29, 2008 10:27 AM

To: Hope Schmeltzer; Vanessa Miller

Subject: Ex Parte Communication

Dear Ms Schmeltzer: On January 22, 2008, I received a phone call from Chris Walker of Nossaman, Guthner, et al., representing the Transportation Corridor Agencies. He sought to discuss the item on the February 6 Coastal Commission agenda pertaining to the consistency finding on the Foothill Transportation South project. I stated that I preferred to have no further conversation or a meeting with the advocates on this topic, and the conversation ended quickly without any substantive discussion.

Jim Bourgart

Deputy Secretary for Transportation and Infrastructure
California Business, Transportation and Housing Agency
(916) 323-5412

1/29/2008

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W. 8.b.

FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATION

RECEIVED
JAN 30 2008
CALIFORNIA
COASTAL COMMISSION

Date and time of communication: Wed, Jan 23, 2008, 2:00 PM
(For messages sent to a Commissioner by mail or facsimile or received as a telephone or other message, date time of receipt should be indicated.)

Location of communication: Eureka
(For communications sent by mail or facsimile, or received as a telephone or other message, indicate the means of transmission.)

Person(s) initiating communication: Tom Margro, Supervisor Pat Bates, Councilmember Lisa Bartlett, Nancy Lucast (all representing TCA)

Person(s) receiving communication: Bonnie Neely

Name or description of project: FTC-S/SR-241 (CC 018-07), W.8.b.

Detailed substantive description of content of communication:
(If communication included written material, attach a copy of the complete text of the written material.)

This meeting consisted of:

- a review of the project description,
- the need for the congestion relief the project would provide,
- the significantly worse weekend (recreation) traffic congestion compared to weekday traffic on I-5,
- the severe spill-over effects on the local surface road system which impairs access to coastal resources,
- an overview of the route selection process, project impacts, proposed mitigations, benefits package, etc.
- guided by TCA's briefing book previously provided to me and all Commissioners and staff

TCA then went into some detail regarding the:

- relationship of the proposed project to the existing railroad, old Pacific Coast Highway, I-5, Cristianitos Road, Trestles beach, San Mateo Campground outside the CZ, the trail between the two, the various units of San Onofre State Beach (including the fact that the State Park is a leasehold that expires in 2021), and the existing Bluffs campground that is immediately adjacent to I-5 and the railroad.
- The points were made that:
 - the project will not impact the surf break at Trestles Beach;

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- o the project has been designed to be sediment neutral (the projected contribution to the sediment load, due to inclusion of state of the art design BMPs, is immeasurable);
- o the project (just like the railroad, Old Pacific Coast Highway, I-5 and its Cristianitos Rd interchange, Cristianitos Rd itself, San Mateo Campground and its roads and pads, the 600 acres of ag field that operated for 50 years, El Camino Real and all the other developments in the San Mateo Creek watershed before it) will have no effect on the contribution of cobbles to the beach/reef (which only happens during extreme storm events).

Also discussed was the TCA's concept of employing the balancing provisions of the Coastal Act in order for the Commission to concur with the Consistency Certification, as has been done in other similar projects over the years, including:

- the TCA's SR-73 project in the early '90's,
- and more recently, SR-56, and North Co. Transit double-tracking.

TCA claims that the conflict with ESHA policies can be balanced by the benefits the project provides for

- water quality improvements,
- public access to coastal resources, lower-cost visitor-serving uses and accommodations,
- provision of habitat creation (over and above mitigation requirements),
- public safety and national security improvements—

All in furtherance of Coastal Act policies. TCA explained these components of the project, including its commitment to contribute, upon receipt of financing,

- \$100 million to a fund to be administered by State Parks in consultation with the Department of the Navy (owner of Camp Pendleton and SOSB lessor) and for the benefit of State Parks. TCA had suggested several potential uses for these funds, including lease extensions for SOSB, funding of additional camp sites at SOSB, San Clemente State Beach, Crystal Cove State Beach, completion of "cottages" at Crystal Cove State Beach and other coastal resource protection. The selection of use of the funds would be left to State Parks and the DoN.

TCA indicated it would submit suggested conditions for Concurrence at the public hearing on Feb. 6.

1-28-08
Date

Bonnie Feely
Signature of Commissioner

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