

CONGESTION RELIEF / ACCESS FOR ALL



Consistency Certification No. CC-018-7

Completion of State Route 241: Foothill Transportation Corridor - South (FTC-S)



Transportation Corridor Agencies

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January 10, 2008

WHO IS THE FOOTHILL / EASTERN TRANSPORTATION CORRIDOR AGENCY (TCA)?

- A **public** joint powers authority formed to plan, finance, construct and operate a public toll road network within Orange County.
- Directed by elected officials from 3 county supervisorial districts and 12 cities, including the coastal cities of San Clemente, Dana Point, and San Juan Capistrano.
- The public agency responsible for completing State Route 241 (SR 241), as defined by the California Legislature, a toll road which is part of the State Highway System and will become a free public highway upon retirement of the bonds.



Transportation Corridor Agencies

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WHAT IS THE LEGISLATIVE AUTHORIZATION FOR COMPLETION OF SR-241?

- Streets & Highways Code § 300:
"The state highway system shall consist of the following routes described in this article."
- Streets & Highways Code § 541:
"Route 241 is from Route 5 south of San Clemente and Route 91 in the City of Anaheim."
- Streets & Highways Code § 300 (*cont.*):
"... It is the intent of the Legislature, in enacting this article, that the routes of the state high system serve the state's heavily traveled rural and urban corridors, that they connect the communities and regions of the state, and that they serve the State's economy by connecting centers of commerce, industry, agriculture, mineral wealth, and recreation."

WHAT IS THE PREFERRED ALTERNATIVE?

- The Alignment that was selected as the “least environmentally damaging feasible alternative” for completion of SR 241.

WHO SELECTED THE PREFERRED ALTERNATIVE?

- The Preferred Alternative was selected by “**The Collaborative**”
- **The Collaborative** consists of local, state and federal transportation, regulatory, and resource agencies:
 - United States Environmental Protection Agency (EPA)
 - United States Fish & Wildlife Service (USFWS)
 - United States Army Corps of Engineers (ACOE)
 - Federal Highway Administration (FHWA)
 - California Department of Transportation (Caltrans)
 - Transportation Corridor Agencies (TCA)
- Additionally, Marine Corps Base Camp Pendleton provided oversight to ensure that the selected alternative did not impact military mission or flexibility. All stipulations as set forth by the Marine Corps have been met.

These resource agencies defined purpose and need, identified alternatives, directed environmental analysis and selected the preferred alternative.



HOW DID THE COLLABORATIVE ARRIVE AT THE PREFERRED ALTERNATIVE?

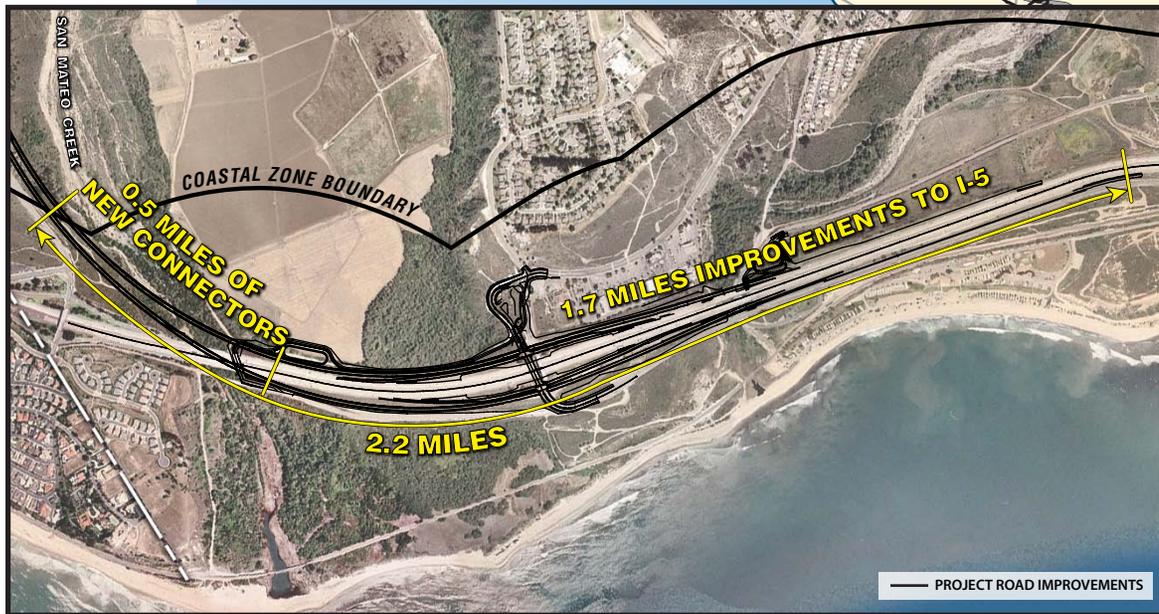
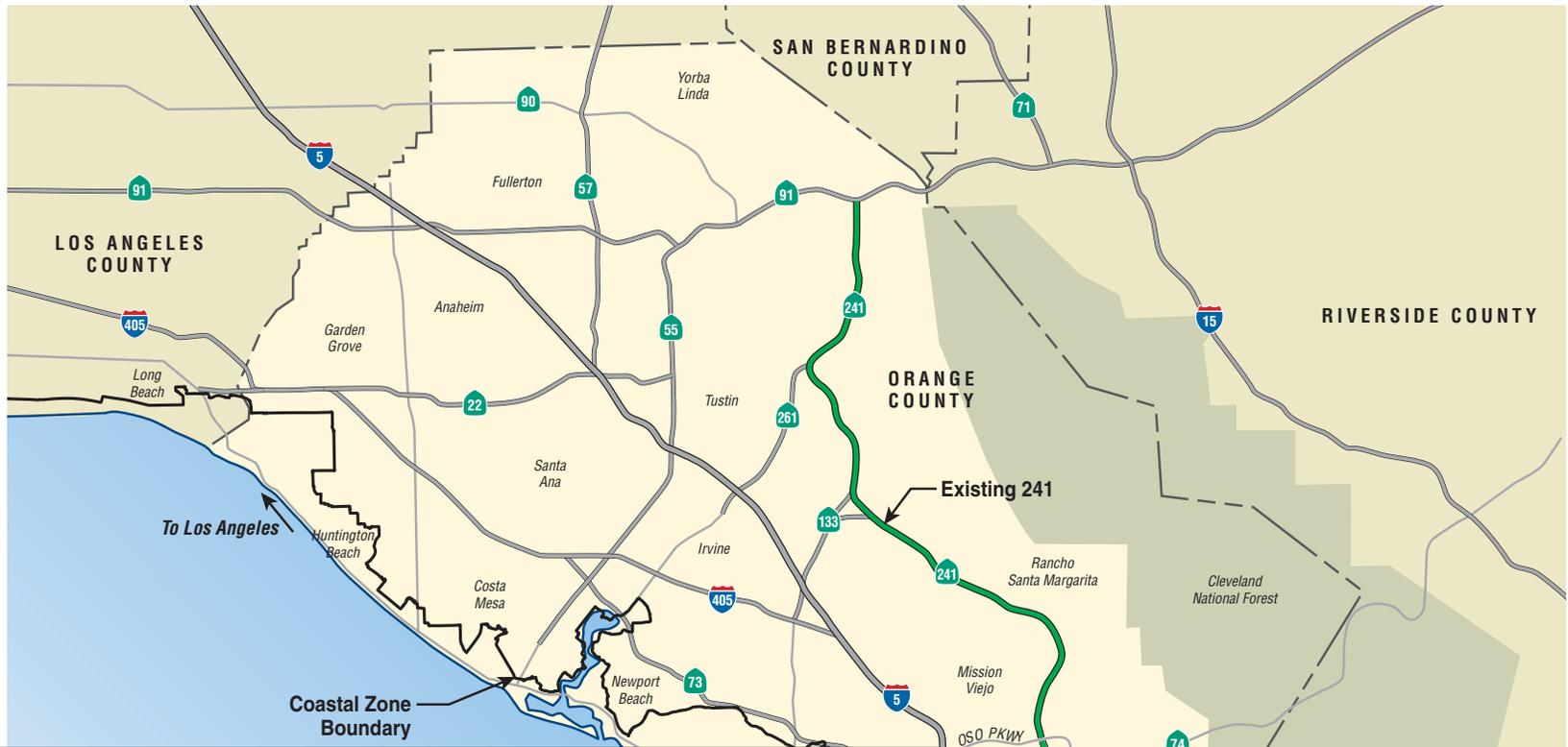
- Met over 50 times, over the course of 6 years.
- Identified evaluation parameters, including: 1) riparian ecosystems and ecosystems/habitat; 2) traffic relief in 2025, including percent of daily I-5 traffic congestion, hours of total vehicle travel time savings; 3) number of impacted residences; 4) community disruption; 5) total costs; and 6) cost per hour of travel time savings.
- Narrowed alternatives down from 24 (19 toll road, 3 non-toll road, and 2 no-action alternatives) to 10 and then to 1 preferred alternative.
- Established unique process involving resource agencies at early stage of planning effort and continued through selection of preferred alternative.
- Conducted local public meetings and hearings.
- **Unanimous decision.**

WHAT WAS THE COLLABORATIVE'S CONCLUSION?

- **Concluded that the preferred alternative is the least environmentally damaging practicable / feasible alternative.**

CORRECTING ERRORS IN THE 9/07 STAFF REPORT PROJECT DESCRIPTION

| PROJECT IS NOT... | PROJECT IS... |
|--|---|
| 16 miles (Staff Report, page 1, etc.) | 2.2 miles of improvements in the coastal zone <i>(including 1.7 miles of improvements to existing I-5)</i> |
| 6 lanes (Staff Report page 1, etc.) | 4 lanes |
| 45 million cubic yards of earthwork (Staff Report page 152) | 1.4 million cubic yards of earthwork |
| 1,194 acre project footprint (Staff Report page 12) | 138 acre project footprint (of which 80 acres is existing facilities and development) |
| Most environmentally damaging alternative (Staff Report page 3, etc.) | Least environmentally damaging practicable/feasible alternative |



Total length of project in coastal zone: 2.2 miles

| Staff recommends denial of this transportation project, based on the assertion that it: | The Truth is: |
|---|--|
| <p>Is not the only feasible alternative</p> | <p>No other proposed alternative is feasible and provides an appropriate level of traffic relief to meet project need (see pages 15 - 29 herein)</p> |
| <p>Is not an allowable use of wetlands</p> | <p>Is an incidental public service purpose, and therefore, an allowable use (see page 34 herein)</p> |
| <p>Results in the extinction of protected species</p> | <p>Will not jeopardize the existence of any species and will not adversely modify any critical habitat (see page 31 herein)</p> |
| <p>Causes adverse water quality impacts</p> | <p>Will improve water quality in the coastal zone by utilizing state of the art water quality system (see page 43 herein)</p> |
| <p>Unreasonably interferes with a state park</p> | <p>Will not affect operations or use of the park (see page 51 herein)</p> |
| <p>Impacts public views</p> | <p>Will not adversely impact views by beach and trail users to and along the ocean (Attachment C)</p> |
| <p>Destroys Trestles</p> | <p>Will not impact surfing resources at Trestles or other surfbreaks (see page 47 herein)</p> |
| <p>May harm Native American resources</p> | <p>Avoids reburial and ceremonial sites (see page 57 herein)</p> |
| <p>Presents no conflict between Coastal Act policies which would trigger the balancing provision of the Act</p> | <p>Can be approved by balancing conflicts between ESHA/wetland policies and the Coastal Act policies promoting public access, public safety, water quality, and habitat enhancement (see pages 61 - 69 herein)</p> |

ENHANCED PUBLIC ACCESS TO REGIONAL COASTAL RECREATIONAL AREAS

- Completion of SR 241 will improve access to all visitor serving beach destinations from Crystal Cove State Park, to the beaches of south Orange County, to the beaches of Oceanside in north San Diego County.



NEEDED RELIEF FOR WORSENING I-5 TRAFFIC CONGESTION

- **Completion of SR 241 will greatly reduce congestion on I-5 and arterial roads.**
 - Each weekday on I-5, 126,000 vehicles cross the Orange County/San Diego County line (2001)
 - 2025 - 60% increase (201,000 trips per day)
 - Weekend traffic is projected to be higher still, by 20% - 25%
- **Completion of SR 241 greatly reduces travel times.**
 - Without completion of SR 241, travel time on I-5 from Oso Parkway to the Orange/San Diego County line is estimated to be 60 minutes in 2025 (weekday PM peak)
 - With completion of SR 241, the travel time for the same distance is estimated at 25 minutes on I-5, while travel time on SR 241 will be 16 minutes (weekday PM peak)
- **Longtime major component of SCAG and SANDAG regional transportation plans (RTPs) and models for 25 years.**





Without Project



With Project

Travel Times (2025 Weekday Southbound PM Peak)

ENHANCED PUBLIC ACCESS TO COASTAL RECREATIONAL AREAS

- **Public access to beaches in northern San Diego County and southern Orange County is presently severely constrained by traffic congestion.**
 - Especially along I-5 during peak recreational periods such as weekends and holidays
 - Significant congestion spills over onto local streets as drivers attempt to avoid I-5 congestion

- **Completion of SR 241 will maximize public access to coastal areas by reducing traffic congestion.**
 - Provides alternative to I-5, which is currently the only practical route to coastal recreational uses in southern Orange County and northern San Diego County
 - Reduced weekend traffic congestion will significantly benefit coastal recreational users and enhance coastal access for inland residents

- **Provides a key connection to coastal recreational areas from inland areas.**
 - **San Bernardino County:**
Barstow, Big Bear, Chino, Claremont, Colton, Fontana, Joshua Tree, Lake Arrowhead, Ontario, Pomona, Rancho Cucamonga, Redlands, San Bernardino, Upland, Victorville, Yucca Valley
 - **Riverside County:**
Beaumont, Coachella, Corona, Idyllwild, Indio, Lake Elsinore, Moreno Valley, Murrieta, Palm Desert, Palm Springs, Rancho Mirage, Riverside



Regional Connections

THE COLLABORATIVE CONSIDERED ALTERNATIVE MODES

- The Collaborative carefully considered double-decking, high-speed rail, light rail, transit, etc.
- Regional transportation process (SCAG, SANDAG, OCTA) determined this corridor not amenable to transit because:
 - Low population density
 - Multi-nucleated development pattern (current and projected)
 - No central businesses district
- The Collaborative agreed with SCAG, SANDAG and OCTA that the toll road is an important, integral part of the regional transportation system, which should also include transit and HOV (different tools for different needs and locations).



WHY THE ALTERNATIVES THAT STAFF CLAIMS TO BE “FEASIBLE” DON’T WORK

| Staff Report claims: | The Truth is, The Collaborative (including State and Federal resource agencies) determined: |
|--|---|
| The preferred alternative is the most environmentally damaging | The preferred alternative is the LEAST environmentally damaging practicable alternative |
| <p>4 alternatives analyzed by the Final SEIR could be found consistent with the Coastal Act, and that TCA eliminated these because:</p> <ul style="list-style-type: none"> • CC-ALPV eliminated only for community impacts • A7C-ALPV eliminated only for community impacts • AIO eliminated only for community impacts • CC eliminated only for community impacts | <p>None of these 4 were eliminated solely for community impacts:</p> <ul style="list-style-type: none"> • CC-ALPV eliminated primarily for not improving traffic congestion enough and high wetlands impacts • A7C-ALPV eliminated primarily for insufficient reduction of traffic congestion • AIO eliminated primarily for inadequate reduction of traffic congestion • CC also eliminated for extensive environmental impacts, specifically to important wetlands resources at San Juan Creek and Segunda Deshecha |

I-5 WIDENING

I-5 WIDENING ALTERNATIVE DEVASTATES COASTAL COMMUNITIES - ELIMINATES AFFORDABLE VISITOR FACILITIES

- I-5 Widening Alternative requires condemnation of 838 homes and 382 businesses, most of which are in the coastal communities of San Clemente and Dana Point.
- Dozens of low-cost visitor serving uses, including lodging, restaurants, and surfing-related retail shops would be condemned.
- Opponents claim I-5 can be widened without severe community disruption; their analysis is based on a flawed and unsafe, smaller suite of I-5 improvements that would not alleviate congestion enough to meet project need.
- Caltrans agrees that to meet The Collaborative's adopted purpose and need, the final condition must expand I-5 from its existing 8 to 12 lanes to the future 14 to 18 lanes, a massive widening that would drastically alter the character of San Clemente.



Important community buildings



Needed lower cost housing



Local small businesses



Visitor serving uses



Sample San Clemente Community Displacement Impacts of the I-5 Widening Alternative (portion of the 20 mile widening)



Sample I-5 Widening Interchange Displacement

I-5 WIDENING



Church and School Community



Work Force Housing



Visitor Serving Commercial



Lower Cost Overnight Accomodations

I-5 Widening displaces 1220 homes, businesses, churches, schools, and other institutions, including 523 visitor-serving accomodations



San Clemente's Little Inn by the Beach



Lower Cost Overnight Accomodations



Lower Cost Housing



Local Neighborhood Commercial

I-5 Widening displaces 1220 homes, businesses, churches, schools, and other institutions, including 523 visitor-serving accomodations

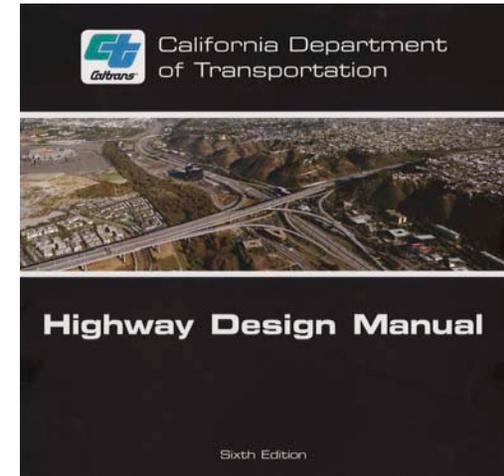
SMART MOBILITY ALTERNATIVE (AIP-R): UNSAFE AND NOT TECHNICALLY FEASIBLE

- Staff claims that an “AIP-R” alternative is preferable to the project.
- Staff says, “The Smart Mobility Reports referenced provide ample technical, economic, and social data to show the I-5 widening is a logistically and technically feasible alternative.” (Staff Report, page 103)

The facts are:

- Unsafe design including (but not limited to) decreased emergency access, interchange configurations not in context with their surroundings, and free-right turns at intersections that pose risk to pedestrians (and are inconsistent with Caltrans policy)
- AIP-R developed by Smart Mobility, Inc. (SMI) of Vermont
- Report’s primary preparers not registered to practice civil engineering in the State of California
- Report’s conclusions (and by extension, staff’s) based on deeply flawed assumptions¹, including:
 - Lane and interchange configurations do not meet Caltrans design and safety standards
 - Minimized improvements do not provide traffic benefit similar to the AIP or I-5 widening alternatives analyzed in the Final SEIR
 - Underestimated displacements, based in part on reducing the width of city frontage roads inconsistent with OCTA and City standards and would cause major local street congestion and reduce coastal access

¹In an LA Times article dated 10/15/07, SMI admitted they underestimated the required width of widening and Dan Silver with the Endangered Habitats League stated “Factual errors were made.”





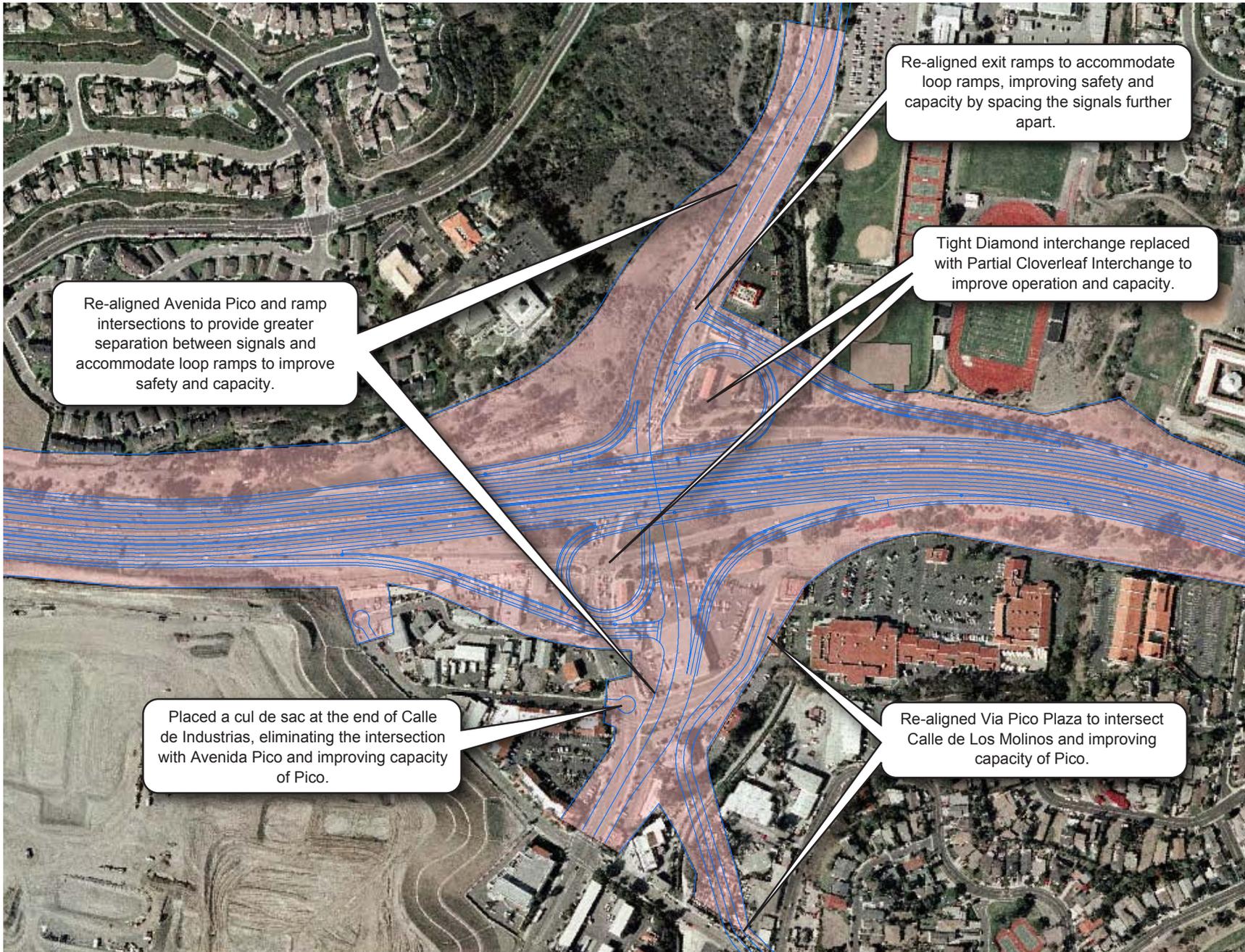
Topography Not Adequately Considered



Location Map (Aerial View)

Smart Mobility Alternative Proposes Placing Extended Detention Basins (EDBs) on Slopes Above Avenida Pico

**Flawed SMI Water Quality Improvements
(Extended Detention Basin - EDB 3-F)
Located on San Clemente Hillside**

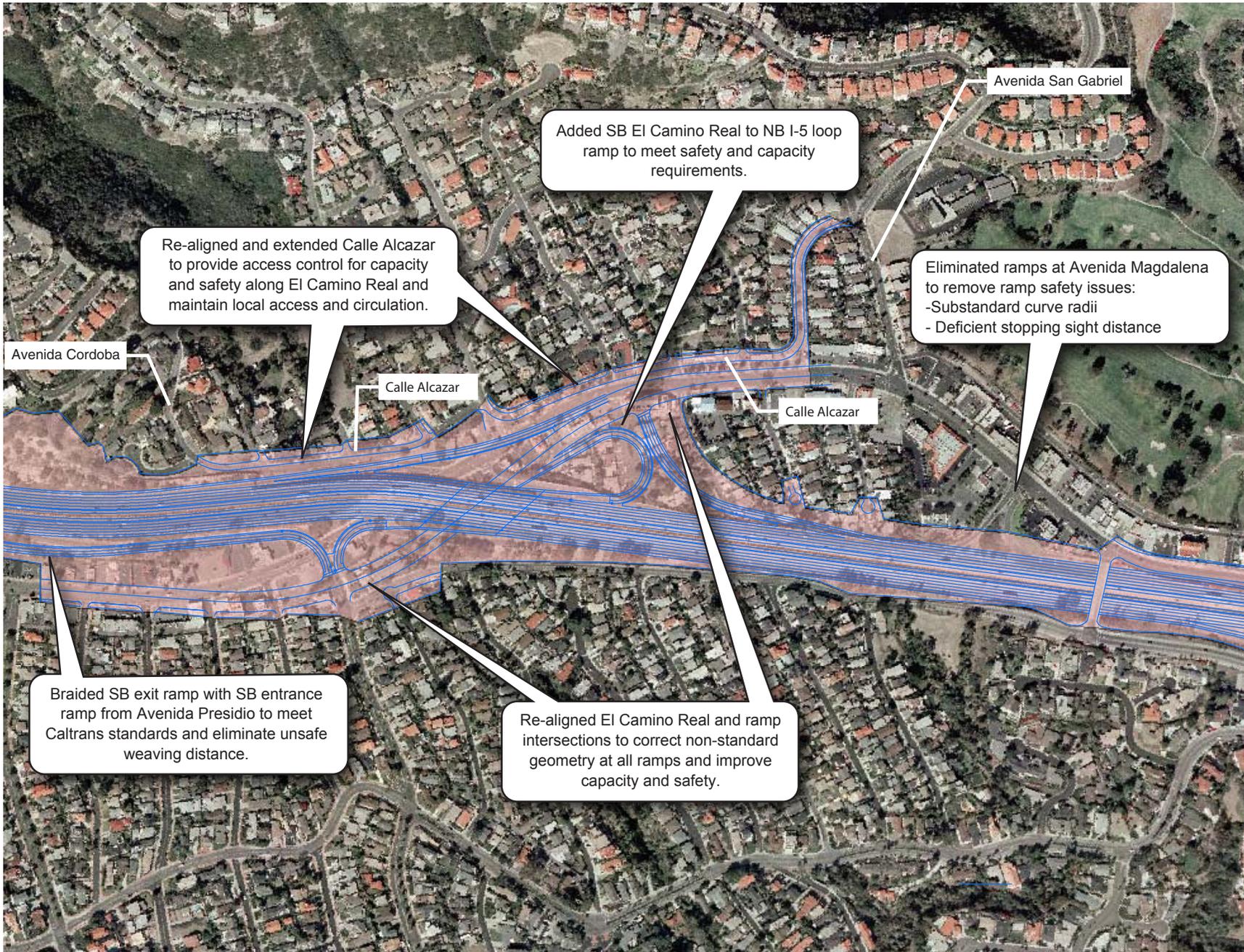


Interchange Detail SOCTIIP AIP - Avenida Pico



--- Approx. Limit of Freeway Lanes Full Takings
 Detention Basins New Structures

Interchange Detail - Avenida Pico



— AIP LaneConfiguration
 AIP ProjectLimits

Interchange Detail SOCTIIP AIP - El Camino Real



Capacity and Safety Issues:
Existing non-standard geometry caused by the extreme skew of El Camino Real with ramps is not addressed.

The closure of these ramps and use of the Avenida Magdalena ramps violates HDM Topic 502.2 re: Isolated Offramps.

Ramp Safety Issues:
-Substandard curve radii
-Deficient stopping sight distance.

Reduction of the Secondary Arterial from 5 to 3 lanes violates the County Master Plan of Arterial Highways.

5 to 3 lane conversion (7,000 ADT)

Capacity and Safety Issues:
Non-standard Geometry and access control at existing ramp intersections with El Camino Real are not addressed.

- Full Takings
- New Structures

STAFF DISCOUNTS THE OPINION OF RESOURCE AGENCIES

- USFWS, a member of The Collaborative, is the federal resource agency responsible for regulating habitat for threatened and endangered species.
- USFWS has recently excluded project alignment from critical habitat for gnatcatcher.
- Coastal Staff claims that critical habitat areas for several species are impacted by the project, but USFWS has stated that critical habitat for only 1 species (tidewater goby) exists within the project area¹.
- Staff incorrectly identifies critical habitat designations rescinded by USFWS as ESHA, but this is not supported by the most current scientific information available.
- **USFWS has issued a preliminary 'No Jeopardy Opinion'** concluding that the project:
 - **Will not jeopardize any species survival**
 - **Will not adversely modify any critical habitat**



¹The USFWS published a proposed critical habitat rule for tidewater goby on November 26, 2006 (71 FR 68914). Because MCBCP has an approved Integrated Natural Resources Management Plan that provides a benefit to the tidewater goby USFWS is proposing to exclude this area from the boundaries of designated critical habitat pursuant to 4(a)(3) of the ESA. However, currently designated critical habitat (November 20, 2000) will remain in place until the revised designation becomes final.

STAFF IGNORES THE FACTS AND DISCOUNTS THE OPINION OF RESOURCE AGENCIES



Pacific pocket mouse (PPM) – Staff claims project will lead to extinction, yet:

- PPM has never been found within the coastal zone portion of the project disturbance limits despite 65,900 trap nights.
- No high value habitat for the PPM occurs within the coastal zone based on scientific modeling program
- Implementation of the PPM Resource Management Plan is the San Mateo North PPM population's best chance for survival and recovery. No project means this population will NOT receive the intensive management necessary for its persistence.



Tidewater goby – Staff claims adverse impact to the species, yet:

- The 0.011 acre of permanent impacts to potential habitat for this species represents less than 0.008 percent of the total habitat within San Onofre and San Mateo creeks and will have minimal impact on tidewater goby.



Arroyo toad – Staff claims loss of last coastal population, yet:

- Not the only coastal population.
- USFWS-approved mitigation measures will ensure limited impacts to the arroyo toad.



Coastal California gnatcatcher – Staff claims potential for mortality and critical habitat impacts, yet:

- USFWS approved mitigation for project impacts to gnatcatcher habitat will preserve an area that is a key component of the regional conservation strategy for this species.



Least Bell's vireo – Staff claims destruction of occupied habitat and potential mortality, yet:

- No loss to vireo expected; permanent impacts to potential habitat represents a very minor loss (0.16 acre).



Southern steelhead trout – Staff claims variety of threats to important population, yet:

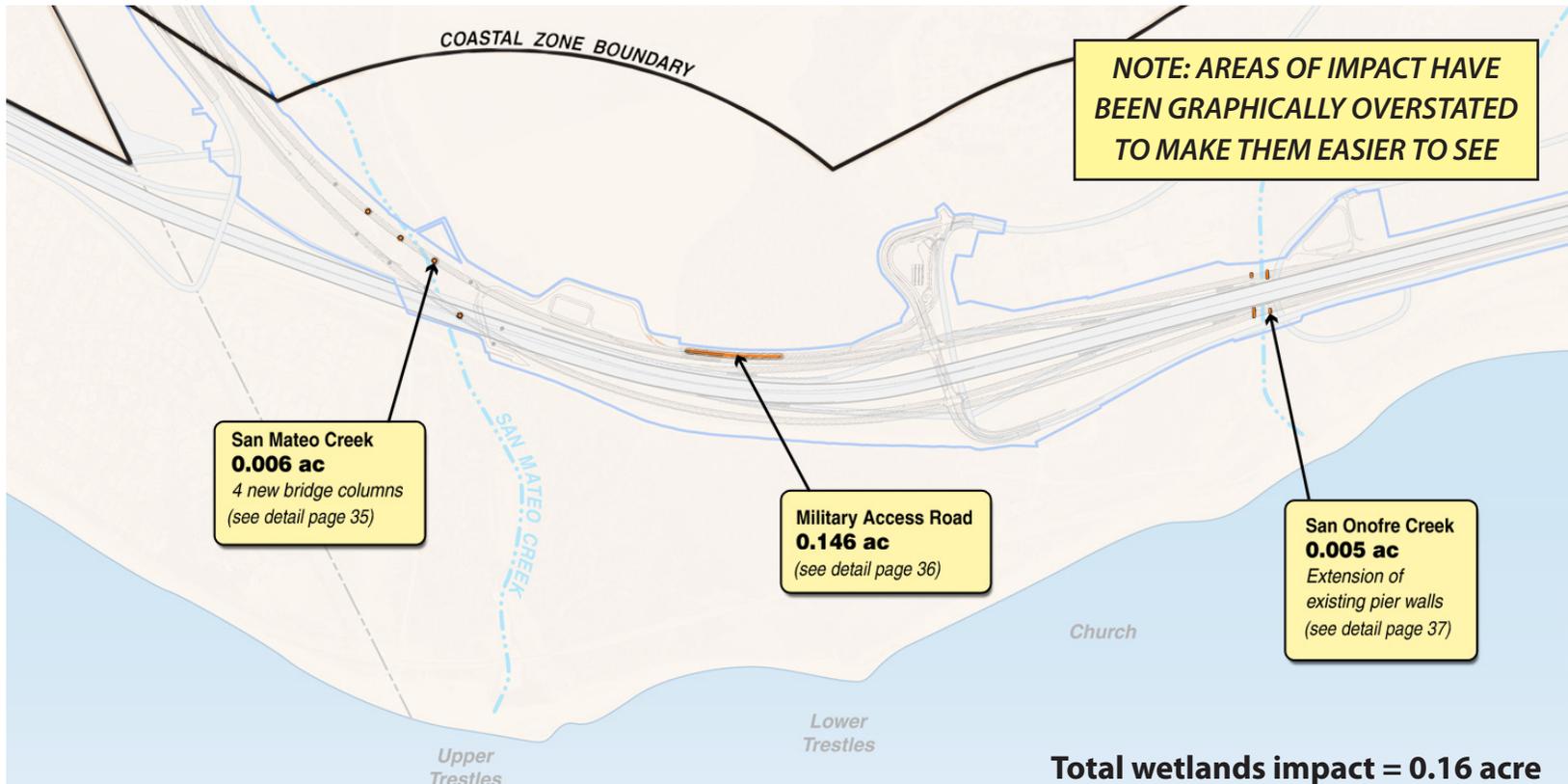
- The National Oceanic and Atmospheric Administration/National Marine Fisheries Service, the agency responsible for protection of this species, has determined that the project “would not likely adversely affect” this species.



Existing Tidewater Goby Habitat (between I-5 and ocean, outside of project area)

WETLANDS IMPACTS MINIMIZED AND MITIGATED

- Under Coastal Act Section 30233, the project is an incidental public service purpose, and therefore an allowable use of wetlands.
- Project has been designed to absolutely minimize wetland impacts to 0.16 (sixteen hundredths) acre.
- Project permanently impacts only 0.006 acre of San Mateo Creek, 0.005 acre of San Onofre Creek, and 0.146 acre of wetlands directly adjacent to existing I-5.
- Wetland impacts mitigated at a 6.25 to 1 ratio (1 acre) within the coastal zone, and within proximity to the impact area and San Mateo Creek, as requested by Staff.





LEGEND

- Perm. CCC Wetlands Impact (0.006 acres)
- Temp. CCC Wetlands Impact (5.75 acres)
- CCC Wetland Boundary Within Project Area
- Bridge Column/abutments Support (outside of wetlands)
- Coastal Zone

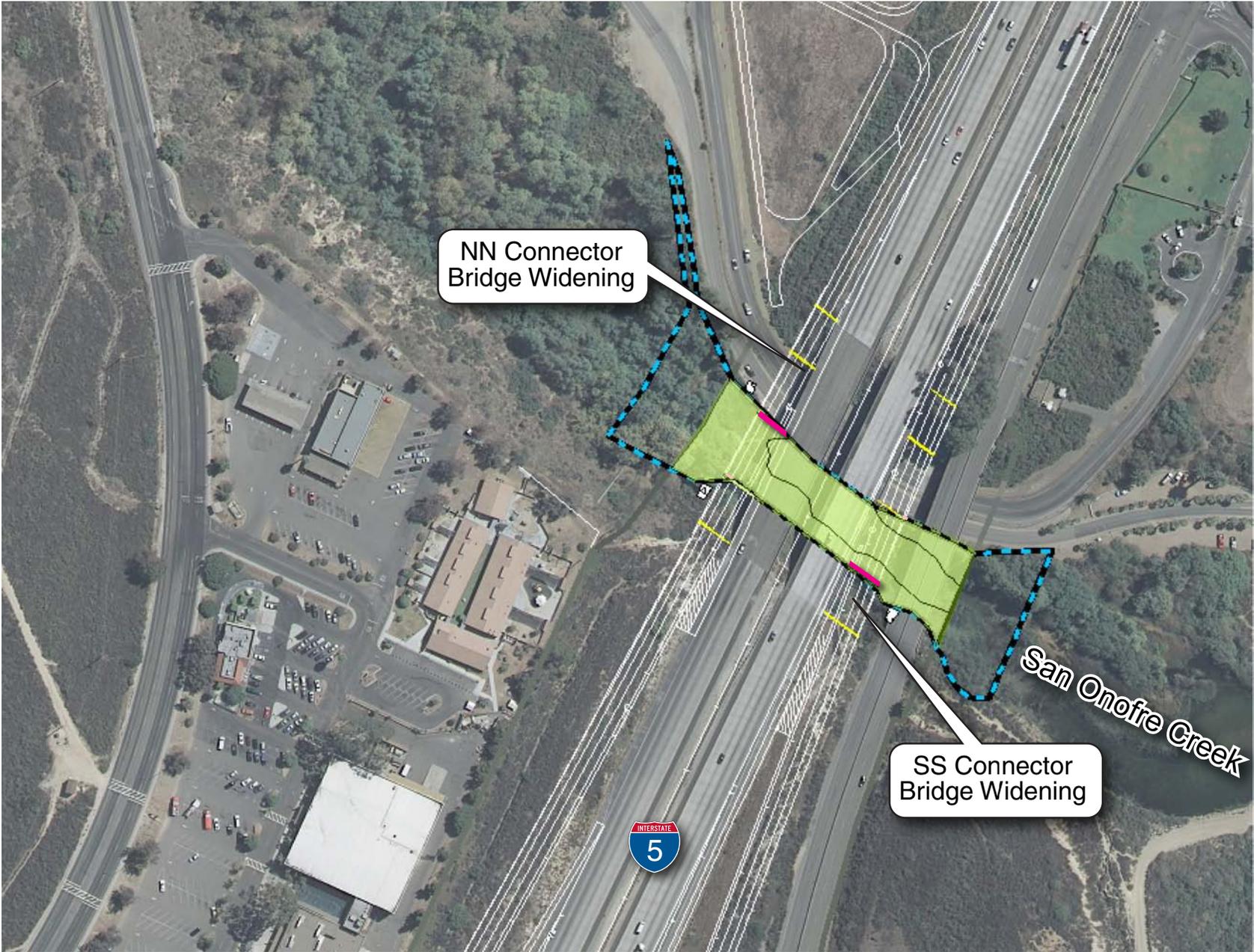
WETLAND IMPACTS MINIMIZED



LEGEND

- Coastal Zone
- CCC Wetland Boundary
- Perm. CCC Wetlands Impact (0.146 acres)
- Temp. CCC Wetlands Impact (0.89 acres)
- Bridge Support/Abutments Locations (outside of wetlands)

WETLAND IMPACTS MINIMIZED



LEGEND

| | |
|---|--|
|  Perm. CCC Wetlands Impact (0.005 acres) |  CCC Wetland Boundary |
|  Temp. CCC Wetlands Impact (1.05 acres) |  Bridge Support Locations (outside of wetlands) |

SIGNIFICANT HABITAT PROTECTIONS AND BENEFITS FOR REGIONAL BIOLOGICAL RESOURCES

■ Coastal Sage Scrub (CSS)

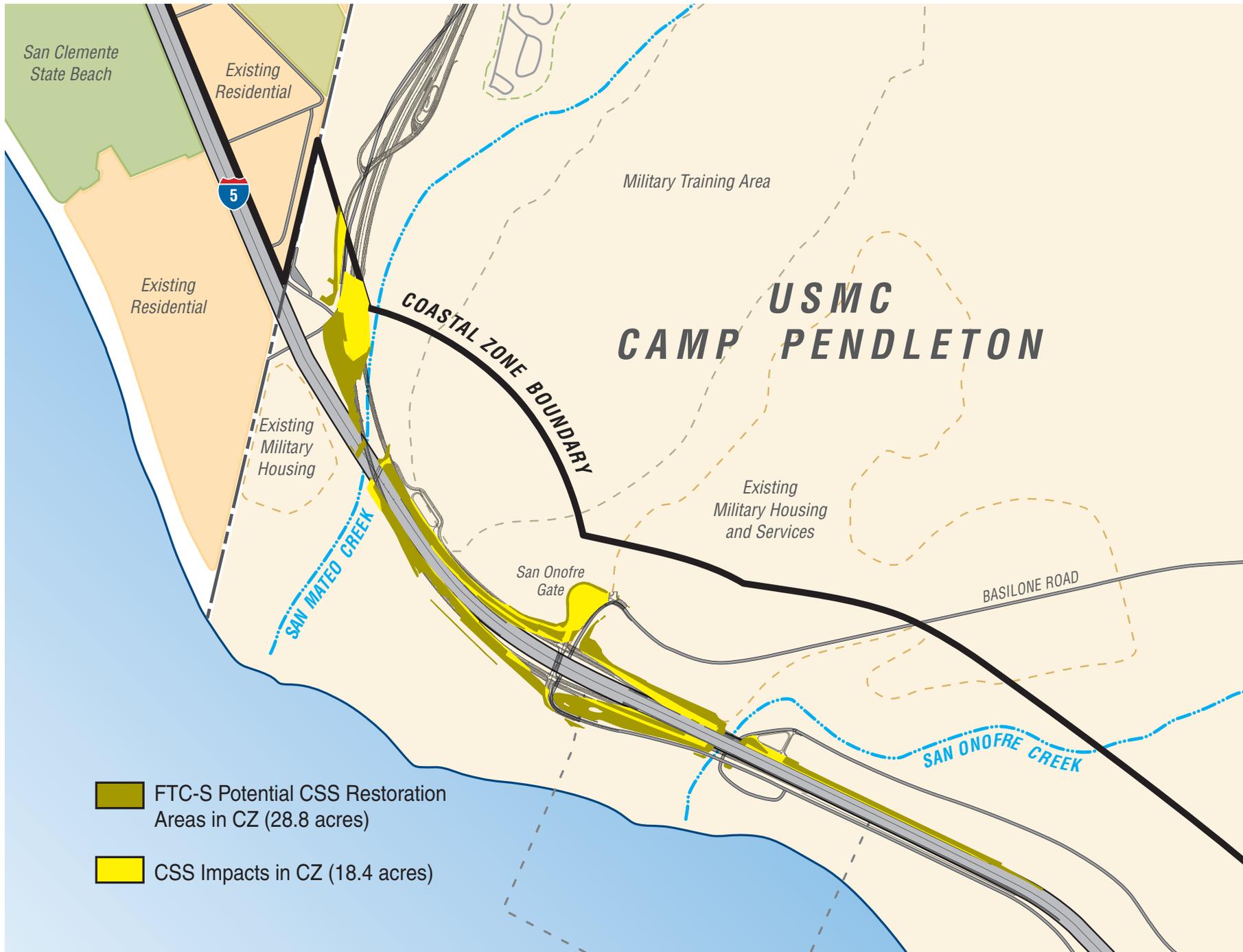
- In 1996, TCA purchased 1,182 acres subject to development pressure and placed it under a conservation easement (Upper Chiquita Canyon Conservation Area).
- This conservation area is part of the Orange County NCCP/HCP.
- Of the 1,182 acres, there are 631 acres of CSS. TCA has 327 acres of credits for the completion of SR 241 that are high quality, gnatcatcher-occupied CSS habitat.
- TCA will restore an additional 585 acres within the conservation area to equally high quality CSS, grassland/ecotone, and oak woodland habitat as part of the overall mitigation program for completion of SR 241 project.

■ Onsite and offsite restoration of 181.4 acres of CSS for 47.2 acres of temporary and permanent CSS impacts within the coastal zone.

- 28.8 acres of temporary impact to low-quality CSS vegetation within the project footprint will be replaced at project completion with an equal amount of high-quality CSS.
- 18.4 acres of permanent CSS impact within the coastal zone is proposed to be mitigated by off-site restoration of CSS on 150 acres of disturbed ruderal land in Crystal Cove State Park (mitigation ratio of 8:1). This proposal is subject to State Parks approval.
- A native seed mix will be used within the SR-241 extension disturbance limits.

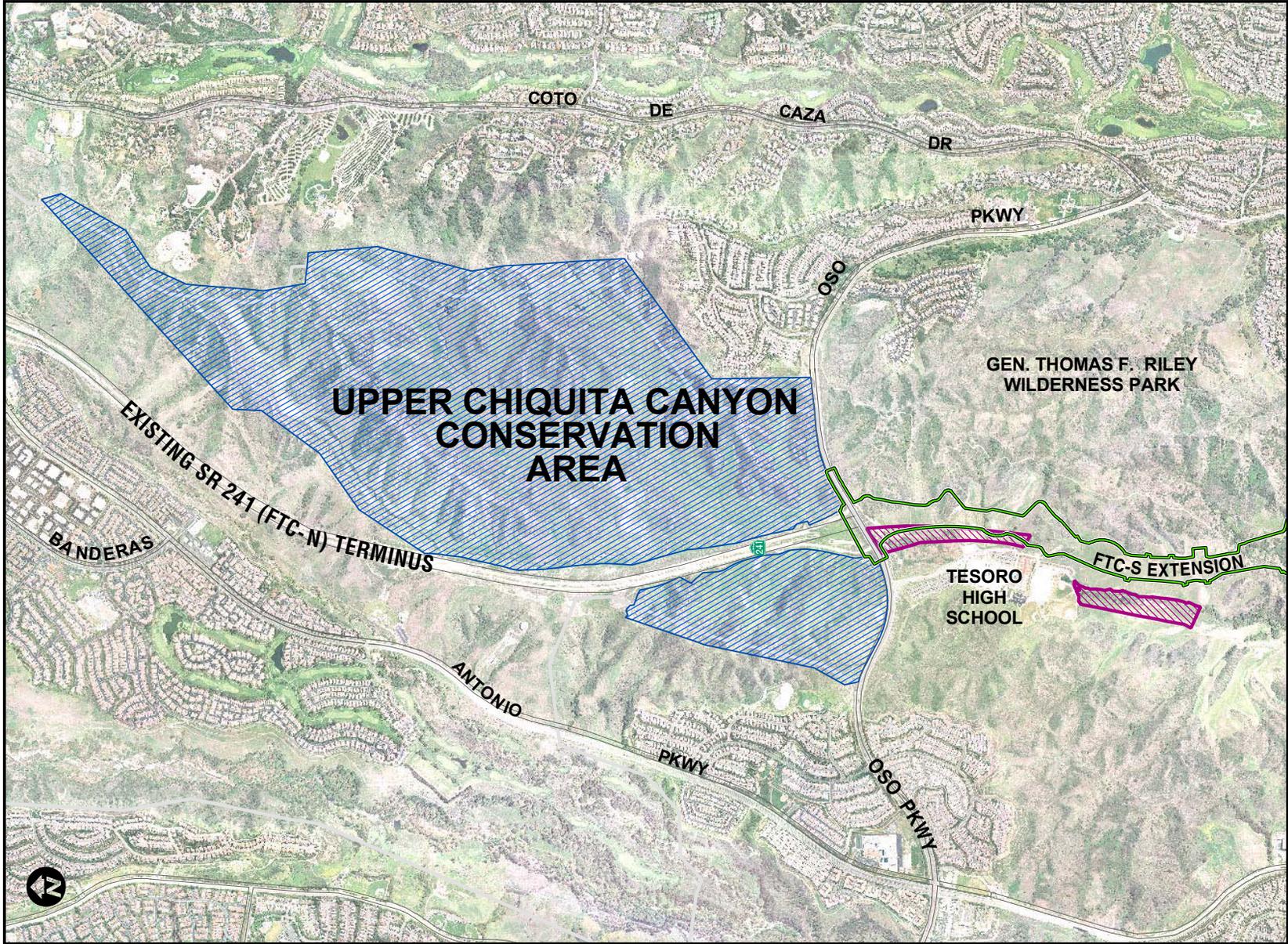
■ Habitat Mitigation and Monitoring Program (HMMP)

- A comprehensive HMMP will be completed for all coastal mitigation areas to the satisfaction of the wildlife resource agencies.





Existing Gnatcatcher Habitat (at trail crossing under I-5)



LEGEND

-  Foothill Transportation Corridor South
-  Tesoro Mitigation Area
-  Upper Chiquita Canyon Conservation Area



Candidate Areas Offsite Mitigation Within the Coastal Zone - Crystal Cove State Park

SIGNIFICANT WATER QUALITY IMPROVEMENTS FOR I-5 RUNOFF INTO SAN MATEO AND SAN ONOFRE CREEKS

- **Within the coastal zone, the project will treat all first-flush storm water runoff along a two-mile stretch of existing I-5, that is presently untreated (approximately five million gallons per year).**
 - This polluted storm water is currently untreated and drains to San Onofre and San Mateo Creeks, and ultimately, the ocean
 - Treatment of I-5 runoff, 85th percentile one-hour storm event

- **Within and outside the coastal zone, runoff from the entire length of SR 241 will be managed by a full suite of BMPs based on a five-year study, the BMP Retrofit Pilot Program, conducted jointly by the Natural Resources Defense Council, Santa Monica Baykeeper, San Diego Baykeeper, EPA, and Caltrans, along with an extensive list of technical experts and other agencies.**

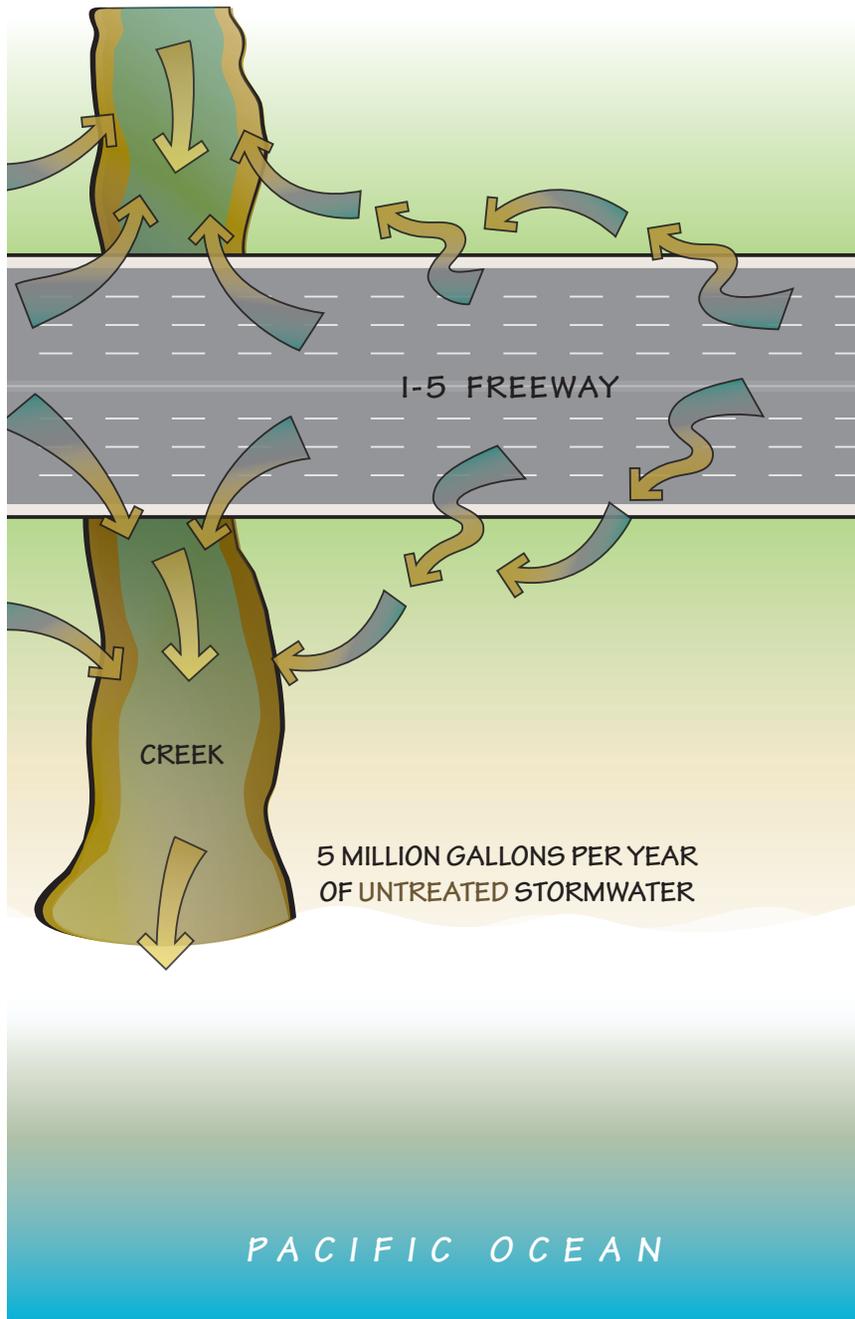
- **State-of-the-art water quality treatment system has been designed throughout the project to include:**
 - Vegetated swales and vegetated strips
 - Native vegetation
 - Sand filters within San Mateo and San Onofre watersheds, including the project area in the Coastal Zone
 - Design Pollution Prevention BMPs (outlet erosion protection, preservation of vegetation, slope/surface protection)
 - Newly created wetlands

- **Extensive water quality monitoring program approved by RWQCB to be conducted.**

- **TCA to monitor Caltrans maintenance of water quality facilities for first five years.**

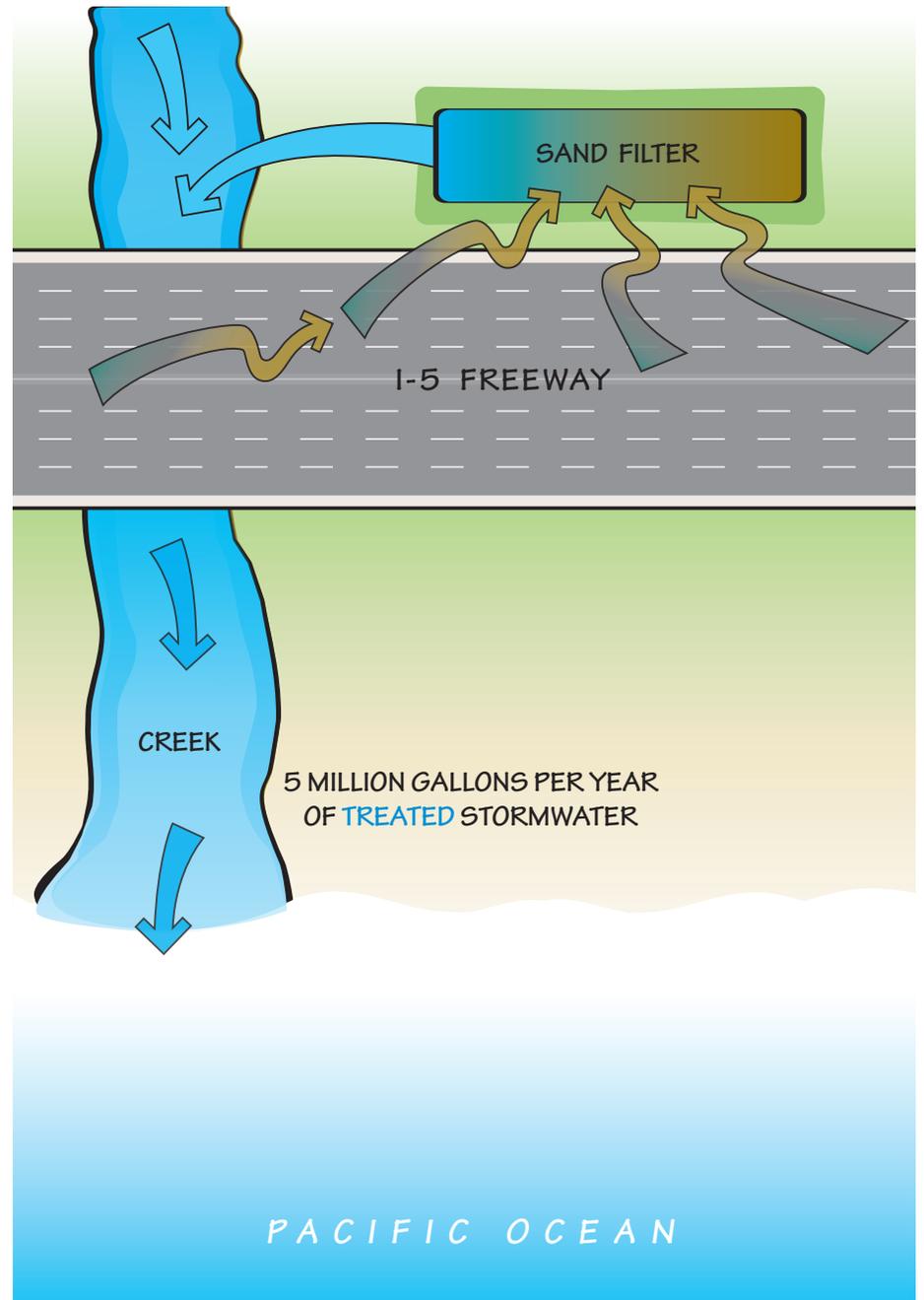


Location of Water Quality Improvements



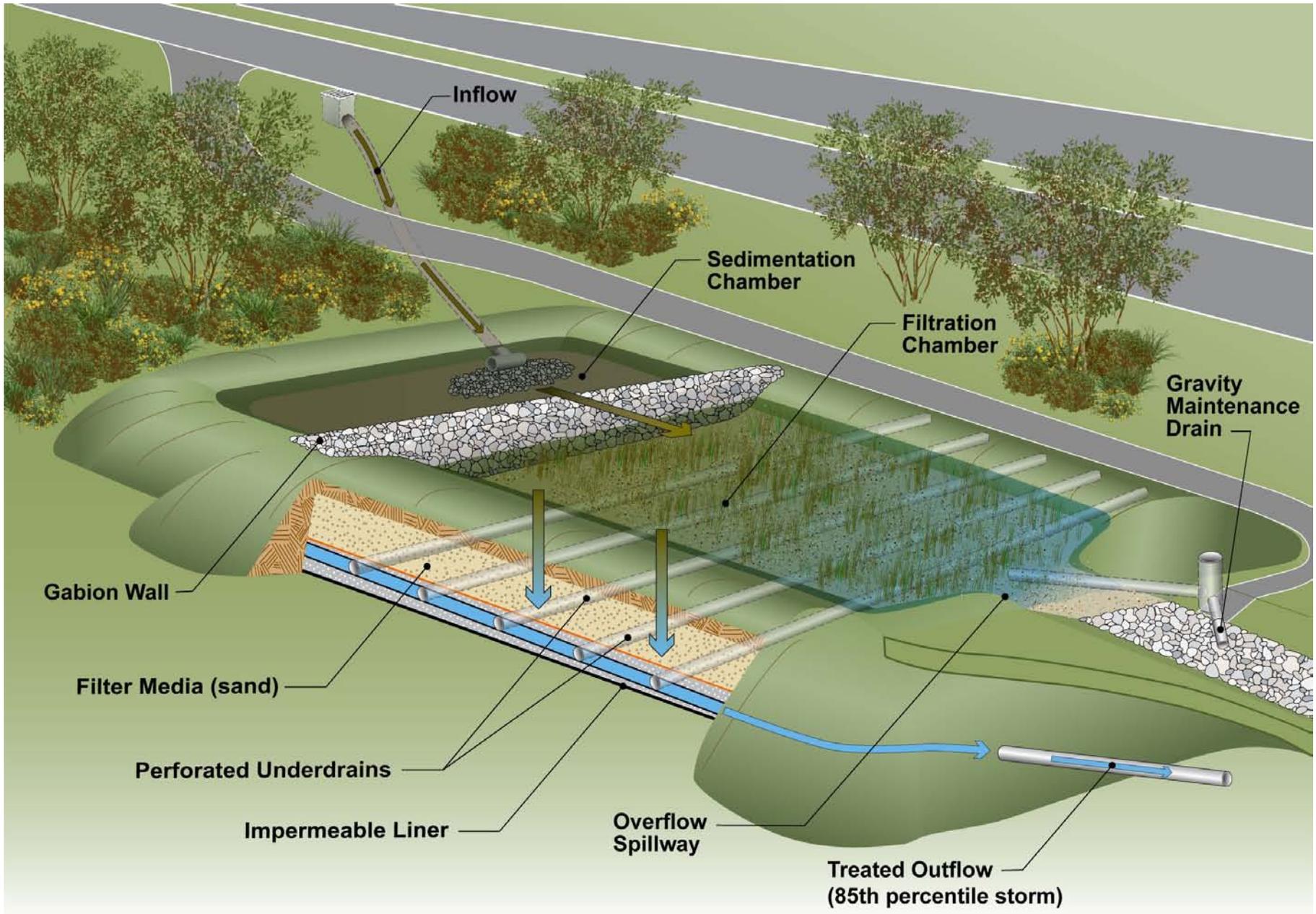
BEFORE

I-5 Storm Water - Without Project



AFTER

I-5 Storm Water - With Project



Austin Sand Filter Schematic - Earthen Type / Partial Sedimentation

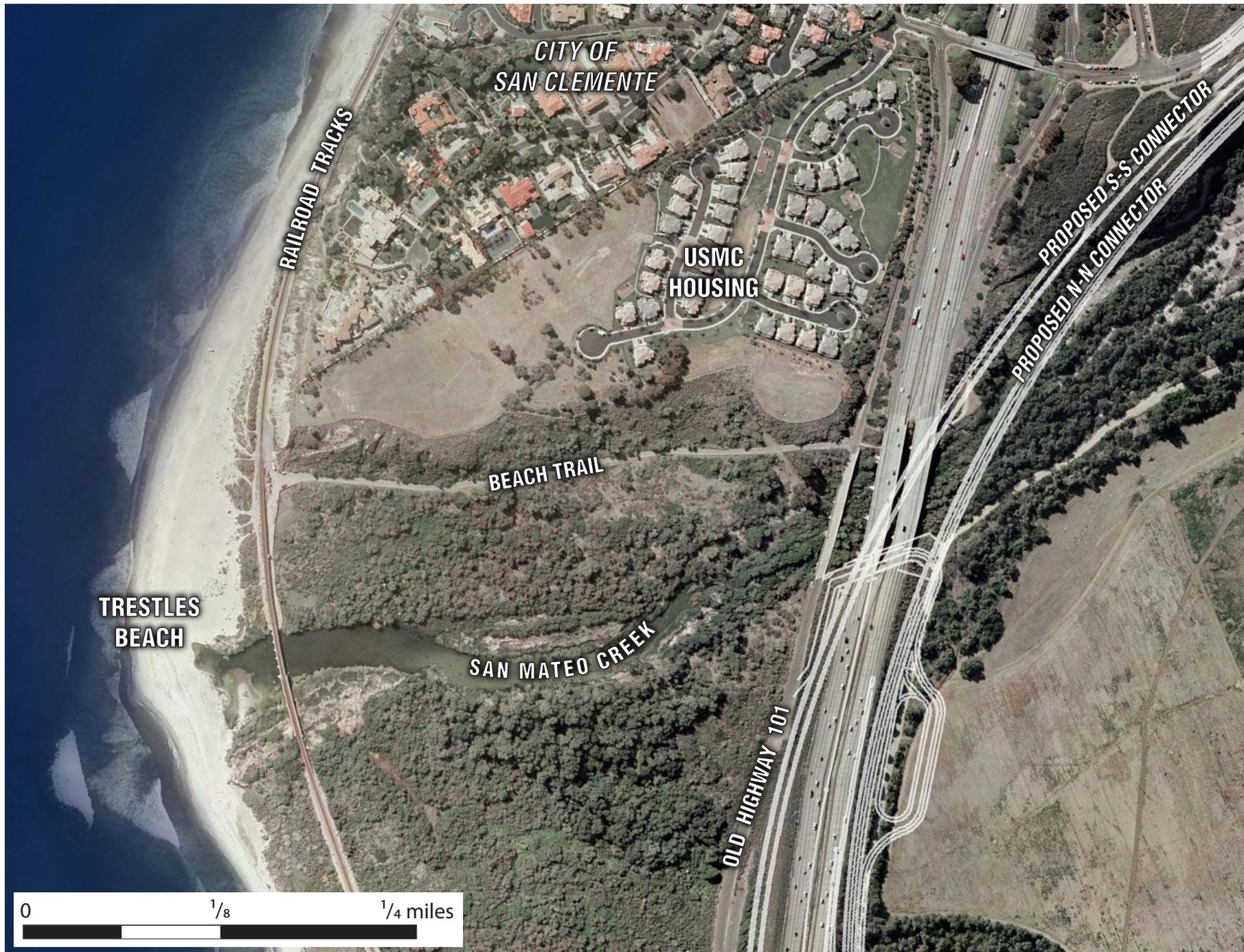
TRESTLES AND OTHER SURF BREAKS WILL BE UNAFFECTED

- Staff says that there has been no modeling or analysis at the subwatershed level, but in fact, the project Runoff Management Plan contains detailed analysis of the subwatershed impacts.
- Technical modeling shows:
 - Surf break not a function of fine sediment transport
 - Even if it were, project designed to be sediment neutral, i.e. no change in sediment transport
 - There is no change in flow or destabilization at subwatershed discharge points
 - Fine sediment delivery to the mouth of the creek not affected
 - Surf break dependent upon offshore cobble shelf
 - Delivery of cobbles to shoreline will be unaffected by project, just like it has been unaffected by construction of the railroad and Old Highway 101, all of which are seaward of the project
- Unlike TCA, project opponents cannot support their claims about surfing impacts with modeling or science.





Surf at Trestles (existing I-5 in foreground)



Project Located Inland of Old Highway 101

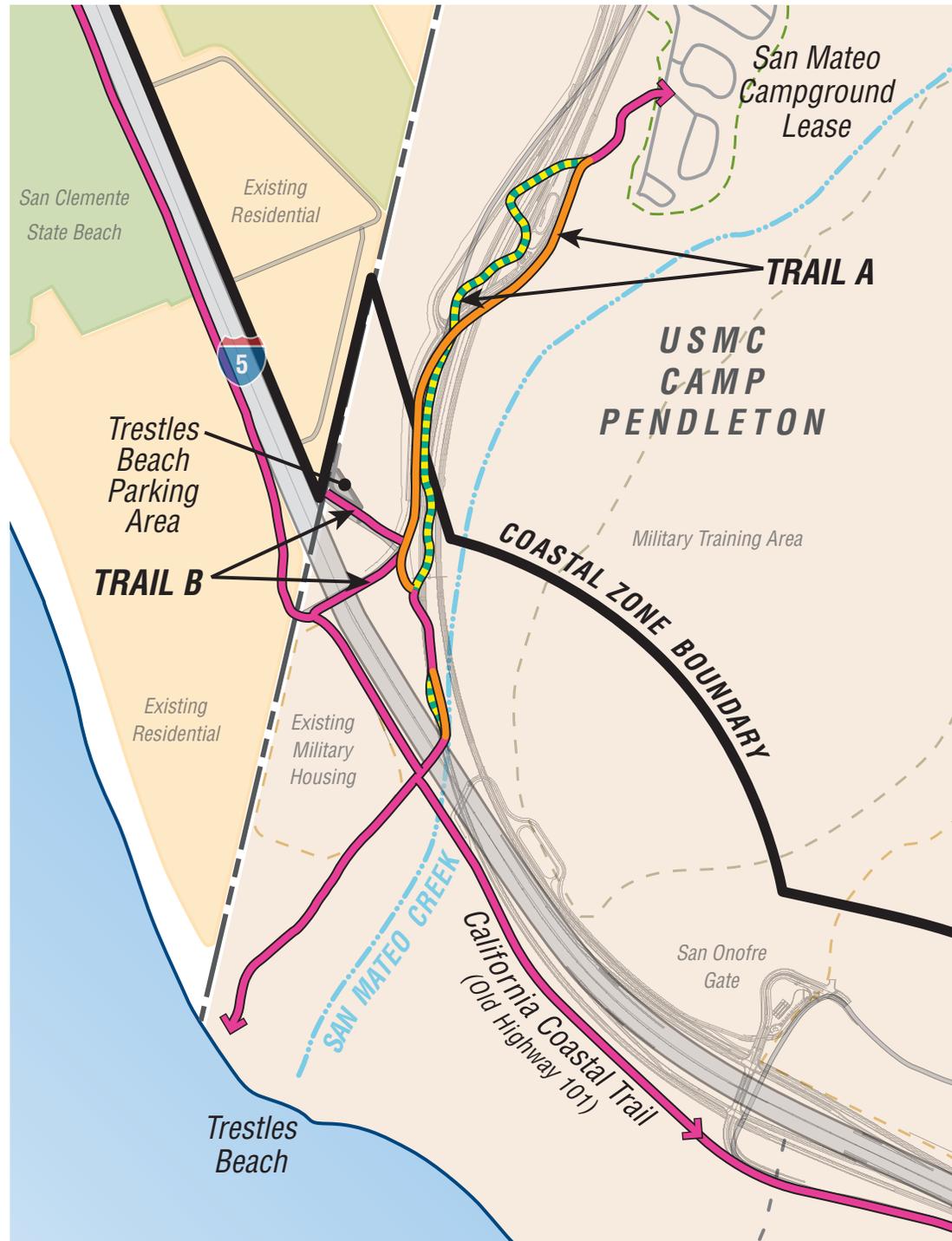
PROTECTS AND IMPROVES EXISTING BEACH ACCESS TRAILS, INCLUDING TRAILS TO TRESTLES.

- Pedestrians will be protected from construction activities through temporary trail detours, as required.
- Beach access will always be provided.

-  Existing Trail to Remain
-  Proposed Realignment of Trail
-  Existing to be Replaced



Existing trail from I-5 to beach preserved.



PROJECT WILL NOT UNREASONABLY INTERFERE WITH STATE PARK

- **State Parks' and Coastal staff's claim that the project will require the closing of Subunit 1 is not credible:**
 - Future conditions on which the claim is based already exist within all other park subunits
 - Existing (and well used) trails within Subunits 1, 2, 3 and 4 are already adjacent to and in close proximity to I-5 and Cristianitos Road
 - Campgrounds (176 campsites) within Subunit 4 are already adjacent to I-5
 - 95% percent of visitors go to the coastal subunits, not Subunit 1

- **In reliance upon unsupported statements by State Parks, Staff assumes that approval of the project will result in State Parks premature abandonment of Subunit 1 of San Onofre State Beach (SOSB).**
 - If Commission approves the project, the earliest substantial construction could commence in the coastal zone would be 2012
 - Park lease expires in 2021
 - A component of the project provides for extension of the Park lease, if State Parks and Marine Corps agree

- **The project will not permanently alter any recreational facilities or campsites within the coastal zone.**



Existing San Onofre Bluff's Campground (SOSB Subunit 4) Adjacent to Railroad Tracks and I-5 (photo taken from shoulder of I-5)





Existing Park Conditions - Trail under I-5

PROJECT DOESN'T CONTRIBUTE TO GLOBAL WARMING

- Staff has inappropriately looked at the entire SR 241 extension, and not merely the project within the coastal zone.
- Staff says TCA has not fully calculated or agreed to mitigate GHG emissions.

The truth is:

- The project has been designed to be carbon neutral
 - TCA has completed modeling to identify changes in VHT and VMT
 - Several construction-related green commitments have been made
 - Solar panels at toll plazas and booths will be provided
- Staff says project will increase VMT and therefore, greenhouse gases.
- ### **The truth is:**
- **Project will reduce CO2 emissions by 569,000 pounds/day**
 - Modeling shows that project will increase VMT by less than 0.0004% (four ten thousandths) over no-build
 - Improved traffic speeds will reduce daily VHT by 31,580
 - Project provides benefit through emission reductions within 5 years of completion
 - Benefit continues over life of project

PROJECT DOESN'T CONTRIBUTE TO GLOBAL WARMING

- Staff Report says project will induce growth.

The truth is:

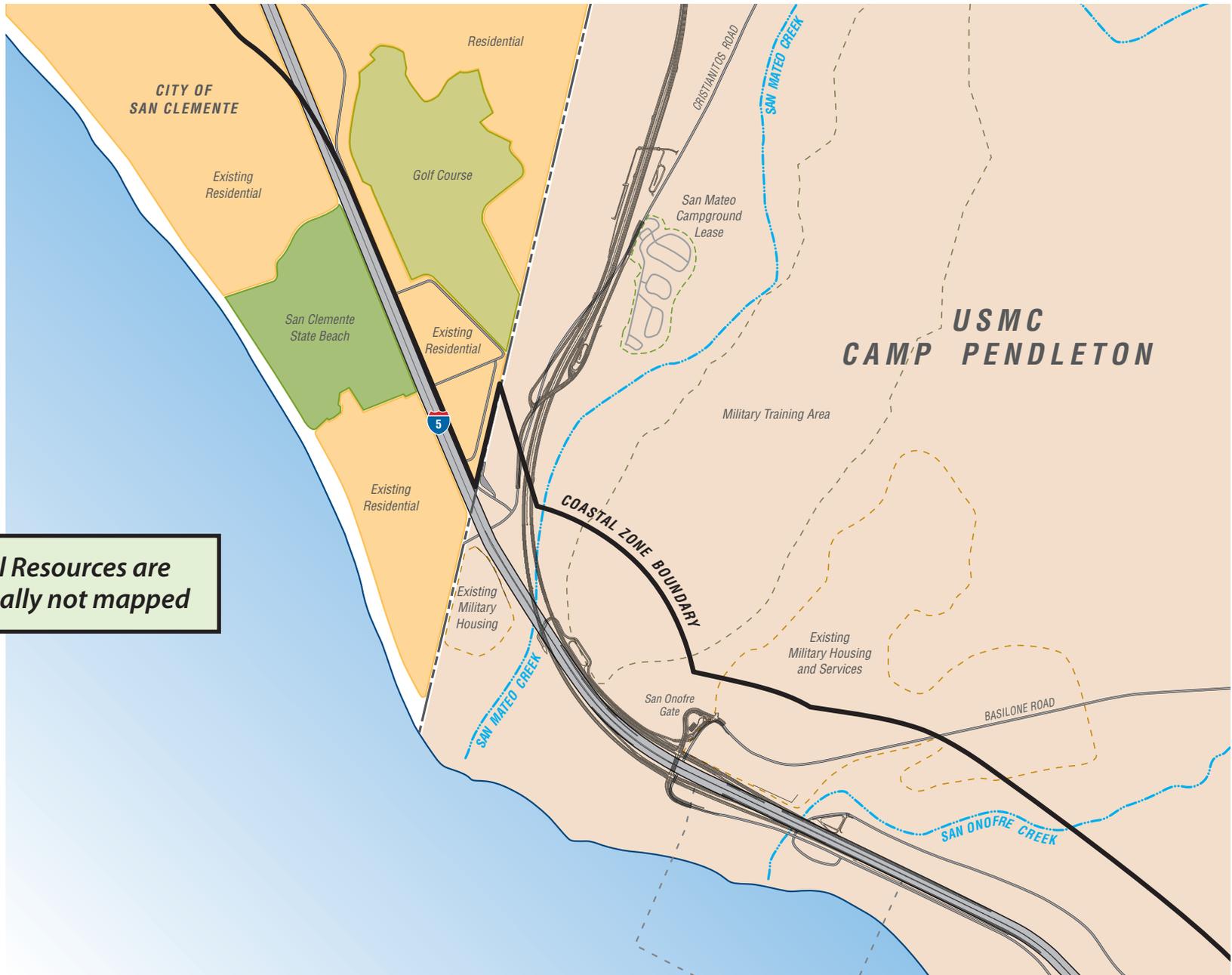
- Project has been on transportation plans for 25+ years
 - Majority of project area not dedicated to open space has already been developed or approved for development, including Rancho Mission Viejo (RMV)
 - Approved development will be constructed with or without this project
 - Therefore the project will not, by definition, induce growth but will reduce GHG emissions by virtue of reducing VHT
- Compared to the No Project Alternative, the project will ultimately REDUCE GHG (CO₂) more than 200,000,000 lbs. per year, or the equivalent of:
 - annual CO₂ sequestration of more than **25,000 acres** of forest (± 17,000,000 trees), or;
 - conversion of more than **489,000** incandescent light bulbs to compact fluorescent lamps, or;
 - CO₂ generated by the consumption of **10,500,000** gallons of gasoline



STAFF REPORT GROSSLY MIS-STATES IMPACT TO CULTURAL RESOURCES

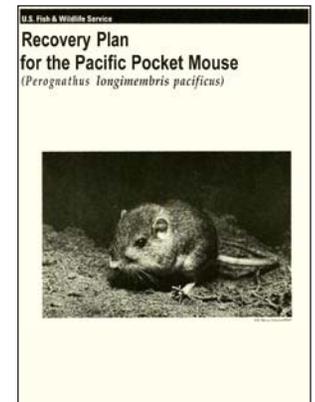
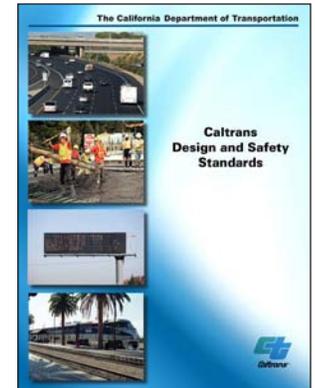
- Project has been sited to avoid the Ceremonial and Reburial Sites in proximity to the project.
- Cultural resources within the project footprint are highly disturbed, with very little intact midden.
- Staff Report grossly exaggerates the extent of the Native American resource areas, especially within the coastal zone.
- Additionally, the project doesn't extend into any potential boundary for the potential Trestles Historical Resource.

Cultural Resources are intentionally not mapped



STAFF RECOMMENDATION CONSISTENTLY IGNORES SCIENTIFIC ANALYSIS AND DATA

- Throughout the Staff Report, conclusions disregarded scientific data, preferring instead to rely on anecdotal evidence provided by project opponents.
- Specifically, staff has ignored or discounted:
 - Traffic modeling data, which shows that several of the alternatives preferred by Coastal Staff do not effectively alleviate existing and future traffic congestion
 - Caltrans design and safety standards, which are also ignored by SMI's AIP-R alternative
 - Opinions of the USFWS
 - Opinions of expert biologists familiar with the Pacific pocket mouse, who prepared the Pacific Pocket Mouse Resources Management Plan, consistent with the USFWS Recovery Plan for this species
 - Subwatershed modeling data showing subwatersheds will not be destabilized and will not be impacted by the project
 - Coastal processes analysis shows that surf break is unaffected by the project
 - Proposed mitigation measures based on today's best practices, state-of-the-art technology, and standards set by State and Federal resource agencies



THE BALANCING PROVISION OF 30007.5 SHOULD BE APPLIED

- Sections 30210 et seq. (public access), Section 30213 (encouragement of lower cost visitor serving and recreational facilities), Section 30231 (restoration of water quality) and Section 30253(1) (maximize public safety and national security).
- The following pages discuss the numerous project benefits and manner in which resolution of these policy conflicts is, on balance, most protective of significant coastal resources.



COASTAL ACCESS AND CONGESTION RELIEF

- Public access to beaches in northern San Diego County and southern Orange County is presently severely constrained by traffic congestion.
- Significant congestion spills over onto local streets, impeding access to beaches and visitor serving uses.
- Completion of SR 241 will improve access to all visitor serving beach destinations from Crystal Cove to Oceanside.
- Project protects and improves existing beach access trails, including trails to Trestles.
- TCA has augmented its project to include an offer of \$100 million to benefit the California State Parks system and public access to the coast.



San Onofre Bluffs Campground, SOSB



Existing Local Traffic Congestion

\$100 MILLION PACKAGE OFFERED TO STATE PARKS

- TCA has augmented its project to include an irrevocable offer of \$100 million to benefit the California State Parks system and public access to the coast, with suggested uses as follows:
 - Increase lower cost overnight visitor accommodations (campsites)
 - Extension of SOSB lease beyond 2021 termination date
 - Complete restoration of cottages at Crystal Cove
 - Restoration of 150 acres of coastal sage scrub at Crystal Cove
- TCA would reallocate these monies to one or more of the above uses if mutually agreeable to the TCA, the Coastal Commission, the State of California, and the US Dept. of the Navy.
- Proposed 8 to 1 ratio of CSS creation within Crystal Cove State Park.



IMPROVES WATER QUALITY IN THE COASTAL ZONE

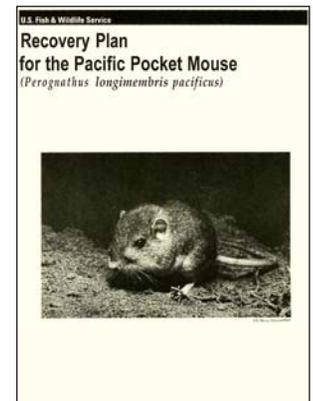
- The selected BMPs are the best available technology (BAT) for storm water quality mitigation.
- Incorporation of this state-of-the-art technology throughout the San Mateo and San Onofre watersheds will result in a net water quality benefit within the coastal zone.
- Project will treat all first-flush storm water runoff along a two-mile stretch of existing I-5, that is presently untreated (approximately five million gallons per year).
- Provides hazardous spill containment where there presently is none.
- Within and outside the Coastal Zone, runoff from the entire length of SR-241 will be managed by a full suite of BMPs based on a five-year study, the BMP Retrofit Pilot Program, conducted jointly by:
 - Natural Resources Defense Council
 - Santa Monica Baykeeper
 - San Diego Baykeeper
 - US Environmental Protection Agency
 - Caltrans, along with an extensive list of technical experts and other agencies



- Extensive water quality monitoring program approved by RWQCB to be conducted.
- TCA to monitor Caltrans maintenance of water quality facilities for first 5 years.

PACIFIC POCKET MOUSE MANAGEMENT PLAN

- The San Mateo North population of Pacific pocket mouse (PPM) currently exists **outside** of the coastal zone. This population is not currently managed for the benefit of PPM.
- Without a management plan in place, this population is expected to continue to decline from predation and competition.
- TCA has prepared an ambitious and detailed Pacific Pocket Mouse Resource Management Plan, which:
 - Establishes a 71-acre PPM reserve area
 - Provides for implementation of long-term management and recovery initiatives
 - Funds a non-wasting endowment for long term management of the reserve
 - Establishes a management entity to monitor and adaptively manage the PPM population and conduct ongoing research
- The management plan, funded by construction of the toll road, is likely the best remaining opportunity for the San Mateo North PPM population to persist and recover at this location.



ENHANCED PUBLIC SAFETY

- I-5 is currently the only major evacuation route for SONGS (which lies within a high fire hazard area) as mapped by California Department of Forestry and Fire Protection FRAP map for San Diego County.
- SR-241 completion improves evacuation capabilities during natural disasters, including:
 - Wildfires
 - Flooding
 - Earthquake
 - Tsunami
- The project provides a firebreak.
- Project improves accessibility and response time for emergency vehicles.
- TCA suspends tolls during emergencies.



NATIONAL SECURITY IMPROVEMENTS

- TCA will incur total costs of \$32 to \$34 million for construction of national security improvements requested by Camp Pendleton to meet current Homeland Security and Anti-Terrorist Force Protection Program guidelines, including:
 - Realignment of Basilone Road interchange
 - Relocation, expansion and upgrade of Camp Pendleton's San Onofre Gate
 - Increased efficiency and flexibility for military training
- National security improvements increase project CSS impacts by 2.5 acres.
- TCA will pay for mitigation of these impacts within its overall mitigation program, despite the federal nature of these improvements.
- Coastal Zone Management Act requires consideration of National Security Implications.



SECTION 30007.5

THE BALANCING PROVISION OF SECTION 30007.5 SHOULD BE APPLIED

- The project promotes key Coastal Act policies in the following ways:
 - Improved coastal access
 - \$100 million dedicated to State Parks to benefit coastal recreational resources for lease extension, visitor serving uses, additional campsites, and habitat creation (funds to be spent at State Park's discretion)
 - Improved water quality within the coastal zone
 - Habitat benefits for the endangered PPM
 - Enhanced public safety
 - National security improvements



THE BALANCING PROVISION OF SECTION 30007.5 SHOULD BE APPLIED

- The Commission has agreed , and the Commission should again agree, that conflicts between Section 30240 (and potentially 30233) and Sections 30210-30214, 30231, 30232, 30240, 30252, 30253, 30254 exist and should be resolved in a manner that on balance is most protective of significant coastal resources.
- The most significant public resources are the coast, the beaches, and the quality of runoff into coastal waters. The project provides clear and unquestioned improvements to public access and improvement to water quality. In addition the project substantially provides for major contributions to the stock of lower cost visitor accommodations and ESHA. Clearly, the benefits of this project, on balance, substantially outweigh the conflicts with the ESHA (and even the wetland) policies of the Coastal Act.
- The project fully mitigates any wetland or ESHA impacts, and is the least environmentally damaging, feasible alternative.
- Therefore, the Commission should concur in this Consistency Certification because of the superior public access, recreational, water quality, and public safety benefits it provides.

ATTACHMENT A: COLLABORATIVE ALTERNATIVES CRITERIA TABLE

THE COLLABORATIVE PROCESS CONSIDERED AN ALTERNATIVE NOT TO BE PRACTICABLE IF:

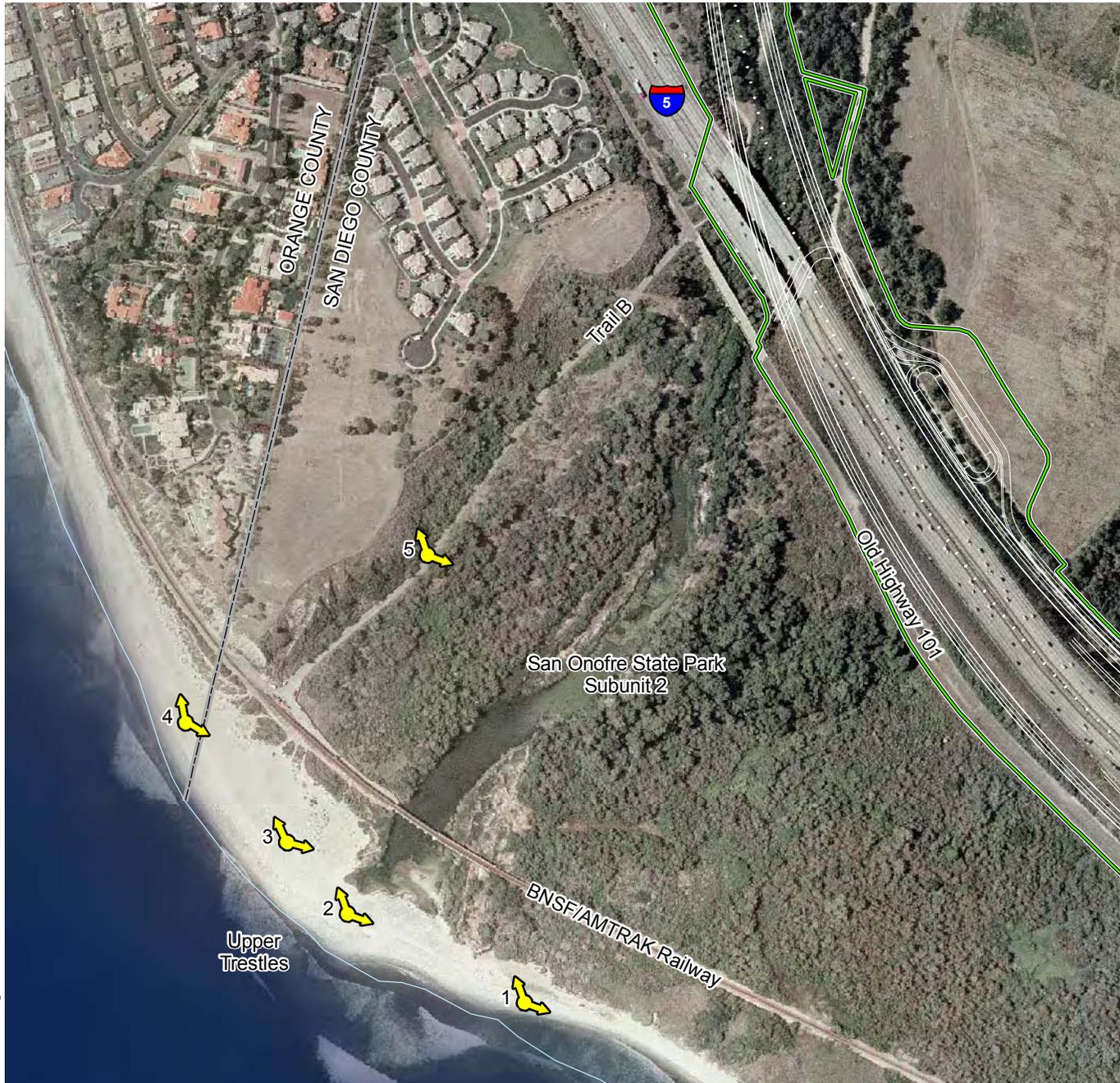
| EIR ALTERNATIVES: | 6 TOLL ROAD ALTERNATIVES | | | | | | 2 NON-TOLL ALTS. | | 2 NO BUILD ALTS. |
|---|--|---|---|--|-----------------------------|--|---|-----------------------------|------------------------|
| | 3 FEC/SAN MATEO WATERSHED: "PRACTICABLE" ² ALTERNATIVES ¹ | | | ALIGNMENT 7- AVE. LA PATA VAR. (A7C-ALPV) | CENTRAL CORRIDOR (CC) | CENTRAL CORRIDOR- AVE. LA PATA VAR. (CC-ALPV) | ARTERIAL IMPROVEMENTS ONLY (AIO) | I-5 WIDENING | NO ACTION ALTS. (2) |
| | ALIGNMENT 7- FAR EAST CROSSOVER – MODIFIED (A7C-FEC-M) ³ | FAR EAST CROSSOVER- MODIFIED (FEC-M) | FAR EAST CROSSOVER- WEST (FEC-W) | | | | | | |
| 7 PRACTICABILITY CRITERIA Per NEPA/404 Guidance Paper (p. ES-11, FSEIR) | | | | | | | | | |
| 1. It doesn't meet Project Purpose and Need (% of daily traffic congested on I-5 in 2025 (FSEIR Fig. 3.4-14)) | (3.2%) | (3.4%) | (3.4%) | (7.8%) | (2.4%) | (7.8%) | (11.3%) | (1%) | · (15.9%) |
| 2. Cost of Construction (including mitigation) is Excessive (p.2-132, FSEIR) | \$715 M | \$763 M | \$706 M | · \$962M | · \$1,124 M | · \$512 M | · \$543 M | · \$2,424 M | 0 |
| 3. Severe Operational or Safety Problems | | | | | · | | | | |
| 4. Unacceptable adverse, social, economic or environmental impacts | | | | · | · | · | · | · | |
| 5. Serious Community Disruption (p. ES-195, FSEIR) a. Residences b. Businesses | | | | · a. 80 h. b. 0 | · a. 593 h. b. 106 b. | · a. 2 h. b. 0 | · a. 263 h. b. 17 b. | · a. 838 h. b. 382 b. | |
| 6. Unsuitable Demographics (None) | | | | | | | | | |
| 7. Logistical or Technical Constraints | | | | | | | · | · | |
| OTHER: Lack Funding Sources | | | | | | | · | · | |
| CONCLUSION: | PRACTICABLE² (LEDPA) | PRACTICABLE² | PRACTICABLE² | NOT PRACTICABLE | NOT PRACTICABLE | NOT PRACTICABLE | NOT PRACTICABLE | NOT PRACTICABLE | NOT PRACTICABLE |

- 1 COASTAL STAFF REPORT 9/07 (p. 102): In terms of the difference between these 3 particular eastern ("FEC") alternatives, their impacts in coastal zone resources are fairly similar, although the Commission agrees with TCA that among these three alternatives, the proposed A7C-FEC-M is probably less damaging than the two more further east alignments (FEC-W and FEC-M), because those would result in greater fragmentation effects.
- 2 COASTAL STAFF REPORT 9/07 (p. 91): The Collaborative considered "practicable" to mean "as one that is available and capable of being done after taking into consideration: (1) cost; (2) existing technology; and (3) logistics in light of the overall project purposes."
- 3 COASTAL STAFF REPORT 9/07 (p. 95): PREFERRED ALTERNATIVE (A7C-FEC-M) IS THE LEDPA: The Preferred Alternative was selected over the FEC-M Alternative because it does not cross Canada Gobernadora and it minimizes impacts on open space areas contemplated by the RMV Ranch Plan. The Preferred Alternative was selected over the FEC-W Alternative because it is more compatible with the proposed RMV development plans and the anticipated NCCP reserve design, does not impact RMV heritage sites, and it does not cross Canada Gobernadora.

ATTACHMENT B: RECENT COASTAL COMMISSION BALANCING DECISIONS

| Decision | Year | Project Description | Sections Balanced |
|--|------|--|---|
| LCPA No. 2-06B (Carlsbad) | 2006 | Zone change for residential development | 30240 (ESHA) and 30250 (concentration of development) |
| CDP No. 1-06-033 (Tilch) | 2006 | Replace failing onsite sewage wastewater disposal system for residence | 30233 (wetlands) and 30231 (water quality) |
| UCSB LRDP Amendment 1-06, NOISE 1-06, and LDP No. 4-06-097 | 2006 | Campus housing | 30233 (wetlands) and 30250 (concentration of development) |
| CC-004-05 (North County Transit District) | 2005 | Construction of second railroad tracks | 30233 (wetlands), 30240 (ESHA) and 30231 (water quality), 30252 (public access), and 30253 (air quality and energy conservation) |
| LCP No. 1-03 (Dana Point) | 2004 | Residential, commercial, visitor-serving development, parks, trail, and open space | 30240 (ESHA) and 30210-31214 (public access), 30231 (water quality), 30250 (concentration of development) |
| LCPA No. 1-03B, CC-007-003 (Carlsbad) | 2003 | Habitat Management Plan | 30240 (ESHA) and 30250 (concentration of development) |
| LCP Maj. Admt No. 3-01 (San Luis Obispo) | 2002 | Sewage Treatment Plant | 30240 (ESHA) and 30231 (water quality) |
| LCPA OXN-MAJ-1-00 (Oxnard Northshore) | 2002 | Site remediation, residential development, and resource protection area | 30233 (wetlands) and 30231 (water quality) |
| Appeal No. A-IRC-99-301 (Irvine Community Development Co.) | 2000 | Mass grading and backbone infrastructure for future residential and recreational development | 30233 (wetlands) and 30231 (water quality) |
| CDPM 9-98-127 (City of San Diego) | 2000 | Construction of freeway segment of SR-56 | 30233 (wetlands) and 30231 (water quality) |
| CPDM 1-98-103 (O'Neil) | 1999 | Construction of barn for dairy cows near stream | 30233 (wetlands) and 30231 (water quality) |
| CC-63-92 / 5-92-232 (TCA) San Joaquin Hills Transportation Corridor | 1993 | Construction of Toll Road (SR-73) | 30233 (wetlands) and 30210 - 30213, 30252 and 30253 (public access) |

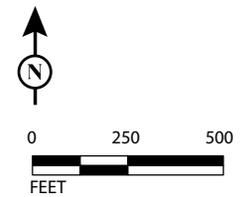
ATTACHMENT C: ADDITIONAL VIEW SIMULATIONS



Key Map

Legend

-  Photo Location Points (with ID)
-  Foothill Transportation Corridor - South Disturbance Limits



SOURCE: EagleAerial (5/07)

ATTACHMENT C: ADDITIONAL VIEW SIMULATIONS



Existing Condition



View Simulation - Note: FTC-S improvements not visible from this location.

SOURCE: LSA

View 1

ATTACHMENT C: ADDITIONAL VIEW SIMULATIONS



Existing Condition



View Simulation - Note: FTC-S improvements not visible from this location.

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Existing Condition



View Simulation

SOURCE: LSA



Transportation Corridor Agencies

www.ftcsouth.com

