

The Year that Was ...

Major Property purchases in 2002



The Derbas Property overlooks the Del Dios highway and the northern dog-leg of lake Hodges. Its 345 acres adjoin the 800-acre Elfin Forest Recreation Area. It provides a connection between the Coast to Crest Trail of the San Dieguito River Park and the areas extending to San Elijo Lagoon.

Bernardo Mountain, comprising 232 acres, was purchased when public support contributed more than \$600,000 to the nearly \$3 million in grants obtained by the City of Escondido and the San Dieguito River Park.

McDonald Trust Parcel Much of Volcan Mountain has become part of the Park with the purchase of the Rutherford Ranch. There are, however, several parcels that are "in-holdings", privately owned and not part of the Ranch. The Park's Joint Powers Authority recently completed the purchase of the 146-acre McDonald parcel.

We can only rejoice and thank all those involved for the dedicated efforts of the public officials of adjoining communities, the Park staff and members of the community who contributed tireless efforts to make these purchases possible.

Update on Crosby Ranch

The Crosby Ranch, a development of million-dollar homes east of Rancho Santa Fe, has agreed to scale back a proposal to build 30,000 square feet of commercial and retail buildings along Del Dios Highway.

The owners have agreed to make part of the land available for soccer fields and have reduced their proposal to 10,000 square feet of commercial and retail structures. One of the business spaces is expected to be a small post office that will allow the development to claim the very desirable 92067 Rancho Santa Fe zip-code.

Under the agreement, Crosby would not build the soccer fields but would offer to sell the land to the county. If the deal is not completed in 5 years, the land would revert to Crosby for construction of new homes. This requires the approval of the County Board of Supervisors.

Record Drought

During the July 1st, 2001 to June 30, 2002 season, San Diego set a record for the driest year since people started keeping track 151 years ago. Only 3.02 inches fell at Lindbergh Field, a third of the average 10.77 inches of rainfall.

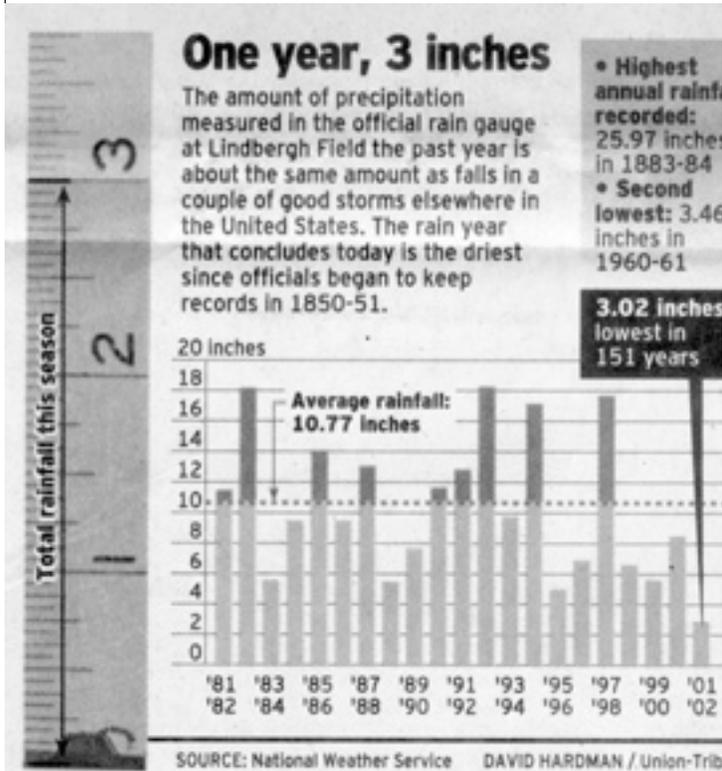
Hopes were raised this summer, when scientists observed that a warming of the equatorial Eastern Pacific had started to occur. This effect, known as El Niño, releases heat and moisture into the atmosphere, ultimately sending storms to our region. It typically peaks around Christmas, explaining its name.

While we have had some rains this winter, so far we have had only 2.67 inches of rainfall when we would expect 5.67 for the season. El Niño slumbers.

(continued p.2)

Also in this issue...	
Rainfall graph.....	2
Status of EIRs.....	2
Coastal Commission.....	2
Alphabet Soup.....	3

A graph of precipitation over the last twenty years, recently published by the Union Tribune, shows that a very dry year is always followed by a wetter one. Let's hope that this will be true this year.



New Worries...

Coastal Commission in Jeopardy?

The 3rd District Court of Appeal in Sacramento ruled recently that the Legislature dominance of the Coastal Commission violates the separation of powers provisions of the state Constitution. At the present time a majority of the commission's 12 members are appointed by the legislature: four by the Assembly Speaker and four by the Senate Rules Committee. The governor appoints the four other members. The Appeals Court ruled that only the governor's office can control such an executive agency.

In January, the Legislature introduced a bill that could become law by late April. Under the provisions of this bill, Coastal Commissioners would be appointed for 2 or 4-year terms and could only be removed for cause.

Commission officials said the Appeals Court ruling does not immediately cripple the day-to-day operation of the agency which oversees development and public access along the state's coastline.

While builders have long been critical of the restrictions imposed by the panel, the environmental community has seen it as the bulwark against unrestricted development of the very desirable 1,100 miles of coastal land.

Status of EIRs impacting our area San Dieguito Lagoon Restoration EIR

In September, 2000, the San Dieguito River Valley Joint Powers Authority (JPA) certified the Environmental Impact Report (EIR) and supported the Mixed Habitat plan as the environmentally preferred alternative for restoration of the San Dieguito Lagoon. In July, 2001, lawsuits challenging the adequacy of the final EIR were filed by the Del Mar Sandy Lane Association and Citizens United to Save the Beach.

Although the Court rejected certain of the plaintiffs' claims, it did determine that there was insufficient evidence that the project will not increase scour and loss of sand at the river mouth. The Court set aside the JPA's certification and remanded the matter back to the JPA.

Both parties appealed the Court's decision in early 2002 and have spent several months briefing the appeals. The case should move to a hearing date in the Court of Appeals toward the middle of this year.

Fairgrounds Master Plan EIR

In December, 2001, the 22nd District Agricultural Association issued a new, updated Master Plan. The Plan encompasses the fairgrounds and race track property on Jimmy Durante Boulevard, as well as Horsepark at the corner of Via de la Valle and El Camino Real.

The Del Mar Fairboard is in the process of issuing its Notice of Preparation of environmental documents (NOP) for public review and comment, and will publish it in an officially designated newspaper. Copies will be sent to organizations and community groups as well as to a local library. For one month, the public is encouraged to write to the agency preparing the EIR to request aspects of the project they want to see specifically discussed in the EIR.

LOSSAN corridor EIR

A plan is in progress to add a second track to the railroad linking Los Angeles to San Diego along what is known as the LOSSAN corridor. The California High Speed Rail Authority, in conjunction with CalTrans, is exploring realignment and double tracking of the railroad line.

An Environmental Impact Report to examine the effects of this major project is in the early phases of development.

The importance of these projects and their potential impact on the River Valley have led us to develop a simplified outline of the environmental review process (see page 3).

Environmental Review Process

The State of California environmental review process was established by the 1970 California Environmental Quality Act (**CEQA**), while the federal review process was created by the National Environmental Policy Act of 1969 (**NEPA**). **CEQA** and **NEPA** assign a duty for public agencies and private projects to avoid environmental damage. Both **NEPA** and **CEQA** tend to follow similar review processes. Only **CEQA** will be discussed here.

The basic purposes of CEQA are to:

- Inform the government and the public about significant environmental effects of proposed activities;
- Identify ways that environmental damage can be avoided or reduced;
- Prevent avoidable damage with project changes or mitigations;
- Disclose the reasons behind project approvals.

Activities subject to CEQA are:

- Activities undertaken by governmental agencies: streets, bridges, railroads, public structures, or adoption of plans and zoning regulations;
- Activities financed by a governmental agency;
- Private activities that involve government participation: rezoning, planned developments, conditional use permits, site development permits.

Environmental Review Process.

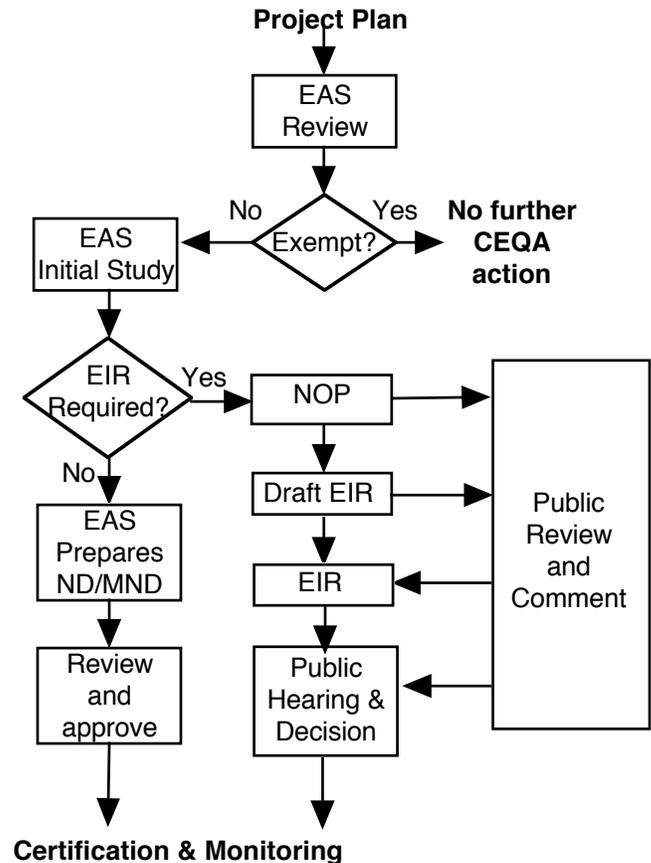
The figure shows a simplified chart of the major activities and decisions of San Diego's review process (see City of San Diego Information Bulletin 401, September 2000). A preliminary review by the EAS determines whether a project will have a significant effect on the environment or is exempt.

Projects where EIR is not required

If, after an Initial Study, a project is determined to have no potential significant impact, a Negative Declaration (ND) is issued exempting the project from further environmental review. If significant impacts exist, but the applicant revises the project in a satisfactory way, a Mitigated Negative Declaration (MND) is issued. Projects issued a MND are monitored by the EAS.

Projects where EIR is required

An EIR must be prepared for projects where there is evidence that there will be a substantial change in the physical conditions within the area affected by the project. CEQA requires a discussion of various alternatives, including different locations. Once the draft EIR has been prepared, the public has one month to review. It takes from 6 months to a year to prepare an EIR. At the end of the public review period, EAS responds to all written comments and revises the report if necessary.



•Alphabet Soup•

EAS: Environmental Analysis Section, an entity of San Diego City's Planning and Development Review Department (PDR). EAS is responsible, by statute, for reviewing projects under CEQA and NEPA.

NOP: Notice of Preparation which must be published in at least one official newspaper. Notice is also sent to community planning groups and the local library.

EIR: Environmental Impact Report, the formal document required if a project may have "significant effect" on the environment. EIRs are usually prepared by consultants, hired by the applicant, but closely supervised by the EAS. There are standards for adequacy of an EIR. It should be prepared with a sufficient degree of analysis to provide decision makers with enough information. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have looked not for perfection, but for adequacy, completeness and a good faith effort at full disclosure.

MND: Mitigated Negative Declaration, the EAS finding that specific mitigation measures are required.

ND: Negative Declaration, the EAS determination the project will not have a significant environment effect.

The **VALLEY ALERT** is the Newsletter of the Friends of the San Dieguito River Valley, a citizens' group, incorporated in 1986, whose purpose is to preserve and protect open space in the San Dieguito River Valley system through the legislative process.

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And the winner is....

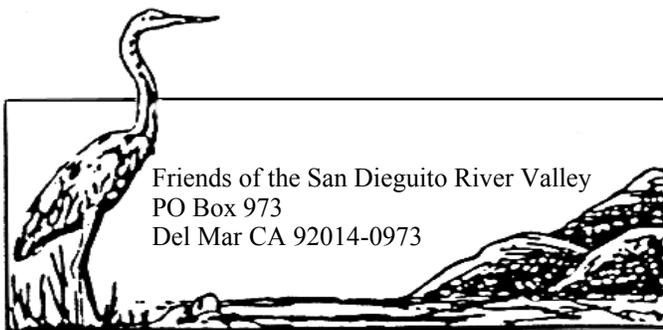
*Congratulations to the winners
in our Silent Auction Fund Raiser:*

1st Prize: Maggie Brown

2nd prize: Dennis Shields

***3rd Prize: Jan and Robert
McMillan***

*Special thanks to all who helped
by making bids and contributions.
The final tally was \$4025.*



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