BORDERS COMMITTEE AGENDA

Friday, September 25, 2009
12:30 to 2:30 p.m.
SANDAG Board Room
401 B Street, 7th Floor
San Diego

AGENDA HIGHLIGHTS

- RECOMMENDATIONS FROM THE 2009 BINATIONAL SEMINAR
- SR 11/OTAY MESA EAST POE FINANCIAL STRATEGY UPDATE
- PROGRESS REPORT ON THE SAN YSIDRO POE RECONFIGURATION AND Expansion PROJECT

PLEASE TURN OFF CELL PHONES DURING THE MEETING

YOU CAN LISTEN TO THE BORDERS COMMITTEE MEETING BY VISITING OUR WEB SITE AT WWW.SANDAG.ORG

MISSION STATEMENT

The Borders Committee provides oversight for planning activities that impact the borders of the San Diego region (Orange, Riverside and Imperial Counties, and the Republic of Mexico) as well as government-to-government relations with tribal nations in San Diego County. The preparation and implementation of SANDAG’s Binational, Interregional, and Tribal Liaison Planning programs are included under this purview. It advises the SANDAG Board of Directors on major interregional planning policy-level matters. Recommendations of the Committee are forwarded to the Board of Directors for action.
Welcome to SANDAG. Members of the public may speak to the Borders Committee on any item at the time the Committee is considering the item. Please complete a Speaker's Slip, which is located in the rear of the room, and then present the slip to Committee staff. Also, members of the public are invited to address the Committee on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Speakers are limited to three minutes. The Borders Committee may take action on any item appearing on the agenda.

This agenda and related staff reports can be accessed at www.sandag.org under meetings on SANDAG’s Web site. Public comments regarding the agenda can be forwarded to SANDAG via the e-mail comment form also available on the Web site. E-mail comments should be received no later than noon, two working days prior to the Borders Committee meeting.

In compliance with the Americans with Disabilities Act (ADA), SANDAG will accommodate persons who require assistance in order to participate in SANDAG meetings. If such assistance is required, please contact SANDAG at (619) 699-1900 at least 72 hours in advance of the meeting. To request this document or related reports in an alternative format, please call (619) 699-1900, (619) 699-1904 (TTY), or fax (619) 699-1905.

SANDAG offices are accessible by public transit.
Phone 511 or see 511sd.com for route information.
ITEM #  

+1. APPROVAL OF THE JULY 24, 2009, MEETING MINUTES  
APPROVE

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Members of the public will have the opportunity to address the Borders Committee on any issue within the jurisdiction of the Committee that is not on this agenda. Speakers are limited to three minutes each and shall reserve time by completing a “Request to Speak” form and giving it to the Clerk prior to speaking. Committee members also may provide information and announcements under this agenda item.

REPORT ITEMS (#3 through #7)

+3. TRIBAL CONSULTATION TIMELINE/SCHEDULE RELATED TO DEVELOPMENT OF THE 2050 REGIONAL TRANSPORTATION PLAN (Chris Devers, SCTCA; and Jane Clough-Riquelme, SANDAG)

INFORMATION

This report will present a tribal consultation timeline and schedule designed to integrate the tribal nations into the development of the 2050 Regional Transportation Plan (RTP) in a timely and meaningful way. The schedule incorporates activities of the Tribal Transportation Working Group, the Tribal Summit Planning Ad Hoc Task Force, and the Borders Committee into a comprehensive approach to integrating tribal issues into the development of the 2050 RTP.

+4. RECOMMENDATIONS FROM THE 2009 BINATIONAL SEMINAR "CHALLENGES AND OPPORTUNITIES FOR CROSSBORDER CLIMATE CHANGE COLLABORATION" (Chair Paul Ganster, Committee on Binational Regional Opportunities)

DISCUSS/RECOMMEND

This report will present highlights from the binational seminar and recommendations from the Committee on Binational Regional Opportunities (COBRO) on next steps. The Borders Committee is asked to discuss these recommendations and make recommendations to the Board of Directors.
+5. STATE ROUTE 11/OTAY MESA EAST PORT OF ENTRY FINANCIAL STRATEGY UPDATE (Marney Cox and Christina Casgar, SANDAG; and Mario Orso, Caltrans District 11)

SANDAG, in cooperation with Caltrans, the U.S. General Services Administration (GSA), and other stakeholders, is proposing to develop the new Otay Mesa East Port of Entry (POE) and associated transportation network, including State Route 11. The improvements on the U.S. side of the border are expected to cost between $615 million and $715 million and will be funded through tolls, fees, and other revenues. This report focuses on a review of findings and options that will help shape the project’s ultimate financial strategy.

+6. PROGRESS REPORT ON THE SAN YSIDRO PORT OF ENTRY RECONFIGURATION AND EXPANSION PROJECT (Anthony Kleppe, U.S. General Services Administration; and Rachel Kennedy, SANDAG)

The U.S. GSA released the Draft Environmental Impact Statement (EIS) for the San Ysidro Land POE Improvements Project in May 2009. Several agencies submitted comment letters prior to the close of the comment period on June 22, 2009, and the Final EIS was released in early August 2009. The Record of Decision (ROD) for the project was signed on September 9, 2009. GSA staff will provide an update on the project and its construction schedule.

7. UPDATING THE SANDAG OVERALL PUBLIC PARTICIPATION PLAN (Anne Steinberger, SANDAG)

SANDAG is updating the agency-wide Public Participation Plan. This plan establishes a process for communicating with and obtaining input from the public concerning agency programs, projects, and program funding. The strategies and tactics outlined in the plan guide the agency’s outreach efforts for transit, highway, smart growth, environmental, planning, growth forecasts, the RTP, Regional Transportation Improvement Program, Tribal Consultation, and other initiatives. SANDAG is securing input from individuals, organizations, agencies, and others in the update of the Public Participation Plan. Staff will solicit input on the elements of the plan to help guide the plan update.

8. UPCOMING MEETINGS

The next meeting of the Borders Committee is scheduled for Friday, October 23, 2009, at 12:30 p.m.

9. ADJOURNMENT

+ next to an item indicates an attachment
The meeting of the Borders Committee was called to order by Chair Patricia McCoy (South County) at 12:46 p.m. See the attached attendance sheet for Borders Committee member attendance.

1. APPROVAL OF MEETING MINUTES

Action: Upon a motion by Supervisor Pam Slater-Price (County of San Diego) and a second by Council President Ben Hueso (City of San Diego), the Borders Committee approved the minutes from the May 22, 2009, meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Mayor Jorge Ramos (City of Tijuana) informed on the progress and efforts to improve the City of Tijuana.

Chair McCoy welcomed Federal Congressman Antonio Valladolid of Mexico.

Presentations were made to Mayor Jorge Ramos by Councilmember Jack Feller (North County Coastal), Councilmember Rudy Ramirez (City of Chula Vista), Jason Wells (San Ysidro Chamber of Commerce), and Chair McCoy on behalf of SANDAG.

CONSENT ITEMS (ITEMS #3 through #5)

3. BORDERS COMMITTEE WORK ELEMENTS AND CALENDAR OF MEETINGS FOR FISCAL YEAR 2010 (INFORMATION)

This report outlines the work elements and tasks included in the Fiscal Year 2010 Overall Work Program that are related to the responsibilities of the Borders Committee, as well as a proposed calendar of meetings for Fiscal Year 2010.

Action: This item was presented for information only.
4. STATUS REPORT ON INTERNATIONAL BORDER SEWAGE ISSUES (INFORMATION)

The Borders Committee has requested periodic updates on border-related sewage issues.

Action: This item was presented for information only.

5. UPDATES ON GSA’S SAN YSIDRO PORT OF ENTRY RECONFIGURATION AND EXPANSION PROJECT (INFORMATION)

The 19 local jurisdictions submitted a comment letter to Mr. Paul Prouty, GSA Acting Administrator, on the San Ysidro Land Port of Entry (POE) reconfiguration and expansion project on April 9, 2009. Additionally, SANDAG submitted a comment letter to GSA regarding the San Ysidro Land POE Improvements Project - Draft Environmental Impact Statement which incorporated comments from the Borders Committee and the Board of Directors. SANDAG staff recently met with officials from the State of Baja California and the City of Tijuana to discuss opportunities for increased binational collaboration on a new southbound pedestrian crossing on the eastern side of the San Ysidro POE. SANDAG Chair Lori Holt Pfeiler and City of San Diego Mayor Jerry Sanders have submitted a letter to Baja California Governor José G. Osuna and Tijuana Mayor Jorge Ramos stating the region’s support of the new southbound pedestrian crossing on the eastern side of the POE.

Action: Upon a motion by Supervisor Slater-Price and a second by Councilmember John Minto (East County), the Borders Committee unanimously accepted Consent Items 3 through 5.

Chair McCoy asked meeting attendees to provide self-introductions.

REPORT ITEMS (#6 through #8)

6. PRELIMINARY REPORT ON THE 2009 BINATIONAL EVENT “CHALLENGES AND OPPORTUNITIES FOR CROSSBORDER CLIMATE CHANGE COLLABORATION” (INFORMATION)

Since 1997, SANDAG has organized an annual event to address binational topics. This year the event focused on Challenges and Opportunities for Crossborder Climate Change Collaboration.

Action: This item was presented for information only.

7. REGIONAL ENERGY STRATEGY UPDATE (DISCUSSION)

As part of the SANDAG agreement with the California Energy Commission, staff is currently updating the Regional Energy Strategy (RES), which was last updated in December 2003. Staff presented an overview of the draft update and strategic energy goals. A new goal is proposed for the RES Update to address border energy issues. The Borders Committee was asked to provide input on the development of this goal and wider strategy.

Action: This item was presented for discussion only.
8. OTAY MESA - MESA DE OTAY BINATIONAL CORRIDOR STRATEGIC PLAN: 2009 PROGRESS REPORT (DISCUSSION)

The Otay Mesa - Mesa de Otay Binational Corridor Strategic Plan is the first strategic plan prepared jointly and approved by both SANDAG and the City of Tijuana. This presentation described the development of this plan and progress towards the implementation of selected initiatives.

Mayor Ramos suggested making the region’s water supply one of the top priorities of the binational strategic plan along with the possibility of building a binational water desalination plant either in Rosarito or Tijuana to serve the needs of both countries.

Action: This item was presented for discussion only.

9. UPCOMING MEETINGS

The next meeting of the Borders Committee is scheduled for Friday, September 25, 2009, at 12:30 p.m.

10. ADJOURNMENT

Chair McCoy adjourned the meeting at 2:23 p.m.

Attachment: Attendance Sheet
<table>
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<tr>
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<th>JURISDICTION</th>
<th>NAME</th>
<th>MEMBER/ ALTERNATE</th>
<th>ATTENDING</th>
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<td></td>
<td>City of Imperial</td>
<td>Patricia McCoy</td>
<td>Member</td>
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<tr>
<td>South County</td>
<td>Beach</td>
<td>(Chair)</td>
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<td>City of Chula Vista</td>
<td>Cheryl Cox</td>
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<td>Imperial County</td>
<td>County of Imperial</td>
<td>Victor Carrillo</td>
<td>Member</td>
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<td></td>
<td>City of Calexico</td>
<td>David Ouzan</td>
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<td>North County</td>
<td>City of Del Mar</td>
<td>Crystal Crawford</td>
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<td>Coastal</td>
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<td>Sam Abed</td>
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<td>Inland</td>
<td>City of Poway</td>
<td>Betty Rexford</td>
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<td>City of Santee</td>
<td>John Minto</td>
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<td>City of La Mesa</td>
<td>David Allan</td>
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<td>City of San Diego</td>
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<td>Ben Hueso</td>
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<td>Sherri Lightner</td>
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<td>Marti Emerald</td>
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<td>Greg Cox</td>
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<td>Diego</td>
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<td>COBRO</td>
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<td>Dr. Paul Ganster</td>
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<td>Remedios Gomez-Arnau</td>
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<td>Consul</td>
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<td>Chris Devers</td>
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<td>Caltrans</td>
<td>Bill Figge</td>
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<td>San Diego County Water Authority</td>
<td>Elsa Saxod</td>
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<td>Howard Williams</td>
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<td>County of Orange</td>
<td>Art Brown</td>
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<td>City of Buena Park</td>
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<td>SCAG</td>
<td>Richard Macias</td>
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TRIBAL CONSULTATION TIMELINE/SCHEDULE RELATED TO DEVELOPMENT OF THE 2050 REGIONAL TRANSPORTATION PLAN

Introduction

The SANDAG Board of Directors approved the overall 2050 Regional Transportation Plan (RTP) Work Plan and Schedule at its June 26, 2009, meeting. In order to integrate the tribal nations into the development of the 2050 RTP in a timely and meaningful way, it is critical to have a collaborative work program and schedule as soon as possible. The Reservation Transportation Authority (RTA) and SANDAG staffs drafted a tribal consultation work program and schedule. The attached schedule (Attachment 1) incorporates the activities of the working group, the Tribal Summit Planning Ad Hoc Task Force, and the Borders Committee into a comprehensive approach to integrating tribal issues into the development of the 2050 RTP.

It has been reviewed and discussed with the Executive Board of the RTA at its August 4, 2009, meeting, as well as with the Board of the Southern California Tribal Chairmen’s Association (SCTCA) at its August 18 meeting and a special session dedicated to transportation issues on August 24, 2009, and the Interagency Technical Working Group on Tribal Transportation Issues at its September 8, 2009. It was approved by the SCTCA Board at its August 24 special session. This work plan and schedule will serve as the guideline for tribal consultation throughout the 2050 RTP planning process. This work plan and schedule is presented to the Borders Committee for information.

BOB LEITER
Director of Land Use and Transportation Planning

Attachment: 1. 2050 RTP Tribal Consultation Work Plan/Schedule

Key Staff Contact: Jane Riquelme, (619) 699-1909, jcl@sandag.org
# 2050 Regional Transportation Plan Tribal Consultation Schedule

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<td>Approve Tribal Consultation Work Plan</td>
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<td>Identify transportation-related policy areas of mutual interest for 2050 RTP</td>
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<td>Participation in Transportation Project Evaluation</td>
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<td>Criteria Ad-Hoc Working Group</td>
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<td>Review RTP Elements</td>
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<td>Technical Workshop prior to Summit</td>
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<td>2050 RTP Tribal Transportation White Paper</td>
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<td>Review/Discuss 2030 RTP paper as foundation for 2050 RTP</td>
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<td>Develop 2050 RTP Tribal Transportation Draft White Paper</td>
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<td>Adopt Final 2050 RTP/EIR/Air Quality Conformity</td>
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S = SCTCA Board  T = Tribal Working Group  R = RTA Board  B = Borders Committee  E = SANDAG Exec Committee
Introduction

The seminar, “Challenges and Opportunities for Crossborder Climate Change Collaboration” was held on June 2, 2009, at the Caltrans District 11 facilities with support from the Consulate General of Mexico in San Diego, the City of Tijuana, Tijuana’s Municipal Planning Institute (IMPlan), the Secretariat of Environmental Protection of the State of Baja California, and Caltrans District 11.

At the July 24, 2009, joint meeting of the Borders Committee, the Committee on Binational Regional Opportunities (COBRO), and the City of Tijuana, a preliminary report on this binational event was presented.

Discussion

At its August 4 and September 1, 2009, meetings, COBRO reviewed the summary and conclusions of the 2009 Binational Seminar and prepared the recommendations shown in Attachment 1. The intent of these recommendations is not only an attempt to gather important information on our binational region but also to serve as a planning effort that could potentially help pave the way for a more active communication and binational planning collaboration.

The following topics that were discussed at the 2009 binational seminar were reviewed by COBRO in formulating its recommendations:

- Agencies and stakeholders in our San Diego – Baja California border region should agree to collaborate binationally on mutually agreed upon priority aspects of climate change (e.g., greenhouse gas (GHG) inventories, potential mitigation, adaptation, or educational strategies, etc.).

- It is important to include all levels of stakeholders in discussions to develop climate change strategies and approaches for the binational border region (federal, state, local, non-governmental organizations, academic, and private sectors).
• Agencies and stakeholders in our border region should focus on mitigation, adaptation, and education strategies.

Also, COBRO considered the following potential actions that were brought up at the 2009 Binational Seminar:

Short term:
• Explore the possibility of developing a harmonized inventory of GHG emissions between San Diego and Baja California to create a border inventory.

• Continue working collaboratively on both sides of the San Diego-Tijuana border to facilitate advancing intermodal transportation center concepts at Ports of Entry (POEs) and implement additional transit services (new routes and increased frequencies) to serve San Diego-Tijuana border crossings as a strategy to reduce passenger vehicle GHG emissions.

• Enhance communication between crossborder climate change stakeholders to facilitate sharing of information by supporting the institutionalization of a collaborative mechanism (e.g., bringing together existing mechanisms such as Border 2012, Border Governors Conference, Mega Region Initiative, etc.).

• Support the development of binational industrial clusters that foster clean technology to combat climate change, among other environmental and economic development goals.

Long term:
• Support efforts by academic and other institutions to examine the feasibility of a regional crossborder carbon trading system.

• Explore possible collaboration between regions in developing Regional Climate Action Plans (RCAPs) to promote collaborative strategies and share approaches for creating effective climate change policy measures.

**Next Steps**

Following a recommendation from the Borders Committee, staff will schedule a report on the 2009 Binational Seminar for a future Board of Directors meeting.

BOB LEITER
Director of Land Use and Transportation Planning

Attachment: 1. 2009 Binational Seminar Recommendations

Key Staff Contact: Hector Vanegas, (619) 699-1972, hva@sandag.org
2009 Binational Seminar Recommendations

1. Recognize the importance of encouraging all levels of agencies and stakeholders in our San Diego – Baja California region to mutually agree on priority aspects of climate change collaboration, including mitigation, adaptation, and education strategies.

2. Encourage the inclusion of strategies for collaboration and sharing information on regional climate change action plans in San Diego and Baja California.

3. The Fiscal Year 2010 binational event should follow up on topics related to climate change planning.

4. In Fiscal Year 2010, produce a progress report on developments and actions taken in climate change planning as a result of the 2009 seminar recommendations.
STATE ROUTE 11/OTAY MESA EAST PORT OF ENTRY FINANCIAL STRATEGY UPDATE

Introduction

SANDAG, in cooperation with Caltrans, the U.S. General Services Administration (GSA), counterpart agencies in Mexico, and other project stakeholders, is working on developing the new Otay Mesa East Port of Entry (POE) and associated transportation network, State Route 11 (SR 11). The project is located approximately two miles east of the existing Otay Mesa border crossing and will constitute a third border crossing along the San Diego region’s border with Tijuana. The improvements on the U.S. side of the border are expected to cost in the range of $615 million to $715 million and are to be funded through tolls, fees, and other revenues such as the Proposition 1B Trade Corridor Improvement Fund (TCIF).

The Borders Committee last received an update on the status of the SR 11/Otay Mesa East POE project in January 2009. The update provided information on project progress and key milestones completed, including:

- Passage of state legislation sponsored by SANDAG, Senate Bill 1486 (Ducheny) (SB 1486). Entitled the Otay Mesa East Toll Facility Act, SB 1486 authorizes SANDAG to collect tolls to finance the project.
- U.S. Department of State’s approval of a Presidential Permit that authorizes the U.S. GSA to build the Otay Mesa East POE as a vehicular and pedestrian border crossing.
- The allocation of $75 million in Proposition 1B TCIF funds for project construction.

Caltrans is currently managing the project-level environmental studies, including engineering and design. State Transportation Improvement Program (STIP) funds ($13.0 million) and federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) funds ($0.8 million) are supporting the current Caltrans work efforts.
The unique nature of the project will require resourcing and coordinating a wide range of professional services during the early project development phase, prior to the construction phase. As a result, SANDAG staff has been meeting with a wide variety of agencies and organizations that have had similar project experiences or are interested in partnering to complete some portion of the overall work. This report focuses on findings from these discussions, as well as a potential course of action for the Borders Committee to consider.

Background

Both the San Ysidro and Otay Mesa POEs stand out compared to the other United States-Mexico border crossings. The San Ysidro-Puerta Mexico POE is the busiest international land crossing along the U.S.-Mexico border. The Otay Mesa-Mesa de Otay POE continues to accommodate the third highest dollar value of trade among all southern border POEs. The volume of cross border vehicle and pedestrian crossings and associated border delays has been increasing rapidly for more than a decade, especially in the northbound direction.

Steady growth in global and regional economic integration squeezes ever more people and goods through border infrastructure that was sized for a much smaller and significantly less security-conscious economy. Northbound peak wait times at existing facilities can routinely last for more than two hours for passenger vehicles, and commercial truck drivers have often logged four hours in line. According to the SANDAG-Caltrans study, 2007 Update: Economic Impacts of Border Wait Times in the San Diego-Baja California Border Region, the border traffic congestion and delays cost the U.S. and Mexican economies an estimated $7.2 billion in gross output (value of goods and services produced) and more than 62,000 jobs in 2007. A third border crossing at East Otay Mesa could reduce delays caused by traffic congestion, better accommodate projected trade and travel demand, and increase economic growth and job opportunities on both sides of the border without sacrificing border safety and security.

Currently, SANDAG has secured $75 million in California Proposition 1B TCIF, which will partially fund the construction phase, expected to begin in 2012. The funding for the design phase, traffic and revenue study, and right-of-way (ROW) acquisition still must be identified. In the more immediate future, SANDAG must begin to develop and implement the financing strategy that will fully fund the construction phase. Below is a list of key milestones and the currently available funding.

<table>
<thead>
<tr>
<th>Project Milestone</th>
<th>Target Completion Dates</th>
<th>Amount and Source of Available Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Draft Tier II EIS/EIR</td>
<td>Winter 2009</td>
<td></td>
</tr>
<tr>
<td>Final Tier II EIS/EIR</td>
<td>Winter 2010</td>
<td>$13.8M STIP/ SAFETEA-LU</td>
</tr>
<tr>
<td>Design/Right of Way</td>
<td>2011</td>
<td>Funding Not Identified</td>
</tr>
<tr>
<td>Begin Construction</td>
<td>2012-2013</td>
<td>$75M Prop. 1B TCIF/ Borrowing &amp; Toll Revenue</td>
</tr>
<tr>
<td>End Construction</td>
<td>2014-2015</td>
<td></td>
</tr>
</tbody>
</table>

Total $88.8M

Estimated Range of Remaining Funds Needed $526.2M - $626.2M
Financial Strategy: Research and Key Findings

As mentioned above, during the past several months, SANDAG staff has sought out and participated in more than 20 information gathering meetings with construction management firms, investment banks, federal transportation partners, and tolling experts to collect information about similar projects and to identify potential opportunities and obstacles in project development. Staff also has consulted with SANDAG’s financial advisor, Public Financial Management, Inc. (PFM). PFM is very experienced in toll-based financing. This due diligence process has resulted in the following findings that may be used to help shape the project’s financial strategy and approach.

Finding #1: Several large diversified construction and construction management firms have expressed an interest in participating in the project. According to SB 1486, SANDAG, in cooperation with Caltrans, will manage the process to complete SR 11 and the third border crossing facility; using private sector firms where appropriate. In light of these potential future opportunities firms have stayed in touch with staff, a sign of their interest in the project and recognition that the project is feasible.

Finding #2: Federal Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA) loans provide an attractive borrowing option. Typically TIFIA loans offer a low rate of interest, a flexible pay back schedule during the project’s “ramp up” period, and can cover up to 33 percent of project costs. TIFIA may be used for ROW acquisition but only after the project receives a record of decision on the environmental document, making this source of funds unavailable for early design stage project costs.

Finding #3: At this time, as shown in the table above, because most of the revenues that will pay for the project’s costs are expected to be generated from tolls, SANDAG and Caltrans must ensure that the project’s toll revenue generation capacity is included in the decision matrix at all times and is weighed appropriately. To address this concern SANDAG should consider adding financial advisors to the project team to develop and analyze toll revenue capacity to ensure it covers project costs.

Finding #4: A review of project delivery strategies utilized by other agencies was conducted, including the Alameda Corridor Transportation Authority that serves the Los Angeles and Long Beach Harbors and the Orange County Transportation Corridor Agencies. Our research and discussions with transportation finance professionals indicates that the most common and effective structure in a toll-based financing is to engage the services of a financial advisor, investment banker and legal counsel early in the process. The financial advisor is compensated regardless of whether or not the transaction is completed; whereas the investment banker is compensated at the time the toll financing is completed.

Next Steps

The development and implementation of the financial strategy is critical to the success of the project and its most immediate need. SANDAG’s current financial advisor, PFM, has expertise in this area and is prepared to assist with the procurement of an investment banker. PFM would assist with managing the investment banker throughout the project, ensuring that the financial decisions being made result in the most cost effective implementation of the project financing. There are sufficient funds available in the SANDAG FY 2010 Budget to engage the services of PFM. As stated
previously, the investment banker is compensated when the toll financing is completed, similar to how the investment bankers were compensated when SANDAG sold $600 million of TransNet bonds in 2008.

In addition to planning for a potential toll revenue financing in 2012, as part of the project team the project’s financial advisors and investment bankers also could undertake a review of additional financial opportunities related to joint development, real estate acquisition, ancillary facility development, toll collection methodology, and could assist in a TIFIA project application.

Over the coming year, SANDAG staff is anticipating the need for additional consultant services, such as legal services and an investment grade traffic and revenue study. In the meantime, much of the preliminary design and environmental work being carried out by Caltrans will continue, keeping the overall work on the project on schedule.

Information about this proposed financial and implementation strategy has been presented to the Transportation Committee at its September 18 meeting. The result of discussions with the Transportation Committee and this Committee will be shared with the Board of Directors in October.

MARNEY COX
Chief Economist

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Christina Casgar, (619) 699-1982, cca@sandag.org
PROGRESS REPORT ON THE SAN YSIDRO PORT OF ENTRY RECONFIGURATION AND EXPANSION PROJECT

Introduction

The U.S. General Services Administration (GSA) has proposed a $577 million project to reconfigure and expand the San Ysidro Port of Entry (POE). The Draft Environmental Impact Statement (EIS) for the San Ysidro Land POE Improvements Project was released in May 2009. Several agencies and individuals submitted comment letters prior to the close of the comment period on June 22, 2009, and the Final EIS was released in early August 2009. The Record of Decision (ROD) for the project was signed on September 9, 2009. GSA staff will provide an update on the project and its construction schedule.

Discussion

SANDAG Draft EIS Letter and GSA Response

SANDAG submitted a comment letter on the Draft EIS to GSA on June 18, 2009. SANDAG’s concerns focused on areas of pedestrian and transit accessibility, phasing of the new eastern southbound pedestrian crossing, non-mitigated roadway and freeway impacts, and limited environmental justice analysis. Chapter 4 of the Final EIS contains comments received and GSA’s responses (Attachment 1).

GSA’s response notes that the National Environmental Protection Act (NEPA) “requires the decision maker to consider the impacts of the proposed action, but does not require the agency to adopt such measures. GSA will consider adopting and implementing measures that are determined to be feasible and consistent with existing laws, regulations and authorities applicable to GSA, particularly with regard to the availability of, and authority to expend funds. Any mitigation measures adopted by the agency will be identified in the Project Record of Decision (ROD).”

Transportation

GSA’s response confirms the construction of a new transit facility at Virginia Avenue in Phase 3 to replace the facility that will be lost at Camiones Way and assures that GSA will work with SANDAG and the Metropolitan Transit System (MTS) to ensure that the design of the new east-west pedestrian bridge does not conflict with operations at the existing San Ysidro Intermodal Transportation Center. GSA also states that they are currently working with their Mexican
counterpart agencies to determine the time frame for implementation of the new eastern southbound pedestrian crossing.

Regarding the new east-west pedestrian bridge, GSA’s response notes that they will “locate and design portions of the route to include shading and rest areas (i.e., trees and benches) for pedestrian traffic.” The Final EIS states that the current design of the bridge includes one canopy structure at the east end with additional shaded areas being considered. SANDAG has requested that the bridge include multiple canopies or other structures to offer pedestrians protection from the elements and strongly encourages GSA to include these elements in the final bridge design.

Environmental Justice

The Draft EIS included environmental justice analysis for impacts of the project to the community of San Ysidro but not for POE users, many of whom are low-income and/or minorities. GSA’s response states that “while the LPOE serves the San Diego region, Tijuana region, and beyond, it is not feasible, or required, to identify a geographic unit that compromises all LPOE users for the purposes of the environmental justice analysis.” GSA also asserts that many of the LPOE users are low income and from minority populations and that the “improvements to crossing times and pedestrian conditions represent an improvement over existing conditions.”

Air Quality

The Draft EIS contained plans for southbound inspection booths, but did not include traffic or air quality analysis for these operations. As the operations for these facilities, which would open in Phase 3, have not yet been defined by U.S. Customs and Border Protection, GSA plans to install only the conduit and footings at this time and not the booths themselves. Once the operational protocol has been developed GSA will analyze traffic and other impacts in a supplemental environmental study, as required by NEPA. Additionally, SANDAG had requested that GSA consider anti-idling measures for the project. GSA responded that such measures are not being proposed as part of the project and that the addition of new northbound inspection lanes and booths will substantially reduce idling times of northbound vehicles.

Record of Decision

In an effort to assure the inclusion of construction of the new eastern southbound pedestrian crossing in Phase 1 of the project SANDAG submitted a letter to GSA requesting language regarding the construction schedule of the crossing in the ROD (Attachment 2). The subsequently signed ROD includes a number of avoidance, minimization, and mitigation measures included in the Final EIS. No new mitigation measures were added to the ROD.
Next Steps

Now that the ROD has been signed GSA plans to move forward with bids for construction for the first two elements of Phase 1: the east-west pedestrian bridge and the employee parking structure. These facilities are expected to begin construction in fall 2009 and to be open for operations in approximately twelve months.

BOB LEITER
Director of Land Use and Transportation Planning

Attachments: 1. GSA Final EIS Response to SANDAG Comment Letter
2. Letter to GSA Administrator Paul Prouty, September 2, 2009

Key Staff Contact: Rachel Kennedy, 619-699-1929, rke@sandag.org
The EIS considers traffic impacts and identifies measures that would help avoid, minimize or mitigate such impacts. NEPA requires the decision-maker to consider the impacts of the proposed action, but does not require the agency to adopt such measures. GSA will consider adopting and implementing measures that are determined to be feasible and consistent with existing laws, regulations and authorities applicable to GSA, particularly with regard to the availability of, and authority to expend, funds. Authorized funds may not be available to implement all of the proposed mitigation measures. Any mitigation measures adopted by the agency will be identified in the Project Record of Decision.
The Preferred Alternative would accommodate multi-modal transportation services in the immediate vicinity of the LPOE. Camiones Way would be shortened during Phases 1 and 2, but would continue to serve buses, taxis, and jitneys. During Phase 3, Camiones Way would be removed, but a new facility would be constructed in the western portion of the LPOE along Virginia Avenue that would function as Camiones Way currently does. The location of this new facility would be convenient for transit users because it would provide a direct link to the new southbound pedestrian crossing at Virginia Avenue.

Trolley service would not be affected. In fact, the Preferred Alternative would accommodate future expansion of the right-of-way by MTS if they wished to expand from three to four car trains.

While the Preferred Alternative would remove an existing long-haul bus depot, the operators of this private bus facility would be compensated in compliance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act. Compensation would provide relocation assistance to the operators to relocate their operations as allowed under the Uniform Relocation Act. Approximately 10 other long-haul bus operators are located in the area that would continue to provide private bus service and may be able to accommodate the operations currently at the depot to be removed.

Proposed pedestrian facilities would provide improved pedestrian linkages to cross-border facilities. During Phase 1, the existing east-west pedestrian bridge would be removed and replaced with a new east-west pedestrian bridge to the north. The new pedestrian bridge would be compliant with the Architectural Barriers Act Accessibility Standards (ABAAS) and would connect directly to Camino de la Plaza, the San Ysidro Intermodal Transportation Center, and the modified Camiones Way. The ABAAS require federal facilities to be accessible to all users, and are used in lieu of the Americans with Disabilities Act (ADA) for federal projects. Additionally, a new southbound pedestrian crossing would be provided on the east side of the LPOE. The existing southbound pedestrian crossing would remain open until a second new southbound pedestrian crossing is constructed on the west side of the LPOE during Phase 3. Connections to this new southbound pedestrian crossing would be provided from a sidewalk extending from the new east-west pedestrian bridge and Virginia Avenue.

GSA is currently working with its Mexican counterpart to determine the time frame for implementation of a southbound pedestrian crossing on the east side of the LPOE. GSA understands the community concerns in regards to having another southbound crossing on the east side of the Port and will diligently work to incorporate this opening as soon as practical. Refer to Response to Comment (18) for additional information regarding interactions with the Mexican government on proposed pedestrian crossings.
The current design of the proposed east-west pedestrian bridge has one canopy structure at the east end, and GSA is working with its designers to include additional shaded areas within this structure. Even though the location of this bridge results in an additional 400-foot longer distance to the border than the current route, GSA will be upgrading the bridge to comply with ABAAS standards, (which the current bridge does not meet), and at the same time, will locate and design portions of the route to include shading and rest areas (i.e., trees and benches) for pedestrian traffic.

GSA will coordinate and work with SANDAG and MTS to ensure that the design of the east-west pedestrian bridge does not conflict with operations at the San Ysidro Intermodal Transportation Center.

Currently, there is no drop-off facility near the San Ysidro Intermodal Transportation Center, and the Preferred Alternative (or any other alternative in the EIS) does not propose such a facility. The Preferred Alternative, however, does not preclude the development of this type of facility by others.
The Preferred Alternative would remove an existing long-haul bus depot. The operators of this private bus facility would be compensated in compliance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act. Compensation would provide relocation assistance to the operators to relocate their operations.

The proposed new transit facility at Virginia Avenue would be designed to accommodate existing public and private transit operations that currently use the Camiones Way facility.

Refer to Response to Comment (6).

Views of the three dedicated parking stalls at the San Ysidro Intermodal Transportation Center from the taxi boarding area along Camino de la Plaza are obstructed by intervening structures and vegetation. Taxi operators from certain vantage points along Camino de la Plaza can see a glimpse of the bumper of one taxi parked at the San Ysidro Intermodal Transportation Center. According to the taxi operators, a space is usually available when the bumper is not visible, and when a taxi is seen entering the freeway on-ramp. While the proposed east-west pedestrian bridge could potentially block the partial view of the taxi, views of the freeway on-ramp would remain. The potential obstruction of this partial view would not adversely impact taxi operations around the LPOE.

The implementation of southbound inspections is an operational issue dependent on the United States Customs and Border Protection (CBP) protocols that as yet, have not been developed. It is hoped that CBP protocols for southbound inspections will be developed by Phase 3 of the Preferred Alternative. In the meantime, GSA plans to install the conduit and footings for the southbound inspection booths, but not the booths themselves. Once CBP develops their protocol, GSA will analyze traffic and other impacts in a supplemental environmental study in compliance with NEPA requirements.
While the new east-west pedestrian bridge would increase the walking distance from the east to the west side by approximately 400 feet, the Project includes other features to improve connectivity for pedestrians and promote pedestrian-oriented objectives. Two new southbound pedestrian crossings would be provided: one on the east side of the LPOE, and one on the west side. Provision of a southbound pedestrian crossing on both sides eliminates pedestrian trips across the bridge to enter Mexico. Both of these crossings have been agreed to and identified as high priority items by the government of Mexico, as outlined in Diplomatic Notes dated March 17 and 23, 2009. Additionally, the new bridge would be ABAAS-compliant and would directly connect to Camino de la Plaza and the San Ysidro Intermodal Transportation Center. As discussed in Subchapter 3.1 in the EIS, the benefits would be consistent with the goals of the Transportation Element of the RCP. Finally, bikes will be allowed to process through the port as pedestrians. GSA is also investigating the potential for southbound bicycle facilities at the proposed Virginia Avenue crossing.

The environmental justice analysis determined the affected area in accordance with federal guidelines contained in the Council on Environmental Quality's Environmental Justice: Guidance Under the National Environmental Policy Act. Pursuant to these guidelines, the San Ysidro Community Plan Area was identified as the geographical unit with the greatest potential to be impacted by the Project. Demographic information was obtained and compared to those of the South Bay Subregional Area and San Diego County. While the LPOE serves the San Diego region, Tijuana region, and beyond, it is not feasible, or required, to identify a geographic unit that comprises all LPOE users for the purposes of the environmental justice analysis. Also, as many users of the LPOE are low income and from minority populations, the improvements to crossing times and improved pedestrian conditions represent an improvement over existing conditions.

Anti-idling measures are not being proposed as part of the Project. The addition of northbound inspection lanes and booths will substantially reduce idling times of northbound vehicles. In addition, because most of the idling occurs in Mexico before vehicles enter the U.S. LPOE, implementation of anti-idling measures on the U.S. side of the border would be of limited benefit.
GSA is willing to participate in the development of strategies to reduce emissions from idling vehicles queuing at border stations. However, such measures are not part of the Project. It is important to note that the Project would reduce vehicle queues and idling times by increasing throughput capacity. Also, it should be noted that anti-idling technologies being utilized at commercial crossings affect the processing of commercial vehicles being processed through non-intrusive inspection facilities, rather than the primary queue lanes.

Criteria pollutant emissions associated with increased Project-related traffic on I-5 and I-805 within the study area have been calculated, as well as emissions on surface streets in the study area. Increases in traffic on the I-5 and I-805 segments as identified in the traffic impact report would result in increases in criteria pollutant emissions between the Build and No Build conditions. It should also be noted, however, that for nonattainment pollutants, increase emissions along the described I-5 and I-805 segments are less than the conformity de minimis thresholds. Traffic on surface streets, resulted in a net decrease in criteria pollutant emissions between the Build and No Build conditions.

Emissions of carbon monoxide (CO) and mobile source air toxics (MSATs) were also evaluated per applicable protocols. With respect to CO, no associated CO “hot spots” were identified, and no CO levels in excess of regulatory thresholds have been recorded in the San Diego Air Basin over the past 10 years. While the Project would result in a slight increase in MSAT emissions along the noted freeway segments, the calculated increase is well below the associated EPA threshold.

Emissions associated with vehicle idling at the border crossing have also been calculated based on EMFAC2007 emission factors. Emissions associated with idling vehicles at the border crossing were lower for the Build conditions than for the No Build conditions, due to the reduction in idling wait times at the border.

The Air Quality Impact Assessment and Section 3.12 of the EIS have been updated to include the described calculations and conclusions for Project-related emissions. As shown therein, the Project would result in an overall net decrease in emissions due to decreases in idling time at the border, and some small decreases in emissions on surface streets. Accordingly, no adverse air quality impacts related to construction, operation or MSAT emissions were identified, including at the Willow Creek School site.
September 2, 2009

Mr. Paul Prouty
Acting Administrator
U.S. General Services Administration
1800 F Street, NW, Room 6137
Washington, D.C. 20405

Dear Mr. Prouty:

SUBJECT: Inclusion of Design, Coordination, and Construction Schedule for the Southbound Pedestrian Crossing in Phase 1 in the Record of Decision for the San Ysidro Land Port of Entry Improvements Project

On behalf of the San Diego Association of Governments, I am writing to express my strong concern regarding the approval of the Record of Decision (ROD) for the expansion and reconfiguration of the San Ysidro International Port of Entry (POE). Your prompt attention to this important matter is appreciated.

As you know, millions of pedestrians and vehicles enter the United States through the San Ysidro POE each year, making it one of the busiest land POEs in the world. This important project provides the region with a unique opportunity to create a world class border crossing that serves the needs of the community, provides adequate security, and expedites travel across the border.

Specifically, there remains an issue of great concern, that to date has not been resolved. The Southbound Pedestrian Crossing on the eastern side of the POE is currently the only unfunded segment in Phase 1. Construction of Phase 1 is set to begin in October 2009; however, to date there remain outstanding coordination issues between the General Services Administration (GSA) and its Mexican counterpart agencies regarding the location and design of the new crossing facility and no funds have been identified for this project. If the new eastern southbound pedestrian crossing is not constructed in Phase 1 the mitigation for pedestrian mobility as stated by GSA in the Final Environmental Impact Statement is inaccurate.
We request that language specifying the design, coordination, and construction schedule, as well as GSA’s commitment to construct the Southbound Pedestrian Crossing in Phase 1 be included in the ROD. We urge GSA to work with its Mexican counterparts in a timely manner to design and construct this vital crossing.

The GSA must also continue to work with the community to adequately address the concerns within the proposed footprint of the federal facility. Thank you for your prompt attention and we look forward to your response in addressing this critical mobility issue.

Sincerely,

[Signature]

GARY L. GALLEGOS
Executive Director

GGA/TWR/ais
SR 11/Otay Mesa East
Port of Entry (POE)

September 25, 2009

Study Area

Proposed State Route 11

POE

East Otay Mesa

Proposed Port of Entry

Otay Mesa
Estimated Project Budget: $615-$715 Million

**Programmed Funding Available:**

- State (STIP) Tier II Env./Eng. $13.0 M
- Federal (SAFETEA-LU) Tier II Env./Eng. $0.8 M
- State (Prop. 1B TCIF) Construction $75.0 M

**Total $88.8 M**

**Remaining Funds Needed:**
(Toll Funds/Other): $526.2 - 626.2 M

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**Project Schedule**

- Develop Financial Strategy 2009
- Tier II Environmental Doc. 2010
- Design/Right of Way 2011
- Begin Construction 2012-13
- End Construction 2014-15
Need for the Project

Capacity and Transportation Demand
- LPOE currently processes approx. 50,000 northbound vehicles and 26,000 northbound pedestrians per day
- Existing San Ysidro LPOE has become a bottleneck
- Existing wait times for vehicles average 1.5 to 2 hours during the commuter peak period with queues of approximately 2,900 vehicles
- Cross-border travel is forecasted to continue to grow
- Additional employee parking spaces are needed

Safety and Border Security
- The existing facility is undersized
- Requires modernization due to mandated security programs
- Current configuration is inefficient
- Current configuration increases the potential for safety hazards and security concerns
Projected Vehicular Wait Times

Source: San Ysidro Mobility Study

Record of Decision

Signed September 9th, 2009

How we got here:

- A responsive public outreach process that included community representatives, regional stakeholders, and other federal agencies;
- A responsive plan that integrated regional concerns while meeting agency requirements for safety and security;
- A thorough analysis of the project’s effect on the environment;
- A open design process that incorporated the above.
San Ysidro Master Plan

Artists Renderings
Next Steps

- Continued Community and Stakeholder Outreach
  - San Ysidro Community Representative Committee (CRC)
  - Virginia Avenue Design Process
  - City of San Diego Mobility Study
  - Art in Architecture
  - Urban Design Elements
  - Construction TMP (traffic management plan)

Estimated Economic Impacts (1)

- Potential to Create 16,156 jobs
- Ability to add $1,961,800,000 to the Nation’s GDP
- Create $634,700,000 in Personal Wealth

Source: According to a testimony by Stephen Fuller, Professor and Director of the Center for Regional Analysis, George Mason University
Phase I Impacts

- Phase I fully funded for $292,000,000
- Estimated 8,176 additional jobs
- Additional $992,800,000 in increased GDP

Source: According to a testimony by Stephen Fuller, Professor and Director of the Center for Regional Analysis, George Mason University

Regional Impacts of Border Waits

- 62,000 lost jobs (2007)
- 7.2 Billion in lost economic activity

Source: SANDAG Economic Impacts of Border Wait Times at the San Diego – Baja California Border Region January 2006)