



**BOARD OF DIRECTORS**  
**APRIL 25, 2003**

**AGENDA ITEM NO. 03-04- 1**  
**ACTION REQUESTED - APPROVE**

**MINUTES OF THE BOARD OF DIRECTORS MEETING**

March 28, 2003

Chairman Morrison called the meeting of the SANDAG Board of Directors to order at 9:23 a.m.  
Attendance was as follows:

Voting Members

- City of Carlsbad ..... Ramona Finnila, Councilmember
- City of Chula Vista ..... Steve Padilla, Mayor
- City of Coronado ..... Phil Monroe, Mayor Pro Tem
- City of Del Mar ..... Crystal Crawford, Councilmember
- City of El Cajon ..... Mark Lewis, Mayor
- City of Encinitas ..... Christy Guerin, Councilmember
- City of Escondido ..... Lori Holt Pfeiler, Mayor
- City of Imperial Beach ..... Patricia McCoy, Councilmember
- City of La Mesa ..... Art Madrid, Mayor
- City of Lemon Grove ..... Mary Teresa Sessom, Mayor
- City of National City ..... Ron Morrison, Councilmember
- City of Oceanside ..... Jack Feller, Councilmember
- City of Poway ..... Mickey Cafagna, Mayor
- City of San Diego A ..... Absent
- City of San Diego B ..... Jim Madaffer, Councilmember
- City of San Marcos ..... Corky Smith, Mayor
- City of Santee ..... Hal Ryan, Vice Mayor
- City of Solana Beach ..... Joe Kellejian, Councilmember
- City of Vista ..... Morris Vance, Mayor
- County of San Diego ..... Greg Cox, Supervisor

Advisory Liaison Members

- County of Imperial ..... Hon. Victor Carrillo, Supervisor
- Department of Transportation ..... Gene Pound, Chief Deputy Director
- U.S. Department of Defense ..... CAPT Christopher Schanze
- Mexico ..... Hon. Javier DeLeon Diaz, Deputy Consul
- San Diego Unified Port District ..... Jess Van Deventer, Commissioner
- San Diego County Water Authority ..... Absent
- Metropolitan Transit Development Board ..... Leon Williams, Chair
- North San Diego County Transit  
Development Board ..... Hon. Judy Ritter, Chair

Chairman Morrison requested that there be a moment of silence in observance of the US troops at war in Iraq. He then welcomed and introduced Supervisor Carrillo, representative for Imperial County, to the meeting.

1. MINUTES OF THE FEBRUARY 28, 2003 BOARD MEETING (APPROVE)

Action: Poway – Imperial Beach. A motion and second was made to approve the minutes of the February 28, 2003 Board of Directors meeting. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Absent – 2 (Lemon Grove, San Diego – A).

2. ADDITIONS AND DELETIONS

None.

**CONSENT ITEMS (3 through 6)**

3. DISCUSSIONS AND ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

A. EXECUTIVE COMMITTEE MEETING (March 14, 2003)

B. TRANSPORTATION COMMITTEE MEETING (March 21, 2003)

C. REGIONAL PLANNING COMMITTEE MEETING (March 7, 2003)

D. BORDERS COMMITTEE MEETING (March 21, 2003)

4. LOCAL TECHNICAL ASSISTANCE (LTA) PROGRAM PROJECT REQUIRING MORE THAN \$1,000 OR THREE DAYS STAFF TIME (INFORMATION)

5. REPORT FROM CONFERENCES

A. REPORT ON AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) CONFERENCE

B. REPORT ON NATIONAL ASSOCIATION OF REGIONAL COUNCILS (NARC) CONFERENCE

C. REPORT ON ASSOCIATION OF METROPOLITAN PLANNING ORGANIZATIONS (AMPO) CONFERENCE

6. PROGRESS REPORT ON TRANSPORTATION PROJECTS

Action: Encinitas - Carlsbad. A motion and second was made to approve Consent Items 3 through 6. Yes – 19. No – 0. Absent (San Diego – A).

7.

## **PUBLIC COMMENTS/COMMUNICATIONS**

Pedro Orso-Delgado (Caltrans) commented that yesterday, the FHWA approved the environmental document for the I-15 Managed Lanes project. He commented that this action was a major milestone for the region and thanked everyone involved for their efforts. He added that a portion of this project will go before the California Transportation Committee in April 2003 for funding. The groundbreaking ceremony for this project should take place late Summer or early Fall.

## **CHAIR'S REPORT**

8. STATE ROUTE 125 RIBBON CUTTING – MAY 3 (INFORMATION)

Chairman Morrison announced that there will be a Ribbon Cutting ceremony for the opening of a new section of State Route 125. This new section will open SR 125 from SR 52 in Santee to SR 54 in National City. The Ceremony, which is being hosted by the City of San Diego, Caltrans and SANDAG, will begin at 11:00 a.m. He suggested that all Board members save the date – invitations will be forthcoming. The Chairman noted that this event will mark the completion of another TransNet funded highway project.

## **REPORTS**

9. LEGISLATIVE UPDATE: AB 361 (KEHOE) – CONSOLIDATED TRANSPORTATION AGENCY (INFORMATION)

At the last meeting, the Board reviewed AB 361 (Kehoe), which deals with follow-up to the consolidation bill, SB 1703 (Peace). AB 361 addresses the Regional Comprehensive Plan and will include a public vote on governance. The Board agreed to work out a consensus view on this proposal with Assemblymember Kehoe and directed the Chairman to appoint an Ad Hoc Working Group for this purpose. A Group has been appointed and will hold its first meeting after today's Board meeting and will meet again on April 4, 2003, with the Assemblymember, to discuss the Ad Hoc Working Group's recommendations and negotiate a strategy and proposal. Members of the Group are: Mayor Lori Holt Pfeiler (City of Escondido); Councilmember Crystal Crawford (City of Del Mar); Mayor Steve Padilla (City of Chula Vista); Councilmember Jim Madaffer (City of San Diego); Councilmember Ron Morrison (City of National City); Mayor Mickey Cafagna (City of Poway); and Mayor Art Madrid (City of La Mesa). The bill will be heard in the Assembly Transportation Committee on April 7, 2003. The Board will be updated on the Ad Hoc Working Group's progress.

10. MOBILITY 2030: REGIONAL TRANSPORTATION PLAN, AIR QUALITY CONFORMITY DETERMINATION, AND FINAL ENVIRONMENTAL IMPACT REPORT (Resolutions 2003-26 and 2003-27) (APPROVE)

Councilmember Kellejian, Chair of SANDAG's Transportation Committee, noted that the 2030 Regional Transportation Plan (RTP), MOBILITY 2030, is the product of collaboration between SANDAG and its partners: all 18 Cities and the County, MTDB, NCTD, and Caltrans. A 2030 RTP Working Group, consisting of representatives from community,

environmental, economic development, and building interests, also assisted in the Plan's development. MOBILITY 2030 reflects the results of an extensive public outreach and involvement effort including: 30 community events featuring SANDAG's transportation "Road Show;" Board summit with tribal governments; 40 presentations to local agencies and interest groups; a public hearing and three public workshops; a dedicated RTP Web site; and radio, TV, print, and outdoor ads.

Staff explained four handouts to the Board that were distributed to them at the meeting.

#### Public Comment

Pat Partin, from the North County Economic Development Corporation, urged the Board to include the widening of State Route 76 from Melrose Drive to I-15 in all financial scenarios of the RTP.

Councilmember Kellejian requested that the SANDAG Executive Director respond to Ms. Partin's concerns. *SANDAG Executive Director noted that the SR 76 project is split into two segments. The segment from Melrose Drive to Mission Road is included in the Revenue Constrained Plan of the RTP and Caltrans is currently working on the environmental document for that segment. The second segment from Mission Road to the I-15 is included in the Mobility Plan (Reasonably Expected Revenue scenario) and also is a high priority. However, this second segment was not included in the Revenue Constrained Plan because it faces a host of environmental challenges and would have delayed the completion of the Melrose Drive to Mission Road segment.*

Eric Bowlby, representing the Sierra Club, acknowledged that there are not enough funds to do what is needed to solve all the region's current and future transportation problems. He encouraged the SANDAG Board to focus the funds on building a strong public transit system in the metropolitan area of the region.

Duncan McFetridge, representing Save Our Forests and Ranchlands (SOFAR), requested the Board not adopt the Environmental Impact Report (EIR) for the 2030 RTP and suggested that, at a minimum, the Board postpone its decision until further investigation. He provided the Board with a PowerPoint presentation which highlighted the SOFAR's concerns with the EIR. He stated that auto-based transportation should not be funded and that he supported more funding toward an improved public transit system.

Catherine Engberg, an attorney from Shute, Mihaly & Weinberger representing SOFAR, stated that while she understands that the RTP environmental document is a program level EIR, SANDAG also should analyze project specific and cumulative impacts that are reasonably foreseeable. She requested that SANDAG provide analysis that complies with CEQA.

Councilmember Kellejian asked if SOFAR had submitted its comments within the 45-day public review period for the EIR. *Ms. Engberg responded no. She stated that their letter was submitted on March 17, 2003.*

Vice Chairman Cafagna indicated that this Plan incorporates improvements to existing corridors to allow for an improved public transportation system.

Mayor Smith (San Marcos) asked if the CEQA guidelines are followed when EIR's are being conducted. *General Counsel responded yes.*

Craig Benedetto, representing the Alliance for Habitat Conservation, encouraged the Board to certify the EIR and adopt MOBILITY 2030. He stated that it is a balanced plan that addresses all modal components and needs, and is aimed at guiding growth to appropriate areas of the region.

Councilmember Crawford requested information on the Alliance for Habitat Conservation. *Mr. Benedetto replied that the Alliance was formed in 1989 by large land owners in the region to address regional species/habitat preservation needs. His organization has been working for the past 14 years to advance the Multiple Species Conservation Plan.*

Jan Cortez, of the American Lung Association, noted that the American Lung Association has read the letter submitted to the Board by SOFAR and agrees with their conclusion that the Draft EIR for the RTP is inadequate. She urged the Board to delay further consideration of the Plan until a revised EIR is prepared that provides more analysis of the Plan's air quality impacts.

Diane Nygaard, a resident of Oceanside, indicated that she had three questions that she wanted answered before the Board adopted the 2030 RTP: (1) how was the environment considered when evaluating proposed roadway projects; (2) what public input went into the Plan's development; and (3) how were SANDAG's habitat conservation and roadway planning efforts coordinated. She added that until the Board can assure that regional plans for roads and habitat conservation are integrated, the 2030 RTP should not be approved.

Councilmember Feller asked staff for clarification about whether the I-5/SR 78 interchange was included in the Plan and about the "defederalization" of the Melrose Drive in Vista. *Staff responded that the I-5/SR 78 interchange is included in the Mobility Plan. Regarding the Melrose Drive project, there was an agreement between the Cities of Vista and Carlsbad to evenly swap federal funding for local funding for the project.*

Theresa Quiroz, a San Diego resident, requested that the discussion of disabled transportation issues be expanded in the Plan.

Mayor Madrid (La Mesa) asked if Ms. Quiroz represents a specific organization. *Ms. Quiroz responded that she represents herself.*

John Joliffe, President of the Otay Mesa Chamber of Commerce and the Chief Executive Officer (CEO) of Casas International Brokerage, stated that the Otay Mesa Chamber is in favor of this RTP and strongly recommended that the Board support this Plan.

Karen King, Executive Director of the North San Diego County Transit Development Board (NCTD), thanked the SANDAG Board for making the tough decisions for the region. She mentioned that the NCTD Board supports adoption of the Plan, which implements the Regional Transit Vision, was developed with

extensive stakeholder and public involvement, and which was based on evaluation criteria to prioritize the recommended improvements.

Clive Richard, a San Diego resident, noted that he is a strong advocate of quality transportation and is in support of the Plan because it keeps to a vision. He urged the Board to move forward with implementation.

Brad Barnum, representing the Associated General Contractors (AGC), on behalf of the AGC and the San Diego Regional Chamber of Commerce, urged the Board to adopt the RTP. The Plan helps fulfill one of the core values of the Regional Comprehensive Plan (RCP) to provide more transportation choices to the region's residents.

George Boggs, a citizen of Ramona, urged the Board to move forward with the RTP. He stated that he supports the Plan, including the proposed widening of SR 67.

Patrick Uriell, of the Ramona Planning Group, noted that the Ramona Planning Group is in support of the 2030 RTP along with the proposed improvements to SR 67. He stated that the widening of SR 67 is needed now to support the travel demand of Ramona's existing population.

Lynne Baker, Smart Growth Project Manager for the Endangered Habitats League (EHL), stated that the EHL is committed to working with communities, agencies, and individuals on regional infrastructure needs. She commented that it is fundamental to advance an innovative mobility system with sustainable land uses and realistic and adequate financing, of which the RTP is a key element. She concluded that it is time for this region to turn inward and direct its energy and resources towards making the existing communities better, more interesting, and more livable.

Leon Williams (MTDB) pointed out that the MTDB Board and staff support this Plan because it recognizes MTDB's high priority projects. He added that based on the issues that this region faces, it is a well-balanced Plan.

Mayor Pro Tem Monroe (Coronado) suggested that the speaker's comments regarding the disabled community be addressed in the next update of the Plan. He stated that the 2030 RTP was a great Plan, and that doing nothing would only make our transportation conditions worse.

Councilmember Kellejian commented that SANDAG's Transportation Committee, as well as the Joint Committee on Regional Transportation (JCRT), urge the approval of the EIR and the Plan. He stated that contrary to some of the comments made today, the 2030 RTP is in fact focused on building a high quality public transit system and providing more travel choices for the region.

Mayor Pro Tem Finnila (Carlsbad) asked for an explanation of what a program level EIR is and how the new Environmental Protection Agency (EPA) air quality emissions model affects this document. *General Counsel stated that a program level EIR is different than a project level EIR in terms of the specificity that is required on issues to be addressed. An*

*argument can always be made that there has not been enough analysis or enough detail when preparing an EIR.*

*Staff noted that the air quality analysis using EPA's air quality emissions model shows that with the Project, air quality emissions in 2030 are significantly reduced compared to levels today. In all EIR alternatives, air quality will get better over time.*

Councilmember Crawford (Del Mar) asked for a response regarding the statement in the SOFAR letter, "that even a program level EIR should include analysis of reasonably foreseeable project level impacts." *General Counsel noted that she did not have any additional comments beyond the written responses that have been prepared.*

Councilmember Crawford questioned if there are legal cases that would support the SOFAR position with regard to the project specific analysis that they are alleging should have been present in this program level EIR. *General Counsel responded that there are cases where programmatic EIRs can be challenged for not enough detail or analysis. The written responses indicate that staff feels there is enough analysis and detail provided, and that all issues have been addressed in the EIR.*

Councilmember Crawford stated that assuming that SOFAR is correct, how could the Board address and/or correct the alleged deficiencies. *General Counsel stated that the Board should consider directing staff to meet with SOFAR to discuss where additional analysis should occur and to report back to the Board.*

Chairman Morrison suggested that if the Board moves forward with this issue today, they could direct staff to meet with SOFAR immediately to address their issues and concerns.

Vice Chairman Cafagna pointed out that this is a transit oriented Plan and directed the Board to look at the Revenue Constrained Plan in which more than half of the proposed capital expenditures are for improvements needed for public transit.

Mayor Madrid (La Mesa) stated that he did not appreciate the first speaker's comments about not supporting a *TransNet* extension if SR 76 is not widened. He noted that environmental issues with the Mission Road to I-15 segment must be addressed before the full project can be included in the Revenue Constrained Plan. He stated that he supports the Plan, but shares Councilmember Crawford's concerns and supports working with SOFAR to address their issues with the next Plan update. He also noted that addressing peak period demand is important, and that the region's employers need to cooperate in changing employee work hours and implementing teleworking.

Supervisor Cox (County of San Diego) agreed with Mayor Madrid's comments. He noted that it would have been more helpful if SOFAR had submitted its comments in a timely manner and within the time frame that had been set in order to make the RTP process more productive. He pointed out that this is a regional Plan which has the best interests of the region in mind and suggested that the Board move forward with the Plan's adoption.

Councilmember Kellejian (Solana Beach) made the motion to approve the staff recommendation.

Mayor Pro Tem Monroe (Coronado) seconded the motion.

Councilmember McCoy (Imperial Beach) stated that she is concerned with the issues raised about the discussion of cumulative impacts in the EIR. However, she is encouraged that staff will be working to resolve the issues raised. She stated that biological diversity is one of the San Diego region's critical resources.

Councilmember Kellejian noted that his motion includes the recommendation to work with SOFAR to address the issues raised with the EIR.

Mayor Padilla (Chula Vista) read comments from a letter from the Chula Vista City Manager dated March 26, 2003. The letter included appreciation to the SANDAG Director of Transportation and staff in developing the 2030 RTP, for revising the Plan to include additional lanes at the I-805/SR 54 interchange on the list of "hot spots," and noting that the I-5 high occupancy vehicle (HOV) lanes would be included in the 2011 to 2020 timeframe. It is the City of Chula Vista's position that some consideration should be given, if and when the *TransNet* extension is passed, to bonding for specific transportation projects in the South County area in order to expedite the implementation of those infrastructure projects. He added that the City Council supported completing the proposed regional study to prioritize rail grade separations prior to the *TransNet* extension, in order to address critical grade separation needs for the Trolley at E and H Streets. In addition, the Board should be mindful when allocating regional transportation funding and should consider areas that have funded projects with toll revenues.

Councilmember Crawford announced to the Board that the City of Del Mar currently works with attorneys representing SOFAR. She expressed concern that the letter from SOFAR was received after the end of the public review period and stated that she is uncomfortable with the issues before her and will be abstaining during the vote.

Councilmember Feller (Oceanside) requested that the SR 76 project remain high on SANDAG's priority list of projects. He mentioned that the Board needs to remain diligent in developing alternative modes of transportation and improving the region's major transportation corridors. He added that the senior transportation issues also are important and need to be considered.

Councilmember Guerin (Encinitas) stated that it is critical for the Board to remember the balance between the projected population and future transportation needs. She noted that a lot of work has gone into this Plan over a long period of time, and she feels comfortable the way in which the environmental issues were addressed in the EIR.

Chairman Morrison noted that the 2030 RTP is a 27-year document and is required to be updated every three years. He mentioned that once the 2030 RTP is adopted, staff will soon begin working on the next Plan update.

Action: Solana Beach - Coronado. A motion and second was made to approve Resolution 2003-26 certifying the Final Environmental Impact Report for the 2030 Regional Transportation Plan (RTP), and adopting the Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; find the 2030 RTP Revenue Constrained Plan and the 2002 Regional Transportation Improvement Program in conformance with the State Implementation Plan for air quality; and approve Resolution 2003-27 adopting the 2030 RTP. In addition, the Board voted to continue to work with

SOFAR to address the EIR concerns raised. Yes – 17 (weighted vote, 98%). No – 0 (weighted vote, 0%). Abstain – 2 (Del Mar, Lemon Grove). Absent – San Diego – A.

11. MULTIPLE HABITAT CONSERVATION PROGRAM (MHCP) – FINAL PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT (EIS/EIR) (Resolutions 2003-29 and 2003-30) (APPROVE)

Colleen O’Harra, Chair of the Multiple Habitat Conservation Program (MHCP) Committee, noted that she has been before the Board numerous times over the past ten years providing progress reports on this issue and appears before the Board today to present the MHCP Final Plan and Environmental Impact Statement/Environmental Impact Report (EIS/EIR). The Board is being requested to certify the EIR and adopt the MHCP plan. The MHCP is a framework plan that will allow each of the seven north county cities to negotiate an implementing agreement with the wildlife agencies for its subarea plan which will then transfer take authority to each individual city. The Plan has been developed using a professional project team, with input from a 50-member advisory committee and an elected officials committee made up of representatives of all affected seven north county cities. The MHCP is a comprehensive multiple jurisdictional planning program designed to create, manage and monitor an ecosystem preserve in northwestern San Diego County and encompasses the seven incorporated cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. The Plan is one of several large multiple jurisdictional habitat planning efforts in San Diego County each of which constitutes a subregional plan under the State of California’s Natural Community Conservation Planning Act. She provided the Board with a PowerPoint presentation highlighting and explaining why the MHCP is important to the region.

Staff highlighted changes to the Board report at the Board Members’ places. This included a memo regarding an Errata Sheet to the Final EIR, related to information on County owned lands shown in tables, figures and maps, and a change in the Mitigation and Monitoring Reporting Program as it relates to the City of San Marcos. Also, provided was a revised Resolution 2003-29 with clarification concerning County owned lands.

Gary Gallegos indicated that a letter from Consultant Collaborative regarding this item has also been provided to the Board for the record.

Public Comment

Andy Mauro, representing the Buena Vista Audubon Society speaking on behalf of the North County Open Space Coalition, which include the Buena Vista Audubon Society, California Native Plants Society, Elfin Forest/Harmony Grove Town Council, Escondido Citizens Ecology Committee, Friends of Sarah De Los Posas, Friends of Daly Ranch, Harmony Grove/Eaton Valley Citizens Group, National Wildlife Federation, Preserve Calavera, San Diego and Palomar Audubon Societies, San Diego League of Women Voters, San Elijo Lagoon Conservancy and the Sierra Club. He noted that the Coalition’s one simple desire is to save the remaining sensitive species and their habitats in North San Diego County. The Coalition supports regional habitat conservation planning and urged the Board to move forward with the approval of the Plan.

Mary Clarke, representing the Sierra Club, urged the Board, upon adoption of the Plan, to turn its attention to the establishment of a regional funding program and

to direct staff to work to identify and secure funding sources as quickly as possible – adequate funding is critical to the success of the MHCP.

Diane Nygaard, of Preserve Calavera, stated that without real monitoring enforcement this Plan is just a thick pile of paper. If the public is going to be asked to pay for the implementation of the subarea plans, than the pubic needs to be included in a meaningful way, in the planning process. The North County Open Space Coalition looks forward to working with all of the stakeholders to implement conservation planning.

Brad Roth, with the Connolly Creek Conservancy, suggested that the Board look ahead to see what open space needs will be in the future.

Lynne Baker, representing the Endangered Habitats League (EHL), noted that the EHL supports the document and its adoption. The EHL requested that the various subarea plans be more consistent with one another and asked the Board to direct staff to begin working on regional funding sources.

Eric Anderson, from the Farm Bureau, complimented SANDAG's commitment and tenacity in bringing this plan forward. He commented that adequate CEQA analysis of all the agricultural impacts of this plan must continue as the cities go about implementing the Plan. He concluded that the MHCP is not a stand alone document, funding and coordination issues still need to be resolved.

Isabelle Kay, representative for the UCSD Natural Reserve System and Manager for the Dawson/Los Manos Canyon Reserve and the Watershed of the Agua Hedionda Creek, stated that there needs to be a better preservation design in the immediate vicinity of the Dawson Reserve. She supports continued efforts of SANDAG to work in monitoring overall progress of preserve assembly and hope this will happen on a watershed wide basis in order to fully understand the ecosystem impacts on preservation of their functionality.

Craig Benedetto, representing the Alliance for Habitat Conservation, supports the staff recommendation. He noted that the Board needs to work on a regional funding plan to ensure the long-term viability of the permits. He urged the Board to adopt this plan today.

Jim Whalen, of Jim Whalen and Associates, noted that he supports adoption and certification of the EIR and the Plan.

Bill Tippetts, Deputy Regional Manager and Environmental Program Manager of the South Coast Region of the California Department of Fish and Game, commended all of those that have been tenacious in moving this project forward. He noted that the Department of Fish and Game supports the MHCP and recommends that the Board certify the EIR.

Lee Ann Carranza, representing the U.S. Fish and Wildlife Service in Carlsbad, requested that the Board certify the EIR today.

Chairman Morrison noted that this item will be postponed for 10 minutes to allow the project team to address new issues brought up by the speakers and the letter from

Consultant Collaborative. The Board will now move to item #12 - 2002 Regional Transportation Improvement Program (RTIP) Amendment No. 6 – Various Projects.

12. 2002 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) AMENDMENT NO. 6 – VARIOUS PROJECTS (Resolution 2003-28) (APPROVE)

Councilmember Kellejian, Chair of SANDAG's Transportation Committee, noted that the 2002 Regional Transportation Improvement Program is the five-year program of major transportation projects in the San Diego region. SANDAG has received requests for changes and additions to projects from various agencies. The Board has delegated the approval authority for RTIP amendments to the Transportation Committee. Because the air quality analysis for this amendment is based on the regional emissions analysis used for the 2030 Regional Transportation Plan, action on this amendment cannot take place until after the Board adopts the 2030 RTP. In order to respond to the requests for amendments from the local agencies in a timely manner, this amendment is scheduled for today rather than waiting until the April 18<sup>th</sup> Transportation Committee meeting for approval. With the Board's adoption of the 2030 RTP, including its finding of air quality conformity for both the 2030 RTP and the 2002 RTIP, the Board can now consider Amendment No. 6 to the 2002 RTIP. The Transportation Committee recommended that the Board approve this amendment.

Action: Poway – County of San Diego. A motion and second was made to approve Resolution 2002-28 approving Amendment No. 6 for various additions and revisions as shown in Table 1 of the staff report. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Absent – San Diego – A.

13. FY 2004 PRELIMINARY PROGRAM BUDGET (ADOPT)

Vice Chair Cafagna reported that SANDAG's interim Bylaws require that the Board approve a preliminary Budget prior to April 1<sup>st</sup> each year. The Preliminary Budget is based on work outlined in the draft Overall Work Program approved for distribution by the Board last month. The Executive Committee reviewed the budget at its March 14<sup>th</sup> meeting and recommended adoption. The Preliminary Budget is estimated at \$263 million. 92% or \$240 million is pass-through to other agencies, such as *TransNet* funds, or funds contracted out for projects such as TDM, I-15 Value pricing, and Freeway Service Patrol. The FY 2004 Budget consists of 112 projects this year vs. 88 projects last year. Also, 18 additional staff. Both reflections of initial consolidation of programming and planning responsibilities from the transit agencies as per SB 1703. An amendment at mid-year, after the next phase of transition is planned, will include project development and construction projects being transferred to SANDAG. The Executive Committee recommends the adoption of FY 2004 Preliminary Budget, and also recommends approval to allow the Executive Director to begin implementation of the proposed management organization for SANDAG as the consolidated agency.

Supervisor Cox (County of San Diego) requested a quarterly status report on the merging of the positions and a reduction and/or holding the line regarding positions at all three agencies.

Mayor Pro Tem Monroe (Coronado) pointed out that reduction in staff may happen at the Transit and trolley levels as well and should be considered.

Vice Mayor Ryan (Santee) suggested that the Board look at the consolidation in the long-term because it may take a while before a reduction in staff is recognized.

Vice Chairman Cafagna made the motion to approve the staff recommendation.

Mayor Holt Pfeiler seconded the motion.

Action: Poway - Escondido. A motion and second was made to adopt the FY 2004 Preliminary Program Budget, including the budget for the San Diego County Regional Transportation Commission, as the preliminary expenditure plan to carry forward the regional planning program for FY 2004; and approve the implementation of the proposed management organization for the consolidated agency by the Executive Director. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Absent – San Diego – A.

14. PROGRESS REPORT ON THE REGIONAL COMPREHENSIVE PLAN (RCP) (INFORMATION)

This item was postponed and will be addressed at the April 25, 2003 meeting.

11. MULTIPLE HABITAT CONSERVATION PROGRAM (MHCP) – FINAL PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT (EIS/EIR) (Resolutions 2003-29 and 2003-30) (APPROVE) (*Continued*)

Staff noted that part of the CEQA certification process states that any comments made by the public regarding the adequacy of the EIR needs to be responded to so the responses are part of the public record. There are four responses to comments that need to be read into the record.

1. The letter received from Consultants Collaborative as it pertains to the 33-acre property in the City of San Marcos.

“This project is not part of the MHCP, it is what we call a major amendment area. If they want to participate in the program, they need to amend themselves into the program. Their concern is with the Narrow Indemic Policy. They are stating that the Policy does not allow for the economic use of the property. This is not true. The Narrow Indemic Policy does not impact the economic use of the property. In fact, if the MHCP is adopted and the City of San Marcos moves ahead with its subarea plan in an implementing agreement, it will give the City more land use discretion to work with their individual property owners through the MHCP process. The EIR concluded that there are certain land use inconsistencies and significant impacts require mitigation, in which it has been incorporated into the EIR therefore the EIR is adequately addressed in the implementation policy for Narrow Indemics.”

2. Issue raised by Brad Roth, from the Cottonwood Creek Conservancy.

“The EIR did address the issue of water quality in section 7.6 of the Plan. The conclusion of the EIR is that there are no cumulative impacts to watersheds.”

3. Issue raised by Isabelle Kay of UCSD.

"The EIR is a framework document, addressing framework issues. The particular comment is addressing a project and the compatibility of the project with adjacent projects. This is a subarea plan issue. In this case the City of Carlsbad. It will be analyzed further within the subarea plan in the City of Carlsbad. Each project is required to undergo an individual CEQA process as it moves forward. Therefore the program framework document, the EIR, remains as adequately addressed."

4. Letter received by Mr. Thume during the EIR Public Comment Period.

"His comment letter addressed concerns regarding watersheds. All of his comments were addressed in the final EIR/EIS. Therefore, based upon his comments, the document is adequate."

Councilmember Kellejian (Solana Beach) commented that he represented the City of Solana Beach on the elected officials committee for the MHCP. He indicated that this is a giant step forward for North County and strongly recommends approval of the resolutions before the Board.

Supervisor Cox (County of San Diego) thanked the SANDAG staff for working with the County staff in resolving concerns that the County had. He added that what is before the Board today is the beginning of a process, but is definitely the right thing to do.

Mayor Madrid (La Mesa) commented that that a speaker mentioned earlier that the *TransNet* extension should provide funding for this project. He noted that he is prepared to vote no on this issue unless it has been made clear that the *TransNet* extension is for transportation projects only and that no side deals are being made.

*Staff assured the Mayor that there are no side deals and added that the Board has discussed the fact that transportation projects have mitigations costs associated with them and that using TransNet funding could be an option to be considered. He added that the Board needs to determine that when putting an expenditure plan together.*

Mayor Smith (San Marcos) clarified that he is not happy with the environmentalists right now because every time that they agree on something, they come back wanting something else. He commended the efforts of the MHCP Committee on moving this project forward. He asked if a minimum/maximum percentage can be set for property owner liability. If that can be done, he can support this issue.

Vice Chairman Cafagna stated that he would be remiss if he didn't note that the City of Poway has approved the Habitat Conservation Plan. He made the motion to approve the staff recommendation.

Mayor Pro Tem Finnila (Carlsbad) seconded the motion.

Councilmember Guerin (Encinitas) noted that what is important with this issue is that in order to receive regional funding, there needs to be a regional plan. She noted that the City of Encinitas supports this issue.

Mayor Holt Pfeiler (Escondido) stated that this plan has been worked on over the past 10 years.

Mayor Pro Tem Monroe (Coronado) asked if regional funding sources means that all cities will participate in the payment of this issue. He mentioned that if this is to be a true regional issue, all cities in the region should help pay for it.

Councilmember Feller (Oceanside) noted that the unfunded mandates make the individual cities uncomfortable with this project. He suggested that the U.S. Fish and Wildlife Service and the Department of Fish and Game help fund this project.

Vice Mayor Ryan (Santee) commented that the City of Santee is moving forward with its adoption of its MSCP. He thanked the resource agencies for their role in the project and for attending the meeting and sharing their comments.

Mayor Pro Tem Finnila (Carlsbad) stated that when landowners were approached, they were dealt with on a case-by-case basis. She stated that the most difficult issue over the past 10 years was to get the USFWS, CDF&G and the Coastal Commission to understand that there is an economic factor associated with land conservation. She noted that the City of San Marcos has been instrumental in moving this project forward and urged Mayor Smith to consider his City's efforts regarding land conservation. Mayor Pro Tem Finnila highlighted the effort that was put into this project and urged all Board members to support this issue.

Mayor Smith (San Marcos) asked what will happen if this project doesn't work. *Staff stated that each City has to develop its own subarea plan based on the framework developed by this project. If the jurisdiction cannot come to terms, it can come back to the Board to receive assistance.*

*Staff added that it is important to note that there are several ways to acquire land that has been identified in the preserve: (1) by zoning; and (2) by acquiring the property. The state is currently proposing to move forward, through a bond act, to pay the property owner fair market value for land acquisition.*

**Action:** Poway - Carlsbad. A motion and second was made to approve resolution 2003-29 certifying the Final Environmental Impact Report for the Multiple Habitat Conservation Program (MHCP), and adopting the Findings and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; and approve resolution 2003-30 adopting the MHCP Final Plan. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Absent – San Diego – A, San Diego – B.

Chairman Morrison thanked all parties involved for their efforts while working on the MHCP.

### **ADDITIONAL COMMENTS**

Chairman Morrison announced that there will not be a Policy Development Board meeting held on Friday, April, 11, 2003. He noted that the Ad Hoc Working Groups on AB 361 and Transition will meet immediately following today's meeting.

ADJOURNMENT – 12:56 p.m.