



DEPARTMENT OF PARKS AND RECREATION  
**STATE PARK AND RECREATION COMMISSION**  
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Ruth Coleman, *Director*

January 25, 2008

The Honorable Patrick Kruer, Chairman  
and Members  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, California 94105-2219

Dear Chairman Kruer and Commissioners,

On behalf of the California State Park and Recreation Commission ("Parks Commission"), I am writing once again to express support for protecting San Onofre State Beach. Coastal recreational resources, like San Onofre, are irreplaceable and should be preserved for the enjoyment of generations to come. Many Commissioners have seen and felt this place. It's fantastic.

You have a difficult and essential job, we think. The California Coastal Act asks you to protect special places, like San Onofre State Beach. Although we are aware of the Governor's January 15, 2008 letter, we believe that his recommendation cannot be reconciled with the detailed analysis and findings by your staff in its extensive Staff Report or with its definitive conclusion: "[n]o measures exist that would enable the proposed [toll road] alignment to be found consistent with the Coastal Act." That is a blunt and correct conclusion.

Traffic congestion in Southern California must be addressed. But to achieve the dual goals of boosting our economy (with traffic relief) and protecting our environment, all options must be fully considered. The Foothill-South is only one proposal. Other alternatives that would avoid impacting coastal parks, like expanding the I-5 and arterial routes, have yet to be seriously examined. Funding for these alternatives, with public-private partnerships or otherwise, also should be fully considered. The State of California can find ways to both reduce traffic congestion and protect our very scarce coastal park lands.

After careful analysis, our Commission has concluded that the toll road will have severe and unacceptable impacts to the state park, no matter how extensive the mitigation and avoidance measures. The alleged environmental benefits are insubstantial by comparison. The Foothill/Eastern Transportation Corridor Agency ("TCA") claims it will improve water quality, but Trestles Beach is one of the cleaner beaches in Southern California. TCA claims relieving traffic congestion will reduce green house gas emissions, but your Staff Report concludes that constructing this new highway through open space is likely to *increase* emissions. TCA claims it will create new camping resources, but San Mateo Campground, with its low-cost camping opportunities in a relatively quiet and rural environment, walking distance to the beach, is an experience that cannot be replicated elsewhere.

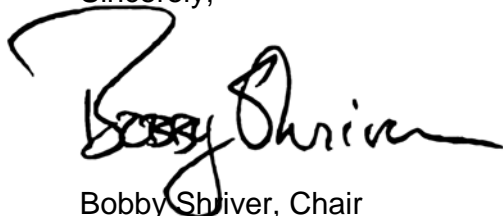
As you know, the Coastal Act flatly prohibits non-resource dependent projects, like the toll road, that significantly impact environmentally sensitive habitat areas ("ESHA"), regardless of mitigation measures. The Foothill-South clearly damages ESHA – a fact TCA does not attempt to deny – including over 50 acres of coastal sage scrub within the coastal zone. Even if mitigation were allowed, there is no way to replace the unique coastal resources at San Onofre, like the San Mateo Campground.

No applicant should be able to buy compliance with the Coastal Act. TCA's \$100 million mitigation "offer" is a political gesture that cannot affect Coastal Act enforcement. The agency has attempted to remove legal obstacles in the past: In 2001, TCA successfully secured a federal rider to exempt the project from complying with federal laws, under the Transportation Act, that protect "parks and recreation lands," including San Onofre State Beach, from transportation projects (P.L. 106-398, §2881, 114 Stat. 1654A-438); in 2002, the agency secured another rider that it claims exempts the project from state laws, including the Coastal Act (P.L. 107-107, §2867, 115 Stat. 1012, 1334.). Now, TCA presents a mitigation offer to State Parks. But no matter how much the State Park System needs operating funds, they should not be accepted at the expense of running a giant toll road through San Onofre State Beach.

On September 12, 2007, I submitted a letter on behalf of our Commission detailing the unprecedented action our Commission has taken to protect San Onofre State Beach. That letter describes our hearing where over 1,000 people (the largest Parks Commission hearing in its history) voiced strong opposition to the use of San Onofre State Beach as a tollroad route; it suggests that alternative traffic solutions be explored; and it speaks to the importance of saving this unique recreational resource for generations to come. Because of these concerns, our Commission passed a unanimous, bipartisan resolution to oppose the toll road.

As you consider the Consistency Certification request of the Transportation Corridor Agencies at your February 6, 2008 hearing in Oceanside, the Parks Commission urges that you uphold the Coastal Act and defend San Onofre State Beach from becoming the Foothill-South Toll Road.

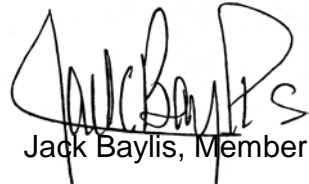
Sincerely,



Bobby Shriver, Chair



Clint Eastwood, Vice Chair



Jack Baylis, Member



Caryl O. Hart, Member



Gail Kautz, Member



Sophia Scherman, Member



Acquanetta Warren, Member



Paul Junger Witt, Member

Enclosure