

## **APPENDIX C**

### **Comment Letters – Agencies, Organizations, and General Public**

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# CERTIFIED COPY

SAMP-EIS-EIR  
SCOPING MEETING

MAY 8, 2001  
SAN JUAN COMMUNITY CENTER  
25925 CAMINO DEL AVION  
SAN JUAN CAPISTRANO, CALIFORNIA

ATKINSON-BAKER, INC.  
COURT REPORTERS  
330 North Brand Boulevard, Suite 250  
Glendale, California 91203  
(818) 551-7300

REPORTED BY: LORI J. SPRINGER, CSR NO. 12247  
FILE NO.: 9B035F9

1 BY THE REPORTER:

2 Q State your name.

3 A Gregory Edward Koch, K-o-c-h.

4 Q Your address?

5 A 525 West La Palma Avenue, No. 302, Anaheim  
6 California 92801-2432.

7 Q Your affiliation with the group?

8 A Citizen. I guess private citizen.

9 Q Phone your number?

10 A (714) 991-0036.

11 Q Fax or e-mail?

12 A Geko600@aol.com.

13 Q Do you wish to be added to the public interest  
14 list?

15 A Sure.

16 Q Comments?

17 A I'm going to begin by quoting the definition of  
18 the special area management plan. Starting off by  
19 quoting the definition of the Special Area Management  
20 Plan as in the Coastal ZONE management Act.

21 The term "Special Area Management Plan" means a  
22 comprehensive plan providing for natural resource  
23 protection and reasonable coastal dependant economic  
24 growth containing detailed comprehensive policies,  
25 standards, and criteria to guide public and private uses

1 of land and waters and mechanisms for timely  
2 implementation in specific geographic areas within the  
3 coastal zone.

4 I want to make four points to begin with.  
5 First of all, natural resource protection is listed  
6 first and foremost.

7 Second, reasonable coastal dependant economic  
8 growth does not specifically refer to development.  
9 Development and reasonable economic growth are not  
10 necessarily compatible, and Congress has carefully  
11 worded this section to avoid confusion of development  
12 with reasonable growth.

13 Thirdly, SAMP consists of policies, standards,  
14 and criteria, not permission.

15 And fourthly, timely implementation refers to  
16 improving environmental parameters before the  
17 environmental values are destroyed. The Congress states  
18 the policy in the Coastal Zone Management Act as  
19 follows: Congress finds and declares that it is the  
20 natural policy to preserve, protect, develop, and where  
21 possible, restore or enhance the resources of the nation  
22 as coastal zone for this and succeeding generations.

23 Management Program to achieve wise use of the  
24 land and water resources of the coastal zone giving full  
25 consideration to ecological cultural historical and

1 aesthetic values as well as the need for compatible  
2 economic development.

3 What follows these two paragraphs is  
4 subparagraphs "A" through "K." Now, although  
5 subparagraphs "A," "C," and "J" call for management of  
6 the development safeguard quality of coastal waters  
7 wetlands and marine resources, only section "G" calls  
8 for expediting government decision-making.

9 But on the contrary, Paragraph 3 encourages the  
10 creation of special area management plans that provide  
11 for increased specificity in protecting significant  
12 natural resources.

13 Now, that said, although the 404 process is  
14 compatible with the streamlining of subparagraph "G," it  
15 is not compatible with the specificity referred to in  
16 Paragraph 3.

17 At any rate, the spirit of the Act as intended  
18 by Congress puts natural resources first as exemplified  
19 by the Congressional findings in Section 1451 as  
20 follows: Subparagraph "G" Section 1451, Congress finds  
21 a special natural and scenic characteristics are being  
22 damaged by ill-planned development that threatens these  
23 values.

24 Subparagraph "K," Congress finds that land use  
25 in the coastal zone and the uses of adjacent lands which

1 drain into the coastal zone may significantly affect the  
2 quality of coastal waters and habitats and efforts to  
3 control coastal water pollution from land use activities  
4 must be improved.

5 This is the primary goal of the SAMP, thus is  
6 to improve environmental parameters. This is evident  
7 from the preponderance of the language in these Coastal  
8 Zone Management Acts which give high priority to natural  
9 resources.

10 To twist, warp, repaint, and repackage these  
11 items within the 404 is inconsistent with the original  
12 intent of Congress. That streamlining such as the 404  
13 be subservient to conservation issues. We are not  
14 talking about conservation under the 404, we are talking  
15 about the 404 under conservation.

16 There maybe no role for the 404 at all. Now,  
17 the definition of the SAMP refers to policies standards  
18 and criteria. Policies are defined as "control of  
19 coastal water pollution from land use activities must be  
20 improved." This is policy. "Standards" the quality of  
21 coastal waters, and "criteria" values threatened by  
22 ill-planned development.

23 Policies, standards, and criteria must not be  
24 swept aside. I ask the Army Corps Engineers to exam  
25 each facet of the SAMP specifically and to deemphasize

1 the 404.

2 BY THE REPORTER:

3 Q State your name.

4 A Jamie Howard.

5 Q Your address?

6 A 1215 Olive Avenue, No. B, Huntington Beach,  
7 California 92648.

8 Q Your phone number?

9 A (714) 374-9266.

10 Q Your fax or e-mail?

11 A J.Howard@accessdmc.com.

12 Q Do you wish to be added to the public interest  
13 list?

14 A Sure.

15 Q Your affiliation?

16 A Friends of the Foothills.

17 Q Your comments?

18 A I'm here because I believe that it is crucial  
19 that this plan be as environmentally protective as  
20 possible. And I hope that as part of this plan the Army  
21 Corps of Engineers would choose to exclude the Foothill  
22 South Toll Road from the SAMP.

23 And I hope they analyze the cumulative water  
24 quality impact, which I think that's really important.  
25 And exclude the wetlands from any from general permit

1 processes.

2 I hope they spend time looking at the impacts  
3 that any sort of development would have on endangered  
4 species, including the Steelhead Trout and all the other  
5 critical habitat animals and analyze impacts on traffic,  
6 air quality, and noise, the impact on public park  
7 resources, including San Onofre State Beach Parks, and  
8 analyze a full range of alternatives.

9 As a member of -- I work for a destination  
10 management company which is a huge part of tourism  
11 industry and we bring corporate groups to the area and  
12 part of the reason this is such a popular destination is  
13 because of the beautiful land that we have around here.

14 The monetary damage this could have -- could  
15 affect us with is something they should consider. And  
16 also just as a personal matter, I chose and am hoping to  
17 live in the San Clemente area and raise a family there.  
18 I grew up Mission Viejo.

19 I don't want to raise my children in the shadow  
20 of development and toll road and all that. I love the  
21 south Orange County area specifically because of open  
22 land.

23 And I live in Huntington Beach and I'm sick of  
24 my husband going out for a day's worth of surfing only  
25 to come home and spend five days in bed because he's



1 sick with God knows what because the water was polluted.

2 I hope they took a look and make sure it  
3 doesn't happen down here. It would be a waste, and  
4 that's it.

5 BY THE REPORTER:

6 Q State your name.

7 A Tim Elsner, 13 West Avenida Cornelio; phone,  
8 (949) 492-0898; e-mail, Tels@Earthlink.net.;  
9 affiliation, Friends of the Foothills.

10 And you can add me to your interest list.

11 Q Your comments?

12 A I've been a surfer since 1959, and since that  
13 time I've seen the coast change dramatically. First  
14 time I went to Tressels was in 1962. And I, amazingly  
15 enough, that hasn't changed that much down there.

16 The freeway is there. That's a big difference.  
17 There's a bit more building on the bluff, but the waves  
18 are the same. The beach is pretty much the same. And I  
19 have a feeling that all that is going to change with the  
20 Foothill South Toll Road.

21 I'm concerned about downstream water quality  
22 impacts, impact on sediment flow. Sediment flow has a  
23 lot to do with how a surf break develops and what keeps  
24 it good. And that's one of things that has changed  
25 coast line of California from concreting over water

1 tributary streams rivers altering the course of rivers  
2 around streams, it's changed the way the surf is.

3 And that's what I'm concerned about with this  
4 project. I'm also concerned about the sediment impact  
5 on the endangered species in the San Mateo Creek,  
6 Steelhead Trout specifically. It's a very fragile fish  
7 and probably the last place it is in California.

8 As a surfer I'm concerned about pathogens  
9 that's viral contamination into surf breaks where I  
10 spend a lot of time causing sinus problems, air  
11 problems, intestinal problems.

12 Any development adds to that problem. Also I'm  
13 concerned with the wildlife being affected down there  
14 probably, besides television, the only wildlife I see is  
15 when I ride my bike in to go surfing.

16 I want to close by saying that I would like the  
17 Foothill South Toll Road excluded from the SAMP. I feel  
18 that the SAMP is environmentally destructive and exclude  
19 the wetlands from the general permit process.

20 Thank you.

21 BY THE REPORTER:

22 Q State your name.

23 A Elizabeth R-u-m-p-h.

24 Q Your address?

25 A 2100 Via Pecana, San Clemente 92673.

1 Q Your phone number?

2 A (949) 361-1944.

3 Q Your fax?

4 A None.

5 Q Do you wish to be added to the public interest  
6 list?

7 A Yes, please.

8 Q Your comments?

9 A I'm just concerned with the development out  
10 there. There's no place for the animals to go. We are  
11 developing all the space for the animals that live in  
12 the same coastal area that we do.

13 The water that we've developed 95 percent of  
14 our wetlands areas and we need to preserve some. And I  
15 just don't think we need anymore.

16 I'm strongly opposed to having the toll road  
17 there. It's beautiful there. They don't need to go in  
18 there. It's going to affect our beaches at San Clemente  
19 during the year and because they're filling in the  
20 water.

21 Thanks.

22 BY THE REPORTER:

23 Q Please state your name.

24 A Marily Anderson 223 Esplanade, San Clemente  
25 92672. And I'm here as private citizen. My phone

1 number (949) 369-6463 and my e-mail is Carm@prodigy.net.

2 Q Do you wish to be added --

3 A Sure. I wish to be added to the public  
4 interest.

5 Q Your comments?

6 A I want to talk about something that is  
7 difficult and just because it's difficult to study, I  
8 don't want it to be excluded from the studies.

9 It is geofluvial morphology and the fact that  
10 in San Clemente we have lost a lot of sand. And so the  
11 beaches in San Clemente right now are about, I'd say, at  
12 least from the pier down past T Street towards State  
13 Beach, are at least half of what they used to be ten  
14 years ago. Some places much less than that.

15 Now, anything that happens to the shoreline  
16 that changes any kind of wave action in the ocean can  
17 change the amount of sand on the beaches for the better  
18 or for the worse, you know it could be for the better  
19 even, but if we lose anymore it would be a very big  
20 problem.

21 I think if I survey people in San Clemente they  
22 would say this is a big problem. People don't talk  
23 about it because they don't think they can do anything  
24 about it, and they don't understand why it's happened.

25 But if anything happens at San Mateo Creek or

1 anywhere around that area, if you change anything in  
2 that that would change the wave action off the  
3 shoreline, then you can change the shoreline. And we  
4 can lose more beach. And that would mean it would be a  
5 big problem for surfers, for people using the beach in  
6 the summer.

7           It's so bad the bathroom just south of T Street  
8 south of the pier, so would be like 3 bathrooms down  
9 from the pier south of the pier, that bathroom used to  
10 be the level, the sand straight out from the bathroom  
11 and the steps, cement steps there, used to be under the  
12 sand.

13           Now, although cement steps are exposed, they  
14 had to build four more steps down to the sand. That's  
15 how much sand we've lost. And so I want them to make  
16 sure they look at that. If they can have a geofluvial  
17 morphologist, I know they exist. I know they can  
18 develop models to study this sort of thing and I think  
19 it's something they should address.

20           In addition, I want to make sure that they also  
21 know I feel strongly about leaving the open spaces open,  
22 that the toll road does not take the southern route  
23 between San Clemente and Camp Pendleton that I just  
24 walked yesterday and saw beautiful birds, full of  
25 wildflowers and we saw -- what did we -- saw -- we saw a

1 fox and a little rabbit and stuff and really concerned  
2 about the runoff to the beaches.

3 That's going to threaten our beaches. There's  
4 been several beaches that are closed. We can avoid it  
5 now if we don't build all this stuff, but as soon as the  
6 roads and the development goes in, it will be too late.  
7 We have to stop it now before all that goes through.

8 And is there anything else I want to say?  
9 Thank you very much, and if you need a name of a  
10 geofluvial morphologist, maybe I can help you out, but I  
11 don't know one off the top of my head.

12 Thanks.

13 BY THE REPORTER:

14 A My name is Jason Caddy, C-a-d-d-y and the  
15 address is 223 Esplanade, San Clemente, California  
16 93672, and phone number 639-6463.

17 Q E-mail?

18 A I don't -- did she already give you -- did my  
19 mom -- our e-mail? That's the same.

20 Q Do you wish to be added to the public interest  
21 list?

22 A Yes.

23 Q Your comments?

24 A Well, first of all, I don't want -- I want this  
25 area to be kept open because we went hiking there

1 yesterday, and it was a beautiful area, and there's a  
2 lot of wildlife out there.

3 And I know if they put a toll road in and  
4 development, that will ruin the wildlife in the area.  
5 And that will also take away something that I like about  
6 San Clemente -- is that there is a freeway that runs  
7 through it but if you go back into the back country  
8 there in not as many roads and actually some open space  
9 behind San Clemente, unlike some of the cities up north  
10 of us.

11 But once they put in a toll road, they're going  
12 to put more development and it will cause noise  
13 pollution. And we used to live by the freeway and we  
14 hated the noise and ruined the location, now we live  
15 away from it, and we paid a lot more money for that, but  
16 I think putting this new road will create noise  
17 pollution. It will create more cars coming through, a  
18 busier city, it will take a lot of the things that I  
19 like about San Clemente.

20 I don't want them to put the toll road in, and  
21 I don't think it would help anything also. And I also  
22 want to keep the beaches clean because I know there's a  
23 lot of things that go into the runoff.

24 And actually I study fish at college, and I  
25 know that these things like roads and everything affect

1 the fish in their habitat, creates more sediment into  
2 the rivers and streams.

3 And it can deplete the fish populations, and  
4 there actually is trout in this area which, there isn't  
5 in most other areas around here, and it would kill them  
6 off mostly and also some of the other native species.

7 I don't want this toll road in and also create  
8 an area where they can develop more and ruin the area.

9 BY THE REPORTER:

10 Q State your name.

11 A Allister Caddy.

12 Q Your address?

13 A 223 Esplanade, E-s-p-l-a-n-a-d-e.

14 Q Your phone number?

15 A 369-6463.

16 Q Your e-mail?

17 A I don't know.

18 Q Do you wish to be added to the public interest  
19 list?

20 A Yes, sure.

21 Q Your comments?

22 A I'm a student at San Clemente High School. My  
23 concern is that if the toll road goes through San  
24 Clemente, that it will create, like, heightening and  
25 property prices.



1                   And my school -- thinking about moving farther  
2 up, farther inland to a closed school instead of open  
3 campus and making it 37 acres instead of 59 acres. And  
4 I think that would be bad because, it's like, it would  
5 be a lot hotter and you wouldn't be able to leave the  
6 classroom and be out in the open and be able to walk  
7 around.

8                   So the toll road doesn't just effect, like, the  
9 environment, which it does, and doesn't just affect  
10 every part of, like, our lives and stuff.

11                   And I just want to put in the perspective of a  
12 student like me.

13                   That's all I want to say.

14 BY THE REPORTER:

15           Q     State your name.

16           A     Stephen Burgess, B-u-r-g-e-s-s.

17           Q     Your address?

18           A     1007 Via Pressa, San Clemente 92672.

19           Q     Your affiliation?

20           A     I'm a citizen. I'm part of Friends of the  
21 Foothills.

22           Q     Phone number?

23           A     (949) 361-0851.

24           Q     Your fax or e-mail?

25           A     Don't have e-mail.

1 Q Do you wish to be on the public interest list?

2 A Yes.

3 Q Your comments?

4 A Generally, I don't have very much faith in the  
5 Army Corps of Engineers. History sort of shows that the  
6 tract record on the environment is very poor, to say the  
7 least.

8 So the fact they are in charge of this project  
9 gives me a little bit of concern, a lot of concern,  
10 actually. It would be nice if the Corps could actually  
11 make protection for the environment top priority instead  
12 of just giving it lip service and preference to  
13 developers needs and developers wants.

14 I realize about the problematic permits  
15 which -- concerned about that in regards to once it's  
16 issued I understand that covers the whole area and  
17 anything could be done after that or questioned.

18 I understand what they're talking about in  
19 regards to if they don't issue that permit they say  
20 things would be more destructive or fragmented. I just  
21 hope they're going to look at everything very, very  
22 detailed before they issue that sort of permit.

23 TCA, which is the Transportation Corridor  
24 Agency, the people that want to build the Foothill South  
25 Toll Road, they cannot be trusted, anything they say.

1 Everything they say up to this point is very questioned.

2 No faith in any of their projections or any of  
3 their things. The filters that are in place, runoff  
4 filters that are in place on already existing toll roads  
5 are proved to not be working.

6 This acknowledged by all agencies concerned  
7 except TCA, which says they're working, when it's been  
8 proven they're not. This is a huge issue. If they put  
9 in this foothill extension, the runoff will affect  
10 Tressels and all the beaches south of there.

11 Finally, I think I'm very -- not concerned I'm  
12 totally amazed that it can even be considered through a  
13 California State Park. I don't know how a private  
14 for-profit agency can be allowed to even consider doing  
15 such a thing and maybe someone can answer that at some  
16 point.

17 And I think that's about it.

18 BY THE REPORTER:

19 Q State your name.

20 A Margaret Petross, P-e-t-r-o-s-s.

21 Q Address?

22 A 34522 Camino Capistrano in Capistrano Beach;  
23 affiliation, private citizen against the Toll Road  
24 South; (949) 496-5476 and fax would be? (949) 496-1865.

25 I don't want to be added to the list since I

1 don't know what it is.

2 Q Comments?

3 A I'm here tonight as a private citizen. I've  
4 lived in the area 15 years. I moved here from north  
5 area specifically with my family to enjoy open spaces,  
6 good quality air and water and recreation areas.

7 In 15 years it continues to be a duplication of  
8 what I left in terms of urban problems, urban sprawl  
9 traffic congestion, air pollution.

10 And I don't see the need for another toll road.  
11 The toll road doesn't really have much use for traffic.  
12 As we all know, toll roads are underused and we  
13 overspend on them. What they do though is they  
14 undermine the environment by opening to new development,  
15 which I'm against. That's why I'm against the toll  
16 road.

17 I'm hoping that will stop so that this area  
18 remains what is has been. That is why people relocate  
19 here. Once a pristine little paradise with good quality  
20 air, water, and land. And I would like to keep it that  
21 way.

22 That's it.

23 BY THE REPORTER:

24 Q State your name.

25 A Adrienne Caddy.

1 Q Address?

2 A 223 Esplanade, San Clemente, California 62672.

3 Q Affiliation?

4 A I'm a student at San Clemente High School. I'm  
5 against the toll road. I'm also against the fast track  
6 permits for building and --

7 Q Phone number?

8 A (949) 369-6463.

9 Q E-mail?

10 A Carm@prodigy.net.

11 Q Do you wish to be added to the list?

12 A Yeah, I guess. Why not. Whatever.

13 Q Comments?

14 A Well, basically I am against the toll roads  
15 because I realize the environmental damage that it would  
16 have. And I don't believe that the positives are going  
17 to outweigh the negatives.

18 And I don't want it going through our backyard.  
19 I live in San Clemente, so it's right, like, where I  
20 live. And it's our beaches, and our beaches are already  
21 dirty as it is. Our beaches are disgusting as it is.

22 The fast truck permits are disgusting. They,  
23 like, should not happen. I mean, like, they should not  
24 happen. I mean, like, without public debate, like,  
25 without public debate, there's no justice.

1                   Like, you need to be able to voice your  
2                   opinions, and it needs to be discussed. And then also I  
3                   babysit a six year old. I take him to the beach. I  
4                   take him to Riviera, and there's just runoff of crap,  
5                   like, it's like sewage water.

6                   And he looks at it. It's coming from, you  
7                   know, he's just like in awe. I don't want that to  
8                   increase. I don't want to take him swimming in water  
9                   like that. I don't swim much myself. I believe as a  
10                  citizen of, like, earth, it's our duty to be against  
11                  this.

12                  So, like, that's it.

13                  BY THE REPORTER:

14                  Q     State your name.

15                  A     Jessica Petrass, P-e-t-r-a-s-s.

16                  Q     Address?

17                  A     34522 Camino Capistrano, Capo Beach, California  
18                  92624.

19                  Q     Affiliation?

20                  A     Student at San Clemente High School also  
21                  involved in the AP environmental science class.

22                  Q     Phone number?

23                  A     496-5476.

24                  Q     E-mail?

25                  A     Dare2beel@home.come.

1 Q Do you wish to be added to the list?

2 A Yes.

3 Q Your comments?

4 A I live in San Clemente, and the last thing I  
5 want is a toll road. I mean, the one we have isn't  
6 making enough profit. And, like, it's going to affect  
7 our oceans. And I won't want all our oceans to turn  
8 into where you can't swim in the ocean without getting a  
9 disease.

10 I want to just feel safe swimming in the  
11 oceans, and I want all our creeks to stay clean and  
12 beautiful. San Clemente is small, and it's not L.A.,  
13 and if we bring the toll road, it will bring development  
14 and houses will be built and will turn into another L.A.

15 It will be urbanized. And I've lived here and  
16 that's not what I want. I want it to stay small and  
17 beautiful and see wild birds if I want to go out there  
18 and -- yes.

19 That's all I have to say.

20 BY THE REPORTER:

21 Q State your name.

22 A Michael W-e-l-l-b-o-r-n.

23 Q Your address?

24 A 300 North Flower Street, Santa Ana, California  
25 92708.

1 Q Your affiliation?

2 A I'm a senior planner for the County of Orange  
3 and one of the coordinators of the San Juan Creek  
4 Watershed study with the U.S. Army Corps of Engineer  
5 Planning Division.

6 Q Phone?

7 A Area code, (714) 834-2486.

8 Q Do you wish to be added to the public interest  
9 list?

10 A Yes.

11 Q Your comments?

12 A Comments include a range of issues important  
13 the stakeholders, that's all the cities, community  
14 groups, water, waste water agencies in the San Juan  
15 Creek watershed including all three major tributaries;  
16 that would be Oso Creek, Trubuco Creek, and San Juan  
17 Creek.

18 Critical issues include stream instability and  
19 loss therein of habitat and impacts to public  
20 infrastructure, threats of flooding from activities  
21 upstream as they affect the downstream cities of San  
22 Juan Capistrano and Dana Point.

23 Additionally, the continuing problems of  
24 diminished water quality, particularly at the State's  
25 beach, Doheney Beach State Park, but also potentially



1 upstream and that particularly relates to bacteria,  
2 potential toxic materials, as well as sediments and  
3 nutrients.

4 So we have crucial issues that we're expecting  
5 the Corps Planning Division to make sure are well  
6 coordinated in their mutual study efforts. As far as  
7 planning study for the watershed is cost shared with the  
8 local stakeholders 50/50 so there's a local investment  
9 from the communities of South Orange County in this  
10 watershed to get a good performing scientific and  
11 economically appropriate recommendation for these  
12 problem issues in the watershed.

13 And it's very important that the two divisions  
14 of Corps coordinate and assist in this process. We have  
15 suffered a delay waiting for the sand functional  
16 assessment data almost a year over when it was expected.

17 And I've got some very nervous and upset  
18 stakeholders because they want to move into project  
19 solutions rather than waiting for more data.

20 I think that kind of summarizes what I needed  
21 to say today.

22 Thank you so much for your time.

23 BY THE REPORTER:

24 Q State your name.

25 A Diane, last name, Hennessy, H-e-n-n-e-s-s-y.

1 Q Your address?

2 A 111 Avenida Buena Ventura, San Clemente, 92672;  
3 e-mail, Dianeh@pc.magic.net.

4 Q Do you wish to be added to the public interest  
5 list?

6 A Yes, please.

7 Q Your comments?

8 A I'm a steward of my environment. I want to  
9 keep it available for my grandchildren. I want them to  
10 be able to go to the tide pools and have them still be  
11 there. It's very -- I'm concerned about the wildlife.

12 I'm concerned about -- we have a water  
13 shortage, we have fuel prices going through the roof,  
14 over the hill whatever, we have rolling blackouts, we  
15 have runoff from an existing toll road that has not been  
16 resolved, and this is without a toll road.

17 I mean why would we want to do this to the  
18 very -- and add more destruction to the only wetlands  
19 that are left. It just very, very sad. They can't be  
20 replaced, and it's only going to happen if we let it  
21 happen.

22 Please help. Help. Help. Help.

23 BY THE REPORTER:

24 Q State your name.

25 A My name is Cindy Thompson, T-h-o-m-p-s-o-n.

1 Q Your address?

2 A 3020 Avenue del Presidente, No. 7, San Clemente  
3 92672.

4 Q Your affiliation?

5 A Private citizen.

6 Q Your phone number?

7 A (949) 361-8144.

8 Q Fax or e-mail?

9 A None.

10 Q Do you wish to be added to the public interest  
11 list?

12 A Yes.

13 Q Your comments?

14 A It's my understanding that the Army Corps of  
15 Engineers is responsible for regulating development that  
16 could harm local creeks. All I'm asking is that you do  
17 your job by not allowing the toll road to be built.

18 Run after from TCA's 73 toll road is polluting  
19 the ocean in Laguna. If this roll road is built, it  
20 will not only pollute the ocean at Tressels, but it  
21 could kill the endangered species at San Mateo Creek.  
22 We cannot let this happen.

23 BY THE REPORTER:

24 Q State your name.

25 A Justin Kelly.

1 Q Address?

2 A 247 Cedar Street, Newport Beach.

3 Q Phone number?

4 A (949) 689-9606.

5 Q E-mail address?

6 A Jksurf00@hotmail.com and I want to be added to  
7 the public list.

8 I think we need to exclude the Foothill South  
9 Toll Road from the project just for the No. 1 reason  
10 overpopulating the surf breaks there. I like it down  
11 there, I love to surf down there. And I like how it's a  
12 nice walk, it's really nature.

13 It's, like, the last place in Orange County  
14 that's been untouched with the land development. I feel  
15 it's good for the surrounding communities as well as  
16 Newport Beach as well as for the communities -- people  
17 who live there.

18 I don't see any benefit this would offer for  
19 the toll road. There's going to be traffic either way.  
20 I just feel -- that's basically it.

21 And another reason too is just there's many  
22 different aspects that you have to take into  
23 consideration for the toll road. So the toll road --  
24 what they want to do is trying to basically pull the  
25 wool over the communities' eyes. They want us to pass

1 this so they can do the permits to basically do whatever  
2 they feel is right with the elections and so forth.  
3 That's basically -- I just came down to show my support.

4 Thanks.

5 BY THE REPORTER:

6 Q State your name.

7 A Lyn Harris Hicks, L-y-n H-a-r-r-i-s H-i-c-k-s.  
8 I live in San Clemente, and I'm here this evening with  
9 some of the legal women of voters people.

10 But we are here to get information and are  
11 rather disappointed in the way the thing was handled  
12 because we want to find out from some of the people who  
13 have been into this and studying water quality issues in  
14 the area what they feel should be in this.

15 And we can't take that back. All we got was  
16 the dry material on posters. So we would like to have a  
17 session in which we can here some of the issues and  
18 concerns of people who are more knowledgeable than we.

19 We will be doing a water quality study in the  
20 League and also a member Soroptimist,  
21 S-o-r-o-p-t-i-m-i-s-t, and American Association of  
22 University Women, which are all concerned with these  
23 matters because of the water quality of our ocean and  
24 what happens when it comes gown into the ocean.

25 So I think my concern is that that the young

1 man out there told us would take eight or nine years to  
2 complete this whole process and I think probably eighty  
3 or ninety percent of the damage will have been done by  
4 that from the standpoint of huge development in the  
5 watershed areas. And I think that -- and toll roads and  
6 things like that.

7 And if we can get some faster studies to  
8 determine the amount of pollution which is generated  
9 from the type of development that we have now going in  
10 the back country, the houses all crammed together and so  
11 forth, I think that would be helpful. The zoning when  
12 the agricultural lands that they consider maybe more  
13 than we need agricultural lands more than we will need  
14 big mansions, which they're building now.

15 And there should be some agricultural land that  
16 is zoned in so that it can't be developed. And I'm  
17 concerned about the far distant future, not just right  
18 now, because I think a 100 or 200 years from now people  
19 will say why didn't they leave some of this open? Why  
20 didn't they make arrangements for some of our tax money  
21 into buying some of this and keeping it open.

22 And I would like to have them study it from a  
23 standpoint of alternative uses as they affect the water  
24 quality.

25 BY THE REPORTER:

1 Q State your name.

2 A Mathew Ferris, F-e-r-r-i-s.

3 Q Your address?

4 A 26731 Avenida Las Palmas, Capistrano Beach.

5 Q Phone?

6 A (949) 493-6459.

7 Q Your fax or e-mail?

8 A I don't have one.

9 Q Do you wish to be added to the public interest  
10 list?

11 A Yes.

12 Q Your comments?

13 A I'm mainly want to comment on the toll road  
14 that I -- and these SAMP, whatever they are, that they  
15 shouldn't -- I guess they're trying to stop the permit.

16 I'm against the toll road being built because I  
17 love to surf the area, and I don't feel that just  
18 because people are crowded in traffic they should build  
19 another road to ease that. I think it will be a  
20 wasteful moment for people that want to go visit a park  
21 and all of a sudden they have to see all the crowds when  
22 it's a nice, desolate piece of land that's beautiful.

23 I don't think we should as citizens be limited  
24 to our community center. We should be able to have our  
25 opinion, our voice be heard, so it can go down on record

1 so they just can't go ahead and do things without us  
2 having an opinion.

3 I would like to say please analyze a full range  
4 of alternatives to handle this, and at least let the  
5 community be developed in the decisions.

6 BY THE REPORTER:

7 Q State your name.

8 A Diane Valenentino.

9 Q Address?

10 A 33636 Breakwater, Dana Point 92629.

11 Q Phone number?

12 A (949) 496-6535.

13 Q E-mail?

14 A Diaarjo@mindspring.com.

15 Q Your affiliation?

16 A Citizen of Orange County, also on the Board of  
17 the Laguna Canyon Conservancy.

18 Q Do you wish to be added to the public interest  
19 list?

20 A I'm already signed up.

21 Q Your comments?

22 A Basically I was very intrigued with the options  
23 that they have available, and I wanted to know why  
24 there's not an additional option that provides for the  
25 preservation, protection, and enhancement restoration of



1 these watersheds of the San Mateo and San Juan Creek  
2 without a provision for development.

3           Seems like it's either leave everything alone  
4 as it is and not try and do anything positive or  
5 negative to the area but the options that have things to  
6 enhance, protect, and fix what's been damaged also  
7 include various degrees or options for development.

8           And I think it's obvious that the development  
9 has gone beyond way beyond where it should have ever  
10 been allowed to go to. And now we need to concentrate  
11 on fixing the damage that's been done before we look at  
12 any further possibility of building and developing and  
13 for the damages. The two do not work together.

14           And I'm also concerned about this study and  
15 what they are trying to accomplish by it when there  
16 always seems to be a exception made to every rule.  
17 Developers being allowed to do projects and exceptions  
18 are being made that are damaging and creating problems  
19 to our environment and to these watersheds.

20           Also any kind of study has got to take into  
21 account what is it going on adjacent to the specific  
22 scoping area and the fact that a proposed southern toll  
23 road is going to greatly affect San Mateo Creek even  
24 though it is going do run outside of the actual  
25 jurisdiction.

1                   How do you say what you can and cannot do to  
2 help or make better the watershed of San Mateo Creek  
3 when just outside that jurisdiction you're going to have  
4 major development that is going to cause major damage.

5                   I believe the study has got to take these  
6 things in consideration and look at how it's going to  
7 impact what they are doing.

8 BY THE REPORTER:

9           Q     State your name.

10          A     Steve Haubert, H-a-u-b-e-r-t.

11          Q     Your address?

12          A     137 Ave. Santa Margarita, San Clemente 92672.

13          Q     Your affiliation?

14          A     Resident, concerned citizen.

15          Q     Your phone number?

16          A     Area code (949) 492-4391.

17          Q     Do you wish to be added to the public interest  
18 list?

19          A     If you would, please.

20          Q     Your comments?

21          A     My first comment deals with the development  
22 projection for the development of the San Mateo Creek  
23 and the San Juan Creek watersheds.

24                   The elected officials within the South County  
25 cities serve on three additional boards as appointed

1 representatives. Those boards are the TCA  
2 Transportation Corridor Agency; ETRPA, El Toro Reuse  
3 Planning Agency; OCTA, Orange County Transportation  
4 Authority. The elected officials in the South County  
5 cities served as the appointed representatives to these  
6 three bodies which approve development.

7 However, they fail to correlate their land use  
8 of building intensities with their circulation network.

9 In other words, they have approved roadways at  
10 the expense of railways and airports. They are not  
11 correlating their development in the necessary  
12 circulation network to support that development.

13 My concern therefore, is the fact that in three  
14 related documents that these people are producing  
15 relative to population and development projections, the  
16 TCA and OCTA are assuming an airport at El Toro, ETRPA  
17 is assuming a park at El Toro.

18 There's an internal conflict or inconsistency  
19 in how these South County cities are providing for  
20 development projections. How will the federal agency  
21 resolve that inconsistency in their process for  
22 determining the development scenario for the San Mateo  
23 Creek and the San Juan Creek watersheds.

24 Depending upon the development scenario, a park  
25 verses airport, the development projections will impact

1 positively or negatively the watersheds for San Mateo  
2 Creek and the San Juan Creek by facilitating or not  
3 facilitating the extension of the Foothill South.

4 Corridor point No. 2 regarding environmental  
5 issues. Biological impacts. A full discussion within  
6 the watershed, particularly the San Mateo Creek, of the  
7 southern Steelhead Trout and the Tidewater Gobi, I have  
8 personally observed and experienced a juvenile golden  
9 eagle on the telephone poles beside our house which abut  
10 the San Mateo State Park. How will the development  
11 projections affect the habitat for these endangered  
12 species.

13 Water quality is the next issue, particularly  
14 regarding the San Mateo Creek is a freeflowing creek  
15 with little or no urban runoff creek into that creek.  
16 With increased development within the watersheds urban  
17 runoff will impact the habitat of the Steelhead Trout  
18 and Tidewater Gobi.

19 What mitigation measures will they undertake to  
20 insure that the water quality flowing in that creek is  
21 of sufficient nature to maintain those populations,  
22 especially in lieu of the fact that Transportation  
23 Corridor Agency has failed miserably in stopping urban  
24 runoff along the San Juan Corridor and the impacts that  
25 it has had to the Laguna Beach shoreline.

1           Additionally, I would like to understand the  
2 alternative of widening the I-5 rather than extending  
3 the Foothill South Corridor through the San Mateo  
4 watershed. A full decision of viability of widening the  
5 I-5 corridor rather than the Foothill South Corridor  
6 needs to be discussed and considered in your review.

7           Lastly, a more importantly, I do not believe  
8 that a blanket environmental approach should be granted.  
9 I believe each of these issues should be studied in  
10 depth independently and commented independently since  
11 there has been a historical inability to deal with these  
12 impacts on a global or previous environmental impact  
13 report process.

14           Each of these reports would be independent and  
15 be subject to public comment and scrutiny and not under  
16 one environmental document.

17           That concludes my remarks. Have a good day.

18 BY THE REPORTER:

19           Q     State your name.

20           A     Steven Scheid, S-c-h-e-i-d.

21           Q     Your address?

22           A     202-D Avenida Calafia, San Clemente 92672.

23           Q     Your affiliation?

24           A     Private citizen.

25           Q     Your phone number?

1           A     (949) 369-2714.

2           Q     Fax or e-mail?

3           A     Sebrkr@aol.com.

4           Q     Do you wish to be added to the public interest  
5 list?

6           A     Yes.

7           Q     Your comments?

8           A     I guess I could read this three- page thing.  
9 I'm here tonight -- first, I'm here tonight -- first of  
10 all thank the Army Corps of Engineers for having this  
11 public forum and for showing concerning about this very  
12 important matter.

13                   This is a very personal issue for me as a daily  
14 surfer living in south San Clemente coming from Hawaii  
15 about ten years ago, I chose to move here and build a  
16 lifestyle around surfing the Tressels and San Mateo  
17 Creek area. Not only because of the great surf but also  
18 because the water was a lot cleaner than where I grew up  
19 in Ventura, California.

20                   I just couldn't move back there because of all  
21 the terrible pollution problems and contaminated silt  
22 that leaves the ocean brown year-round, all due to poor  
23 planning.

24                   This San Mateo Creek area is probably the  
25 cleanest ocean environment between Santa Barbara and the

1 Mexican border. It is the last untouched, free-flowing  
2 stream in Southern California. Close to there are two  
3 prime examples of what might happen, Doheney Creek in  
4 Dana Point with one of most dangerous bacteria levels in  
5 Southern California and Capo Beach just south of San  
6 Juan Creek is ruined with contaminated silt that lines  
7 the ocean floor choking sea life and making the water  
8 brown year-round.

9 I'm very concerned with the downstream impacts  
10 of water quality and increased sediment, namely silt,  
11 that chokes the sea life also the cumulative impacts of  
12 all the projects in the SAMP is something that should be  
13 studied in great detail, not just for surfers, but for  
14 all the thriving sea life that now exists in the ocean  
15 just in front of San Mateo Creek.

16 I see schools of dolphin daily, seals, leopard  
17 sharks, 150- to 200-pound black sea bass, not to mention  
18 the Steelhead Trout I've actually witnessed swimming in  
19 the stream. I've seen wild fox, blue heron, egrets, all  
20 in and around the stream.

21 I believe that God has put you gentlemen in a  
22 position of responsibility to make the correct decision  
23 on the future of this beautiful place the last unspoiled  
24 beach in Southern California.

25 The toll road should be excluded entirely from

1 the SAMP. Of course this decision is yours. The  
2 penalty for the wrong choice is permanent devastation  
3 and loss of this beautiful resource.

4 I hope you will make the right moral choice.

5 Thank you.

6 BY THE REPORTER:

7 Q State your name.

8 A Donna Berthiaume, B-e-r-t-h-i-a-u-m-e.

9 Q Your address?

10 A 106 East Avenida San Gabriel, Apartment No. 2,  
11 San Clemente, California 92672.

12 Q Your affiliation?

13 A Private citizen.

14 Q Your phone number?

15 A (949) 481-1667.

16 Q Your fax or e-mail?

17 A Decline.

18 Q Do you wish to be added to the public interest  
19 list?

20 A Yes.

21 Q Your comments?

22 A My two young sons and I live in south San  
23 Clemente within walking distance of Tressels beach and  
24 the San Clemente State Park. We ride or bikes and walk  
25 in the area as well as go to the beach about four or



1 five times a week.

2 Since we are originally from Huntington Beach/  
3 Seal Beach we enjoy the fact that San Clemente has an  
4 area where the wilderness and the beach meet. We moved  
5 here because I did not want to raise my children in an  
6 area where we could not ride bikes and have open space  
7 and felt immensely uncomfortable having any children in  
8 the ocean.

9 Before moving to San Clemente, I myself had not  
10 been in the ocean in several years because of water  
11 pollution in North Orange County. It's really sad. It  
12 is.

13 I'm a native Orange Countian, and I have spent  
14 most of my childhood in our waters. Our water quality  
15 from Orange County/Los Angeles County line to Doheney  
16 State Beach is in serious disrepair and I'm here today  
17 because I do not want the same water pollution problems  
18 we have to the north of us to effect North and South San  
19 Clemente, my home.

20 Here are my concerns that I would like to have  
21 addressed in your environmental impact statement: How  
22 major construction and earth movement in close proximity  
23 of nuclear power plant will affect my residential  
24 neighborhood and our elementary school.

25 How major construction and earth movement in

1 such close proximity of our natural bluffs will affect  
2 these bluffs, our beaches underneath them, and in some  
3 cases, our neighbor's homes.

4 How effective your watershed management plan  
5 will be in preventing and reducing pollution and  
6 protecting and preserving San Mateo Creek, and I'd like  
7 to cite the examples of our neighboring San Juan and  
8 Aliso Creek and their severe pollution problems.

9 I think that's important to San Mateo Creek  
10 that your Environmental Impact Statement address the  
11 root cause not the degradation in San Juan and Aliso  
12 Creek so we have confidence that San Mateo Creek will  
13 not have the same problems with water pollution as our  
14 neighboring creeks and waters have.

15 I also think it's important that your Special  
16 Area Management Plan analyzes any plan for development  
17 that may cause chronic flooding problems or increase  
18 water velocity and volume, damage to all greenbelts and  
19 wetlands, create soil erosion and sedimentation of  
20 surface waters and damage any aquatic or terrestrial  
21 species including the Steelhead Trout in and around San  
22 Mateo Creek.

23 San Onofre and Tressels Beach are an important  
24 part of my children's and my recreation. They're the  
25 cleanest beaches and surf in Orange County. I am

1 concerned about how future development will affect my  
2 family's recreation. I would also like to know how it  
3 will affect our quality of life, will this create beach  
4 erosion, will there be increased pathogens in San Mateo  
5 Creek as well as water surrounding our beaches.

6 How will development affect the wave formation?  
7 What will it do to our fishing, sightseeing, hiking,  
8 bird watching? And what impact will this have on our  
9 wildlife birds, reptiles, mammals, foxes, and the  
10 Steelhead Trout's habitat.

11 I would like to know what effect development  
12 will have on traffic around my residential neighborhood  
13 as well as will there be any increased air and noise  
14 pollution.

15 From what I understand the toll roads have not  
16 been very financially successful, and I believe that your  
17 plans to extend the 241 into San Clemente are  
18 detrimental to my family's way of life.

19 Therefore, I would like to ask there be no  
20 streamlining of permits and that all permits be brought  
21 through on individual permit process.

22 In addition, I'd like to get your address  
23 information because I limited my testimony so that  
24 everyone else had a chance to speak, and there are  
25 several other concerns that I did not feel I would have

1 to the time to discuss today and would like to be able  
2 to comment further in writing.

3 Thank you for your consideration in this  
4 matter.

5 BY THE REPORTER:

6 Q State your name.

7 A Darin R. McClure, D-a-r-i-n M-c-c-l-u-r-e.

8 Q Your address?

9 A 103 Avenida Delores, No. B, San Clemente 92672.

10 Q Your affiliation?

11 A San Clemente resident. San Onofre Surf Club  
12 member, San Onofre Surf Team member.

13 Q Your phone number?

14 A (949) 361-1164.

15 Q Your fax or e-mail?

16 A Neon@sanonofre.com.

17 Q Do you want to be added to the public interest  
18 list?

19 A Yes, please.

20 Q Your comments?

21 A After coming here tonight it concerns me  
22 greatly that a blaring part that should have been put on  
23 the SAMP was not put on the SAMP, the whole city of San  
24 Clemente, the San Onofre State Park campground, the  
25 Tressels area where the San Mateo Creek runs in the

1 Pacific Ocean, I think those areas need to be looked at  
2 by the SAMP and should not be left off any SAMP of the  
3 watershed.

4 It concerns me there is not enough being taken  
5 into account in regards to endangered species in the  
6 area. Any development in the SAMP would almost  
7 guarantee the mountain lion extinction in the next 80  
8 years. Any development in the SAMP area can guarantee  
9 the extinction of the Steelhead Trout in the same amount  
10 of time.

11 The county of Orange is already 95 percent  
12 built. Why do we need to build the last five percent?

13 BY THE REPORTER:

14 Q State your name.

15 A Phyllis Watson, W-a-t-s-o-n.

16 Q Your address?

17 A 28076 Via Rueda, R-u-e-d-a, San Juan  
18 Capistrano.

19 Q Your affiliation?

20 A Private citizen.

21 Q Your phone number?

22 A (949) 496-3132.

23 Q Your fax or e-mail?

24 A Same for fax.

25 Q Do you wish to be added to the public interest

1 list?

2 A Yes.

3 Q Your comments?

4 A My comments are that I really enjoy  
5 birdwatching and I want to teach my kids birdwatching.  
6 And there's very few places to go, and that's one of the  
7 few places that still has a large variety of birds and  
8 wildlife and plants.

9 And so I was interested that they keep it the  
10 same for the people that have kids. And so they should  
11 analyze the downstream water quality impacts, which is  
12 including but not limited to, trash and toxins and  
13 pathogens and analyze the impacts on endangered species  
14 including the Steelhead Trout and analyze the impact on  
15 wildlife other than the endangered species including the  
16 displacement and relocation and analyze impacts on  
17 recreation including San Onofre State Beach Park and  
18 impact on surfing and hiking and camping swimming and  
19 birdwatching, the impacts on traffic and air quality and  
20 noise.

21 Analyze impacts on sediment flow and sandbars  
22 including Tressels Beach and San Onofre State Beach and  
23 impacts on the privately managed land conservancies like  
24 the Rancho Mission Viejo and analyze a full range of  
25 alternatives.

1 Thank you.

2 BY THE REPORTER:

3 Q State your name?

4 A Jerry Collamer C-o-l-l-a-m-e-r.

5 Q Your address?

6 A 231 La Paloma, L-a P-a-l-o-m-a, San Clemente  
7 92672.

8 Q Your affiliation?

9 A Just private citizen.

10 Q Your phone number?

11 A (949) 366-9867.

12 Q Your fax or e-mail?

13 A E-mail, Duckdive, like a duck diving in the  
14 water, number 1@home.com.

15 Q Do you wish to be added to the public interest  
16 list?

17 A Sure.

18 Q Your comments?

19 A First, I want to offer my support to my  
20 colleagues and neighbors here tonight and to thank you,  
21 The Army Corps of Engineers for hearing our pleas for  
22 sanity in the face of another failed toll road concept  
23 here in South Orange County.

24 I want to highlight failures in the 73 San  
25 Joaquin Toll way that apply to the proposed 241. 73 has

1 glaring, unsolvable mistakes -- two most outstanding:  
2 Pollution and profitability.

3           They remained unsolved riddles to TCA with no  
4 solution in site. The high tech runoff toll way  
5 filtration system designed specifically for South Orange  
6 County, TCA's most fervent promise to a clean Laguna  
7 landscape, a total failure.

8           The creeks and canyons promised by the TCA to  
9 remain clean are now polluted by toll way runoff. The  
10 water coming out of the toll way filters, more polluted  
11 than the water going in. Go figure.

12           After much finger pointing between TCA and  
13 Caltrans, Caltrans being the recipients of TCA's flawed  
14 designs, it has been decided to disconnect the designer  
15 drains and instead direct the runoff to basins until a  
16 good plan is devised. Best guesstimate: Two years out,  
17 maybe.

18           That TCA promise has failed. How about  
19 profitability? All TCA toll roads run in the red.  
20 This makes perfect sense, as fares go up due to limited  
21 use, the TCA advertises heavily to remote ridership if  
22 the advertising proves successful and ridership ever  
23 increases to profitability, customers unhappy with the  
24 crowded, expensive toll road quickly return to the  
25 freeway.



1           Projected fare on the 241 is \$9 one way. Add  
2 on escalating gas prices, and the 241 will have zero  
3 customers.

4           The benefit? At least it won't pollute it will  
5 be empty. But an even nastier issue is the bad blood  
6 between Caltrans and TCA. TCA builds flawed roads.  
7 Caltrans inherits it's flaws, then TCA blames Caltrans.  
8 Who is really at fault? We the public will never know.  
9 What we do know is TCA functions in total denial of it's  
10 responsibility.

11           Toll road problem? Bump up the advertising  
12 dollars. Denial, that's now TCA functions seemingly at  
13 every level. They plan, design, and build, then blame  
14 everyone else.

15           I submit that TCA roads are flawed and rushed  
16 into production to accommodate the true force behind  
17 these roads. Not traffic relief. These roads can't be  
18 about less traffic with their dog-chasing-its-tail  
19 pricing structure. They are about one thing only:  
20 Massive real estate sprawl development. America's No. 1  
21 environmental cancer.

22           In Laguna, it was the creeks and canyons. San  
23 Clemente it's the creeks and foothills with everything  
24 ending up at our precious coastline. It's why the toll  
25 roads will always be flawed. They are not about

1 relieving traffic. They are about bringing traffic  
2 through unprecedented real development.

3 Please to not issue them your Fast track permit  
4 to more TCA lies and flawed polluting design.

5 Thank you for listening.

6 BY THE REPORTER:

7 Q State your name.

8 A Karl Warkomski, W-a-r-k-o-m-s-k-i.

9 Q Your address?

10 A 28 Ridgecrest, one word, Aliso Viejo 92656.

11 Q Your phone number?

12 A (949) 362-8528.

13 Q Your fax or e-mail?

14 A (949) 360-7864 is my fax.

15 Q Your affiliation?

16 A Aliso Viejo City Counsel member.

17 Q Do you wish to be added to the public interest  
18 list?

19 A Sure.

20 Q Your comments?

21 A I want to make sure that the Foothill South  
22 Toll Road project is excluded from this SAMP. I want to  
23 analyze all watershed biodiversity issues including  
24 endangered ecosystems, endangered habitat, endangered  
25 species broken up into plants and animals and endangered

1 biological events like migrations.

2 I want to analyze the impacts of potential  
3 exotic introductions of nonnative species by encroaching  
4 development. I want to analyze all runoff from urban  
5 areas, roads, and other pedestrian areas into the  
6 creeks. Analyze the impacts of the sedimentation on the  
7 coastal waterways, the beaches, and the recreational  
8 resources like surf spots, excluding wetlands from all  
9 permit processes, analyze the impact of the traffic on  
10 air quality, noise quality.

11 That's good enough.

12 BY THE REPORTER:

13 Q State your name.

14 A Jay, J-a-y C-o-s-t.

15 Q Address?

16 A 1214 Ganado, G-a-n-a-d-o, San Clemente 92673.

17 Q Your affiliation?

18 A San Clemente resident.

19 Q Your phone number?

20 A (949) 492-2238.

21 Q Your fax or e-mail?

22 A Fax 492-8013. E-mail is jcev@earthlink.com.

23 Q Do you wish to be added to the public interest  
24 list?

25 A Sure.

1 Q Your comments?

2 A This is still some open areas left near us.  
3 Open areas where the eyeball doesn't bump into a  
4 building or a road within 100 feet. And still is the  
5 operative word since it is readily apparent that there  
6 is a flood of urban sprawl around us.

7 Having lived in Alaska and Colorado, I value  
8 the open areas visually, aesthetically. I ask you to  
9 save us from the flood. You have saved other  
10 communities from the watery flood that comes and goes or  
11 comes then recedes, I meant to say.

12 This flood of roads and buildings does not  
13 recede. And it is only with foresight that we or you  
14 can stop that flood.

15 BY THE REPORTER:

16 Q State your name.

17 A Joseph Newlon, N-e-w-l-o-n.

18 Q Address?

19 A 291 South El Camino Real, San Clemente.

20 Q Affiliation?

21 A Private citizen.

22 Q Your phone number?

23 A (949) 369-5284.

24 Q Your fax or e-mail?

25 A Jandsenlon@prodigy.net.

1           Q     Do you wish to be added to the public interest  
2 list?

3           A     I'm not sure what that means. I suppose so.

4           Q     Your comments?

5           A     Just basically that I'm concerned about future  
6 plans for the development of San Mateo Creek and it's  
7 adjacent watershed. Because of the resulting  
8 sedimentation runoff and degradation of the water  
9 quality in the creek and also in the ocean that it  
10 spills into.

11                     I spend just about every day in the water at  
12 the mouth of the creek surfing or diving, and so if the  
13 water becomes polluted, then there's a very good chance  
14 that I'm become sick. And that's happened in a lot of  
15 other areas like Aliso Creek in Laguna, which used to be  
16 a very popular dive spot, and now is one of the most  
17 polluted places that I know of in Southern California.

18                     And so I have concerns that that same type of  
19 thing could happen to the Tressels area. And as well as  
20 just the general development of open space just leads to  
21 more traffic, more pollution, air pollution, and noise  
22 pollution, water pollution.

23                     So all those concerns is -- but my main concern  
24 is with the water quality.

25           BY THE REPORTER:

1 Q State your name.

2 A Sandra Newlon. Same address as above.

3 Q Do you want to be added to the public interest  
4 list?

5 A Yes.

6 Q Your comments.

7 A My comments mainly concern with the Foothill  
8 South Toll Road construction is just that it's going to  
9 lead to pretty much changing our whole way of life.

10 The reason we live in San Clemente in this area  
11 is because it's not L.A. It's not jam packed full of  
12 people and it's not -- you're not afraid to go in the  
13 water because you might get sick or you're not jam  
14 packed with traffic all the time.

15 It's just like a quiet, clean place. If they  
16 put this toll road in it's going to ruin the wildlife,  
17 which we value here, and it's going to cause the ocean  
18 water to be polluted, which is very scary for my family.

19 My husband is in every day. My children are  
20 going to want to play in it. And I can't allow that if  
21 it's going to be dirty, and it's going to change our  
22 whole way of life.

23 My main concern is with the water pollution,  
24 air pollution, and loss of habitat for our wildlife.

25 BY THE REPORTER:

1 Q State your name.

2 A Justin McCarthy, J-u-s-t-i-n M-c-c-a-r-t-h-y.  
3 2 Calle del Apice, San Clemente 92672; (949) 498-3015;  
4 e-mail, wjmmc@aol.com; affiliation, private citizen,  
5 taxpayer.

6 Q Do you wish to be added to the public interest  
7 list?

8 A Sure.

9 Q Your comments?

10 A My comments are, one, this toll road is a big  
11 scam. It's a big, huge redevelopment project designed  
12 to merchandise land for a very few influential owners  
13 and the home building real estate industry.

14 It's also a way to get the public to pay for a  
15 highway for an airport. It's basically an in-lieu tax  
16 on the public. It's going to be an environmental  
17 disaster. Orange County is already impacted  
18 environmentally. We have a terrible water quality  
19 situation. Municipalities are already being cited for  
20 illegally dumping sewage into the ocean.

21 It's very unlikely the TCA is going to be able  
22 to comply with my meaningful environmental mitigation  
23 with respect to water quality or anything of that  
24 nature.

25 The toll roads are an economic failure. And if

1 they're an economic failure, they're going to have a  
2 difficult time maintaining the type of environmental and  
3 water quality mitigation they need to maintain going  
4 forward.

5 It is inappropriate to have toll roads. We  
6 should have just regular publicly funded highways. The  
7 financing structure for the toll road is highly  
8 deceptive.

9 It's going to cost the public probably a half a  
10 billion to a billion dollars more than it should cost  
11 because of the way they have financed using zero coupon  
12 bonds of what are called "Capital Appreciation Bonds,"  
13 where basically they defer interest 20 years out in the  
14 future to be added to the principal causing the public  
15 to have to repay that debt while it keeps accruing.

16 In essence, they can't pay for them now, and  
17 the public it going to have to pay more and more. When  
18 you look at the way the toll road has been developed  
19 forcing people to have to use the toll road where they  
20 have built homes, noncompeting agreements, and also  
21 proposed premium pricing during peak usage, primarily in  
22 the mornings for commuter traffic and evenings for the  
23 same, the basic argument for the toll road that it is  
24 going to take traffic off the I-5 or the other freeway  
25 systems is absolutely fraudulent. It's not.



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It's going to promote more and more development. The fact that the way they had to finance it and the way they're protecting their financing is actually going to drive more traffic onto the I-5 than it's going to take off the I-5.

(Meeting was concluded at 9:00 p.m.)

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# CERTIFIED COPY

SAMP-EIS-EIR SCOPING MEETING

MAY 8, 2001

SAN JUAN CAPISTRANO, CALIFORNIA

ATKINSON-BAKER, INC.  
COURT REPORTERS  
330 North Brand Boulevard, Suite 250  
Glendale, California 91203  
(818) 551-7300

REPORTED BY: BERNICE COYLE, CSR NO. 11161

FILE NO.: 9B035FA

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Ken Trotta  
1515 Buena Vista, San Clemente, California 92672  
(949) 369129

Add to public list: Yes.

First I'd like to thank the Army Corps of Engineers for allowing the public to voice our concerns regarding the Special Area Management Plan. My concern is that the Army Corps of Engineers will give a Fast Track approval to the TCA proposed toll road without considering the cumulative effects of the subsequent land development and associated urban runoff.

My primary concern is the San Mateo Creek and its water shed. Not so long ago, all the creeks in Southern California were home to steelhead trout, which you probably know is a sea run rainbow trout, a fish born in fresh water, then spends some time in the ocean and returns to the creek to spawn. In a healthy environment, these fish can grow to several pounds, which is a nice size fish. Today, the only remaining river or creek in Los Angeles and Orange Counties that are still healthy enough to support the steelhead population is San Mateo Creek.

The fact that this fish is surviving in the San Mateo Creek tells us the ecological system is still somewhat in tact. You don't have to be a scientist or have a crystal ball to predict what would happen if the fragile

1 San Mateo Creek water shed is bisected by a six-lane  
2 highway and the subsequent land development.

3 Just look at what happened to the Los Angeles  
4 and San Gabriel Rivers and right here in San Juan  
5 Capistrano, the San Juan Creek. These creeks and rivers  
6 are now essentially a concrete line open sewer for  
7 disposing toxins into the beautiful Pacific Ocean. Today,  
8 there are all kinds of wild creatures making their home in  
9 the San Mateo Creek estuary and water shed. Everything  
10 from frogs and ducks and fish and birds to deer and  
11 sometimes even a lion.

12 I find it disturbingly ironic that the last  
13 California grizzly bear, our state symbol, was shot and  
14 killed in 1901 in the San Onofre Canyon. Now, here we are  
15 100 years later trying to save the fish that these gigantic  
16 bears thrived on. My other concern is the effect the  
17 proposed toll road will have on the recreation, tourism,  
18 and quality of life in San Clemente. People like to surf  
19 and play in clean water. People need a place to take a  
20 walk or ride their bicycle and be refreshed and renewed by  
21 nature.

22 Today, we have San Onofre State Beach Park  
23 where people can camp out and hike down to the beach and  
24 surf in clean water. San Clemente has a huge local surfing  
25 and tourist economy based on clean water. The proposed

1 toll road will bisect the state park. There is no way that  
2 is a good thing for recreation, tourism and quality of  
3 life.

4 To summarize my concern, number one is the  
5 steelhead trout and other endangered and non-endangered  
6 species that are a part of the San Mateo Creek eco system.  
7 They don't vote and they can't stand up and defend  
8 themselves, yet they are an important part of our  
9 community. Clean water is also essential for the surfing  
10 culture and industry of San Clemente. This may be our last  
11 opportunity to save something natural and real for the next  
12 generations of all Californians.

13 Finally, I am asking the Army Corps of  
14 Engineers to consider the cumulative effect of all projects  
15 within the SAMP, particularly, the urban runoff, not just  
16 from the proposed toll road itself, but the subsequent exit  
17 ramps, side roads, strip malls, high density housing,  
18 traffic, pesticides, trash, sediment and other toxic runoff  
19 that has destroyed, without exception, all other rivers and  
20 creeks in Los Angeles and Orange Counties. It's a proven  
21 fact that the methods used to so-call mitigate the effects  
22 of urban runoff do not work. Please exclude the TCA  
23 proposed toll road from any Fast Track approvals. There is  
24 simply too much at risk to rush through this important  
25 decision-making process. Thank you.

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Barbara Rosenbaum.

15 Fontaire, Cota De Casa 92679

(9490 635-0760.

I belong to the League of Woman Voters, but I'm not speaking for them today.

Added to list: Yes.

Thanks for your work and professionalism. You have a hard job trying to balance all the needs in South Orange County. The SAMP plan may seem like a good plan except for these reasons: Growth cannot go on in the same way it has been going these last ten years. We need cities and builders with new visions and plans which will stop sprawling. We need to meet the needs for housing with transportation solutions instead of more roads and cars. We need energy-friendly and water conserving homes.

Who is requiring this? I want this process to look real hard at the open space we have left in the back country and at the water shed. There are coalitions working to put together open connective space to ensure that the very special habitat we have is given a chance to survive. The mountain lion symbolically is at the head of this eco system. Lions need to range 767 square kilometers. If they diminish, the deer flourish, the vegetation is over-eaten. The smaller species lose their food and shelter. The balance is lost. The bigger

1 animals need real bridges under which to cross, not little  
2 tunnels; which brings me to my main point.

3 The TCA should not be included in the SAMP  
4 Plan. Their track record is not good. They are an  
5 insulted entity. They go the least expensive way. We want  
6 the right to a process which will allow us to negotiate and  
7 help to create the use of this very unique place left in  
8 Orange County. Thank you.

9 Jeff Howard.

10 1215 Olive Avenue, Unit B, Huntington Beach, 92648.  
11 (714) 374-9266.

12 Friends of the Foothills, surf rider.

13 Add to public list: Yes.

14 I just want to say that I think that the Army  
15 Corps should exclude a Foothill toll road from their master  
16 plan of the coast. I think they should take into  
17 consideration it's the last wild trout stream in Southern  
18 California. That's a proven fact by UCI biologists. And  
19 also, consider the tidewater guppies that are in the San  
20 Mateo Creek, and also the impact it would have on the  
21 sediment flow down the creek into the ocean affecting surf  
22 breaks and affecting wildlife. They should take into  
23 consideration the damage and elimination it would  
24 ultimately do the San Mateo campground.

25 I would urge the people who want to develop

1 this campground to go there and sit for few a hours in the  
2 San Mateo campground and observe the wildlife and serenity  
3 of the surroundings out there and how beautiful it is. I  
4 think we should take into consideration the pollutants that  
5 would undoubtedly drain off the toll road into the San  
6 Mateo Creek and ultimately into the ocean. I would just  
7 ask that they do not support this and stop the toll road  
8 from happening.

9 Annette Stoner.

10 156 Avenida Santa Marguarita, San Clemente 92672

11 E-mail: stoneratcsi.com

12 Added to public list: Yes.

13 I live in the Trustles community, which is  
14 the southernmost point of San Clemente. On Saturday, we  
15 had a Cinco de Mayo party with over 40 guests. Each person  
16 commented on how beautiful our area is and how the views  
17 were so spectacular. Out back of our house are the hills  
18 of the San Mateo campground, hills that are full of  
19 colorful brush, hills that are full of wild animals. From  
20 the front lawn, we can see the ocean, a clean ocean, a  
21 beautiful blue ocean with dolphins and surfers enjoying a  
22 clean sea.

23 What you cannot see out the back of our house  
24 is urban sprawl, massive development, cookie-cutter houses  
25 that spew out runoff and sewerage into the San Mateo Creek.



1 What you cannot see out the front of our house is a 90-foot  
2 high off-ramp full of cars stuck in gridlock spewing out  
3 toxins into the lungs of our children and innocent animals.  
4 But this could happen if we're not careful. I mentioned to  
5 our guests that some people are trying to build a toll road  
6 back there. Some knew about it, but most being from out of  
7 town had no idea. The big question was why; what was the  
8 purpose? We don't even need one.

9 I'd like to ask you at the Army Corps of  
10 Engineers to please consider the effects of the toll road.  
11 Please look at the previous toll roads and all the  
12 development that have come because of them. Please  
13 research all of the polluted creeks and how long it has  
14 taken the TCA to try and fix them and how they conveniently  
15 pass the buck. Please analyze the impact on the endangered  
16 species and all other innocent animals endangered or not.

17 Please these analyze a full range of  
18 alternatives that will help everyone involved, like a light  
19 rail system up the center of the 5 Freeway. And please  
20 exclude the Foothill South toll road from the SAMP. I know  
21 that you are busy people, but the best way to understand  
22 what we are trying to save is to spend some time there.

23 Take a short hike up the hill and look down  
24 on the San Mateo campground that people enjoy from all over  
25 the world. Walk along the side of the San Mateo Creek and

1 see if you can spot the allusive steel head trout. Bring  
2 your lunch to a bench at Trail 2 and watch the surfers and  
3 dolphins from above. Head to San Onofre with your family  
4 and spend a day on the beach. Even if you don't surf, you  
5 will feel the energy around you that makes this such a  
6 beautiful place. You will then understand what our passion  
7 is all about.

8 Jean Bernstein

9 30832 Driftwood Drive, Laguna Beach 92651

10 (949) 499-3190

11 I'm on the Board of Laguna Canyon Conservancy.

12 Added to public list: Yes.

13 My comment is short and to the point. Every  
14 consideration should be given to the preservation of  
15 wildlife habitat. We live in an area where we have  
16 endangered species, flora and fauna, and they need to be  
17 protected. In the long term, the economic benefits that  
18 could be derived by preserving open spaces far outweighs  
19 what appear to be short-term losses. The attempt to  
20 balance the economy with the environment needs to take into  
21 consideration the dimension of time. What may seem to be a  
22 loss in five years is a gain over 50 years. Any government  
23 organization these days should think in terms of long-term  
24 preservation of the environment, because without that, we  
25 are going to lose our natural resources, our air, our

1 water, our earth, everything.

2 Eleanor Henry

3 1480 Bluebird Canyon, Laguna Beach

4 (949) 494-6349

5 My affiliation is Myself and Earth First.

6 Earth comes first, no compromise. That's the moto.

7 Added to public list: Yes.

8 I want to know what assurances we have that a  
9 bill won't be run through congress by the surrogate  
10 president, Dick Chaney, whose IQ on the environment is  
11 minus 100. I feel there is no need for any roads in the  
12 open space or development. What is needed is more open  
13 space for the wildlife, for the fish. This is the  
14 southernmost area for the steelhead, and it has to be  
15 protected. It's been gone for years. There are streams.  
16 The San Juan Creek probably had steelhead in it, and Laguna  
17 Creek and Aliso Creek. But no more, because they're  
18 polluted. And I feel that the area is now degraded by San  
19 Onofre Nuclear Power Plant. And the San Mateo campground  
20 is that mitigation. And to put a road through it is  
21 absolutely abysmal.

22 Donna McGinnes

23 614 Avenida Accapulco, San Clemente 92672

24 (949) 366-3682

25 I'm with Friends of the Foothills.

1           Added to public list: Yes.

2                   I'd just like to state that I feel that if  
3 this toll road is built, it will cause significant  
4 environmental damage. The toll road will run along a  
5 corridor essential to wildlife travel and will fragment  
6 habitat. It will isolate the wildlife of a 1200 acre  
7 Rancho Mission Viejo Nature Conservatory. It will  
8 seriously impact endangered habitat and six endangered  
9 species. It will adversely affect water quality in San  
10 Mateo Creek. San Mateo Creek is the last non-dam  
11 free-flowing coastal creek in Southern California.

12                   This creek, if the toll road goes through,  
13 will be channeled, causing erosion and pollution of the  
14 wetlands with runoff adversely impacting surfing conditions  
15 at the world renown Trestles Beach. And with our latest  
16 news, the filtering of the 73, they now found is seeping  
17 into their water shed and polluting that water shed. So we  
18 have fear for our water shed, the San Mateo water shed  
19 being polluted by runoff.

20                   It will also devastate the San Onofre State  
21 Beach Park. It will destroy 30 percent of the 2200 inland  
22 acres of the tenth most visited state park. It will  
23 eliminate the major 160-site campground generating \$250,000  
24 in annual revenue. It also will replace a vista of  
25 unspoiled rolling hills with nightlife and constant traffic

1       roar. It will induce growth and urban sprawl. The road  
2       will promote further development that will offset any  
3       traffic relief.

4               Gary Meredith

5               31201 Brooks Street, South Laguna 92651

6               (949) 499-4113

7               I'm a member of the Friends of the Foothills, and I  
8       also represent South Coast Audubon.

9               Added to public list: Yes.

10               I do not want to see the Foothill South toll  
11       road built, mainly because of protecting birds. That's the  
12       main reason. Number 2 is, there are already too many  
13       houses. Toll roads lead to development. That's the only  
14       reason for toll roads. Because the bondholders are  
15       developers, and all they want to do is, they just want to  
16       see more and more millions, as if they need anymore.  
17       William Lyon, the developer, I cannot stand him. I do  
18       nature photography for a living. I know the birds and  
19       animals that are in the area, and they need to be  
20       protected. There are already too many roads out there.  
21       This toll road will destroy too much habitat.

22               Robert Van Pelt

23               25676 Spinnaker Drive, San Juan Capistrano 92675

24               (949) 488-2989

25               Added to public list: Yes.

1 My name is Robert Van Pelt. I've been living  
2 in California since 1946. My father was here since 1908  
3 and my grandparents were here in the 1800s. From our  
4 family experience, it's our observation that the quality of  
5 life has gone down in California, and this is due to an  
6 increase in population and development which can be  
7 controlled. There's an expression in real estate that goes  
8 "build it and they will come." And that's exactly what  
9 happened in California. We now have over 34 million people  
10 living in this state, which is more than the entire country  
11 of Canada, and Canada is bigger than the United States.  
12 Sooner or later, this issue has to be addressed, for this  
13 is the underlying cause of all the problems we are  
14 experiencing with the environment.

15 Specifically, one area I'd like to address to  
16 the Army Corps of Engineers is the issue of pollution along  
17 the proposed toll road. By weight, the single largest  
18 component of litter along the highway are retread tires,  
19 the actual treads. And contained in these retreads is  
20 steel; not stainless steel, but soft steel composed of iron  
21 and tin. Tin is a carcinogenic and also is a poison to  
22 shellfish and fish in general.

23 Several years ago, the EPA outlawed tin-based  
24 paints for boats in California. I believe that the retread  
25 tires and the associated metals will eventually work its

1 way into the streams that feed into San Juan Creek and  
2 eventually into the ocean. I would request the Army Corps  
3 of Engineers specifically look into this as part of their  
4 study on the impact of the toll road on the ecology of this  
5 area.

6 Paul Bolton

7 32155 Via Barrida, San Juan Capistrano 92675

8 (949) 487-2495

9 I belong to the Sierra Club.

10 Added to public list: Yes

11 I understand the need to protect the  
12 environment, and I ascribe to that a hundred percent.  
13 However, with all the publicity and notoriety this project  
14 is getting -- I'm talking specifically about the toll road  
15 extension -- I have heard very little about human needs.  
16 And this involves reduction in traffic and planned area for  
17 real estate development which has occurred along the San  
18 Antonio Expressway already.

19 The present toll road, extending from the  
20 Riverside Freeway to San Juan Creek Road, I feel has been a  
21 great advantage for those people who have to commute,  
22 saving about 10 to 15 minutes off their commute ride. I've  
23 done that too. I'm very happy that it's there.

24 But I feel that the extension of the toll  
25 road to I-5 is very important to reduce the traffic off San

1 Juan Creek Road going into San Juan Capistrano, which now  
2 is a nightmare for those people who are trying to go to San  
3 Juan. I feel the extension of the toll road to I-5 would  
4 solve a lot of that traffic problem.

5 Finally, I understand the need to protect the  
6 environment. I ascribe to it, but I hear very little about  
7 the need to protect traffic problems or to enhance traffic  
8 problems for all those people who are commuting. And I  
9 think that more focus should be put on human needs, people  
10 needs, rather than animals, insects, bugs and whatever.

11 Dale Ghere

12 915 Meadowlark Lane, Laguna Beach 92651

13 (949) 494-1496

14 Added to public list: Yes

15 My concern is the long-term monitoring of any  
16 final decisions that are made. The example that I would  
17 give would be the 73 Toll Road built behind Laguna Beach  
18 and an EIR report made for that project. And in the  
19 document, it was stated that there should be water filters  
20 to protect the waterways from pollutants on the freeway.  
21 Since it was built, 39 of the filters have been clogged  
22 where they don't work. TCA says it's too expensive to fix  
23 it right now, and that there's no proof that it's doing any  
24 damage, so they are not going to even look at the project  
25 to fix it for 2-1/2 years.



1                   Now, if the regulators, in this case, Fish  
2 and Game and Army Corps of Engineers are overseeing that,  
3 what guarantees do we have that they actually have  
4 personnel that will oversee this project continually and  
5 not just for the project building period of time. What  
6 long term guarantees will the public have that somebody is  
7 actually watching over this. And who, specifically, would  
8 be named so that the public would know who's doing this.

9                   Maura Mikulec

10                   34571 Calle Rosita, Capistrano Beach 92624

11                   (949) 248-3804

12                   Added to public list: Yes

13                   I grew up in Capistrano Beach and am now a  
14 resident homeowner there. I lived in the Northeast for  
15 eight years while developing my profession, but I have  
16 returned to this area because of my love for it. I  
17 remember learning about ecology in the 70s. I remember  
18 having futuristic fears that some day we'd all have to wear  
19 gas masks because the pollution would be so bad. That was  
20 a fear that was in the same category as my belief that some  
21 day we'd be traveling in Jetson-style vehicles. I never  
22 truly believed either would come to pass.

23                   I also never dreamed that I wouldn't be able  
24 to swim in the oceans that are less than a mile away from  
25 my house. Nonetheless, the beaches by my house, Capo Beach

1 and Doheny have been polluted and posted as such since  
2 September. They are also closed as hazardous too  
3 frequently, mostly due to spills of raw sewerage from  
4 inland development of San Juan Creek.

5           These inland communities take little  
6 responsibility for the quality of our beaches, leaving the  
7 coastal cities the responsibility to find ways to keep our  
8 beaches clean and enjoy the consequences. Presently, I  
9 have to go to San Clemente beaches to find consistently  
10 clean water. I am very concerned that if the back country  
11 of San Juan Capistrano and San Clemente are developed with  
12 housing or major highways, San Clemente's beaches will  
13 suffer as Dana Point's have. Further, not knowing the  
14 exact route of San Juan Creek, I fear that development out  
15 east will further pollute Dana Point's beaches.

16           I am also terribly concerned about losing our  
17 open space presently for recreation to over-development.  
18 Hiking in the Laguna coast wilderness, for example, there  
19 are places where one can look in every direction and see  
20 nothing but God's creation. Walk too far though, and the  
21 much needed feeling of getting away from it all is  
22 devastated stated by housing development and a toll road.  
23 Hiking under the toll road through a wildlife undercrossing  
24 is a vastly different experience. It's not what human  
25 beings need, not to mention the poor animals.

1 I want better for myself and my children and  
2 this community. I came tonight because I'm desperate to  
3 save our beaches and open space. I can't live comfortably  
4 knowing my two-year-old son may soon have no beach at which  
5 to play or hills in which to walk. Please protect our  
6 wetlands and open space. Do not issue permits for  
7 development that will kill these. Thank you.

8 Sue Meyer

9 I'm representing the Natural Resource Defense  
10 Counsel at 6310 San Vincente Boulevard, Suite 250,  
11 Los Angeles 90034  
12 (323) 934-6900

13 We're already on the mailing list.

14 We will be submitting written comments to the  
15 record, and I'll just make a few brief comments now.  
16 Natural Resource Defense Counsel shares the Corps concern  
17 for preserving and restoring wetlands and aquatic  
18 resources. However, we are concerned that the key  
19 environmental impact identified in the NOI falls short of  
20 the clear mandate of NEPA, Natural Environmental Policy  
21 Act, to consider potentially significant impacts to the  
22 human environment and the requirements of a Clean Water Act  
23 to address individual and cumulative effects of discharge  
24 activities and the associated projects on aquatic  
25 resources.

1                   We emphatically disagree with any SAMP  
2 proposal that includes discharge activities associated with  
3 the planning of construction or maintenance of the toll  
4 road plans for South Orange County in any general permit or  
5 abbreviated permitting process.

6                   Section 404 of the Clean Water Act limits the  
7 general permit from covering discharge activities with more  
8 than minimal adverse environmental effects. The toll road  
9 will include discharge activities with significant and  
10 substantial environmental effects, particularly on San  
11 Mateo Creek water shed. Therefore, the toll road cannot  
12 meet the statutory requirement for authorization under a  
13 general permit and must be considered separately from the  
14 SAMP.

15                   We also strongly oppose any discharge of  
16 dredged or fill material into wetlands within the SAMP  
17 area. With the extraordinary loss of coastal wetlands in  
18 Southern California over the last half century, permitting  
19 discharge into wetlands, particularly for non-water  
20 dependent projects, is unacceptable. According to the NOI,  
21 the Corps plans to determine how to structure the SAMP and  
22 the resulting 404 Permit based on findings in the EIS.

23                   It is important to recognize, however, that  
24 the SAMP is not simply a Corps permitting action. The SAMP  
25 is a land use plan. As such, it will influence resource

1 use and protection, housing availability, population growth  
2 and distribution and infrastructure use and need to name a  
3 few.

4 Not only must the EIS include analysis of  
5 potential impacts from discharge activities permitted  
6 through the SAMP in Section 404, the EIS must consider  
7 potential impacts from projects associated with discharge  
8 activities and land use plans proposed under the SAMP.

9 Some examples of impact are traffic impact,  
10 air quality impact, noise impact, recreational impact,  
11 economic impact, particularly to tourism and commercial  
12 fishing. The EIS must also address impacts to the  
13 following site specific and downstream aquatic resources  
14 and water quality throughout San Juan Creek and Western San  
15 Mateo Creek water shed to the surf zone and the ocean.

16 Here's the list: pathogens, heavy metals,  
17 organic compounds and salinity, sedimentations, suspended  
18 particulate matter, flow regime, current patterns and water  
19 circulation, substraight characteristics, equatic eco  
20 systems and organisms.

21 Steve Netherby  
22 205 Calle De Anca, San Clemete 92672  
23 (949) 366-2522  
24 Concerned citizen  
25 Added to public list: Yes

1                   This is a very emotional time for me. For  
2 almost three decades, since the time of cowboys and cattle,  
3 I've hiked the mountains of the San Mateo water shed,  
4 backpacked into the head waters of this last remaining wild  
5 river in Southern California, walked along its bed for  
6 miles inland to the waves of Trestles Beach. I've watched  
7 sunrise plate the antlers of an old buck with burnished  
8 gold. I've seen rainbow trout and marveled at the story of  
9 how its now endangered southern steelhead ancestors  
10 repopulated the legendary steelhead rivers of the North as  
11 the ice age retreated. I've watched the hunters, the  
12 mountain lion and bobcat, the great blue heron and the  
13 rattler and their prey surviving in this demanding land.

14                   To me, this wilderness river and the wide  
15 drainages that feed it are a book of measureless value to  
16 generations past and all those to come, a book begun when  
17 time began and infinitely rich with wisdom of the earth and  
18 its animals and birds and fish and plants. If, because of  
19 wrong decisions made out of our generation's passion for  
20 instant gratification, we make this last wild river toll  
21 road kill, we will close this book for all time.

22                   How would it happen? First, the road would  
23 be a steroid injection for growth. Next, urban sprawl  
24 would spread its fingers over the landscape. Finally,  
25 pollution from road and development would poison rivers,

1 creeks and underground aquifers, the beaches that we rely  
2 on for beauty, recreation, tourism and for food.

3 To see how the story would end, we need only  
4 look to the north, the five years since the 73 San Joaquin  
5 Toll Road opened. The road and resulting sprawl have been  
6 polluting the water sheds in Orange County. Their  
7 poisonous soup is made of oil, grease, sediments, heavy  
8 metals from the roads that include lead, zinc, cadmium,  
9 nickel and cyanide ions from rust inhibitors that are  
10 extremely toxic to fish from housing, shopping centers,  
11 business parks, and golf courses stirring more of the same,  
12 plus herbicides, pesticides, animal wastes, fertilizers.  
13 There are more than 300 toxic pollutants in this deadly  
14 recipe.

15 Laguna Beach found the promised  
16 state-of-the-art filters on the 73 are obsolete. An  
17 inspection of these filters were clogged with sediment and  
18 vegetation that actually increased the concentration of  
19 nitrates and phosphates in the runoff, raising public fears  
20 of wholesale pollution of Laguna's famed main beach. For  
21 the quality of our waters, for the citizens, animals and  
22 fish life that would be force fed the poison soup, and for  
23 all our future generations, we fervently hope that you will  
24 deny the permit for the Foothill South toll road and  
25 exclude this project from the SAMP. Don't be remembered as

1 the federal agency who closed the book on San Mateo. It's  
2 the last remaining wild water shed in Southern California.  
3 Thank you very much.

4 Wayne Eggleston

5 317 Cazador Lane, San Clemente 92672

6 (949) 498-4958

7 City councilman

8 Added to public list: Yes

9 I'd like to exclude Foothill toll road  
10 project from SAMP. I want them to analyze the downstream,  
11 water quality, impacts, including trash and toxins, exclude  
12 the wetlands from the general permit process, analyze  
13 impacts on endangered species, including pending critical  
14 habitat designations, including steelhead trout. And the  
15 last one is analyze impacts on recreation, including San  
16 Onofre Beach Trail, Beach Park and impacts on surfing.

17 Donald Collie

18 24 Woodrush, Irvine 92604

19 (949) 653-0378

20 Friends of the Foothills

21 Added to public list: Yes

22 The format tonight is a little interesting in  
23 that there really isn't a public discussion or a format for  
24 the public to really make its opinions more noticeable and  
25 discrete. It seems as if the format is to have people



1 317 Cazador Lane, San Clemente 92672

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5 I'd like to exclude Foothill toll road  
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7 water quality, impacts, including trash and toxins, exclude  
8 the wetlands from the general permit process, analyze  
9 impacts on endangered species, including pending critical  
10 habitat designations, including steelhead trout. And the  
11 last one is analyze impacts on recreation, including San  
12 Onofre Beach Trail, Berkeley, CA, impact on surfing.

13 Donald Collie

14 24 Woodrush, Irvine 92618

15 (949) 653-0378

16 Friends of the San Clemente River

17 Added to public list: Yes

18 The format tonight is a little interesting in  
19 that there really isn't a public discussion or a format for  
20 the public to really make it's opinions more noticeable and  
21 discrete. It seems as if the format is to have people~~X~~  
22 come, gather information, discuss it amongst themselves and  
23 vent but not really have the opportunity to have an open  
24 dialog with OCTA, the Army Corps of Engineers, or I think  
25 Rancho Mission Viejo Company that has proposed this format.

1       come, gather information, discuss it amongst themselves and  
2       vent but not really have the opportunity to have an open  
3       dialog with OCTA, the Army Corps of Engineers, or I think  
4       Rancho Mission Viejo Company that has proposed this format.  
5       It seems puzzling in my observation.  Immediately, this  
6       seems to be another OCTA scam to further its  
7       oligarchy-type existence to not make just a transportation  
8       corridor but another developmental corridor that will  
9       adversely affect many and benefit a select few.

10               This is the last clean water shed region in  
11       all of Southern California, and we should extend to it more  
12       respect that it is currently being afforded by the  
13       developmental interests of Orange County.  To leave this  
14       region as it is, relatively undeveloped and clean, would be  
15       a legacy that we could leave for our children and future  
16       generations.  That would make us all proud.  Thank you.

17               Julia Dewees

18               150 Santa Marguerita, San Clemente 92672

19               (949) 498-5088

20               I'm on the Steering Committee of Friends of the  
21       Foothills.

22               Added to public list:  Yes

23               Thank you for accepting our comments tonight.  
24       I'm glad that the Army Corps of Engineers is responsible  
25       for regulating development and activities that affect our

1 local creeks, their water sheds, and ultimately local surf  
2 water quality. I am a 15-year resident of San Clemente. I  
3 moved to San Clemente, in part, because of the open space  
4 and clean water. San Mateo Creek is at the heart of one of  
5 the last riparian eco systems in Southern California to run  
6 from the mountains to the oceans virtually unimpeded by  
7 humanity. When you think of this water shed, think of the  
8 word impact, because the proposed toll road that would run  
9 along San Mateo Creek will affect the water quality of the  
10 San Mateo basin and the Trestles surfing area, which would  
11 be significantly degraded while the prime riparian area,  
12 just inland from Trestles, would be further degraded by  
13 increased runoff and the resulting erosion.

14 I used to take my own children to Doheny and  
15 Poche, but now there are year-round contamination warnings  
16 at those local beaches. Do we want our beaches littered  
17 with keep out signs due to pollution? No amount of  
18 mitigation can guarantee clean water. I hope that tonight  
19 I can impress upon you the importance of preserving the  
20 clean water in Southern Orange County. There is only one  
21 way that I can see for this to be accomplished; that is to  
22 exclude the Foothill south toll road project from the SAMP.  
23 In fact, the elimination of the Foothill south toll road  
24 and the no-build alternative would essentially solve the  
25 problem of clean water in Southern County.

1           The TCA would like you to believe that they  
2 have the situation under control with state-of-the-art  
3 filter systems and effective runoff management. However,  
4 evidence in recent LA Times and OC Register articles show  
5 that the existing toll roads have been ineffective in  
6 managing runoff. The TCA's favorite word is mitigation,  
7 but they have admitted that they don't know if the effect  
8 yet of their road, and that they don't know if they will  
9 mitigate the situation of their present ineffective filters  
10 systems.

11           TCA would like you to believe that the toll  
12 road would be a solution to the area's transportation  
13 problem, but they don't tell you that their proposed roads  
14 would bring development which might be the size of the city  
15 of Chicago to the open space behind San Clemente.

16           Far from mitigating our traffic problems, the  
17 toll road would actually increase travel while blocking  
18 improvement to nearby freeways because of non-compete  
19 clauses. Our open space protects the quality of our air  
20 and water, provides beauty and quiet and raises our  
21 property values. The impact of a toll road would be foul  
22 air and water, highway noise and light and urban sprawl at  
23 an immeasurable cost to our quality of life.

24           Looking at this area involves many factors.  
25 Yes, I want to stop the toll road, but I also want to

1 ensure the quality of life I've chosen for my family is  
2 preserved. For that reason, I request that the Army Corps  
3 of Engineering exclude the Foothill South toll road project  
4 from the SAMP and exclude the wetlands from the general  
5 permit process, analyze downstream water quality impact and  
6 cumulative water quality impacts.

7 Look at the impact on endangered species,  
8 including current and pending critical habitat  
9 designations, including that of the steelhead trout.  
10 Analyze impacts on wildlife other than endangered species,  
11 including displacement and relocation. Analyze impacts on  
12 recreation, including San Onofre State Beach Park and  
13 impacts on surfing beaches. Analyze impact on sediment  
14 flow, natural beach replenishments and sandbars, including  
15 Trestles Beach and San Onofre State Beach Park. Most  
16 importantly, analyze the full range of alternatives,  
17 because there is no turning back once our water is no  
18 longer clean.

19 Randal Seech

20 1012 North Avenida de la Estrella, San Clemente  
21 92671

22 Private citizen

23 Added to public list: Yes

24 Under Section 404, the Federal Clean Water  
25 Act in Section 1600 of the State Fish and Game Code,

1 aquatic resources must be protected. In developing SAMP  
2 and MSAA, the history of past development's impacts versus  
3 developers promises of protection must be taken into  
4 account. The toll road, that's Highway 73, passing over  
5 Laguna Canyon water shed, Aliso Creek water shed is to have  
6 filters functioning to protect streams from runoff. They  
7 are not functioning and are not being repaired.

8 As the TCA promises to protect the San Mateo  
9 Creek and San Juan Creek, this evidence must be taken into  
10 account. Steelhead trout require clean streams with the  
11 proper amount of gravel beds. Sedimentation and pathogens  
12 and toxins and runoff will affect this species adversely.  
13 San Mateo Creek is the only unpolluted stream, according to  
14 water quality analysis, precisely due to lack of  
15 development.

16 SAMP and MSAA must not allow development  
17 without public input every step of the way. The Army Corps  
18 of Engineers must protect as much as the water shed as  
19 possible under their jurisdiction while requiring that all  
20 development plans go through full public disclosure and  
21 require public input.

22 Mark Peterson

23 1350 Oak Avenue, Carlsbad 920087

24 (760) 730-0473

25 Surfrider Foundation

1 Add to public list: Yes

2 I'm a Southern California native. I've been  
3 surfing Trestles for 20 years. Trestles is unique for its  
4 wave formation and its pristine unspoiled beauty. I'm  
5 concerned about water quality impacts from the SAMP,  
6 including pathogens and toxins. I'm also concerned about  
7 changes in creek flow and changes in sedimentation, which  
8 can affect wave formation in a negative manner. Finally, I  
9 strongly oppose the toll road and the SAMP.

10 Pattie Meade

11 421 Via Montego, San Clemente 92672

12 (949) 492-3140

13 Several but independent

14 Added to public list: Yes

15 I am very concerned about this whole toll  
16 road process, not just the process, but the whole project.  
17 The process seems to be rigged from the standpoint of the  
18 toll road. From the meetings I've gone to, it seems that  
19 it's all rigged for the toll road, and we don't appreciate  
20 that. We're the ones that live here, the developers don't.  
21 Developers put their big money into it, and then they're  
22 gone.

23 I cannot surf. I cannot swim at Doheny  
24 Beach, which is the Canyon Creek entrance. I can't go down  
25 to Aliso Creek. I can't go out in the water at Poche in

1 San Clemete, because the water is polluted. Now we have a  
2 chance to see one of the only clean places in Southern  
3 California, San Mateo Creek.

4 I do not believe anything the toll road  
5 agency says, because what they said with the Laguna Hills  
6 one didn't happen. They have not been able to mitigate  
7 water quality. They have been not able to mitigate water  
8 runoff. They have not been able to mitigate wildlife, and  
9 their projections are always wrong. They projected this  
10 many, then they lowered it, and they lowered it, and they  
11 lowered it.

12 I don't want to see this pristine natural  
13 area developed with thousands and thousands of houses and  
14 businesses so the toll road people and developers can make  
15 money. I want to be able to take my family and my kids'  
16 kids and their kids' kids down to the beach and be able to  
17 surf and swim in clean water. I grew up in New York where  
18 you could not even see your feet in the water, and it  
19 smelled. I don't want to see that here. It's already  
20 happening in those places I mentioned in Huntington Beach,  
21 and this is our chance to stop it.

22 Lynn Smith

23 26712 Calle Ultima, Capistrano Beach 92624

24 (949) 496-1168

25 Added to public list: Yes



1                   I want to say that I'm against the toll road.  
2   The TCA's toll road that runs through Laguna Beach has been  
3   a disaster as far as all the things they said that wasn't  
4   going to happen, as far as pollution of the water shed and  
5   the runoff, flooding. Everything they said that they were  
6   going to be reasonable and responsible with in the  
7   development of that road has not happened. Basically,  
8   that's what I want to say. They are not trustworthy  
9   enough after we have seen what they did with the 73 Toll  
10   Road. They shouldn't be allowed to put one in this  
11   sensitive state park area.

12                   Bonnie Hibbs  
13                   13421 Iowa Street, Westminster 92683  
14                   (714) 891-8839  
15                   Environmental advocate  
16                   Added to public list: Yes

17                   I just want to say that the toll road should  
18   not be built. I have read all the materials on it, and it  
19   does not seem like a viable alternative. It would kill  
20   hundreds of animals because it disrupts the major wildlife  
21   corridor there. Also, it intersects a major state park,  
22   and I know that there could be a better alternative with an  
23   already-existing corridor.

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Suzanne Hibbs  
13421 Iowa street, Westminster 92683  
(714) 891-8839  
Sierra Club  
Added to public list: Yes

I'm an environmental studies major at the University of California Irvine and member of the Sierra Club. I oppose the proposed extension of the FTC south toll road. This project will destroy some of the last beautiful open spaces in Orange County. It will bisect the San Onofre State Park, which is, incidentally, the tenth most popular state park out of all 250 state parks.

Also, the well-being of seven endangered species is at stake. This road will sever important wildlife corridors essential for the well-being of the native wild life. The construction will disrupt bodies of water and pollute them with concrete pilings. Alternatives to this plan include, widening the I-5. It is not worth it to destroy such beauty to save a mere half a lane of traffic.

Martha Sutula  
34648 Via Catalina, Capistrano Beach 92624  
(949) 443-5302  
Private citizen  
Added to public list: Yes

1                    Basically, my comment is I think that the  
2 SAMP boundary should be extended to include the lower San  
3 Mateo Creek water shed. And the reason why I think that's  
4 true is because, included in that area are wetlands that  
5 are under the jurisdiction of the Army Corps of Engineers,  
6 and they deserve protection of important habitat,  
7 especially for linkages between that area and the upper  
8 water shed. I think it's very, very important that that  
9 area be included. I don't think the excuse, that was the  
10 Marine Corps base doesn't want the resource assessed, is an  
11 inappropriate one, especially if you consider that the  
12 Marine Corps base is closed, and this is long-term planning  
13 for the water shed. Those resources are federal resources,  
14 so they're my resources as well, and I don't think the  
15 military should be able to say we're not going to let you  
16 do any habitat assessment or planning on our land. That's  
17 the first point.

18                    I think the second thing is that I support  
19 the idea of a SAMP plan, but I really would like to see  
20 them do a better job explaining to people. The format for  
21 this meeting was not very well done. People are walking  
22 around not really understanding what's going on, and they  
23 need to do a better job at their public meetings explaining  
24 to people what their different options are and have space  
25 for people to sit down and ask questions from people who

1 are supposed to be responsible. So I support the fourth  
2 option.

3 Juan Josse

4 34648 Via Catalina, Capistrano Beach 92624

5 (949) 443-5303

6 Added to public list: Yes

7 My first comment is on the format of the  
8 meeting. It didn't provide a lot of opportunity for people  
9 to sit down and comment, and a clear agenda for the meeting  
10 was not established. The second point is that the lower  
11 portion of the San Mateo water shed should be included in  
12 the SAMP, because that is an area that will be affected by  
13 potential development as it relates to the construction of  
14 the Foothill corridor, because that area has water bodies  
15 that are under the jurisdiction of the Army Corps of  
16 Engineers since they are part of the waters of the United  
17 States.

18 Robert Fraser

19 1536 East Washington Avenue, Santa Ana 92701

20 (714) 835-5173

21 I belong to many organizations, but not one  
22 predominant one.

23 Added to public list: Yes

24 I have a ranch on the head waters of the San  
25 Mateo Creek and essentially graze part of the San Mateo

1 Canyon Wilderness. The entire water shed of San Mateo  
2 Creek needs to be considered in this study. It's critical  
3 to water quality of the area and impending foreseeable  
4 construction activity oddly omitted. The effects of any  
5 alterations of the natural content of this area, the San  
6 Juan Creek water shed and San Mateo Canyon water shed is  
7 necessary to survival of the mountain lion in this area.

8 A study by Paul Byer in 1990 to 1994 under  
9 the hospices of UC Irvine and Orange County Board of  
10 Supervisors disclosed that, within the restricted area, the  
11 mountain lion is in danger. This report is readily  
12 available and says that the only way to prevent the  
13 extinction of the mountain lion is to limit dwellings in  
14 the Orange County side to not more than one every ten  
15 acres, and other recommendations such as no fences, such as  
16 restriction as to kind of fences and preservations of deer  
17 habitat.

18 Any construction should avoid disturbance to  
19 the natural contours of the land, including, if necessary,  
20 elevated roads and highways and houses built on the land  
21 much as in Laguna Beach old town. A determination should  
22 be made of the effect of the proposed toll road south on  
23 the increase of human population in the area. The present  
24 restrictions of size of lots, four acres per house, should  
25 be reduced to ten; a determination of the increased amount

1 of runoff to the ocean by development of streets and houses  
2 as opposed to natural absorption of rainwater by the land;  
3 how much this diminishes the accumulation of rainwater in  
4 the ground and increases pollution of the area and the  
5 adjacent salt water.

6 All rainfall coming in contact with  
7 contaminated surfaces needs to be sequestered for treatment  
8 and separated from non-contaminated precipitation. I see  
9 no reason to determine whether there is any reason that  
10 consideration of the whole eco system cannot be considered  
11 at the time of application for a permit on a small portion  
12 of it. There should be an inquiry as to the total  
13 sequestration of intermittent streams and substantial  
14 runoff routes from any human habitation or development.  
15 Aesthetic value should be a substantial consideration.

16 Steve Dorey

17 2312 Plaza ala Playa, San Clemente 92672

18 (940) 369-1705 San Clemente State Council person

19 Added to public list: Yes

20 We are spending so much money on restoring  
21 wetlands and water shed that we should take this  
22 opportunity to preserve what we have now, preserve the  
23 natural environment so that we don't have to, in 20, 30,  
24 40, 50 years, come back and spend billions of dollars to  
25 restore it. The Army Corps of Engineers knows what I mean,

1 because they have been involved in the wetlands and water  
2 shed restoration as well as getting sand back on our  
3 beaches. We have had erosion, from the building, on the  
4 beach and building within the water sheds. It has created  
5 runoff down to the beach, but it's also preventing sediment  
6 from getting to the beach and replenishing sand. So we  
7 have been working as a city and a county and a state from  
8 getting sand back on our beaches. The reason we have to do  
9 that is because of this development.

10 But the Foothill toll road is proposed to be  
11 built in the San Mateo water shed; and it should not be  
12 built in the San Mateo water shed, because it's actually  
13 growth inducing, and the growth inducement will bring more  
14 cars, more traffic, and it will bring more problems than it  
15 will solve, and it will cost lots of money to repair all  
16 the damage that it does in the future. Maybe if we  
17 preserve it now, we won't have to spend so much money to  
18 restore it later.

19 Alan White

20 PO Box 596 San Clemente 92674

21 (949) 492-0571

22 I'm against the toll road because, in  
23 general, I'm against additional development of lands for  
24 purposes other than open space, air, water and wildlife  
25 enhancement. I feel Southern California has been

1 sufficiently developed. I feel that our projections for  
2 future population must be met not by building new lands,  
3 but by much more extensive and comprehensive programs of  
4 renovating, of changing city laws, residential laws raising  
5 the amount of people, the population density requirement,  
6 amending those laws, and things of that nature.

7 We should look to countries such as Holland  
8 and Japan where there are many examples of much higher  
9 population density than here in California, where people  
10 feel their lifestyle is adequately protected, and that the  
11 environmental situation is not degraded.

12 The toll road does the opposite of all of  
13 this. The toll road further encourages people and  
14 businesses to sprawl over the landscape to accelerate a  
15 reliance upon fossil fuels.

16 I'm also opposed to the toll road for all of  
17 the reasons that my fellow citizens are giving, such as  
18 water quality issues, the existence of as many as seven or  
19 so endangered species and air quality issues.

20 Tanya Parte

21 3020- No. 16 Avenida del Presidente, San Clemente

22 92672

23 Friends of the Foothills

24 Added to public list: Yes

25 I want to make sure they exclude the Foothill



1 project toll road from the SAMP, analyze the downstream  
2 water quality impacts, including, but not limited to  
3 pathogens, trash and toxins, analyze cumulative water  
4 quality impacts, exclude wetlands from the program and  
5 general permit process, analyze impacts on endangered  
6 species, including current and pending critical habitat  
7 designations, including steelhead trout, analyze impacts on  
8 wildlife and other endangered species, including  
9 displacement and relocation, analyze impacts on recreation,  
10 including San Onofre State Beach Park, and impacts on  
11 surfing.

12 Other recreation includes, but is not limited  
13 to, horseback riding, bird watching, fishing, hiking,  
14 camping, swimming. Analyze impacts on traffic, air quality  
15 and noise. Analyze impacts on sediment flow, natural beach  
16 replenishment and sandbars, including Trestles Beach at San  
17 Onofre State Park. Analyze impacts on local tourist  
18 economy, impacts on the human environment that the local  
19 tourist economy depends on. Analyze impacts on public park  
20 resources, including San Onofre State Beach Park. Analyze  
21 impacts on privately managed land conservancy and  
22 preserves, including Rancho Mission Viejo land conservancy  
23 and the Audubon preserves. Analyze a full range of  
24 alternatives.

25 One of my concerns is when a certain portion

1 of land is set aside for natural preservation, what are the  
2 long-term effects? Can that land be developed in the  
3 future, say 30 years from now, and who decides how much  
4 land to set aside and how much land to develop? Do they  
5 know what the long-term effects are from the development?  
6 With future development, what will happen to mankind when  
7 the land for the animals and the plants is diminished,  
8 because eventually that will happen.

9 I grew up here in San Clemente since 1968 and  
10 was fortunate to have open space, open hills, clean water  
11 to surf in. I was a lifeguard, and I would appreciate the  
12 same thing for my children. Clean water is a high  
13 priority, and open space.

14 (Meeting adjourned at 6:00)

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

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1A 200

DATE: 05/08/00

Paul Carlton  
Sierra Club, (South Orange County Group)  
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e-mail: pfcstage@aol.com

U.S. Army Corps of Engineers  
Los Angeles District

First let me say that I attended the SAMP hearing on Tuesday, 8 May and was terribly disappointed in your denial of the right of free speech by attendees at the hearing. I had hoped to give a short discourse on my thoughts on the SAMP. I expected to be able to ask questions of the Corps and California Fish and Game in a public format, not in one on one conversations when you could find a Corps person with whom you could converse. Not providing seating for attendees led, as perhaps you wanted it to, to many attendees departing after your brief cursory opening remarks. So much more information could have been imparted, and understood, if you had had the good sense to give a realistic and thorough explanation of the problems faced in the SAMP and answered questions in a public format. Maybe you just don't want to know what the people who gave up a night to do their civic duty think. I do hope you read the written comments; so easy to toss them in the round file. I had heard that the Corps was a new Corps and now really interested in environmentally sound solutions to ecological problems. I hope so, but I am sorely disappointed in your performance last Tuesday.

First we have one watershed in our area, the San Mateo Creek watershed which is relatively clean and free of pollution. Most of our beaches as you well know are polluted much of the year due to fouled watersheds. Therefore we must insure that the San Mateo Creek watershed is not polluted. The only way to do this is to insure that no further development occurs in the small section of the San Mateo Creek watershed that is covered by this SAMP. Any further development will cause downstream pollution. I understand that there is an aquifer in this watershed that is utilized by Camp Pendleton which could be polluted by development. The portion of the San Mateo Creek watershed in this SAMP is critical habitat for the Endangered Arroyo Toad, and development in this area, and even more damaging, extension of the Toll Road South(241) would be disasterous for the Toad habitat. This section of watershed also includes, I believe, the Rancho Mission Viejo Land Conservancy, a wonderful 1,200 acres of wilderness. This land was given in mediation for the adjoining Talega development of 4,500 new homes. If the SAMP does not protect completely the Christianitos, Gabino, Blind and Talega Creeks it will make a mockery of the mitigation process by ending the wilderness status of the Conservancy which geographically faces East to Christianitos Creek. So the Corps should protect this aquatic resource to the utmost.

Second, the San Juan Creek watershed is so polluted that at its mouth the beach at Doheny State Beach Park is closed to swimming much of the time. In the winter months when the Creek is flowing the beaches in Dana Point often resemble a garbage dump due to refuse carried down by the Creek to the Pacific Ocean. The reason, of course, is the recent extensive development in this watershed. If we are to protect and improve the cleanliness of the beaches, it is necessary to limit further development in this area of the SAMP. We also need to consider the advantage of open space in cleansing our air and not contributing to water pollution. The San Mateo Wilderness contributes greatly to the cleanliness of San Mateo Creek and it would be most beneficial if a similar wilderness were established both in the Cleveland National Forest area drained by San Juan Creek and in the drainage areas of San Juan Creek(east of I-5) not yet developed. The actual creek bed of San Juan Creek(east of I-5) should be left in its natural state to protect the Endangered Arroyo Toad, Bell's Vireo and California Gnatcatcher which all inhabit this creek bed. If habitat integrity is to be maintained, further development must be very limited. Any development will, of course, contribute to pollution of the San Juan and Trabuco Creeks.

It will be extremely difficult to make your projections without taking into account the Transportation Corridor Agencies plan to extend the Foothill South Toll Road to the I-5 south of San Clemente. Such a Toll Road would be equally devastating to the habitat in question as would development. I believe the Corps should so state in the SAMP.

From the EIS alternatives, the Corps should select the No Project Alternative. The Rancho Mission Viejo should continue its cattle ranching, other agricultural and current mining operations under a conservation easement which would protect the water quality in the area of the SAMP.

In future meetings when the public is allowed to participate in the deliberations on this very important question, I would hope the Corps will have the courtesy and good judgement to open up a real discourse with public participants and have a real scoping. Thank you.

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<del>Arthur Manugian</del>				

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Affiliation (if any): SIERRA CLUB  
Address: 32896 AV. DESCANSO, SAN JUAN CAPISTRANO CA,  
Email: \_\_\_\_\_ 92675

Comment:

THE WATERSHED OF THE SAN MATEO  
CREEK SHOULD BE PROTECTED  
FROM ANY RUN OFF FROM THE  
PROPOSED TOLL ROAD. OUR SURF  
SHOULD NOT BE POLLUTED IN ANY WAY  
FROM PETROLIUM BASED OILS FROM  
A HIGHWAY THROUGH WHAT IS NOW  
OPEN SPACE.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? YES

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
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Email: edd@capo@aol.com

Comment:  
If the job of the U.S. Corp of Engineers and the California Department of Fish and Game is to preserve the water quality, hydrolic integrity, and habitat integrity of streams, riparian systems, and flood zones, then these should be the major concerns over any economic or development needs in this watershed. Preservation is desperately needed because over development, extensive highway systems, and stream enhancements will cause water pollution, beach sand degradation, and loss of animal and plant species. Housing development should be very limited, or banned, in the current undeveloped portion because it has the potential to cause the most environmental damage. Mitigation for any habitat loss should never be an option solely for economic gain.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? yes

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Michael Thorpe  
 Affiliation (if any): \_\_\_\_\_  
 Address: 26000 Ave Aeropuerto #42 San Juan Capistrano  
 Email: \_\_\_\_\_

**Comment:**

IF Home Depot builds a store in SAN JUAN  
WE WILL HAVE 15 ACRES OF Blacktop next to  
SAN JUAN Creek. THIS will pollute SAN JUAN  
Creek which is only a 1/2 mile to Doheny Beach,  
An Area that already has pollution problems.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? NO

**Mail Comments on the Notice of Intent to:**  
 U.S. Army Corps of Engineers, Los Angeles District  
 Regulatory Branch  
 Attn: CESPL-CO-R-199915966-FT  
 P.O. Box 532711  
 Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
 California Department of Fish and Game  
 4949 Viewridge Avenue  
 San Diego, California 92123  
 Attn: Bill Tippets

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MAY 2001

REGISTRATION

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Neiani JOHNSTON  
Affiliation (if any): FRIENDS OF THE FOOTHILLS  
Address: 161 W. AVE PALIZADA SAN CLEMENTE CA 92672  
Email: \_\_\_\_\_

Comment:

I WANT THE WATER QUALITY TO BE ADDRESSED  
MY SON IS A SURFER, WE ARE AS A FAMILY  
VERY FOND OF THE OCEAN AND SWIMMING SURFING  
DIVING ETC. I WANT TO BE ASSURED NOTHING  
WILL IMPACT THE QUALITY OF OUR OCEAN AND  
BEACH DUE TO URBAN SPRAWL AND THE EFFECTS  
BE RUN OFF FROM OUR WATERSHED.  
PLEASE KEEP OUR WATERSHED CLEAN.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Spencer Johnston  
Affiliation (if any): FRIENDS OF THE FOOTHILLS  
Address: 461 W. AVE PALZANO SAN CLEMENTE CA 92672  
Email: \_\_\_\_\_

Comment:

PLEASE CHECK THE SAN MATEO CREEK FOR  
STEELHEAD TROUT. I AM A OUTFER AND IVE BEEN  
TOLD THERE ARE STEELHEAD IN THE SAN MATEO CREEK  
THIS WOULD INDICATE A CLEAR WATERSHED. IF  
WE DO ANY THING TO POLLUTE THE CREEK THE  
STEELHEAD WILL DIE THEY ARE PROTECTED BY  
THE ENDANGERED SPECIES ACT.

PLEASE PRESERVE OUR NATURAL CLEAN  
WATERSHED FOR YEARS OF SAFE AND POLLUTION  
FREE AIRFLOW AT TRAILS.

THANK YOU

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? \_\_\_\_\_

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

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California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: California Trails and Greenways Foundation  
c/o Ilse M. Byrnes  
Affiliation (if any): P.O. 1029, San Juan Capistrano, CA 92693  
Address: P.O. 1029, San Juan Capistrano, CA 92693  
Email: \_\_\_\_\_

Comment:

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Do you wish to be added to the San Juan-San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: BARBARA CHITTENDEN  
Affiliation (if any): none  
Address: 2218 E. Parkside Ave.  
~~Email:~~ Orange, CA 92867

Comment:

The "scoping" of May 8<sup>th</sup> in San Juan Capistrano was for me a waste of time and gasoline. It was a long drive for nothing. The maps were difficult to read and for me lacked recognizable points by which I could orient myself. The written word was "over my head". If I had been comfortably seated and could have had smaller cards in my hand, I may have been able to figure them out. At age 71 I find "standing" very painful.

cc "Friends of the Foothills"

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? NO

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

From: Barbara Chittenden  
2218 E. Parkside Ave  
Orange CA 92867

I live in the city of Orange now, but I previously lived in San Juan Capistrano for 16 years. In the early 1990's I was involved with a group of citizens who were trying to stop the building of the San Joaquin Hills Toll Road. We were called "Save Our San Juan."

While working with this group I attended a hearing with the Army Corp of Engineers at the El Toro High School. Many people spoke to various issues regarding the toll road. The Engineers were not interested in most of these concerns, but they did recognize the problem of a group of homeowners from Costa Mesa, who were worried that "runoff" of rainwater would affect their property. If I remember correctly this was the only concern they took action on. Previously, when questioned about runoff the TCA said they "would take care of that later." The Army Corps of Engineers ruled that the TCA must have a plan for taking care of the "runoff" before they could proceed with construction. A plan was developed and approved by the Corp of Engineers, and excavation began.

Apparently, there was no plan for runoff during construction. When heavy winter rains came, Laguna Beach was flooded with mud from the dirt piles which accumulated along Laguna Canyon Road was washed down the road to the ocean and the center city. It was a mess!

Now I understand that the San Joaquin Toll Road design for runoff has not worked – runoff with oil and dirt from the road is a continuing problem.

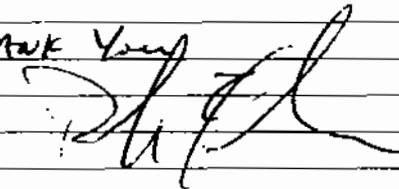
The point is that there will probably be a similar problem with the runoff from the Foothills Toll Road. The plans of the TCA and the Army Corps of Engineers failed to control the runoff from the San Joaquin Hills Toll Road, and can be expected to fail to protect the beaches and creeks in South County. Man and wildlife in South County will lose these treasures.

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: RALPH JOHNSTON  
Affiliation (if any): \_\_\_\_\_  
Address: 161 W. AVE. PALIZADA SAN CLEMENTE CA 92672  
Email: \_\_\_\_\_

Comment:

PLEASE LOOK CLOSELY AT WHAT CONSTRUCTION IN THE WATERSHEDS  
WILL DO TO POLLUTE OUR WATER + OUR BEACHES IN S.C. I DON'T  
WANT THE FORT HU-SANTA TOLLE ROAD BECAUSE IT WILL CONTAMINATE  
OUR BEACHES + ELIMINATE OUR OPEN SPACE. YOUR STUDIES SHOULD  
INCLUDE INTENSE INVESTIGATIONS OF WHAT TOLL ROAD CONSTRUCTION AND  
SUBSEQUENT SPRAWL CONSTRUCTION HAS DONE TO BEACHES IN ORANGE COUNTY.  
TAKE A GOOD LOOK AT WATER QUALITY, ENDANGERED SPECIES, AND AQUATIC  
RESOURCES IN THESE WETLANDS. REASONABLE ECONOMIC DEVELOPMENT SHOULD  
NOT INCLUDE A TOLL ROAD. IT SHOULD INCLUDE CLEAN OPEN SPACES +  
CLEAN UP CONTAMINATED BEACHES.

THANK YOU  


Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? OF COURSE

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets



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REC. DIST. 2/28/00

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Milton & Elizabeth Long

Affiliation (if any): \_\_\_\_\_

Address: 28333 Ortega Hwy, San Juan Capistrano Ca. 92675

Email: \_\_\_\_\_

Comment:

Our first choice of EIS alternatives is the "No Alternatives". Our second choice is "No SAMP Alternative". As residents of San Juan Capistrano who live close to San Juan Creek, we are deeply concerned when anything threatens the quality of the water in our creek.

The area in question is extremely sensitive and should be left in its natural state, what with the wildlife being squeezed into smaller and smaller areas. Preserving the San Juan/San Mateo Creek Watershed is critical. Any development there will have an adverse effect on the area in question, but it will also affect all life forms (human and animal) downstream, all the way to our beaches and the Ocean.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? yes

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Geni Schuster

Affiliation (if any): ☐

Address: 26000 Avenida Aeropuerto #78 SJC CA 92675

Email: ☐

Comment:

As all of my neighbors, I am very concerned about plans by Home Depot to build a facility on the Lower Rosen Ranch property in San Juan Capistrano. That area abuts San Juan Creek and is less than a mile from Doheny Beach. All the runoff from the parking lot from thousands of cars will go into that area, and the operation itself would create a lot of pollution

Some of the area where they want to build is wetlands and we have had Blue Herons, California Gnatcatchers, and other endangered species there.

We urge you to take a good look at that area VERY SOON, since HD is pushing hard to get that land. Please protect our water and wildlife resources.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? No, thanks

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Marianna H. Handler  
Affiliation (if any): \_\_\_\_\_  
Address: 26000 Ave Aero Puerto 41, S.J. Cap CA 92621  
Email: MHandler2 @ cs.com

Comment:

I am very concerned about plans by Home Depot to build a facility on the Lower Rosan Ranch property in San Juan Capistrano. That area abuts San Juan Creek and is less than a mile from Doheny Beach. All the runoff from the parking lot from thousands of cars will go into that area, and the operation itself would create a lot of pollution.

Some of the area where they want to build is wetlands and we have had Blue Herons, California Gnatcatchers, and other endangered species there.

We urge you to take a good look at that area VERY SOON, since HD is pushing hard to get that land.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Don Kunze  
Affiliation (if any): S.C.A.T.  
Address: 107 Ave. San Diego San Clemente  
Email: \_\_\_\_\_

Comment:

SAN MATEO CREEK IS A PRISTINE  
WATER SHED THAT SHOULD STAY AS IS:  
NO MITIGATION CAN ACCOMPLISH WHAT  
NATURE HAS GIVEN.  
NATIONAL FOREST AND STATE PARK  
IS PROTECTED AND PRESERVED.  
WHEN WILL A GOVERNMENT AGENCY  
STAND UP AND TELL DEVELOPERS TO  
TAKE A HIKE.  
RESOURCES - GAS - ELECTRICITY - WATER  
IS THE NEXT GOLD MINE. WHAT CAN I SAY  
THAT HISTORY HASN'T ALREADY PROVEN.  
DEVELOPMENT IS FOR ONE REASON ONLY  
MAKE MONEY FOR WHO.  
THE TOLLROAD DEAD ENDING AT THE  
BEACH DOES NOT SOLVE ANYTHING EXCEPT  
CREATE ANOTHER AGENCY ADD.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list? YES

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

Mail Comment on the Notice of Preparation to:  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

# Urban Water Infrastructure Systems & Challenges

Jan Scherfig

Professor and Interim Chair

Department of Civil and Environmental  
Engineering

The Henry Samueli School of Engineering  
University of California, Irvine

*Call this way* ↙

**Jan Scherfig**  
Professor and Interim Chair  
The Henry Samueli School of Engineering  
Civil & Environmental Engineering



(949) 824-5460  
(949) 824-2117 Fax  
scherfig@uci.edu

Engineering Gateway/E4150  
Irvine, CA 92697-2175

*jan.scherfig@uci.edu*

UNIVERSITY OF CALIFORNIA, IRVINE

APR 21 2004

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Barbara Rosenbaum  
Affiliation (if any): League of Women Voters  
Address: 15 Fontaine Vista de Casa, CA 92679  
Email: barbrosen@ aol.com 4964

**Comment:**

Your job is to plan & protect the watersheds of San Juan Creek & San Mateo Creek. We are trying to convince our cities to build carefully, but not to SPRAWL. Water needs to be conserved and the creeks, wetlands, & watersheds protected. They all slow down the flow of hard rain IF they are not encased in concrete and too many roads. The natural land in the right places also filter & clean water which filters down to our aquifers. The correct natural use of our watersheds also support the unique habitat & plants in a comprehensive way. We want to put together the connected open space which will ensure the habitat for mountain lions down to frogs & steelhead trout. Runoff from the built areas are already polluting our beaches - an economic factor.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes for the health of Orange County businesses.

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

(P.S. The format of the public hearing in San Juan Capistrano was not good for gaining respect & confidence in the U.S. Army Corps of Engineers. As a tax payer, remember you work for us.)

Public Comment Card

Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Jeanne O'Grady  
 Affiliation (if any): Concerned citizen  
 Address: 249 Camino San Clemente, San Clemente, CA 92672  
 Email: jmcgrady1@aol.com

Comment:

Thank you for asking for the opinion of the  
citizen's who will most likely be impacted by the  
results of your study.

We live in a paradise called San Clemente, CA.  
Please help us save what is left by considering  
the following in your study:

- 1) Analyze downstream water quality: pathogens, trash, toxins
- 2) Exclude wetlands from programmatic/general permit process
- 3) Analyze impacts on endangered species including  
current & pending critical habitat designations
- 4) Analyze impacts on wildlife and other endangered species  
including displacement & relocation
- 5) Analyze impact on traffic, air quality & noise
- 6) Analyze impacts on sediment flow, natural bird replis hmit

The toll road extension will not alleviate traffic but  
only open up the back country for additional development

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
 public interest list? YES

**Mail Comments on the Notice of Intent to:**  
 U.S. Army Corps of Engineers, Los Angeles District  
 Regulatory Branch  
 Attn: CESPL-CO-R-199915966-FT  
 P.O. Box 532711  
 Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
 California Department of Fish and Game  
 4949 Viewridge Avenue  
 San Diego, California 92123  
 Attn: Bill Tippetts

# BAY CLIFF VILLAGE SOUTH

Monte Vista • San Clemente, CA



U S Army Corp.

300 21st St  
San Clemente, CA 92673  
Tel: 949/341-2001  
Fax: 949/341-2002  
www.usarmycorp.com

We oppose the proposed Foot Hill South Toll Road because of its impact on the San Juan Creek and San Mateo Creek watersheds. We oppose the pollution of our creeks and watersheds that runoff and empty in our area. We oppose any measures that interfere with the natural drainage of these systems.

President HOA  
Harry & Joyce  
221 Monte Vista  
San Clemente



U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, Ca 90053-2325

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May 17, 2001

Dear Sirs:

I'd like to divide my letter onto 2 sections: my comments about the public scoping meeting and my comments for the scoping session.

First may comments about the meeting:

The public scoping meeting was a farce. A waste of my and the US Army Corps of Engineers time, an exercise in how to meet the US Army Corps requirements of a public meeting for the scoping session without fulfilling the needs of the public for information and an opportunity to find out what is going on, how it will effect the public and what the public can really do about it.

I walked away from the meeting with a real sense of disgust and mistrust in the Corps and it's process to solicit public comments. Or more accurately, it's attempt to discourage the public in the process.

First, there was not enough public notice of the comment period and what the public was supposedly being asked to comment on. I did not find out about the May 8<sup>th</sup> meeting from a public mailing or newspaper. I did not understand what type of comments the period was for.

The May 8<sup>th</sup> meeting was pathetic. It really was not meant to accommodate public input. It was manipulated in a manner as to discourage public involvement.

The meeting was a farce! During the short introduction I couldn't see the speaker- there were no chairs so only the closest people to the speaker could see. I couldn't hear- I'm not even sure if there was a sound system. Also the absence of chairs made the meeting uncomfortable for the public. The meeting was evidently designed to discourage public input, not to facilitate it. The meeting was a waste of my time and energy. The only redeeming part of it was since I signed in I was sent a postcard with a web address informing me I could see the display boards from the meeting on a website.

The one display that I was able to read at the meeting mentioned there would be no other public comment period after the EIR/EIS for future projects. This lack of public input doesn't make sense. The public isn't even aware of the projects yet. This would be taking our right away to comment on future projects before we even know what the projects are.

At the May 8<sup>th</sup> scoping meeting neither the alternative, nor the consequences were explained. There was no public oral input. The audience was not given the opportunity to benefit from the questions of others. I didn't know where to start with my questions, because I wasn't informed enough about what was going on. At least the alternatives and consequences should have been explained.

I did pick up a public comment card that told me to mail my comments on the Notice of Intent to the US Army Corp of Engineers and comments on the Notice of Preparation to the California Department of Fish and Game. There was no explanation

of what type of comments should go to which agency. So I am duplicating this letter and sending it to both, another waste of resources.

Now that I am thoroughly disgusted with your process and believe the U.S. Army Corps of Engineers to be untrustworthy, I am suppose to tell you my concerns about the watershed areas. As if it will make a difference.

Here are my major areas of concern at the moment with the limited knowledge I have of the projects and your intent.

1. The San Mateo watershed is the most natural, pristine watershed in the Los Angeles, Orange, and San Diego counties coastal areas. We need to leave it that way. Any type of development there will cause degradation. In the southern California area of diminishing open space, there needs to be areas set aside, left undeveloped, for the sake of mankind and wildlife. These areas need to be large and adjoining. We read daily about the problems urban development has caused and all the money being spent to try to fix these problems. Let's not create problems here. Let it be left alone, undeveloped for people, plants, and animals now and in the future to benefit from. Once it is developed it's lost forever. We are about out of sites in the southern California coast that are left to save as natural for the future. A national undeveloped wilderness or park area would be my suggestion. It would allow reasonable and responsible economic activities in the form of wilderness recreation and tourism.
2. The impacts to endangered species and their habitats, especially the steelhead trout and its habitat. Impacts to other wildlife.
3. Impacts to the water quality of the streams, rivers and beaches where these watersheds empty into the ocean. This includes the Trestles areas at San Onofre State Beach Park and Doheny State Beach Park. Also the whole littoral cell will be affected by the impacts upstream in the watersheds. The balance of nature will be affected and will cause changes throughout the littoral cell looking for a new equilibrium. The cumulative affects of development along the coast and in watersheds have far reaching impacts, not only at the beach where the river meets the ocean; but also throughout its littoral cell. If the beaches are impacted, the result will impact local tourism and the economy of the areas. Tourist don't go to sand less or poor water quality beaches.
4. Impacts to sediment flow, natural beach replenishment, sand bars and waves.
5. The water quality impacts should include pathogens, toxics, heavy metals, trash, and sediments and their cumulative effects on man, wildlife and plants.
6. Impacts on traffic, air quality and noise. Impacts on local roads.
7. Impacts on recreational activities including swimming, body surfing, surfing, jogging, camping, hiking, fishing, birding, etc.
8. Impacts to ground water.
9. Impacts to public parks, including San Onofre State Beach Park that has a campground that is part of the mitigation for the nuclear power generator there.
10. Impacts to the local tourism and the economy.
11. I'd like to see a full assortment of alternatives, especially an open space, wilderness park alternative.

12. The Foothill South Toll way should not be included in the SAMP. It is too environmentally damaging to be included in this SAMP.

Please include and provide analyses to all of my comments in the SAMP.

Signed,

A handwritten signature in black ink, appearing to read "Wendy Morris". The signature is written in a cursive, flowing style.

Wendy Morris  
2310 Plaza A La Playa  
San Clemente, CA 92672

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Judy Beltis  
Affiliation (if any): Friends of the Foothills  
Address: 25431 Minos, Mission Viejo, CA 92691  
Email: \_\_\_\_\_

**Comment:**

I Live in the northern end of Mission Viejo near the FREEWAY. Over the past two years we have experienced an influx of coyotes - you can see them at night almost any time, just walking down the street. I have lived here for 13 years and this is a new phenomenon. Also I have observed hawks (they look like red-tails to me) in our neighborhood over the past year, trying to catch the local smaller birds. That also is a sight I never saw before recent times. I believe I am seeing wildlife displaced by the development of new communities along the 241 Toll road - specifically Ladera Ranch & Telega. I don't want to see any more destruction of habitat and the resulting wildlife displacement. I oppose the extension of the toll road and the accompanying development that will come with it.

Also, I think the recent pollution/erosion problems in the Laguna Beach area which have occurred as a result of the San Juan Hills Toll Road should be taken into evidence as what is happening to our coast. Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR and beaches public interest list? Yes

as a result of toll roads & development.

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
-Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

MAIL BY THE 18TH

RECEIVED: FX

10 200:

REGULATORY BRANCH

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Amir Ghafari  
Affiliation (if any): \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_

Comment:  
I truly think that having a toll road would create too much havoc in our small close knit community and also cause unnecessary damage to our environment.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? NO

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
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San Diego, California 92123  
Attn: Bill Tippetts

MAY 2001  
REGULATORY BRANCHPublic Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: LISA MCCREADY  
 Affiliation (if any): \_\_\_\_\_  
 Address: 623 AVE VAQUERO SAN CLEMENTE CA 92673  
 Email: \_\_\_\_\_

## Comment:

PLEASE CONSIDER ~~THE~~ EIS ALTERNATIVE  
NO. 1. NO PROJECT ALTERNATIVE.  
DEVELOPMENT ON SAN MATEO CREEK WILL  
DESTROY OUR LIFE-STYLE. WE CAMP AND SURF  
AT THE END OF SAN MATEO CREEK. IT'S  
THE LAST PLACE UNPOLLUTED IN SOUTH ORANGE  
COUNTY. WE LIVE HERE BECAUSE TRESTLES  
IS THE ONLY BEACH HERE IN ORANGE  
COUNTY WITHOUT URBAN RUN-OFF. TRESTLES  
IS WHERE FAMILIES GO TO SURF AND TAKE  
A BREAK. RESPECT OUR SMALL TOWN -  
WE ARN'T HERE FOR MONEY AND ~~RE~~ FAME.  
WERE HERE BECAUSE IT'S THE ONLY PLACE  
THAT HASN'T BEEN DESTROYED BY URBAN SPRAWL.  
PLEASE GIVE US SOME RESPECT - WERE NOT  
HERE FOR SHOPPING - WERE HERE FOR THE SURF  
AND SMALL TOWN. THANK YOU. Lisa McCready & Family

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
 public interest list? \_\_\_\_\_

**Mail Comments on the Notice of Intent to:**  
 U.S. Army Corps of Engineers, Los Angeles District  
 Regulatory Branch  
 Attn: CESPL-CO-R-199915966-FT  
 P.O. Box 532711  
 Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
 California Department of Fish and Game  
 4949 Viewridge Avenue  
 San Diego, California 92123  
 Attn: Bill Tippets



MAY 16 2001

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

REGULATORY BRANCH

Name: Guinevere Breeding  
 Affiliation (if any): \_\_\_\_\_  
 Address: 262 Avenida Baja, San Clemente, CA 92672-2416  
 Email: lagunacf2@lagunacanyon.org

**Comment:**

I moved to and purchased my home in San Clemente four years ago. I wanted to live closer to open space, as I love to walk and hike. The open space around San Clemente offers wonderful opportunities to enjoy the out of doors. The San Mateo creek in the San Onofre State Park winds to the ocean through pleasant wilderness terrain. Recently steelhead trout have reappeared. This is also a habitat for the gnatcatcher. Endangered species that will survive if we don't kill off their habitats. Why in the world would we want to pollute such beauty? Mayor Wayne Baglin of Laguna Beach, California remarked on a recent Cox Forum broadcast that San Clemente's beaches were the only ones still safe. San Clemente's shoreline is not polluted yet. This toll road will change that. Articles in the Orange County Register and the Los Angeles Times, Orange County Edition have recounted more and more pollution of the ocean water of Orange County. The 73 Highway (Toll Road) in existence has had nothing but problems since it was allowed to foul the wilderness and open space areas it crosses. This cannot happen again. Trestles beach must be allowed to remain clean. The entire San Onofre State Park must be allowed to remain a haven and habitat for coastal species. To desecrate this area with a toll road would be unconscionable.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? Yes.

*Guinevere Breeding*  
*May 16, 2001*

**Mail Comments on the Notice of Intent to:**

U.S. Army Corps of Engineers, Los Angeles District  
 Regulatory Branch  
 Attn: CESPL-CO-R-199915966-FT  
 P.O. Box 532711  
 Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**

California Department of Fish and Game  
 4949 Viewridge Avenue  
 San Diego, California 92123  
 Attn: Bill Tippets



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A LAW CORPORATION

14 2001

REGULATORY BRANCH  
WESTLAKE VILLAGE OFFICE

31365 OAK CREST DRIVE, SUITE 200  
WESTLAKE VILLAGE, CALIFORNIA 91361  
TEL 818.874.1270 / 805.230.0023  
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LAWRENCE R. RESNICK  
OF COUNSEL

REX A. MCKITTRICK  
RETIRED

OUR FILE NUMBER:  
28859

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mstaples@jdplaw.com

WRITER'S DIRECT DIAL NUMBER:  
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May 18, 2001

**VIA FACSIMILE AND U.S. MAIL**

Ms. Fari Tabatabai  
Regulatory Branch, CESPL-CO-RS  
U.S. Army Corps of Engineers  
Los Angeles District  
911 Wilshire Boulevard  
Los Angeles, California 90017

**Re: City of San Juan Capistrano/Capistrano Valley Water District's  
Comments on Notice of Intent to Prepare a Draft Environmental  
Impact Statement for the Preparation of a Special Area Management  
Plan and Associated 404 Permit Actions for the San Juan Creek and  
Western San Mateo Creek Watersheds, Orange County, CA**

Dear Ms. Tabatabai:

We represent the City of San Juan Capistrano and the Capistrano Valley Water District (collectively, the "District"). The City of San Juan Capistrano is located in Orange County, California. The Capistrano Valley Water District was formed in 1930 to provide water service to the area now incorporated as the City of San Juan Capistrano and the northerly portion of the City of Dana Point. The District and its predecessors have long used San Juan Basin groundwater underlying the San Juan Creek and Trabuco Creek to supply domestic and irrigation water to the communities now incorporated as the City of San Juan Capistrano and a portion of the City of Dana Point. The District currently provides both domestic water and non-domestic irrigation supply, through separate distribution systems, to over 10,000 customer connections. The District does not divert surface water in the San Juan Basin.

The District's water supply plans depend upon its continued pumping of good quality groundwater from the San Juan Basin, as well as its expanded production and use of lower quality groundwater produced from its own wells and from a groundwater desalter project

JACKSON DEMARCO & PECKENPAUGH

Ms. Fari Tabatabai  
May 18 2001  
Page 2

to be undertaken by the San Juan Basin Authority to treat brackish groundwater in order to augment current water supplies. Such projects are necessary for the District to reduce its reliance on water supplies imported from Northern California and the Colorado River.

The District requests that the joint Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) address the proposed Special Area Management Plan's ("SAMP") consistency with the District's plans for infrastructure and water supply development for both its domestic and non-domestic systems. The District's plans are set forth in its Domestic Water Master Plan, Non-Domestic Water Master Plan, application filed with the State Water Resources Control Board for a permit to appropriate water, and related documents. The District will forward a copy of the relevant documents for your consideration under separate cover.

The District also requests that its plans for infrastructure and water supply development be included among the public projects proposed to be permitted based upon the SAMP by the Army Corps of Engineers under the long-term programmatic permit to be issued pursuant to Section 404 of the Clean Water Act, and by the California Department of Fish and Game under the Master Streambed Alteration Agreement to be issued pursuant to section 1600 of the Fish and Game Code.

We appreciate this opportunity to comment on the Notice of Intent. Please feel free to contact me with any questions that you may have.

Sincerely,

*Michele A. Staples*  
*by jaa*  
Michele A. Staples

MAS/jaa  
413520.1

cc: Ms. Amy Amirani



RECEIVED FA  
MAY 13 2001  
SAN JUAN BASIN AUTHORITY

27500 LA PAZ ROAD • LAGUNA NIGUEL, CA 92677 • (949) 448-4055 • FAX (949) 831-5651

May 9, 2001

Mr. Fari Tabatabai  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
ATTN: CESPL-CO-R-199915966-FT  
P. O. Box 532711  
Los Angeles, California 90053-2325

Subject: **Comments for the Draft EIR for the Preparation of a  
SAMP and Associated 404 Permit Actions for the  
San Juan Creek and Western San Mateo Creek Watersheds,  
Orange County, California**

Dear Mr. Tabatabai:

The San Juan Basin Authority is a stakeholder in the ongoing Corps' San Juan Creek Watershed Study. That study has identified the need for retention basins within the San Juan Creek Watershed for flood control purposes. The San Juan Basin Authority is investigating a conjunctive use concept wherein surface water storage would be integrated with groundwater storage for the purpose of increasing the natural safe yield of the basin. With this concept, more water could be made available for domestic water supply and also for environmental purposes. There is a possibility that the proposed retention basins could provide the dual purposes of flood control and water conservation.

The Authority has applied for State of California grant assistance as administered by the Department of Water Resources. Enclosed is a copy of the work plan from the grant applications.

Please consider the potential implementation of the proposed conjunctive use concept as outlined in the work plan in your deliberations for your Special Area Management Plan and associated 404 Permit actions.

Sincerely,

Donald J. Martinson  
Administrator

Cc: Board of Directors

## **B-2 WORK PLAN**

### **Purpose and Need for the Project**

The purpose of the project is to develop a conjunctive use concept whereby carryover storage is provided to increase the safe yield of the basin. The Basin Management Plan of the SJBA outlines a two-phase construction program for utilizing the groundwater for domestic water supply. The first phase is based upon a diversion of the average annual safe yield and a planned and regulated draw down of the storage capacity of the groundwater basin. The basin is replenished during the wet years without the need for artificial or man-made induced groundwater recharge facilities.

The purposed second phase construction program requires manmade groundwater recharge facilities to supplement the natural process of streambed percolation in order to increase the diversion amounts to the desired levels. The Groundwater Management Plan has identified tentative locations and the size of potential groundwater recharge basins, but the source of recharge water has not yet been determined. The source of recharge water needs to be identified and assured in order for the construction of the Phase II project to proceed.

### **Goals to be Attained**

The general goal to be accomplished is to integrate surface water storage with groundwater storage to maximize the safe yield of the basin.

In order to achieve the general goal, it will also be necessary to achieve the following sub-goals:

1. Determine how best to store storm runoff from year-to-year for groundwater recharge.
2. Determine the best way to transfer and recharge surface water to groundwater.
3. Determine how best to satisfy environmental concerns for riparian habitat maintenance and restoration.

## **REVIEW OF BACKGROUND INFORMATION**

A number of engineering and hydrologic reports about the San Juan Creek Watershed have been prepared. The most significant ones that are pertinent to the goals and objectives of this proposed work plan and pilot project are as follows:

**State of California, Department of Water Resources Bulletin No. 104-7**  
**"Planned Utilization of Water Resources in the San Juan Creek Basin Area"**  
**June 1972**

This report is the first comprehensive study that evaluated the hydrological characteristics of the surface water and groundwater within the basin and evaluated various alternatives to utilize the basin for domestic water supply purposes. The study documented the groundwater storage capacity of various reaches of the stream systems, and evaluated how the groundwater storage capacity may be effectively used in a conjunctive use program. Most of the field data was collected in the 1950's and 1960's, and conditions have significantly changed since that time. However, the basic data regarding stream flows, groundwater storage capacity, specific yields, water quality, and streambed percolation, etc., are still valid and will be used as background data for the work to be done in this study and pilot project. New field measurements now need to be performed to verify streambed percolation rates and other hydrologic factors to refine the earlier data and to account for changed conditions.

**San Juan Basin Groundwater Management and Facility Plan, May 1994**  
**Prepared for the San Juan Basin Authority and the Metropolitan Water District of Southern California by NBS/Lowry – Engineers and Planners**

The purpose of this report is to set forth a management program to maximize the development of the water supply opportunities from the San Juan Creek Basin in order to lessen the burden on the long import systems of the Metropolitan Water District. The managed groundwater basin is intended to be used conjunctively with imported water to provide emergency and seasonal storage capability. The evaluation of utilizing the proposed groundwater basins to store recycled water, as well as storm runoff under controlled conditions, is also included in the plan.

A two-phase approach is presented in the plan whereby the first phase would develop the use of the current average annual safe yield of the natural surface water inflow to the basin in conjunction with usable storage capacity of the groundwater basin. The second phase would expand the first phase by increasing the yield by artificial groundwater recharge of imported or recycled water or storm runoff.

The first phase of the Groundwater Management Plan that is based upon the current safe yield is now being implemented. How to increase the safe yield to expand to the second phase is the goal of this study, and pilot program.

**Expanded Initial Study and Mitigated Negative Declaration  
San Juan Basin Groundwater Management and Facility Plan  
Prepared by Culbertson, Adams and Associates, Inc., January 1995**

This report is a comprehensive environmental documentation of the full scope of the expanded Phase II project and includes mitigation measures developed in cooperation with the various regulatory agencies, including the SWRCB for water rights permits, and State Department Fish and Game for environmental purposes.

**Availability of Unappropriated Water San Juan Creek Basin by  
Stetson Engineers, Inc., - Boyle Engineering Corporation, November 1998**

This report presents hydrologic simulations based on measured stream flows over a 23 year base period that (1969/70 – 1991/92) that shows how much water could have been extracted during that base period, in addition to the existing pumping, without causing long-term overdraft by using preplanned utilization of the groundwater basin storage capacity. Two conditions were analyzed. One for the existing level of development and the other for the ultimate developed of the watershed.

The results of this study were used to formulate the conditions for the water rights permit issued by the State Water Resources Control Board.

**Permit for Diversion and Use of Water Permit 21074  
State Water Resources Control Board, October 30, 2000**

This permit was issued pursuant to the Application 30123 filed by the San Juan Basin Authority on May 4, 1992.

Condition No. 5 states the following:

The water appropriated shall be limited to the quantity, which can be beneficially used and shall not exceed 17.3 cubic feet per second to be diverted from January 1 to December 31 of each year. Until further order of the Chief, Division of Water Rights, the maximum amount diverted under this permit shall not exceed 8, 026 acre-feet per annum (afa). This amount can be increased by a maximum of 2,676 afa, for a total diversion of 10,702 afa, upon showing by the permittee of the availability of unappropriated water and approval of the Chief, Division of Water Rights.

These quantities are based on the average annual safe yield from the hydrologic studies. The purpose of this study to increase the safe yield by using carryover storage from the wet years to the dry years, thereby increasing the permitted amounts of diversion for beneficial uses.

TABLE 1  
STREAM FLOWS  
SRN JUAN BASIN

Comparison of Streamflows for Various Base Periods					
DWR Bulletin 104-7		NBS/Lowry		Stetson Engineers Inc.	
Water Year	Acre-feet <sup>1</sup>	Water Year	Acre-feet	Water Year	Acre-feet
1951-52	28,620	1978-79	39,855	1969-70	4,119
1952-53	1,479	1979-80	147,094	1970-71	2,431
1953-54	6,570	1980-81	8,307	1971-72	1,775
1954-55	1,246	1981-82	17,274	1972-73	12,586
1955-56	6,100	1982-83	83,823	1973-74	5,787
1956-57	1,051	1983-84	14,775	1974-75	6,295
1957-58	39,460	1984-85	11,070	1975-76	3,317
1958-59	1,622	1985-86	15,137	1976-77	3,868
1959-60	1,653	1986-87	3,709	1977-78	95,706
1960-61	191	1987-88	4,896	1978-79	39,855
1961-62	6,922	1988-89	5,139	1979-80	147,044
1962-63	465	1989-90	5,947	1980-81	8,307
1963-64	405	12-Yr. Avg.	29,800	1981-82	17,274
1964-65	170			1982-83	84,823
1965-66	11,910			1983-84	14,775
1966-67	40,370			1984-85	11,070
1967-68	2,607			1985-86	15,137
12-Yr. Avg.	8,900			1986-87	3,709
				1987-88	4,896
				1988-89	5,139
				1989-90	5,947
				1990-91	13,859
				1991-92	18,412
				23-Yr. Avg.	28,900

<sup>1</sup> = Includes only about two-thirds of Trabuco Creek Watershed.

## **Evaluation of Alternatives to Meet Project Goals**

There are potentially several sources of water that could be used to recharge the San Juan groundwater basin.

1. Purchase recharge water from the MWDSC.
2. Recycled water from the sewage treatment plants in the watershed.
3. Storm water flows stored in surface water retention basins with carry-over capacity from year-to-year.

The first option is not at this time viable because of the lack of pipeline capacity to convey untreated MWDSC water to the San Juan Basin.

The second option is the subject of ongoing studies as part of potential recycled water program to provide irrigation water throughout the San Juan area. The recycled water could potentially also be used for groundwater recharge purposes. However, there are strict Health Department standards (Title 22) that require specific physical parameters to met regarding residence time, distance of groundwater travel, separation of recharge sites from well sites, etc. Because of the physical limitations of the San Juan groundwater basin, it will most likely be difficult to meet the Title 22 Health Department Criteria for the use of reclaimed water for groundwater recharge.

The first two options will be reviewed in more detail in this proposed study, but the major focus of the study effort will be directed to Option 3, namely conjunctive use of surface water storage.

There are two apparent ways to accomplish groundwater recharge to increase the safe yield of the basin. One is the natural process of streambed percolation as storm runoff flows down the major watercourses. The other is the use of manmade recharge basins. Both of these methods will be evaluated in this study.

In regard to the goal of providing for environmental concerns of riparian habitat maintenance and restoration, it is proposed to work closely with the Department of Fish and Game in accordance with the requirements of the State Water Resources Control Board Water Rights permit.

## **Identification of Preferred Project Alternative**

The identification of the preferred project alternative will involve how best to collect storm runoff in one or more surface water retention basins and then use this water to recharge the groundwater basin for subsequent domestic water use.

The following tasks are proposed to be accomplished in this study:



1. From the historic records of stream flows (see Table 1) determine how much storage capacity would be needed to provide carryover storage from year-to-year to provide sustained flows at various rates. Graphs would be prepared showing storage capacity versus rates of sustained flow. A base study period would be used, similar to the approach used in the study, *"Availability of Unappropriated Water San Juan Creek Basin"*, (see Background Information).
2. Conduct a pilot program to determine quantities of stream flow percolation in San Juan Creek and Trabuco Creek, based on past records of stream flow measurements, combined with a field program of new measurements at specific locations with various discharge rates. The SJBA has an on-going contract with the USGS to conduct stream gauging at the two-week intervals on San Juan Creek at various locations along the course of the streambed. When stream flow is available, these measurements will be augmented by additional measurements to obtain more streambed percolation data. The USGS also maintains long-term stream gauging stations that are partially funded by the SJBA. These stations record flow data on a real time basis.

The analysis of the amount of streambed percolation that takes place in various reaches of the creek systems is critical for determining how much runoff can be introduced into the groundwater basin.

3. It is also desired to set aside a certain amount of storage capacity in order to provide flows for environmental purposes. The amount of sustained flow that may be needed for habitat maintenance and possibly fish and wildlife enhancement will be determined by consultation with the Department of Fish and Game by qualified biologists using protocols acceptable to the appropriate agencies. It will also be necessary to take into account the possibility of invasive species (such as arundo) that could interfere with native habitat.
4. After it is determined how much storage capacity is needed to achieve the desired goals, alternative sites will be investigated and ranked as to their suitability for implementation. Key factors will be:
  1. Topography
  2. Ownership and availability
  3. Access
  4. Construction impacts
  5. Environmental impacts
  6. Compatibility with Flood Control Retention Basins

The US Army Corps of Engineers is proposing the construction of retention basins for flood control purposes as outlined in the on-going Watershed Study. These basins would be a cooperative effort with the local sponsors, primarily with the Flood Control Division of the County of Orange.

Flood control basins typically are designed to discharge flows from minor storms to the ocean as quickly as possible, in order to have capacity available during major storm events to reduce the peak flows to levels that can be safely carried by the downstream creeks and channels. On the other hand, water conservation basins are intended to provide long-term storage to carryover from the wet years to the dry years to produce sustained year-round flows. Another feature that needs to be considered in the design of the basins is water quality. One of the goals of all of the watershed studies is to improve the quality of the storm runoff before it is released to the ocean. There are emerging techniques now being investigated that could be incorporated into the design of the retention basins to improve water quality. Lastly, the aesthetics of the basins need to be considered. With proper design, multi-use concepts could be considered that included recreational and educational activities. These concepts are presented in the US Army Corps of Engineers Watershed Study.

In summary the proposed retention basins would include the following features:

1. Storage capacity for flood control and water conservation purposes.
  2. Control structures to regulate inflow and outflow to and from the basins.
  3. Design features that would provide the latest "state-of-the-art" water quality improvement technology.
  4. Consideration of multi-use features for potential recreational and educational uses.
  5. Due consideration of the environmental impacts of all of the above features.
5. After alternate sites are selected, a 10% design of the basins will be prepared, including the above features.
  6. An operational and staffing plan will be developed for operation and maintenance of the proposed facilities, which will include the fieldwork regarding the environmental features of the project and the groundwater and stream flow monitoring.
  7. In order to monitor groundwater levels and water quality, one or more monitoring wells will be needed. Well sites and well designs will be determined as part of this study. Another key element of the monitoring program is the implementation of a GIS program.
  8. Cost estimates will be prepared for construction and operation costs, including capital costs, site acquisition costs, and labor costs.

### **List of Tasks**

1. Hydrology and Hydraulic Study
2. Pilot Program for Streambed Percolation and Groundwater Recharge Basins
3. Environmental Maintenance and Restoration
4. Site Investigation
5. 10% Design of Proposed Facilities
6. Operational Plan
7. Groundwater Monitoring and GIS Program
8. Cost Estimates

### **Evaluation of the Potential to Reduce Overdraft Saline Water Intrusion and Other Problems Associated with Groundwater Extraction**

These issues have been thoroughly evaluated in the previous study entitled, "*Availability of Unappropriated Water San Juan Creek Basin*", and the SWRCB Water Rights Permit No.21074 (see Section on Background Information). These two documents confirm that the storage capacity of a portion of the groundwater basin that can essentially be used as an underground storage reservoir is 60,000 acre-feet. The water rights permit limits the draw down of this basin to not more than one-half (30,000 acre-feet). Monitoring of water levels is required to verify that the proper water levels are maintained. The water rights permit also deals with the potential problem of saline water intrusion by requiring the monitoring of chloride content of the groundwater near the mouth of San Juan Creek.

Likewise, riparian habitat problems that possibly could be created by excessive draw downs are addressed in the Water Rights Permit.

The goal of this conjunctive use project is to maintain high groundwater levels in the basin, which would ameliorate these stated concerns.

### **Determine Magnitude of Actual Increase in Water Supply Yield and Reliability Compared to Existing Conditions**

The previous studies (see Background Information) all closely agree that the apparent safe yield of the basin is about 10,000 acre-feet per year based on long-term average rainfall and runoff conditions. The SWRCB Water Rights Permit limits new proposed extractions, in addition to existing pumping, to 8,026 afa for present conditions and 10,702 afa for ultimate land development build-out conditions, also for average rainfall and runoff conditions.

The State DWR Bulletin 104-7 presents data on streambed percolation and the way the basin was depleted in the dry years and then quickly recharged in the wet years. The later study on the availability of unappropriated water, further refined that data and presented the following conclusions:

## Excerpt from Availability of Unappropriated Water – San Juan Creek Basin Report

1. Following is a summary of the study conclusions regarding available unappropriated water, which could be reliably extracted by the subject projects in addition to existing (historic) pumping.
  - a. Base Period (1969/70–1991/92) 8,000 AF/year
  - b. Current 11,000 AF/year
  - c. Projected Ultimate 14,100 AF/year
  
2. The above amounts represent the rates of withdrawal by the projects, which could be sustained indefinitely, assuming a repeat of base period hydrologic conditions. However, additional water could be extracted during prolonged wet periods, when stream flows are passing to the ocean. Available yield during these periods is limited only by the recharge capacity of the groundwater basins. The base period hydrology summary reveals that water could be withdrawn at about 2,000 AF per month for as long as flows are passing to the ocean. This would allow the projects to extract as great as 12,000 to 14,000 AF/year during a repeat of the high runoff years, with no depletion of storage. Note that the contemplated basin operation plan is based on the premise of a full basin at the onset of a drought. During one extremely wet cycle (November 1982 through February 1984), approximately 23,000 AF could have been extracted, over and above existing pumping, over the 16 month period with no depletion of storage.

One of the goals of this study is to determine how much of the safe yield of the basin could be increased from the “average year” conditions to essentially the “wet year” conditions by creating wet year or near wet year conditions over a long period of time. The determination of the amount of the increase of the safe yield that could be achieved is dependent on the results of this study.

The previous studies indicate that during a wet cycle 23,000 AF could have been extracted in a 16-month period with no depletion of storage from the groundwater basin. This amounts to 16,800 afa, an increase of 6,800 afa over the typical average annual yield. The actual amount of the increase is to be determined by this study and pilot program.

### Determine the Potential to Reduce Dry Year Demand for Surface Water Under Existing Conditions

The water districts within the San Juan Watershed have no contracts for providing surface water. All domestic needs are provided by imported water (CVWD has some limited groundwater production) through the MWDSC import systems.

Decreasing demands on a surface water supply by providing carryover storage from the wet years is the primary goal of this project.

### **Determine the Economic Costs and Benefits**

It has been estimated from previous studies that it may be possible to achieve an increase of 6,800 afa over and above the calculated average annual yield of 10,000 afa. The current cost of imported MWDSC water is \$431 per acre-foot. The value of 6,800 afa at \$431 per acre-foot is \$2,930,800 per year. The economic questions that need to be answered in this study are the following:

1. What are the actual cost savings to produce water locally rather than the dependence on the import systems from the Colorado River or the State Water Project?
2. What are the capital and operational costs of the proposed project?
3. What are the benefits due to the added reliability of the local supply versus the imported supply?

### **Environmental Impacts**

Extensive environmental investigative work has already been accomplished as part of the Groundwater Management Plan as noted in the section entitled, "Background Information". Included with the Expanded Initial Study and Mitigated Negative Declaration is an assessment of the biological resources and impacts prepared by Pacific Southwest Biological Services, Inc. This report includes floral checklists, species and animals observed in the San Juan Basin, plant and animal sensitivity guidelines and recommendations regarding sensitive species, riparian birds, native fish, and amphibians. This information was prepared in 1995, and will form the basis for additional environmental review for the projects that may be proposed as a result of this study.

The projects proposed in the US Army Corps of Engineers Watershed Study will also require extensive environmental review. It may be possible to coordinate the work efforts on this subject and conduct parallel studies if the sequence of events are compatible. It is proposed to conduct an Initial Study as part of this work effort to further evaluate the options for environmental review.

### **Social and Economic Issues**

Nothing has more impact regarding social and economic issues on any area than water supply. No human or animal habitation can exist without water. Like most areas, the San Juan watershed has been greatly affected by the different evolutions of how water has been supplied to the area. The San Juan Capistrano Mission was originally located on the banks of San Juan Creek for its sources of water. The original mission was destroyed by floods and moved to higher ground, but water was diverted from the local streams for irrigation and domestic use.

In the late 1800s and the 1900s, the San Juan Basin began to develop as an agricultural community with extensive citrus and walnut groves. Hundreds of wells were drilled within the basin to provide the necessary water. The quality and quantity of the groundwater was always a constant concern as documented in the background reports.

The development of the MWDSC system had a profound affect on the San Juan Basin. The importation of “cheap” water to the area made it unnecessary to completely depend on the groundwater for its supply. Water quality problems were basically solved, and there was no limitation on the amount of water that could be purchased as long as pipeline capacity was available. Groundwater production was to a great extent replaced by imported water from the Colorado River.

The advent of the State Water Project was another milestone in the water supply history of the San Juan Basin. The availability of high quality (low TDS) water from Northern California was to be the cornerstone of projects evaluated in DWR Bulletin 104-7. It was envisioned that this high quality water would eventually permit the use of recycled water and that the quality of the groundwater would improve. These predictions were never realized, most likely because of the relatively small amount of Northern California water that reaches the San Juan Basin area. Here again, because of the great promise of the full-scale completion of the State Water Project, water quantity and water quality problems seemed to be solved for the foreseeable future.

The water supply engineers, planners, and legislators now realize the importance of maximizing the development of local supplies as part of the statewide water supply picture. Not only does it make sense from the reliability standpoint and the conservation of natural resources, but most likely from the economic sense. The true cost of water is a difficult item to determine because of the many subsidies involved. This problem not only exists at the state level, but also on the federal level with the Bureau of Reclamation water supply programs. As part of the Calfed process, the true cost of water analyses should be forthcoming to aid in the evaluation of alternative projects.

### **Required Permits**

A matrix of required permits that would be needed to implement the proposed conjunctive use projects is shown in Table 2. The member agencies of the SJBA routinely obtain these permits for their individual projects, and the staffs of these agencies would be available to assist in obtaining the necessary permits. The “appropriations permit” refers to the SWRCB Water Rights Permit now held by the SJBA. The terms of the permit would be re-negotiated with the SWRCB to account for the increased safe yield created by the proposed conjunctive use project.

### **Compliance with Federal, State, and Local Laws, Regulations and Guidelines**

The issuance of the above permits and the tasks conducted in cooperation with the US Army Corps of Engineers Watershed Study and the County of Orange PFRD will insure the necessary compliance.

**Table 2  
Matrix of Required Permit Approvals**

	State Dept. of Fish and Game	South Coast Air Quality Management District	State Dept. of Health Services	Army Corps of Engineers	State Water Resources Control Board	Caltrans	Cities of Dana Point & San Juan Capistrano, County of Orange
1601-03 Notification (Lake/Streambed Alteration Agreement)	✓						
Authority to Construct Permit to Operate		✓					
Amend Domestic Water Supply Permit			✓				
"404" Permit				✓			
Appropriations Permit					✓		
Encroachment Permits for Pipelines						✓	✓

### **Implementation of Basin-Wide Groundwater Planning**

The start of the Basin-wide planning was initiated by DWR Bulletin 104-7 that proposed several alternatives for developing the water resources of the San Juan groundwater basin. In order to carry out the plans, the San Juan Basin Authority was formed in 1971 and initiated the implementation of basin-wide projects. The planning efforts were intensified by the preparation of the Groundwater Management and Facilities Plan of 1994, and now serves as the primary Management Plan for the Authority. The Water Rights Permit and the Monitoring Plan are also key elements for future management strategies. Planning options for flood control, water conservation, water quality, and environmental maintenance and restoration projects are outlined in the on going US Army Corps of Engineers Watershed Management Study. All of these reports are listed in the Background Information section and are available for review by interested parties.

### **Stakeholder Involvement**

The SJBA is a joint powers agency consisting of the four major water supply agencies overlying the San Juan Basin. The agencies are the Santa Margarita Water District, Moulton Niguel Water District, Capistrano Valley Water District, and the South Coast Water District. Public Board of Directors' meetings are held on a regular basis and input is obtained from private citizens, major landowners, cities within the watershed, and the various regulatory agencies. The Watershed Study stakeholders meet on regular intervals with intense involvement by city staffs, state and county agencies, environmental groups, and the general public.

### **Determination of Public Support and/or Opposition**

The on-going planning process for the SJBA has wide public support. The projects that are proposed to be implemented as a result of this study will be the subject of public hearings during the course of the study.

### **Groundwater Management Program and Relation to Preferred Project Alternative**

The management program is in place as previously described and documented in the Background section. The Phase I Project described in the Facilities Plan is now being implemented. The preferred alternative identified in this report will provide an increase in the safe yield of the groundwater basin, thereby providing the means to increase the allocation of increased groundwater production by the SWRCB water rights permit, and in turn provides for the authorization to implement the Phase II construction program for added wells and pipeline delivery systems.

### **Distribution of Benefits to Water Supply and the Environment**



The Corps study could lead to a construction phase if authorized by Congress. Authorization would be through the Water Resources Development Act (WRDA) that normally is acted upon on a biannual basis. Active local support is needed and a financial contribution to the construction phase of 35% to 50% is needed. The California State Subvention Program normally contributes 70% of the local stake of federally funded projects. The Proposition 13 Costa-Machado Water Act of 2000 provided substantial funds to the Subvention Program. However, the state legislature must appropriate the spending levels on an annual basis.

### **Local Past and Future Stakeholder Involvement**

The stakeholders are the water districts, the cities, Department of Fish and Game, the State Parks Department, the Regional Water Quality Control Board, the County of Orange, the Corps of Engineers, environmental organizations, and watershed citizens. All have met on a regular basis for several years in workshops conducted by the staff of the Corps of Engineers. Subcommittee meetings are also held for specific issues, such as water quality, etc. These meetings will continue on during the planning phase, and also for the future construction phase to insure total community involvement.

### **Monitoring Program**

The basic framework of an on-going monitoring program is in place as a result of the need to obtain groundwater data for the appropriate management of the groundwater basin by the SJBA.

There will be increased pumping of groundwater from the basin as a result of the issuance of the Water Rights Permit by the SWRCB. In addition, there are other diversions by the CVWD and others by wells that have been active for many years for irrigation and domestic purposes.

The SWRCB Permit recognizes a portion of the San Juan groundwater basin as an active underground storage facility that has a usable storage capacity of 60,000 acre-feet. However, the permit requires that this basin not be drawn down more than 30,000 acre-feet and in addition, no overdrafting will be allowed that would cause environmental consequences or interference with other existing pumpers.

In order to comply with the above requirements, it is necessary to keep track of the inflow and outflow of the basin and the groundwater elevations throughout the basin. It is also necessary to monitor the salinity of the groundwater to insure that additional pumping does not cause an increase in salinity within the basin, and also to monitor the potential for seawater intrusion.

The hydraulic and hydrologic data in the DWR Bulletin 104-7 was used to layout the basic framework of the monitoring plan. The stream systems were divided into discrete segments whereby the capacity of the groundwater basin in each segment is identified and groundwater levels can be monitored.

Sensors have been placed in old abandoned well casings that measure water levels and conductivity on a real time basis. A radio signal is transmitted to a repeater station at a reservoir at a high point in the watershed. The signal is then sent to a central computer for recordation and tabulation using appropriate software for plotting the data, making statistical summaries, plotting graphs, etc. This information can also be accessed by any other computer that has "pro-lap link" capability.

This monitoring plan has only been moderately successful to date. The original plan was to identify abandoned well casings (of which there are many) in the stream segments that could be used for sensor locations. One unit has been in place for several years and has been successfully recording accurately with minimal problems. However, in attempting to duplicate this process in other old well casings has proven to be unacceptable because the water in the casings does not reflect the true condition of the surrounding groundwater. It has been concluded that most of the old casings (most are 50 years of age) are too deteriorated and no longer have the ability to properly interface with the surrounding groundwater. After extensive purging of the well casing, response can be achieved but not consistently. Therefore, it is concluded that new monitoring wells need to be constructed that are designed for the specific purposes of gathering the required data.

There is of course, other water level information available from the active wells, but these levels are influenced by the normal "cones of depression" caused by the pumping activity. It is desirable to place the monitoring wells so that data is collected on an area-wide basis.

Rainfall and stream gauging data is also needed for the monitoring plan. The SJBA has a cooperative agreement with the USGS whereby the SJBA partially funds two stream gauging stations that monitor the flows on a real time basis. This information is linked with a satellite system and transmitted through the Internet for direct access by any computer.

The County of Orange maintains a system of rain gauges and stream gauges throughout Orange County, including the San Juan Watershed. Their transmitting equipment is the same equipment that is used by the SJBA, and the information is readily available for public use.

In summary, it is recognized by the SJBA that an extensive monitoring program is needed to properly manage the groundwater basin and to carry out a workable program of conjunctive use that integrates surface water storage with groundwater storage.

The monitoring program will be expanded as part of this program with the construction of monitoring wells and the installation of the necessary equipment to monitor, and to aid in the operation of the conjunctive use elements of the project.

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-6200



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MAY 2 2001  
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May 2, 2001

Fari Tabatabai  
U.S. Army Corps of Engineers  
Regulatory Branch  
Los Angeles District  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, CA 90053-2325

RE: Notice of Preparation for Draft Environmental Impact Statement (DEIS) for the Preparation of a Special Area Management Plan (SAMP) and associated 404 Permit Actions for the San Juan Creek and Western San Mateo Creek Watersheds, Orange County, California

Dear Ms. Tabatabai:

The Commission staff wishes to participate in the preparation and review of the above-described DEIS and SAMP, as published in the Federal Register on April 19, 2001, and the public scoping meeting notice for PN# 199915966-FT. Please place us on your mailing list (both our San Francisco and San Diego offices) for documents and notices regarding this activity. Our San Francisco address is shown above; our San Diego Area office address is as follows:

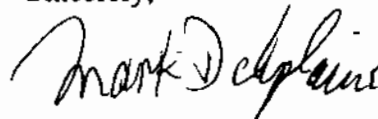
Coastal Commission  
Attn: Keri Akers  
San Diego Coast District  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108-4402

It is our understanding that the EIS will include discussion of the issuance of one or more Section 404 permits by the U.S. Army Corps of Engineers, as well as other permits by the California Department of Fish and Game. While the coastal zone is relatively narrow in the San Juan and San Mateo Creek watersheds, some activities authorized under the Section 404 permits could result in downstream adverse effects on land or water uses, or natural resources, of the coastal zone. For such a situation, the permittee would need to submit a consistency certification to the Commission in accordance with Section 307 of the

Coastal Zone Management Act<sup>1</sup> (CZMA). (See CFR Section 930.58 for a full listing of the information required for a complete consistency certification.) Therefore, to promote a timely and expedited process, we urge the Army Corps of Engineers, the California Department of Fish and Game, and other involved agencies, to consult with the Commission staff during preparation of the EIS and any subsequent Corps permits, to ensure that, where appropriate, procedures are incorporated to assure compliance with the CZMA. The Commission staff is available to meet and provide information and assistance as necessary.

To determine when the federal consistency process may be triggered, and how this should be addressed, please contact James Raives, federal consistency coordinator for the Commission staff, at (415) 904-5292. If you need further information, or have any questions about the Commission staff's involvement in the SAMP process, please contact Keri Akers, Commission staff planner, at (619) 767-2370.

Sincerely,



MARK DELAPLAINE  
Federal Consistency Supervisor

cc: Deborah Lee  
Keri Akers  
Dave Lawhead

---

<sup>1</sup> 16 U.S.C. Section 1456, with implementing regulations at 15 CFR Part 930.



# United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
Reston, Virginia 22092


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In Reply Refer To:  
Mail Stop 423  
ER 01/326

MEMORANDUM

MAY 18 2001

To: Ms. Fari Tabatabai, U.S. Army Corps of Engineers  
Wilshire Boulevard, Los Angeles

From:  James F. Devine  
Senior Advisor for Science Applications

Subject: Notice of Intent to Prepare a Draft Environmental Impact Statement for the  
Preparation of a Special Area Management Plan and Associated 404 Permit  
Actions for the San Juan Creek and Western San Mateo Creek Watersheds,  
Orange County, California (ER 01/326)

As requested by the U.S. Department of the Interior, Office of Environmental Policy and Compliance in their correspondence of April 30, 2001, the U.S. Geological Survey (USGS) has reviewed the subject Notice of Intent to Prepare a Draft Environmental Impact Statement (EIS) and offers the following comments.

## GENERAL COMMENTS:

The Notice of Intent for the subject proposed projects indicates that, among other issues, vernal pools and least Bell's vireo (*Vireo bellii pusillus*) are ecological concerns. The USGS recommends consideration of current research on these two topics. Information on these projects can be accessed from the USGS Biological Resources URL at <http://biology.usgs.gov> under BRD Centers or under Current Projects, vernal pools and least Bell's vireo.

Referenced are some pertinent projects, followed by the Research Center where work is done:

Biological expertise on vernal pool crustaceans, Forest and Rangeland Ecosystem Science Center (FRESC).

Assimilation of information on vernal pools, FRESC.

**Population structure and demography of the least Bell's vireo and the southwestern willow flycatcher, Western Ecological Research Center (WERC).**

**Bird use of restored riparian habitat, WERC.**

**Thank you for the opportunity to comment on this Notice of Intent for preparation of the subject Draft Environmental Impact Statement.**

**Copy to: Office of Environmental Policy and Compliance**



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# Center for Biological Diversity

*Protecting and restoring endangered species and wild places of Western North America  
and the Pacific through science, policy, education, and environmental law.*

---

May 11, 2001

Ms. Fari Tabatabai  
Regulatory Branch, CESPL-CO-RS  
Los Angeles District U.S. Army Corps of Engineers  
911 Wilshire Boulevard  
Los Angeles CA 90017

Re: Notice of Preparation; Draft Environmental Impact Statement for San Juan, San Mateo creek watersheds SAMP

Dear Ms. Tabatabai:

Thank you for the opportunity to provide comments on the Corps' proposed Special Area Management Plan and associated 404 permit actions for the San Juan Creek and western San Mateo Creek watersheds in southern Orange County.

We hope the SAMP will include analysis of the following issues:

- Impacts from development within the SAMP area but outside of Corps' jurisdictional waters which could not occur but for the SAMP 404 permit;
- Cumulative effects of this SAMP 404 permit, including, consistent with court orders in Defenders of Wildlife et al. v. Lt. General Joe N. Ballard, Robert Walker, regarding Corps 404 permitting within the range of the Cactus ferruginous pygmy owl. Environmental documentation for the SAMP 404 permit should consider the cumulative effects of this SAMP and any other Corps 4040 permitting throughout the entire range of any special status species affected by this SAMP;
- Formal Endangered Species Act section 7 consultation on all direct, indirect and cumulative effects of this SAMP on federally listed species, including Southern steelhead

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Comments on Notice of Preparation for southern Orange County SAMP DEIS

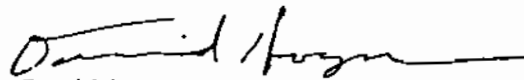
May 11, 2001

Page 2

trout, Southwestern willow flycatcher and Tidewater goby populations, and flycatcher and goby critical habitat downstream along San Mateo Creek.

Please send a copy of the DEIS / DEIR for this SAMP when it becomes available to the above address. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "David Hogan", with a long horizontal flourish extending to the right.

David Hogan



RECEIVED: *AX*

2001  
REGULATORY BRANCH

**FRIENDS of the FOOTHILLS**  
PO Box 3942, San Clemente, CA 92674

May 14, 2001

U.S Army Corp of Engineers  
Los Angeles District, Regulatory Branch  
PO Box 532711  
Los Angeles, CA 90053-2325  
Attn: CESPL-CO-R-199915966-FT

Reference: Public Scoping for San Juan/San Mateo SAMP and MSAA EIS/EIR

The Friends of the Foothills is pleased to respond to your request for comments on the EIS scoping for the proposed San Juan/San Mateo SAMP. The Friends of the Foothills is a broad coalition of local residents and conservation groups dedicated to preserving as much as possible of the 25,000 acres within the area under consideration in it's natural state.

This project has the ability to permanently save the last of Orange County's remaining undeveloped and unpolluted watersheds or cause irretrievable and irreversible loss to the exceptional natural habitats and wildlife resources that they support. Accordingly we ask you to include the following subjects in the scope of the EIS/EIR:

- Continue to exclude the Foothill-South Toll Road project from the SAMP. This tollroad is still in its early planning stages with a number of alternative routes under consideration. The impact of the road directly and indirectly by generating urban development on the area will be significant and will not be known until completion of its EIS.
- Analyze the full range of alternatives including no project and the exclusion of certain areas from development or road building.
- In conjunction with the US Marine Corp analyze impacts on military activity in Camp Pendleton and on the aquifer underlying San Mateo creek that is a prime source of the USMC water supply.
- In conjunction with the USMC investigate the concept of creating a permanently protected buffer zone covering the San Mateo watershed to separate military uses from urban development.
- Identify any locations where roadway runoff or other nonpoint source pollution may have an adverse impact on sensitive water resources such as water supply reservoirs, ground water recharge areas, and high quality streams.
- Analyze quantities and flow rate, including possible effects of accretion, erosion and channel deepening caused by modification of creek beds and land forms.
- Analyze cumulative impacts on sediment flow, particularly downstream effects on the habitat, water quality, natural beach replenishment, and sand bars that effect recreational uses such as swimming and surfing at San Onofre State Beach Park.

- Analyze potential impacts of housing and highway development on water quality including but not limited to pathogens, trash, fertilizers, non-native species introduction and toxics on aquatic resources and habitat.
- Exclude wetlands from the programmatic/general permit process. Evaluate the importance of the wetland(s) and the severity of any impact and the longterm effects on the wetlands. Identify alternatives that would avoid these wetlands, and practicable measures to minimize harm to the wetlands.
- Identify natural and beneficial floodplain values, stream location, meander patterns and the importance of any loss such as flood control capacity and natural pathogen filtration due to creek bed and landform modifications.
- Identify areas of potential mud-debris flow and their impact on stream impoundments and the impact of aggravating these conditions if road building or housing development were to take place in the identified areas. The poorly consolidated sandstones and conglomerates of the Williams and Trabuco formations underlying the San Mateo creek drainage are particularly prone to mud-debris flows in heavy rain seasons
- Analyze impacts on endangered species, including current and pending critical habitat designations (including steelhead trout).
- Analyze impacts on wildlife other than endangered species, including displacement and relocation and impact on wildlife corridors.
- Analyze impacts on stream uses and recreation, including horseback riding, bird watching, fishing, hiking, camping and swimming.
- Analyze impacts on local tourist economy and impacts on amenities in the human environment that local tourist economy depends on.
- Analyze impacts on privately managed land conservancies and preserves, including Rancho Mission Viejo Land Conservancy and the Audubon Starr Ranch Preserve.
- Analyze impacts on traffic, air quality and noise
- Require experimental 'proof of concept' on any water pollution abatement method proposed within the SAMP area. Current water pollution abatement techniques are notorious for their failure.

On behalf of the Friends of the Foothills I thank you for allowing us to contribute these comments. Please add us to the San Juan/San Mateo Creek SAMP and MSAA EEIS/EIR public interest list.

Sincerely,

Bill Holmes  
Chair: Friends of the Foothills Steering Committee

3435 Wilshire Boulevard  
Suite 320  
Los Angeles, CA 90010-1904



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200  
(213) 387-4287 phone  
(213) 387-5383 fax  
www.angeles.sierraclub.org

May 18, 2001

**By Electronic Mail and  
First Class Mail**

Dr. Fari Tabatabai  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
ATTN: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Re: Environmental Impact Statement Scoping Comments for Preparation of a  
Special Area Management Plan (SAMP) and Associated 404 Permit Actions for the  
San Juan Creek and western San Mateo Creek Watersheds, Orange County,  
California**

Dear Dr. Tabatabai:

Sierra Club submits these comments to the Army Corps of Engineers (ACOE) on ACOE's notice of intent to prepare an environmental impact statement for the Special Area Management Plan (SAMP), and associated 404 permit actions, for the San Juan Creek and western San Mateo Creek watersheds.<sup>1</sup> After reviewing the scoping notice and the materials presented to the public at the May 8, 2001 public presentation, we have significant concerns about the adequacy of the ACOE's proposed EIS and the potential for the SAMP to cause substantial environmental harm to southern Orange County's water quality, wetlands, wildlife, recreational resources, and tourist economy.

The scoping notice range of "key environmental issues" is inadequate to ACOE's mandated responsibility to consider all potentially significant impacts to the human environment presented by the SAMP.

The scoping notice fails to adequately identify all of the cumulative effects in the SAMP study area that, when combined with the SAMP itself, may result in significant environmental effects.

The scoping notice fails to identify a full range of alternatives. Those that are identified lack sufficient detail for the public to meaningfully comment.

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<sup>1</sup>Natural Resource Defense Council's 5/18/2001 SAMP scoping comments are incorporated by reference

The scoping notice fails to make clear that the proposed SAMP must satisfy the requirements of the Clean Water Act.

The scoping notice fails to assure the public that the SAMP will exclude activities that have more than a minimal environmental effect. The SAMP should clearly specify that projects which are likely to have a significant adverse environmental effect on the San Mateo and San Juan watersheds will continue to be subject to the individual permitting process under Section 404 of the CWA.

Because the SAMP is also a land use plan, the SAMP EIS must consider a broader range of impacts on the human environment than those identified in the scoping notice. These include, but are not limited to, traffic patterns, air quality, noise, recreation, groundwater (including those sources in San Mateo Creek that are downstream of the project area, e.g. Camp Pendleton's use of the San Mateo aquifer), and economic impacts.

The ACOE must conduct a comprehensive assessment of the four key environmental issues identified in the scoping notice:

1. Aquatic resources, water quality and water quantity. For each potential impact the ACOE must provide a detailed evaluation of its potential effects or explain why the impact is insignificant. The EIS must address impacts to the following site-specific and downstream aquatic resources, water quality, and water quantity throughout the San Juan Creek and San Mateo Creek watersheds to the surf zone and ocean:

- pathogens, heavy metals, organic compounds, and salinity;
- sedimentation;
- suspended particulates and turbidity;
- surface water quality flow regime, current patterns, and water circulation and normal water level fluctuations;
- substrate characteristics; and
- cumulative and secondary effects on aquatic ecosystem and organisms.

2. Wildlife impacts. The EIS must include in its cope site-specific and downstream impacts on wildlife and their habitat including:

- fish, crustaceans, mollusks, and other aquatic organisms in the food web,
- other resident and transient wildlife, including mammals, birds, reptiles, and amphibians,
- breeding and nesting areas,
- escape cover,
- travel corridors, and
- preferred food sources.

3. Special aquatic sites. The EIS must include impacts to all special aquatic sites, particularly wetlands, in its scope.

4. Human use. The EIS must consider impacts to the following in its scope:

- public and private water supplies consisting of surface water and ground water;
- recreational and commercial fisheries consisting of harvestable fish, crustaceans; shellfish, and other aquatic organisms used by humans;
- water-related recreation for both amusement and recreation;
- aesthetics associated with the aquatic ecosystem; and
- parks, national and historic monuments, national seashores, wilderness areas, research sites, and similar preserves designated under federal and state laws or local ordinances.

The EIS must carefully examine the SAMP's potential effect on the recreational value of the San Onofre State Beach Park and its surfing beaches, including Trestles. The EIS must consider impacts on the geomorphology of the park's beaches, specifically, but not limited to, natural beach replenishment and the surf break(s) that provide an important recreational resource. The EIS must not exclude an analysis of all reasonable foreseeable potential impacts to San Onofre State Beach Park despite its exclusion from the adjacent project area. The park is downstream and directly impacted by any decisions ACOE may make about the development of upstream resources in the San Mateo watershed.

The SAMP EIS must carefully examine the SAMP's potential effect on the recreational value of other local beaches known to be affected by the water quality and sediment flow of San Juan Creek, including, but not limited to, Poche and Doheny beaches. These beaches are already badly polluted. The SAMP must analyze potential impacts (including, but not limited to, natural beach replenishment, beach and surf break geomorphology, water quality, pathogens, trash) on these resources.

The EIS must address cumulative and indirect impacts in compliance with NEPA. Unfortunately, the scoping notice fails to make clear that the EIS will carefully analyze the all of the cumulative and indirect impacts that adoption of a SAMP is likely to have on the San Juan Creek and San Mateo Creek watersheds. An adequate discussion of cumulative and indirect effects would have to consider:

- other 404 permits already or expected to be issued prior to completion of the SAMP;
- discharge activities authorized under NWPs for the SAMP study area;
- other water quality impacts to the watershed, including municipal waste treatment disposal and stormwater runoff;
- the impact of all alternative alignments for the southern segment of SR-241; and
- other impacts to endangered, threatened and other wildlife plant and animal species.

The scoping notice EIS alternatives are inadequate. The scoping notice includes insufficient detail to permit meaningful public comment on the alternatives identified. Indeed, the scoping notice describes each alternative in only summary fashion. While a summary description may be appropriate for the "no project alternative," it certainly cannot suffice for the alternative based on "other land use scenarios."

The EIS should consider a "no discharge alternative."

The scoping notice fails to make clear that the EIS will carefully examine not only the range of development activities that would be allowed under each alternative, but also the mitigation that would be required under each alternative.

The SAMP must clearly and categorically exclude any discharge activities, such as the construction and operation of the Foothill-South toll road, which can be expected to have more than a minimal adverse environmental effect.

The SAMP EIS must consider impacts on the ability of the United States Marine Corps to fulfill its training mission at Camp Pendleton.

The SAMP EIS must carefully identify all of the proposed project's impacts, expand the scope of the alternatives identified by the scoping notice, and clearly exclude any activities that will have more than a minimal environmental effect.

Thank you for considering these comments,

Sincerely,

A handwritten signature in black ink that reads "Bill Corcoran". The signature is fluid and cursive, with a long horizontal line extending to the right.

Bill Corcoran  
Conservation Coordinator  
Sierra Club, Angeles Chapter



United States Department of the Interior  
Fish and Wildlife Service  
Ecological Services  
Carlsbad Fish and Wildlife Office  
2730 Loker Avenue West  
Carlsbad, California 92008



In Reply Refer to:  
FWS-OR-1774.1

Colonel John P. Carroll  
District Engineer  
U.S. Army Corps of Engineers  
Los Angeles District  
P.O. Box 532711  
Los Angeles, California 90053-2325

MAY 25 2001

Attn: Fari Tabatabai, Regulatory Branch (No. 199915966-FT)

Re: Special Area Management Plan and Associated 404 Permit Actions for the San Juan Creek and Western San Mateo Creek Watersheds, County of Orange, California

Dear Colonel Carroll:

We have reviewed the Notice of Intent dated April 19, 2001 (66 FR 20135), and Special Public Notice dated April 18, 2001, of a public scoping meeting for the Army Corps of Engineers (Corps) to prepare a Draft Environmental Impact Statement (DEIS) for the preparation of a Special Area Management Plan (SAMP) and associated 404 Permit Actions for the San Juan Creek and western San Mateo Creek Watersheds in the County of Orange, California. The DEIS will address impacts of various land development and aquatic resource protection alternatives identified in the preparation of the SAMP. The SAMP will provide a comprehensive plan for protecting and enhancing aquatic resources while providing a framework for a long-term programmatic permitting process for projects in the watersheds subject to Corps permit authority under section 404 of the Clean Water Act regulating the discharge of fill or dredged materials into "waters of the United States." In addition, the SAMP will include a comprehensive reserve program for the protection, restoration, and management of aquatic resources within the study area.

We offer the following comments and recommendations in keeping with our agency's mission to work "with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people." Specifically, we administer the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*). These comments have been prepared under the authority, and in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended, 16 U.S.C. 661 *et seq.*). Section 7 of the ESA requires Federal agencies to consult with the Fish and Wildlife Service (Service) should it be determined that their actions may affect federally listed threatened or endangered species. The

John P. Carroll (FWS-OR-1774.1)

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responsibilities of Federal agencies with respect to the ESA can be found in its implementing regulations (50 CFR Part 402). Section 9 of the ESA prohibits the "take" (e.g., harm, harassment, pursuit, injury, kill) of federally listed wildlife. "Harm" is further defined to include habitat modification or degradation where it kills or injures wildlife by impairing essential behavioral patterns including breeding, feeding, or sheltering. Take incidental to otherwise lawful activities can be permitted under the provisions of sections 7 (Federal consultations) and 10 of the ESA. We also provide comments on applications for a Federal permit or license affecting the Nation's waters pursuant to the Clean Water Act.

We would like to first state our support for the concept of special area management planning. Advanced planning processes such as SAMPs can be beneficial in identifying and protecting sensitive environmental resources, while accommodating necessary economic growth and increasing the predictability and efficiency of the regulatory process. As you are aware, the County of Orange (County) is working with the Service and California Department of Fish and Game (CDFG) on another advanced planning effort, namely a Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) for upland resources in the Southern Subregion of the County, which overlaps with much of the proposed SAMP area.

The NCCP/HCP would be prepared pursuant to the State of California's Natural Community Conservation Planning Act of 1991 and the ESA. Similar to the SAMP for aquatic resources, the purpose of the NCCP Program (Program) is to protect the natural diversity of coastal sage scrub (CSS) and adjacent habitats while allowing compatible and appropriate development. The Program is designed to provide an alternative to single species conservation efforts by formulating regional, natural community based habitat protection programs to protect the numerous species inhabiting each of the targeted natural communities. The Program is sponsored jointly by the California Resources Agency and CDFG, and is conducted in cooperation with the Service pursuant to a Memorandum of Understanding between CDFG and the Service dated December 4, 1991.

The proposed NCCP/HCP would identify those actions necessary to maintain the viability of the remaining CSS habitat in the Southern Subregion of the County for three "target species" residing in CSS habitats. The target species are the federally threatened coastal California gnatcatcher (*Polioptila californica californica*), cactus wren (*Campylorhynchus brunneicapillus*), and orange-throated whiptail (*Cnemidophorus hyperythrus beldingi*). The NCCP/HCP would treat the three target species as listed species and would be subject to the standards set forth in section 10(a)(1)(B) of the ESA and 50 CFR 17.32(b) and 17.22(b). In addressing the habitat needs of three target species, the NCCP/HCP would benefit other CSS species, as well as function as a multiple species conservation plan.

To our knowledge, this is the first comprehensive, advanced planning effort for both aquatic and upland resources at this scale. Although the potential rewards are great, this promises to be a highly complex endeavor that will require coordinating many work products and milestones to assure its success. Similar to the SAMP, preparation of the NCCP/HCP will involve public scoping and preparation of an EIS, identification of alternative reserve/development scenarios, selection of a preferred reserve/development alternative, establishment of a reserve, and



John P. Carroll (FWS-OR-1774.1)

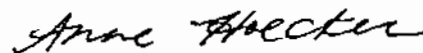
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provision for its management in perpetuity. We will have to also coordinate any consultation under section 7 of the ESA for the SAMP with the internal section 7 consultation we perform for the NCCP/HCP.

In the past, the Service participated in a technical committee with the Corps and U.S. Environmental Protection Agency (EPA) on the preparation of the SAMP. Specifically, we were involved in meetings and discussions regarding the development of a planning level delineation and functional assessment of riparian ecosystems in support of the SAMP. These work products are now completed and will be used to evaluate impacts associated with alternative development scenarios and select the least environmentally damaging practicable alternative (LEDPA) in the context of the aquatic reserve program. We believe that agreement between our agencies on the methodologies of the planning level delineation and functional assessment and how they will be used to evaluate alternatives and select the LEDPA will prove important to the success of the public SAMP and NCCP/HCP processes. We also wish to gain a better understanding of, and have the opportunity to provide input on, the long-term programmatic permitting process and the comprehensive reserve program for the SAMP. To foster a close working relationship and promote agreement on key issues, we suggest that regular meetings between our agencies, as well as EPA and CDFG, be held during the development of the SAMP and NCCP/HCP.

We appreciate the opportunity to comment on the referenced NOL. If you should have any questions pertaining to these comments, please contact David Zoutendyk of my staff at (760) 431-9440.

Sincerely,



 Karen A. Evans  
Acting Assistant Field Supervisor

cc: EPA, c/o Corps, Los Angeles, CA (Attn: Steven John)  
County of Orange, CA (Attn: Tim Neely)  
CDFG, San Diego, CA (Attn: Bill Tippets)



2 Park Plaza, Suite 100  
Irvine, California 92614  
Phone: 949.794.7230  
Fax: 949.476.0513

Email: orangecoastwatch@aol.com

May 16, 2001

Dr. Fari Tabatabai  
US Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, CA 90053

RECEIVED  
10 2001  
REGULATORY BRANCH

Re: San Juan/San Mateo SAMP and EIS/EIR

Dear Dr. Tabatabai:

Orange Coast Watch is an environmental group formed last year to work toward improvement in water quality for Orange County watersheds and coastal waters. We want to encourage the Corps and its partner agencies to do a thorough job in assessing the impacts to water quality that would ensue from the various development alternatives that will be studied.

Beach recreation is a major industry in the state of California as a whole and in Orange County in particular. Unfortunately, urban runoff and storm water runoff are major polluters of coastal waters. Fortunately, public attention has been directed to this problem as never before. Past urbanization has visualized runoff as a mere nuisance to be disposed of to the sea as quickly and cheaply as possible. Future urban development in south Orange County must approach water quality issues more seriously.

San Juan and San Mateo Creeks must not be converted into mere stormwater conveyance channels like the concrete ditches so familiar in southern California. Development should not be permitted in, or immediately adjacent to, stream channels. Runoff into stream channels should not increase background levels of pollutants of any type. Best Management Practices should be required as mitigation measures. The EIS/EIR should NOT spell out specific BMP methods and facilities; BMP technology is evolving rapidly and will undoubtedly continue to improve. Instead, the EIS/EIR should identify the water quality standards that must be achieved by whatever BMP a development selects.

Finally, total volume of runoff to be discharged must be limited by mitigation measures. Development within the neighboring Aliso Creek watershed has led not only to direct water quality impacts but also to excessive flow volumes. These have caused significant streambed erosion problems, which, in turn, increase pollutant load and decrease the ability of natural stream and wetland processes to remove pollutants. The EIS/EIR should specify measures that will prevent any dry season runoff above natural levels. The

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natural level of dry season flow in many local streams, of course, is zero, and this natural condition should be retained, both for water quality and habitat quality reasons.

Mitigation measures should also require retention of wet season storm runoff either on site of urban development, or, if off-site, NOT within existing streambeds or habitat areas.

Please include Orange Coast Watch on your distribution list for information about the SAMP and its EIS/EIR. We will be happy to cooperate with the Corps in any way possible to protect water quality in the waters of the United States.

Sincerely,


A handwritten signature in cursive script that reads "G. Victor Leipzig". The signature is written in black ink and is positioned above the printed name and title.

G. Victor Leipzig, Ph.D.  
Executive Director



# Conservation Biology Institute

651 Cornish Drive • Encinitas, California 92024  
Phone/Fax: (760) 634-1590  
<http://www.consbio.org>

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MAY 18 2001

May 17, 2001

REGULATORY BRAN

U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
ATTN: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Subject: Preparation of a Draft Environmental Impact Statement (EIS) for the preparation of a Special Area Management Plan (SAMP) and Associated 404 Permit Actions for the San Juan Creek and Western San Mateo Creek Watersheds, Orange County, CA.**

Dear Dr. Tabatabai:

The Conservation Biology Institute has prepared comments on the subject action by the U.S. Army Corps of Engineers (Corps) on behalf of the Endangered Habitats League. We favor comprehensive regional land use planning efforts, such as the SAMP process. We also wish to ensure that the full range of regional environmental issues and alternatives are addressed in the SAMP and EIS (and EIR), and that planning efforts in this area are coordinated among state and federal agencies with distinct, but overlapping responsibilities.

We understand that two resource documents will be used in the preparation of the SAMP and EIS/EIR: (1) *Planning Level Delineation and Geospatial Characterization of Riparian Ecosystems of San Juan Creek and Portions of the San Mateo Creek Watersheds, Orange County, California* (Corps, September 2000), and (2) *Assessment of Riparian Ecosystem Integrity In the San Juan and San Mateo Creek Watersheds, Orange County, California* (Waterways Experiment Station, no date). Therefore, we provide specific comments on these documents as well.

## General Comments

- The purpose of the SAMP process must be clearly identified in both the SAMP and the EIS/EIR (e.g., issuance of a General Permit). The adequacy of existing information to support a particular regulatory action, such as issuing a Clean

Water Act section 404 permit, must be determined during the development of the SAMP and EIS/EIR. The existing resource documents do not appear to provide adequate information to issue project-level 404 permits for development activities in the watersheds. If the SAMP is not intended to result in the issuance of 404 permits, then define the process that will be used to obtain project-level regulatory approvals for impacts to waters of the U.S.

- While the Corps has regulatory authority over waters of the U.S., including federally defined wetlands, the California Department of Fish and Game has broader regulatory oversight of rivers and streams, and their associated physical, hydrological, and biological components. The information provided in the two resource documents does not appear to be adequate to support planning, environmental review, and permitting of the SAMP under the California Fish and Game Code and the California Environmental Quality Act.
- The Corps has regulatory authority only over waters of the U.S. However, since future development projects in the watershed have the potential to significantly affect the environment beyond just their effects on waters of the U.S., the EIS must consider the potential impacts of Corps regulatory decisions on resources other than those regulated under the Clean Water Act.
- Because Corps regulatory actions under the Clean Water Act for development activities in the watersheds have the potential to affect endangered species, the Corps must consider whether its action might result in jeopardy to federally listed threatened, endangered, and candidate species. In addition, development activities within the watersheds that are the subject of the SAMP are also the subject of a Natural Community Conservation Planning (NCCP) process. If allowable development and mitigation requirements are to be coordinated with the NCCP plan, then the SAMP and EIR must also address potential impacts to state-listed and unlisted species that are to be covered by the NCCP plan. A discussion should be provided in the SAMP describing how the regulatory processes of the SAMP will be integrated with the NCCP process.
- The SAMP must consider the general biogeographic patterns of aquatic and riparian resources in the watershed. The concept of “functional riparian ecosystems” requires that integrated systems complete with functional physical, hydrological, and biological processes and an appropriate representation of stream order, topographic relief, and biological communities, must be maintained to protect resource values. We strongly encourage the Corps to consider these factors at the scale of the watershed rather than the regulated reach scale in the planning process.

***Planning Level Delineation and Geospatial Characterization of Riparian Ecosystems of San Juan Creek and Portions of the San Mateo Creek Watersheds, Orange County, California***

- It is unclear from the document exactly how much field verification effort was expended. There are a large number of low-order tributary drainages that are mapped as uplands or have low section 404 jurisdiction probability ratings. Without additional information on the field verification efforts expended on these drainages, these conclusions appear questionable.
- The document states (pg. 19) that in many instances the active floodplain channel (flood interval less than 10 years) and bed and bank features were used to determine regulatory jurisdictional boundaries because drift and silt material was spread over larger areas of the floodplain. Since Corps jurisdiction under section 404 of the Clean Water Act extends to the "ordinary high water" mark in non-tidal areas, and ordinary high water can be defined by the limits of silt and debris from flood events, it is unclear to us why this more restrictive criterion was used in this assessment.
- It is unclear why a number of sample point data sheets in Appendix 7 classify a sampling point as being located in a wetland but not in waters of the U.S., when wetlands are a subset of waters of the U.S.

***Assessment of Riparian Ecosystem Integrity In the San Juan and San Mateo Creek Watersheds, Orange County, California***

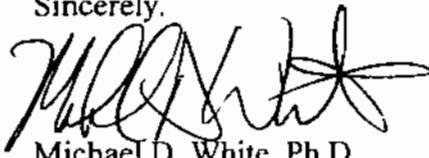
- The assessment endpoints used to represent ecosystem integrity should be expanded to include an endpoint for physical integrity. Physical habitat conditions are particularly important for a number of sensitive resources in the watersheds, including arroyo southwestern toads and riparian vegetation communities. In addition, we are concerned that the existing assessment endpoints used to assess ecosystem integrity are not broad or detailed enough to capture meaningful estimates of the various components of integrity. For example, the selected indicators of hydrologic integrity do not well represent potential changes in hydrologic patterns (e.g., magnitude and duration of storm runoff) due to land use changes in subbasins. Increases in chemical constituents produced by Land Use/Land Cover modifications are treated as a binary outcome (i.e., yes or no) and do not capture the magnitude of changes that are likely to be associated with the various categories of Land Use/Land Cover.
- The uncertainties associated with development of the various integrity metrics and the relationships between various indicators of integrity are not clearly discussed. It is unclear exactly how much field verification effort was expended in the various reaches of the study area. Results appear to be treated as if they contain equal levels of uncertainty or no uncertainty at all. In addition, several of the indicators are related to one another (e.g., Altered Hydraulic Conveyance –

Drainage Basin is derived from Altered Hydraulic Conveyance – Riparian Reach). The sensitivity of the overall ecological integrity metric to the individual unique indicator metrics should be established.

- The document refers to “short time frames and limited budget, lack of quantitative data..., and lack of existing confirmed indicators” (pg. 18), which affected the approach taken in the study. We are concerned that these limitations have potentially affected the thoroughness of the present study, which may translate into a reduced quality SAMP.

We look forward to working with the Corps on this important effort.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. D. White', with a stylized flourish at the end.

Michael D. White, Ph.D.  
Senior Ecologist

Cc: Dan Silver, Endangered Habitats League



## Rancho Mission Viejo Land Conservancy

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Laura Cohen

May 15, 2001

U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
ATTN: CESPL-CO-R-199915966-ST  
P.O. Box 532711  
Los Angeles, CA 90053

RECEIVED  
MAY 2001  
REGULATORY BRANCH

I am writing on behalf of Rancho Mission Viejo Land Conservancy to address the *Special Area Management Plan* for the San Juan and San Mateo drainages in south Orange County.

Please exclude the Foothill-South Toll Road from the SAMP. Please consider the water quality impacts of all projects: sediment deposition and removal, changes in flow, chemical pollution, water temperature, and other impacts on wildlife upstream and downstream. Please consider the cumulative impacts of projects on wildlife—during and after construction.

The San Mateo Watershed is the last unchannelized, undammed watershed south of Ventura. This is a rare and important resource for the wildlife that use RMVLC, for county wildlife, and for the people of the state of California. Please help us protect the last wild watershed in our area.

Rancho Mission Viejo Land Conservancy (RMVLC) was set aside for its conservation and public education/recreation values in mitigation for the development of adjacent land, now called "Talega" in the city of San Clemente. A public non-profit 501c(3) corporation, RMVLC was organized, "to preserve and enhance natural areas for aesthetic, scientific, charitable and educational purposes..."

The county of Orange, city of San Clemente, and the developer all worked together to establish RMVLC. Our easement states, "The Easement Area's natural elements, ecological, scientific and aesthetic values are of great importance to the people of the State of California, the people of the County of Orange, Grantor and Grantee, and are worthy of protection and preservation."

RMVLC has only two small seep areas that provide water for wildlife. It should be noted that Cristianitos Creek is not protected by the Conservancy, as most of it lies outside the Conservancy boundaries. The larger creeks near the reserve: Cristianitos, La Paz, Gabino, San Mateo and the ponds on Rancho Mission Viejo are important to reserve wildlife. They serve rare and endangered species, as well as providing the most important corridor of travel for our large mammals. With consideration to the importance of these creeks to RMVLC, we urgently request that the Army Corps of Engineers not include the Foothill-South Toll Road in this SAMP.

### Endangered Arroyo Southwestern Toad

Gabino and Cristianitos Creeks are home to the endangered *Arroyo Southwestern Toad*. The endangered Arroyo Toad is found on the Conservancy and the population extends the length of Cristianitos Creek.

Any changes in sedimentation rates caused by the Foothill-South Toll Road will destroy habitat currently used by the endangered Arroyo Toad. The toad requires the sand bars that normally accumulate along Cristianitos Creek. As more surface within the watershed becomes impervious, there will be a corresponding change in sediment yield.



The geology of the hillsides surrounding the watershed vary from clay to sand. The Foothill-South Toll Road passes through an area that is a former clay quarry. Sediment from this location has the potential to fill the sandy arroyos the toad needs for shelter.

A drop in the streambed can leave pools that allow the bullfrog, a destructive non-native species to survive in the creek. This would adversely impact habitat for the Arroyo Toad and the other species of native frogs and toads.

Arroyo Toads' mating is prevented by road noise. Studies of the toad show that road noise interferes with the calling of male toads.

Road pollution of the habitat has a devastating effect on amphibian species, as they absorb water through their skins and are also subject to accumulation of these toxins through the food web. Motor oil and tires contain the heavy metals zinc and cadmium. Motor oil and gasoline contain nickel. These metals have been found to increase with proximity to roads. They have also been found to accumulate in earthworms.

Roadside maintenance often involves the use of herbicides. Amphibians, with their permeable skin, are particularly susceptible to pollutants.

## **Other Endangered and Rare Species**

Changes in the Gabino, Cristianitos, and San Mateo Creeks may also impact other endangered species that make use of the creek downstream, such as the *Least Bell's Vireo*, *Pacific Pocketmouse*, and *Southwestern Willow Flycatcher*. Pollution of Cristianitos Creek will, in turn, degrade the water quality of San Mateo Creek, used by endangered *Steelhead Trout*, as well as the endangered *Tidewater Goby* and *Arroyo Southwestern Toad*.

There is at least one pond on Rancho Mission Viejo in the path of the Foothill-South Toll Road that is home to a population of Western Pond Turtles, rare in Orange County.

## **Important Wildlife Corridor**

Cristianitos Creek and RMVLC are important wildlife corridors. The current SEIR for the Talega development notes that the Conservancy and Cristianitos Creek are expected to be used as *primary travel routes* for the wildlife species in southeast Orange County.

Rancho Mission Viejo Land Conservancy was used by thirteen mountain lions during Dr. Paul Beier's study. The presence of mountain lions is important to maintaining an ecological balance in the reserve and in the wildlands throughout the county.

Drainages provide the most important corridors for mountain lion travel. The Foothill-South Toll Road plans include filling of most of the drainages adjacent to RMVLC.

The CP alignment of the Toll Road cuts right into the center of open space areas, severing all connections between the Arroyo Trabuco, Thomas F. Riley Wilderness Park, Caspers Wilderness Park, and Rancho Mission Viejo Land Conservancy. The CP goes through some of the most important cougar travel routes, such as Canada Gobernadora, Cristianitos Canyon, Gabino/Blind Canyon, and associated canyons.

Roads not only destroy mountain lion habitat; they allow easy access to poachers and arsonists, both of which have been already been discovered occasionally on Rancho Mission Viejo. Mountain lions are also often victims of road kill. In Florida, 20.5% of the lion mortality was due to cars. Two mountain lions were killed on the Eastern Toll Road last year. This represents almost 10% of the population in our area.

Without the mountain lion, we would lose the ecological balance of the reserve. The mountain lions control the mule deer population and also the mesopredators, such as the raccoon and opossum.

The Transportation Corridor Agencies have shown an inability and unwillingness to protect the wildlife impacted by existing toll roads. They plan to fill most of the drainages adjacent to the reserve. Along all existing toll roads, they have failed to adequately fence for large mammals. Studies conducted to protect the Florida panther have shown that fences designed to keep mountain lions and deer off the road must be eleven feet tall with a three-foot barbed wire overhang. The TCA has not even attempted to fence for small vertebrates. (This type of fencing is particularly important in riparian areas, as they are used by many small vertebrates.) I have addressed the fencing issue with the TCA to no avail.

### **Recreation**

For the burgeoning Orange County population, few places exist where people can escape from the noise and activity of civilization. RMVLC was set aside for this purpose. Our community comes to the reserve with the hope of seeing wildlife. Contrary to what one might expect, after a mountain lion sighting our attendance increases. People need wild places. To maintain a wilderness, we must allow for the needs of wildlife. The watershed is one of the most important elements in our ecosystem.

### **In Summary**

Please exclude the Foothill-South Toll Road from the SAMP. Please consider the water quality impacts of all projects: sediment deposition and removal, changes in flow, chemical pollution, water temperature, and other impacts on wildlife upstream and downstream. Please consider the cumulative impacts of projects on wildlife—during and after construction.

The San Mateo Watershed is the last unchannelized, undammed watershed south of Ventura. This is a rare and important resource for the wildlife that use RMVLC, for county wildlife, and for the people of the state of California. Please help us protect the last wild watershed in our area.

Thank you for your time and consideration of these important issues.

Sincerely yours,

A handwritten signature in cursive script that reads "Gilbert Aguirre". To the right of the signature, there is a small, illegible handwritten mark.

Gilbert Aguirre  
President  
Rancho Mission Viejo Land Conservancy



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2001  
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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: JOE JENSEN  
Affiliation (if any): \_\_\_\_\_  
Address: 27 VIA ENCANITO RCHD STA MAR, CA 92688-4942  
Email: JENSENFAMILY183@CS.COM

Comment:

ANY SAMP ALTERNATIVE MUST MAKE PROVISIONS  
FOR THE EXTENSION OF SR 241. THE TOLL ROAD IS  
A TRANSPORTATION IMPERATIVE NOT ONLY FOR  
ORANGE COUNTY BUT FOR ALL OF SOUTHWESTERN  
CALIFORNIA. ALLOWANCE SHOULD ALSO BE MADE  
FOR IMPROVING SR 74 WITHIN THE SAMP LIMITS.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? \_\_\_\_\_

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

=== COVER PAGE ===

TO: \_\_\_\_\_

FAX: 12134524196

FROM: CBI\_\_\_\_\_

FAX: 7606341590

TEL: 7606341590

COMMENT:

**FACSIMILE TRANSMITTAL**



**Conservation Biology Institute**

651 Cornish Drive  
Encinitas, CA 92024  
(760) 634-1590  
(760) 634-1590 - fax  
mdwhite@consbio.org

---

• WE HAVE 5 PAGES TO SEND, INCLUDING THIS PAGE •

DATE: 5/17/01  
TO: Fari Tabatabai  
Location: U.S. Army Corps of Engineers  
Fax Number: (213) 452-4196  
  
FROM: MIKE WHITE

---

MESSAGE:

Fari,

Enclosed is a comment letter on the public notice for the Orange County SAMP. I am also sending an electronic copy via email and an original via regular mail.

A handwritten signature in black ink, appearing to read "Mike". The signature is written in a cursive, somewhat stylized font.

**JACKSON, DeMARCO & PECKENPAUGH**

4 Park Plaza, 16th Floor  
P.O. Box 19704  
Irvine, California 92623-9704  
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**FAX COVER MEMO**

**PLEASE DELIVER THE FOLLOWING MATERIAL AS SOON AS POSSIBLE**

TO: Name: Ms. Fari Tabatabai  
Company: Regulatory Branch, CESPL-CO-RS  
U.S. Army Corps of Engineers  
Los Angeles District  
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Fax No.: (949) 752-0597  
File No.: 28859  
Client: Capistrano Valley Water District  
Date: May 18, 2001

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LAWRENCE R. RESNICK  
OF COUNSEL

KEVIN A. MCKITTICK  
RETIRED

OUR FILE NUMBER  
28859

E-MAIL  
mstaples@jdplaw.com

WRITER'S DIRECT DIAL NUMBER  
(949) 851-7409

May 18, 2001

**VIA FACSIMILE AND U.S. MAIL**

Ms. Fari Tabatabai  
Regulatory Branch, CESPL-CO-RS  
U.S. Army Corps of Engineers  
Los Angeles District  
911 Wilshire Boulevard  
Los Angeles, California 90017

**Re: City of San Juan Capistrano/Capistrano Valley Water District's  
Comments on Notice of Intent to Prepare a Draft Environmental  
Impact Statement for the Preparation of a Special Area Management  
Plan and Associated 404 Permit Actions for the San Juan Creek and  
Western San Mateo Creek Watersheds, Orange County, CA**

Dear Ms. Tabatabai:

We represent the City of San Juan Capistrano and the Capistrano Valley Water District (collectively, the "District"). The City of San Juan Capistrano is located in Orange County, California. The Capistrano Valley Water District was formed in 1930 to provide water service to the area now incorporated as the City of San Juan Capistrano and the northerly portion of the City of Dana Point. The District and its predecessors have long used San Juan Basin groundwater underlying the San Juan Creek and Trabuco Creek to supply domestic and irrigation water to the communities now incorporated as the City of San Juan Capistrano and a portion of the City of Dana Point. The District currently provides both domestic water and non-domestic irrigation supply, through separate distribution systems, to over 10,000 customer connections. The District does not divert surface water in the San Juan Basin.

The District's water supply plans depend upon its continued pumping of good quality groundwater from the San Juan Basin, as well as its expanded production and use of lower quality groundwater produced from its own wells and from a groundwater desalter project



**JACKSON DEMARCO & PECKENPAUGH**

Ms. Fari Tabatabai  
May 18, 2001  
Page 2

to be undertaken by the San Juan Basin Authority to treat brackish groundwater in order to augment current water supplies. Such projects are necessary for the District to reduce its reliance on water supplies imported from Northern California and the Colorado River.

The District requests that the joint Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) address the proposed Special Area Management Plan's ("SAMP") consistency with the District's plans for infrastructure and water supply development for both its domestic and non-domestic systems. The District's plans are set forth in its Domestic Water Master Plan, Non-Domestic Water Master Plan, application filed with the State Water Resources Control Board for a permit to appropriate water, and related documents. The District will forward a copy of the relevant documents for your consideration under separate cover.

The District also requests that its plans for infrastructure and water supply development be included among the public projects proposed to be permitted based upon the SAMP by the Army Corps of Engineers under the long-term programmatic permit to be issued pursuant to Section 404 of the Clean Water Act, and by the California Department of Fish and Game under the Master Streambed Alteration Agreement to be issued pursuant to section 1600 of the Fish and Game Code.

We appreciate this opportunity to comment on the Notice of Intent. Please feel free to contact me with any questions that you may have.

Sincerely,

*Michele A. Staples*  
*by fax*

Michele A. Staples

MAS/jaa  
413520.1

cc: Ms. Amy Amirani

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Jon F. Rife  
Affiliation (if any): San Clemente Resident and Business Owner  
Address: 1021 Midway Ln, San Clemente, CA 92672  
Email: jon@rife.com

Comment:

I am not an ecologist but rather a businessman. I am concerned that the backcountry of San Clemente could be destroyed forever. This valuable area could easily be made into a national park which would preserve the ecosystems and generate viable income for the local business community. Since this area is built on its value as a park is lost. Please consider this option.

Thank you

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? Yes

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: DONALD COLLIE, CPA  
Affiliation (if any): FRIENDS OF THE FOOTHILLS  
Address: 24 WOODBUSH IRVINE, CA. 92604  
Email: dcollie21@hotmail.com

Comment:

THE PROPOSED FOOTHILL SOUTH TRANSPORTATION CORRIDOR IS A DEVELOPMENTAL CORRIDOR BY THE OCTA TO BENEFIT RESIDENTS THAT HOUSING DEVELOPMENTAL INTEREST AT THE STRAFTER OF THE LAST CLEAN WATERWAYS AND SURFING SPOTS IN ALL OF THE SOUTHERN CALIFORNIA REGION. LET'S LEAVE THE LAST REMAINING RELATIVELY UNDEVELOPED REGION OF THIS COUNTY UNDEVELOPED BY THE IMPACT OF THE OCTA. IT WOULD BE A LEGACY THAT WILL BENEFIT FUTURE GENERATIONS AS WELL AS THOSE FURTHER ENOUGH TO APPRECIATE ITS BEAUTY.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? YES

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U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
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Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Jim Mirell  
Affiliation (if any):  
Address: 33 Skyline RSM CA 92688  
Email: ~~MM@~~

Comment:  
ORANGE County continues to suffer  
from housing shortages / shortages  
such as 0% vacancy / high rent,  
high student housing, freeways /  
traffic impacts, etc.] SAMP / MSAA  
MUST / should recommend balanced  
development / preservation plan that  
does not inhibit growth, quality of  
life.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? Yes

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Sally Anderson  
Affiliation (if any): Sierra Club; Nature Conservancy  
Address: 10 Calle Pastadero, San Clemente, CA 92672  
Email: SAW1@aol.com

Comment: last year  
We moved to this area because we loved the environment that allowed closeness to the wild life and terrain as well as the beach. Up until recently, the natural surroundings have been thoughtfully preserved in the course of community growth. Those developments seem to be proceeding happily with new development (Telaga, Marblehead Canyon). It is time to stop building our foothills + filling in our canyons + polluting + clutter with unrestrained development. The health, our daily retreat for walking dog for swimming are polluted + contaminated for swimming already. More roads in new areas, parking, more, more houses + businesses, more paving the very things that pollute. Use the existing roadway - about 1/2 deck's style, expand the existing roads for mass transit - a big change without suburban sprawl + promoting the very things that poison, degrade, and ultimately destroy our Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

land + environ-  
ment,

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Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Norman Anderson  
Affiliation (if any): SERRA CLUB FRIENDS OF THE FOOTHILLS, NAT. LANDS FOR  
Address: 10 LOMA PASADERO, SAN LEMUNY, CA 92672  
Email: norman@comcast.net

Comment:

Most important include the football - sports field  
road - it's a terrible mess. Remove up valuable  
landscape habitat and underground water quality.  
Road it will be a mess. Spend money on  
DO NOT NEED. It's a mess. Separate the road to  
stadium and stadium. Redundant. A better road;  
eliminate some road and stadium and  
championed stadium. Sports stadium water  
available. Project will take away water  
and include wetlands. Some and other road  
proposed. Road will be a mess. Landscaped stadium  
on recreational facilities. Stadium (not sports);  
stadium. Stadium. Stadium. Stadium. Stadium.  
Stadium and stadium. Stadium is a mess. Stadium  
Stadium and stadium. Stadium is a mess. Stadium

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

public interest list? Yes

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
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P.O. Box 532711  
Los Angeles, California 90053-2325

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: SUBDIPY H. BOB  
Affiliation (if any): SAN JUAN COUNCIL  
Address: 13421 SOUTHWEST SAN ANTONIO BLVD #12083  
Email: subdipy@earthlink.net

Comment: Vote for the San Mateo Creek Alternative

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list?  Yes  
email only

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Phyllis Watson  
Affiliation (if any):  
Address: 28076 Via Puerta San Juan Capistrano, CA 92675  
Email: salphy@home.com

Comment:

I have 2 young children and we are interested in hiking and bird watching near our house. One of the very few remaining areas to hike is the area surrounding San Mateo Creek. It is very important to keep this area pristine since the plant and animal species are very sensitive. So please analyze the following (I) downstream water quality impacts on endangered species including current and pending habitat designations including steelhead trout (3) impacts on traffic air quality and noise (4) impacts on sediment flow natural beach replenishment and sand bars including Trestles beach San Geronimo State Beach Park (5) impacts on public park resources including San Onofre State Beach Park (6) a full range of alternatives. (7) impacts on wildlife other than endangered species including displacement & relocation.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? YES

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Regulatory Branch  
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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: ANDREW CASTELLANO  
Affiliation (if any): \_\_\_\_\_  
Address: 182 SUNSET TERRACE, LAGUNA BEACH, CA 92650  
Email: ajc @ broadiron .com

Comment:

THE FOOTHILL-JOINT TOLL ROAD SHOULD BE EXCLUDED FROM THE SAMP. I BELIEVE THIS PROJECT WOULD HAVE AN EXTENSIVE AND PERMANENTLY DAMAGING EFFECT ON THE ENVIRONMENT. YOUR STUDY SHOULD ANALYZE THE IMPACTS ON DOWNSTREAM WATER QUALITY (INCLUDING THE OREAN), ON ENDANGERED SPECIES AND OTHER WILDLIFE, CUMULATIVE WATER QUALITY IMPACT, AND IMPACTS ON TRAFFIC, AIR QUALITY AND NOISE. IN ADDITION TO CONSIDERING THE TOLL ROAD, YOU MUST CONSIDER ALL OF THE DEVELOPMENT (E.G. HOUSING) THAT IS FINANCED BY CONSTRUCTION OF THE ROAD. STUDIES WHICH ARE CONDUCTED BY IMPARTIAL AGENCIES (E.G. THE TCA) SHOULD BE DISCOUNTED. IN LAGUNA CANYON THEY MADE FUDGE PROMISES ABOUT IMPACTS ON WATER QUALITY, AND NOW THAT THE DAMAGES HAS BEEN DONE, ITS TOO LATE TO UNDO THE TOLL ROAD.  
SAN JOHANNIS

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? YES

Mail Comments on the Notice of Intent to:  
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Regulatory Branch  
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Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: PAULINE FAYE  
Affiliation (if any):  
Address: 3705 CALLE FINO CLARETE, SAN CLEMENTE, CA 92673  
Email: pfaye@cs.com

Comment:

Please analyze the impacts of development on our cultural heritage  
archeological, ethnographic, paleontologic & historic resources

Please analyze the impact of sedimentation and water flow  
into the ocean. Also potential effects of surface & ground  
water due to construction activities in the watersheds,  
and due to urban stormwater runoff associated with future  
development.

Please analyze the impacts of the aquatic dependent species including,  
but not limited to arroyo toad, San Diego fairy shrimp, least Bell's  
Vireo and the steelhead trout. (How about the tadpoles, too!)

Please give the NO PROJECT ALTERNATIVE GREAT Thought  
and consideration! Our Quality of life depends on it!!!

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list? YES

Mail Comments on the Notice of Intent to:  
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Regulatory Branch  
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Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Judy Kollar  
Affiliation (if any):  
Address: 168 North "B" St. Tustin, CA 92780  
Email: Kollarlane@earthlink.net

Comment: I believe that the environmental review process should address the following issues:

- 1) For projects covered by the SAMP, what procedural mechanisms will be in place to ensure that biological data "discovered" after the SAMP is adopted will be taken into account during the future environmental review of individual projects.
- 2) The decrease/increase in opportunities for public participation regarding individual projects under the SAMP process.
- 3) The size and nature of projects that should ~~be~~ receive streamlined environmental review under the SAMP process. For example, I believe that major projects, such as the Foothill Fall Road Smith and bonding development involving more than 10 units, should not receive stream-lined review.
- 4) The percentage of natural wetlands that have already been degraded in Orange County.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: ~~\_\_\_\_\_~~  
Affiliation (if any): ~~\_\_\_\_\_~~  
Address: ~~\_\_\_\_\_~~  
Email: ~~\_\_\_\_\_~~ San Clemente Resident

Comment:  
I live living in Orange County, I enjoy going to the beach and I feel you are ignoring the cries of the citizens who pulse as a whole saying "Please stop, we do not need any new buildings!"  
Our beaches already this year have kept closed this year more than the last two years combined.  
You cannot tell me that more pavement + less earth for runoff and all natural process will not lead to more beach closures + pollution  
Please listen when the city says "NO MORE!". Please be honest with your findings

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? YES

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Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Peter L. Bradshaw  
Affiliation (if any):  
Address: 1819 Calle de los Alamos San Clemente, CA 92672  
Email: pnicyclist@home.com

Comment:

*There are the same 4 would be open to address:*  

- Ocean water quality - all impact due to steel runoff and combination of both.*
- Impact on native plants and native plant habitat.*
- Resource scarcity. Take into account that the area under study includes the last undeveloped coastal watershed in Southern California. Therefore, any loss of Resource - there are no other places like the left.*

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

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Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Harry Fair  
Affiliation (if any):  
Address: 35133 Valente Sq. Ca 92673  
E-mail:

Comment:

I am a California resident and understand the business of what it is to see polluted water. I am what is called a "waterhead" a waterhead is one who is in the government. I am a member of the California Water Resources Council. I would love to go to any of the states of California, Fish and Game, and State of California. I have a lot of money and I will support the waterhead in the government.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? Yes

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

To: Army Corps of Engineers  
Fr: Roger G. Worthington, Esq.  
Dt: May 8, 2001  
Re: Special Area Management Plan (SAMP)

When deciding the costs and benefits of developing one of the last remaining marginally unspoiled watersheds in Orange County, please consider what our progeny will think of your decision 100, 200 and 300 years from now. Will they look back with pride, or dismay? It's a relatively simple thing to build toll roads, pour concrete, shave down hillsides and slap together housing tracts and strip centers. But can we create creeks with fresh water? Can we build pristine wetlands? Can modern science and engineering create bull frogs, fish, birds, flowers, nutrients, or even fresh air?

Billions of dollars are spent exploring new planets. If our investment yields the slightest trace of an early form of a fungus or bacterium, we tend to get very excited, as if it's just a matter of time before our dreams come true and we can leave this planet and colonize, what -- Mars? We get excited about traveling into space and finding new habitats but we fail to look in our own backyards and the wonders all around us. Have you ever studied an ant hill? Can you imagine if NASA found an ant hill on Mars? We'd be packing our bags.

But we are not going to find any ant hills in this solar system, not soon and probably not ever. Everything we need we have. But sometimes we forget that, and want more, more, more. Once we bring in the roads, we bring in the subdivisions, then the strip centers, and the miles of traffic, with all of it's poison, physically and spiritually. It's like a mutation in the DNA that escapes the immune system's shield and starts multiplying -- it's a malignancy. We can prevent that from happening. You are the protector of the ecosystem. Be strong. Protect it. Leave a legacy you can be proud of -- a natural treasure that far surpasses anything man can make in it's beauty, simplicity and goodness.

Finally, please buy and read *The Wump World* by Bill Peet. Read it to your kids. And promise them you'll protect our planet from the Pollutians and their pot bellied monsters.

Roger G. Worthington, Esq.  
26502 Avenida Las Palmas  
Capistrano Beach, CA 92624  
949 496 1738  
fax 949 496 4380  
rwothington@rgw-pc.com



ANN WORTHINGTON  
26502 AVENIDA LAS PALMAS  
CAPISTRANO BEACH, CA 92624  
(949) 496-1738

May 8, 2001

Army Corps of Engineers  
Hearing on Special Area Management Plan

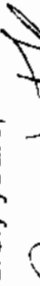
Dear Sirs:

When you create the Special Area Management Plan (SAMP) for southern Orange County, I urge you to focus on preservation and protection. Specifically, preserving our air and water quality, and protecting the open space and wildlife, means excluding the toll road extension from the SAMP. The proposed tollroad would cross the Aliso Creek, San Juan Creek, and San Mateo Creek watersheds. Development at these headwaters would have an irreversible negative effect on water quality. Aliso Creek and San Juan Creek are already polluted and most days the beaches at the mouths of these creeks are closed because of contaminated water. I should know, I live in Dana Point near the mouth of San Juan Creek. Every time I go to the beach with my 5 year old son I must tell him that he cannot play in the ocean because the water will make him sick.

San Mateo Creek is the last clean creek in our region, and we residents want to keep it that way. Birds and wildlife depend on that water for survival. Fishermen and surfers enjoy it for recreation. And some of us just like knowing it hasn't yet been ruined by upstream development.

If the proposed tollroad extension is built, the cumulative impact of the traffic and surrounding development will be devastating. It means urban sprawl in a now pristine area: more people, more cars, more air pollution, more noise, more contaminated water, more trash, more wildlife lost on the roadside. For the sake of our children and our health, I urge you to preserve the wetlands from development, and issue NO general fast-track permits under the SAMP.

Sincerely yours,





10 200

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: GLORIA H. POWELL  
Affiliation (if any): NONE  
Address: 151 AVENIDA COTA  
Email: \_\_\_\_\_

Comment:

I'M CERTAIN ALL OF THE OTHER ENVIRONMENTAL ISSUES HAVE BEEN SUFFICIENTLY BROUGHT TO YOUR ATTENTION BETTER STATED THAN I COULD HERE. HOWEVER THE ISSUE REGARDING POSSIBLE CONTAMINATION OF WATER AT THE SOUTHERN BORDER OF SAN CLEMENTE BY TONS OF LEAD FROM THE EXISTING SKIET RANGE SEEMS TO BE AN IMPORTANT ISSUE NOT BEING ADDRESSED BY THE CITY OF SAN CLEMENTE OR THE FTC. I AM ANXIOUS THAT A RESPECTED NEUTRAL ORGANIZATION THAT YOU ARE INSPECT THIS AREA AND STUDY THE POSSIBLE IMPLICATIONS OF DISTURBANCE AND THE NEED FOR DISPOSAL UNDER ANY CONDITIONS.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? YES

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

The Army Corps of Engineers  
To Whom It May Concern:

This letter was written several years ago by my son-in-law, a PhD professional working in the field of environmental protection and clean up. The Foothill Transportation Corridor representatives seem not well informed as to the location or relevance of a "shooting range in San Clemente" to their preferred route. The fact is that the deposits of lead are outside of San Clemente as the range is right at the border of the state park land. Even through neither the FTC or the City Council of San Clemente seem to be concerned about what could be a very serious problem, I am certain the Army Corps of Engineers would want to be certain that an important water source serving Camp Pendleton and the surrounding environment does not become contaminated.

Gloria Powell  
Citizen of San Clemente

There is an area of extensive chemical contamination on the boundary between San Clemente and Camp Pendleton that may represent a hazard to human health and the environment. The general location of the area is presented in the Attachment A. The contamination comes from a skeet shooting range that has been in operation for more than forty years. The skeet range is built on top of a landfill that may have been improperly closed. The nature of the contamination is widely dispersed lead, antimony, and possibly mercury from the skeet shot and shells, and possible unknown contamination due to landfill leachate.

The skeet shooting range is operated by the Elks Club (a.k.a., the BPOE) on land leased from the city of San Clemente. The range was built around 1950, and there were shooters there at least three days per week until 1985. The shooting was limited to Thursdays and Sundays in 1985 because of continuous complaints by nearby residents about the noise. Currently, there are approximately 300 shells fired per day the range is open (a round of skeet is 25 shots, four people typically shoot together, and there is enough time for three rounds of skeet each day). Skeet shells typically have about an ounce of lead shot in them. Assuming 300 shots/day, three days/week before curtailment in 1985, and 300 shots/day, two days/week afterwards; more than 55 tons of primarily lead may have been introduced into the area. A more exact figure is possible since the fee for the lease from San Clemente is directly based on the number of shots fired.

The area that has been directly contaminated is probably between 5 and 10 acres. However, contaminant migration over the past **50** years has probably spread the contamination over a greater area.

Release and migration of the contaminants, which is sure to have occurred over the past **50** years, could result in human exposure to harmful levels of lead and the other contaminants. Children occasionally play in the creek that drains the area and there is a state park very nearby where there are vacationing campers. The contaminated area is in the watershed for a sole source aquifer that provides drinking water to northern Camp Pendleton. Water from this aquifer is also drawn from nearby wells and used to water food crops. Additionally, wildlife (quail and other birds, bobcats, raccoons and coyotes) may be adversely affected by the contamination.

leakages from the area may be augmented in the near future because the area lies in one of the proposed paths for the Foothill Transportation Corridor. If the Foothill freeway does include this pathway, it is imperative that the material excavated from this area is properly staged and disposed of, and that there is a study of how the freeway will alter and augment the release of contaminants to nearby areas. Such information is not currently included in the Environmental Impact Report for the Foothill Transportation Corridor.

I am concerned about the environmental impacts of contamination in this area and also the potential for exposures and adverse human health impacts. I am writing this letter to bring the issue to your attention, because it may have an impact on the welfare of the public, the armed services, the environment, and the economic and environmental liability of you or your organization.

I have addressed this letter to you because I felt the agency or organization which you are a part of should be notified. If I have sent this letter to the wrong person or department, please forward the letter on to the proper individual(s) or department(s). Thank you for your time and consideration.

The Army Corps of Engineers  
To Whom It May Concern:

This letter was written several years ago by my son-in-law, a PhD professional working in the field of environmental protection and clean up. The Foothill Transportation Corridor representatives seem not well informed as to the location or relevance of a "shooting range in San Clemente" to their preferred route. The fact is that the deposits of lead are outside of San Clemente as the range is right at the border of the state park land. Even through neither the FTC or the City Council of San Clemente seem to be concerned about what could be a very serious problem, I am certain the Army Corps of Engineers would want to be certain that an important water source serving Camp Pendleton and the surrounding environment does not become contaminated.

Gloria Powell  
Citizen of San Clemente

There is an area of extensive chemical contamination on the boundary between San Clemente and Camp Pendleton that may represent a hazard to human health and the environment. The general location of the area is presented in the Attachment A. The contamination comes from a skeet shooting range that has been in operation for more than forty years. The skeet range is built on top of a landfill that may have been improperly closed. The nature of the contamination is widely dispersed lead, antimony, and possibly mercury from the skeet shot and shells, and possible unknown contamination due to landfill leachate.

The skeet shooting range is operated by the Elks Club (a.k.a., the BPOE) on land leased from the city of San Clemente. The range was built around 1950, and there were shooters there at least three days per week until 1985. The shooting was limited to Thursdays and Sundays in 1985 because of continuous complaints by nearby residents about the noise. Currently, there are approximately 300 shells fired per day the range is open (a round of skeet is 25 shots, four people typically shoot together, and there is enough time for three rounds of skeet each day). Skeet shells typically have about an ounce of lead shot in them. Assuming 300 shots/day, three days/week before curtailment in 1985, and 300 shots/day, two days/week afterwards; more than 55 tons of primarily lead may have been introduced into the area. A more exact figure is possible since the fee for the lease from San Clemente is directly based on the number of shots fired.

The area that has been directly contaminated is probably between 5 and 10 acres. However, contaminant migration over the past 40 years has probably spread the contamination over a greater area.

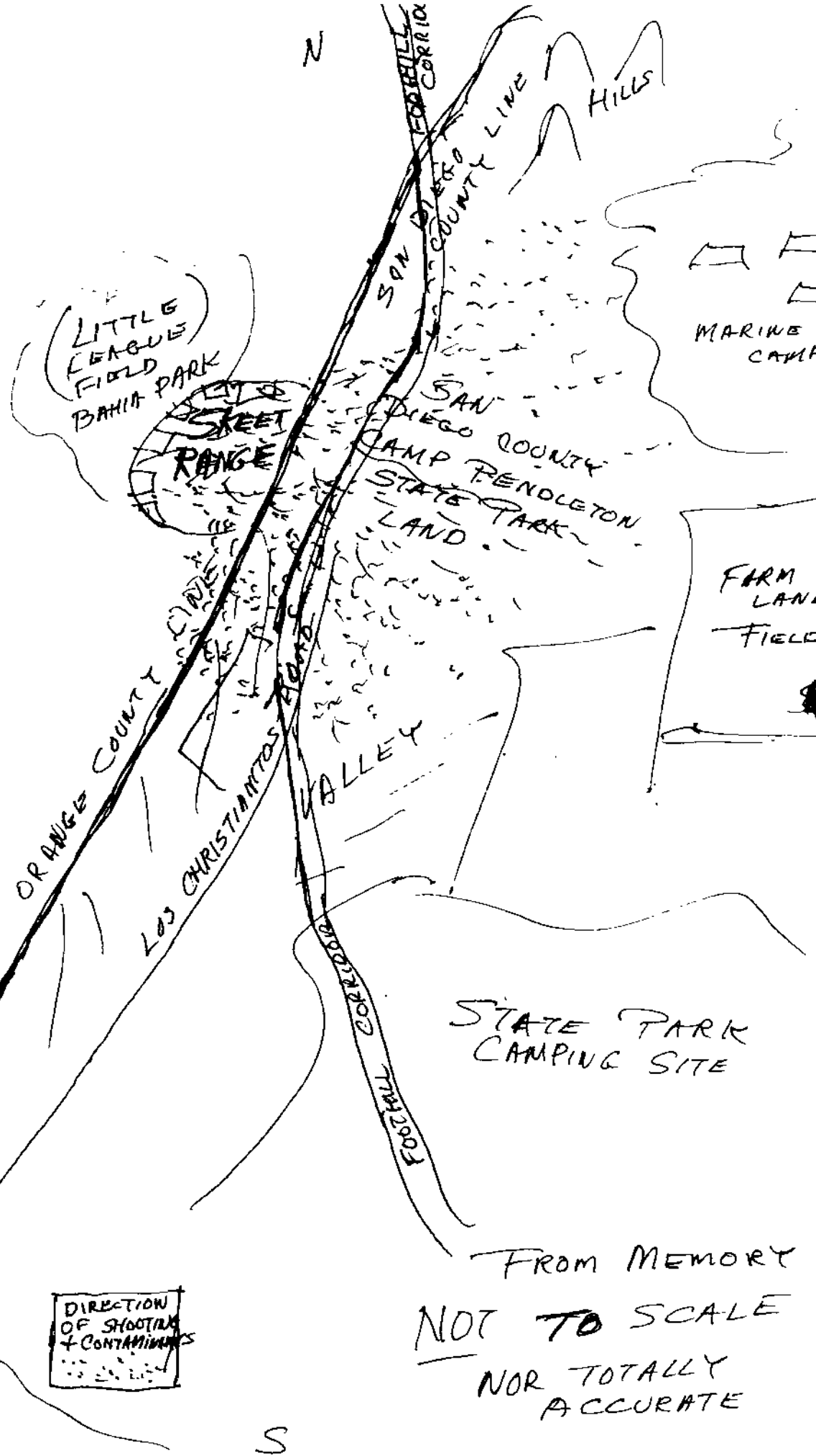
Release and migration of the contaminants, which is sure to have occurred over the past 40 years, could result in human exposure to harmful levels of lead and the other contaminants. Children occasionally play in the creek that drains the area and there is a state park very nearby where there are vacationing campers. The contaminated area is in the watershed for a sole source aquifer that provides drinking water to northern Camp Pendleton. Water from this aquifer is also drawn from nearby wells and used to water food crops. Additionally, wildlife (quail and other birds, bobcats, raccoons and coyotes) may be adversely affected by the contamination.

releases from the area may be augmented in the near future because the area lies in one of the proposed paths for the Foothill Transportation Corridor. If the Foothill freeway does include this pathway, it is imperative that the material excavated from this area is properly staged and disposed of, and that there is a study of how the freeway will alter and augment the release of contaminants to nearby areas. Such information is not currently included in the Environmental Impact Report for the Foothill Transportation Corridor.

I am concerned about the environmental impacts of contamination in this area and also the potential for exposures and adverse human health impacts. I am writing this letter to bring the issue to your attention, because it may have an impact on the welfare of the public, the armed services, the environment, and the economic and environmental liability of you or your organization.

I have addressed this letter to you because I felt the agency or organization which you are a part of should be notified. If I have sent this letter to the wrong person or department, please forward the letter on to the proper individual(s) or department(s). Thank you for your time and consideration.

SAN CLEMENTE  
ORANGE COUNTY



W

DIRECTION  
OF SHOOTING  
+ CONTAMINANTS

FROM MEMORY  
NOT TO SCALE  
NOR TOTALLY  
ACCURATE

S

## Tabatabai, Farinaz SPL

---

**From:** Tony Forbes [Tony@BudgetBlinds.com]  
**Sent:** Friday, May 18, 2001 6:04 PM  
**To:** 'tabatabai@spl.usace.army.mil'  
**Subject:** Please stop the building of toll road letter

I'm requesting that you consider the following items, as the quality of creek life, human life and ocean life depends on the outcome of these subjects:

1. EXCLUDE the Foothill-South Toll Road project from the SAMP. (The SAMP is a comprehensive plan that covers many projects within an area instead of considering permits on a project-by-project basis. We want the Foothill-South Toll Road considered as a separate project to extend and further delay progress!!! So it is very important to mention this in your letter).
2. Tell them to analyze downstream water quality impacts, including but not limited to, pathogens, trash and toxins.
3. Analyze cumulative water quality impacts.
4. Analyze impacts on endangered species, including current and pending critical habitat designations. (i.e.-The Steelhead Trout)
5. Analyze impacts on wildlife other than endangered species, including displacement and relocation.
6. Analyze impacts on recreation, including San Onofre State Beach Park and impacts on surfing. Other recreation includes but is not limited to horseback riding, bird watching, fishing, hiking, camping, swimming.
7. Analyze impacts on traffic, air quality and noise.
8. Analyze impacts on sediment flow, natural beach replenishment, and sand bars, including Trestles Beach at San Onofre State Park.
9. Analyze a full range of alternatives (i.e., a light rail train system up the 5 and 405 freeways).

My name is Tony Forbes I live in orange county and use many beaches and creeks with my family to enjoy. I have personally felt the impact of pollution and development in the areas. Please stop development of the toll road.

My address is 227 Diamond ave Balboa isle CA 92662.

**Tabatabai, Farinaz SPL**

---

**From:** TADJD@aol.com  
**Sent:** Friday, May 18, 2001 4:43 PM  
**To:** ftabatabai@spl.usace.army.mil  
**Subject:** San Juan/San Mateo Creeks scoping meeting. Cmments



US Army Corps .x.

Please fid attached my comments.

Regards,

Tad Dudzinski



**Tabatabai, Farinaz SPL**

---

**From:** David\_Zoutendyk@r1.fws.gov  
**Sent:** Thursday, May 17, 2001 4:40 PM  
**To:** FTabatabai@spl.usace.army.mil  
**Subject:** NOI for San Juan SAMP EIS

David A. Zoutendyk  
Chief, Southern Orange County  
U.S. Fish and Wildlife Service  
2730 Loker Avenue West  
Carlsbad, CA 92008  
(760) 431-9440 (P)  
(760) 431-9624 (F)  
David\_Zoutendyk@fws.gov

----- Forwarded by David Zoutendyk/CFWO/R1/FWS/DOI on 05/17/2001 04:39 PM  
-----

David

Zoutendyk

To:

cc:

05/17/2001

Subject: NOI for San Juan

SAMP EIS

04:22 PM

(Document link: David

Zoutendyk)

Fari, we request a 7 day extension of the comment period for the Notice of Intent to prepare an EIS for the preparation of a SAMP for the San Juan and Western San Mateo Creek watersheds. Pls let me know by email if the Corps will grant our request. THX

David A. Zoutendyk  
Chief, Southern Orange County  
U.S. Fish and Wildlife Service  
2730 Loker Avenue West  
Carlsbad, CA 92008  
(760) 431-9440 (P)  
(760) 431-9624 (F)  
David\_Zoutendyk@fws.gov

05/30/01

Tel. 949-830 8993

**Re: Public Scoping for San Juan/San Marcos Creek SAMP and MSAA EIS/EIR**

Comments:

We moved to Mission Viejo in 1977. It was then advertised as **AMERICAN DREAM**. There was space, beautiful views and plenty of hiking trails. Today with projected International Airport, cookie cutter subdivisions and shopping malls gobbling up orange groves and open areas it is fast becoming an American Nightmare.

So we have here the last, in Southern California, unique natural habitat, home to several endangered species of animals and plants and we cannot think of anything better than to build a toll road which, in the long run, will bring in more subdivisions, more congestion and more pollution.

Given these conditions plain common sense would tell us that the best solution is to preserve this area for our and following generations enjoyment.

However when you make this study please consider:

- The spread of development and concomitant loss of water, due to paving, which replenishes the water table.
- Handling of Toll Road runoff which, with the existing roads is woefully inadequate.
- Effect of increased volume of pesticide and artificial fertilizer on wildlife and soil organisms.
- Silting of creeks, replenishment of sand in San Onofre and Trestles Beaches.
- Increased traffic, noise and air pollution from expanded development.
- Crime (more people in the area)
- Effects on "clean" tourist industry.
- Social effects caused by increased and more transient population.
- Increased demand for schools, parks and other amenities.
- Water demands and supply.
- Analyze and factor in rather poor performance of the various authorities building and running the toll roads.
- Cumulative effect of all these changes on our environment and quality of life.
- Refrain from allowing any mitigation in general and already mitigated areas in particular.

Also, please make serious effort, in analyzing other alternatives to toll roads, exclude Foothill-South Toll road project from the SAMP and do not issue any "Global" (general) permits

*T. Dudzinski*

Tadjd@aol.com

## Tabatabai, Farinaz SPL

---

**From:** Laura Cohen [rmvlc@lanset.com]  
**Sent:** Friday, May 18, 2001 4:37 PM  
**To:** ftatabai@spl.usace.army.mil  
**Subject:** Special Area Management Plan-San Juan Creek Watershed/San Mateo Creek Watershed



USACE MIG.doc

I am sending this reponse letter in case it did not arrive in time by mail. You will receive the signed original in the mail today or tomorrow.

Thank you,  
Laura Cohen  
Rancho Mission Viejo Land Conservancy

## Tabatabai, Farinaz SPL

---

**From:** Richard Gardner [capopalm@hotmail.com]  
**Sent:** Friday, May 18, 2001 4:00 PM  
**To:** ftatababai@spl.usace.army.mil; octreehugger@home.com; petevannuys@aol.com; pryor@fea.net; rockdad@earthlink.net; rosscarpen@aol.com; rworthington@rgumpc.com; sebrkr@aol.com; shimpie@hotmail.com; sniflebaum@aol.com; srdnegotiates4u@aol.com; stowers@csi.com; surfanimal@aol.com; tori.haidiager@smes.org; tpfaye@cs.com; wwulff@uci.edu  
**Cc:** lwaian@home.com; dietmeier@home.com; snyderconsultants@home.com  
**Subject:** Re:Comments

Comments regarding the Special Area Management Plan public scoping request  
May 18, 2001 .

The following are some general comments on the SAMP process.  
I am not familiar with the locations throughout the country where it has been used successfully but the "normal" environmental review processes have lead to some serious deficiencies in the quality of life in southern Orange County.

The existing environmental impact report process seems to have a fatal flaw in that the effects of projects on the environment are not verified and adjustments made during the process. It is indeed possible that the EIS or EIR may indicate no significant negative impact but when the project or series of phases of a project are completed the result is traffic gridlock, loss of species, water quality problems, etc.

What assurance do we have that the SAMP will work? How will it be verified?

The information provided at the public scoping meeting indicated the area involved did not include the entire watersheds. The two watersheds must be separated and considered from the headwaters to the ocean for the planning to be meaningful. If the legislation did not authorize the entire watersheds as part of the planning effort how will you resolve this conflict in light of the fact that we now know we must include the entire watershed when considering habitat and water quality issues?

In order to understand the potential impacts of development on the two watersheds, San Juan Basin and San Mateo Creek, we must understand the existing conditions. We that Steelhead trout once lived in the San Juan Creek and one has recently been found in the San Mateo Creek. Will the SAMP include the surveys and evaluations of the existing conditions and for how long will the monitoring take place? Indefinitely?

The thousands of acres of land involved in this SAMP are currently being developed by small projects. Will these be included in the scope of this

plan?

The Army Corps of Engineers is currently involved in a study of the San Juan Creek for flood control, hydrology, water quality and recreational considerations. The study has cost millions of dollars and is many months if not years behind schedule. What assurances will there be that the process will be able to coordinate with the planning of many agencies and organizations and still complete the process on schedule and within budget?

The effect of development on the biocorridor that is formed by the two watersheds should be studied. The study will be influenced by climate changes, wet years and draughts. How much baseline information will be collected and for how many years?

Thank You for attending to these questions and comments. The health of the watershed is our primary concern.

Sincerely Yours,  
Richard Gardner  
San Juan Creek Watershed Advocate

>From: ychung@spl.usace.army.mil  
>To: adlerkv@home.com, ajc@broadcom.com, andolk@aol.com,  
>aomcal@bonterraconsulting.com, aworthington@rswpc.com,  
>barbrosey@aol.com,  
>bill.homes@att.net, blane@hineshort.com, capobay@fea.net,  
>capopalm@hotmail.com, carli@adreps.net, checht@earthline.net,  
>dbendall2@home.com, dcm477@aol.com, deweesfamily@home.com,  
>dianeh@pcmagic.net, dperlmansr@home.com, edandmarybrooks@home.com,  
>eddocado@aol.com, ejstafne@hotmail.com, fanc@home.com, franc@home.com,  
>georgehubner@home.com, graeme@swell.com, greg@adreps.net,  
>gstrickland@capousd.k12.ca.us, jabrannon@aol.com,  
>janet.bierney@trw.com,  
>jcev@earthlink.net, Jefe@sanonofre.com, jennifer.harr@le.com,  
>jksurf00@hotmail.com, jmogradyl@aol.com, jonb@senance.com,  
>kentrotta@hotmail.com, kollar-lane@earthlink.com, kpw@home.com,  
>livs83@hotmail.com, lynharris.hicks@home.com, marthas@secnrp.pro,  
>mghere1@juno.com, neon@sanonofre.com, nielsen1@home.com,  
>nzbananas@aol.com,  
>octreehugger@home.com, petevannuys@aol.com, pryor@fea.net,  
>rockdad@earthlink.net, rosscarpen@aol.com, rworthington@rgumpc.com,  
>sebrkr@aol.com, shimpie@hotmail.com, sniflebaum@aol.com,  
>srdnegotiates4u@aol.com, stowers@csi.com, surfanimal@aol.com,  
>tori.haidiager@smes.org, tpfaye@cs.com, wwulff@uci.edu  
>CC: ftabatabai@spl.usace.army.mil  
>Date: Mon, 14 May 2001 11:52:56 -0700

>  
>Please click on the link to access downloadable reproductions of the  
>storyboards: <http://www.spl.usace.army.mil/co/regulatory/samp/sjsm.html>  
><<http://www.spl.usace.army.mil/co/regulatory/samp/sjsm.html>> . As a  
>reminder, the comment period will continue until May 18, 2001.

Comments

>can  
>be electronically sent to ftabatabai@spl.usace.army.mil  
><<mailto:ftabatabai@spl.usace.army.mil>> or mailed to:

>  
> US Army Corps of Engineers  
> Regulatory Branch  
> ATTN: CESPL-CO-R-199915966-FT  
> P.O. Box 532711

> Los Angeles, CA 90053-2325  
>  
>  
>\*\*\*\*\*  
>Jae Chung  
>Regulatory Branch  
>US Army Corps of Engineers-Los Angeles District  
>213-452-3292  
>

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**Tabatabai, Farinaz SPL**

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**From:** bstorie@attglobal.net  
**Sent:** Friday, May 18, 2001 4:07 PM  
**To:** ftabatabai@spl.usace.army.mil  
**Subject:** SAMP and EIR/EIS scoping mtg



SAMP and  
EIR/EIS

Please see attached letter.

Thank you,

Carol Boot-Storie

May 17, 2001

U.S. Army Corps of Engineer, Los Angeles District  
Regulatory Branch  
ATTN: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, CA 90063-2325

Dear Sirs:

Thank you for providing the information at the San Juan Creek Watershed/San Mateo Creek Watershed SAMP and EIS/EIR scoping meeting. I would like to comment on both the meeting and project.

While you did provide much information regarding the specific areas and potential plans, the format of presentation was not particularly helpful for many of the people who attended. Most of the people do not have significant technical backgrounds and found the information a bit overwhelming, and ultimately left without retrieving and assimilating the information for which they came. While it may be cumbersome to provide, it would be a genuine public service if at future meetings, you present at least a verbal overview with highlights of the information. In addition, many people came to the meeting hoping to address both your organization and their fellow citizens with their thoughts and concerns. The meeting, as it was structured, was not conducive to citizen participation, and I am certain you will receive significantly less input from the public than had you scheduled a time during the meeting for the citizens to verbally address the issues in a public format. But I do sincerely thank you for holding the meeting.

The treatment of areas discussed will make a critical determination in the future of our county and state. A thorough evaluation is critical to allow appropriate assessment of land use.

In evaluating the plans, please exclude the Foothill-South Toll Road project from the SAMP. This toll road would be a serious detriment to our county and the beautiful and significant habitat through which it would be strewn. Upon full assessment, and in accordance with the interest of the public, I do not believe we will have a toll road in this area, so it should be excluded from your evaluation. Some will likely take the inclusion of the toll road as an endorsement, and I do not believe that an endorsement is your interest or position.

Please carefully consider and analyze the water quality impacts both at the individual level and cumulatively. We certainly have not shown ourselves to be in control of our growth with our current water situations in the county, and we should be very conservative in our assessment for the future, knowing the impacts of urban sprawl. As we have lost so much of our critical wetlands both in California and in the U.S., and as we can ill afford to lose more, please exclude wetlands from any permit process.



Please analyze the impacts on endangered and threatened species, including consideration of current and pending critical habitat designation, displacement, and relocation. In fact, due to the nature and diversity of the area, it is critical to give a full assessment on virtually all impacted species.

Please analyze the impacts on traffic. In addition, please evaluate the many aspects of pollution including air, water, noise, noise, light, pathogens, trash, toxics, etc.

Please analyze the impacts to the beaches, including Trestles Beach at San Onofre State Beach Park. Much of our local economy is dependent on a clean California. If the area is degraded, it will certainly have an impact not only on the beaches but on the surrounding communities as well.

Please consider the impacts on public park resources, including San Onofre State Beach Park. And please consider recreation. This entire area offers diverse recreational opportunities, many of which have few local or accessible alternative sites.

Please analyze the impacts on privately managed land conservancies and preserves, including Rancho Mission Viejo Land Conservancy and the Audubon Starr Ranch Preserve. These are priceless areas in our land of urban sprawl and will be a great value for generations to come.

Please analyze a full range of alternatives, not limiting the project to just one alternative, as this area certainly will have a colorful future.

I urge you to strongly protect our wetlands, watersheds, and beaches. Please protect one of our few remaining open areas and its many species. We have such a beautiful home here in California, yet much of that beauty is now only a memory. Please use your expertise and authority to provide a future for this area that we are proud of and that we can share with generations to come.

Sincerely,

Carol Boot-Storie  
3 Patrino Circle  
Laguna Niguel, CA 92677

**Tabatabai, Farinaz SPL**

**From:** Geko600@aol.com  
**Sent:** Friday, May 18, 2001 3:14 PM  
**To:** ftabatabai@spl.usace.army.mil  
**Subject:** scoping comment

Daer Army Corps of Engineers:

In my oral comments at the scoping session I stated that there my be no role to play of hte 404 Clen Water Act. What I meant by this is that , stringently applied, 404 appluication should result in few if any cut and fill permits.

Yoursa in Christ Jesus,

Gregory Edward Koch  
525 West La Palma Ave. #302  
Anaheim, Ca. 92801-2432  
714-991-0036  
Geko600@aol.com

## Tabatabai, Farinaz SPL

---

**From:** Orangecoastwatch@aol.com  
**Sent:** Friday, May 18, 2001 2:47 PM  
**To:** ftabatabai@spl.usace.army.mil  
**Subject:** San Juan/San Mateo SAMP



0125 6(1) letters ACEE  
emo)d

Dr. Tabatabai:

It was a pleasure to meet you at the SAMP scoping meeting last week. Attached are comments from Orange Coast Watch. Hard copy will follow in the mail.

Victor Leipzig

## Tabatabai, Farinaz SPL

---

**From:** Bill Corcoran [billcorc@pacbell.net]  
**Sent:** Friday, May 18, 2001 2:12 PM  
**To:** 'tabatabai@spl.usace.army.mil'  
**Subject:** Sierra Club SAMP scoping comments



Sierra Club SAMP

Scoping comments

Farin,

Attached are Sierra Club scoping comments. The comments are also being mailed today 5/18. If for any reason you cannot open the attachment, please let me know.

Bill Corcoran  
Public Lands Conservation Coordinator  
Sierra Club, Angeles Chapter  
213 387-4287 x208  
fax 213 387-5383

**Tabatabai, Farinaz SPL**

---

**From:** Brenda J Johnson [bjjohnso@usgs.gov]  
**Sent:** Friday, May 18, 2001 1:11 PM  
**To:** Tabatabai, Farinaz  
**Subject:** Final Comment for ER 01-326



Microsoft Word 4

----- Forwarded by Brenda J Johnson/WRD/USGS/DOE on 05/18/01 04:12 PM  
-----

System Administrator

bjjohnso@usgs.gov <postmaster@dms.usace.army.mil>  
To:  
cc:  
Subject:  
Undeliverable: Final Comment for ER 01-326  
05/18/01 03:59 PM

Your message:

To: Farinaz.Jabatabai@spl01.usace.army.mil  
Cc: John R Caracciolo; Celso Puente; Michalann Harthill; Patricia  
E  
Riley; sheila\_huff@doi.gov  
Subject: Final Comment for ER 01-326  
Sent: Fri, 18 May 2001 12:44:15 -0700

did not reach the following recipient(s):

Farinaz.Jabatabai@spl01.usace.army.mil on Fri, 18 May 2001 13:01:03  
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(000C05A6) Unknown Recipient

----- Message from Brenda J Johnson <bjjohnso@usgs.gov> on Fri, 18 May  
2001  
12:44:15 -0700 -----

To: Farinaz.Jabatabai@spl01.usace.army.mil  
  
cc: John R Caracciolo <john\_caracciolo@usgs.gov>, Celso Puente

<cpuente@usgs.gov>, Michalann Harthill

<michalann\_harthill@usgs.gov>, Patricia E Riley

<periley@usgs.gov>, sheila\_huff@doi.gov

Subject: Final Comment for ER 01-326

Attached are comments from the USGS for (ER 01/326), Notice of Intent to Prepare a Draft EIS for the Preparation of a Special Area Management Plan and Associated 404 Permit Actions for the San Juan Creek and Western San Mateo Creek Watersheds, Orange County, California. Please let me know if you have any problems with the attachment.

Thanks.

Brenda Johnson

(See attached file: ER 01-326, NOI Draft EIS.doc)

(See attached file: ER 01-326, NOI Draft EIS.doc)

## Tabatabai, Farinaz SPL

---

**From:** Bierney, Janet [Janet.Bierney@trw.com]  
**Sent:** Friday, May 18, 2001 12:37 PM  
**To:** ftatababai@spl.usace.army.mil  
**Subject:** Extension of Foothill Toll Road and Development in Sensitive Inland & Coastal Areas of South Orange County

I'm very new at this and not sure of the "process", but want my opinion included in your process.

I AM VERY MUCH AGAINST TOLL ROADS AND SPRAWL. Sprawl is unhealthy (especially when it includes toll road development) which if allowed to continue will engulf the last outpost of open space that South Orange County has. The subject area is prime, pristine land with wildlife (some threatened) and the last remaining clean watershed (San Mateo) of our county.

I've lived in Orange County since I was two years old, and, unfortunately, have watched all the open space (once abundant with green rolling hills and orange groves for which our county was named) disappear under the landmovers and poured concrete. I'm concerned that future generations of our county will no longer be able to know the joy of surfing in clean coastal waters and wandering through open meadows.

I urge you to please hear the concerns of local residents (and those not so local) about proposed development in our area. WE ARE OPPOSED TO TOLL ROADS AND ANY DEVELOPMENT THAT WILL ULTIMATELY HARM OUR ENVIRONMENT.

Thank you,  
Janet Bierney  
949/498-0696  
200 Ave. Adobe  
San Clemente, CA 92672

## Tabatabai, Farinaz SPL

---

**From:** Mike Duncan [mikeduncan1967@yahoo.com]  
**Sent:** Thursday, May 17, 2001 11:08 PM  
**To:** ftatababai@spl.usace.army.mil  
**Subject:** Comments on the Foothill South Tollway in Orange County

My name is Mike Duncan and I am a citizen of Orange County, California and I would like to provide scoping comments about the SAMP for San Juan and San Mateo Creek watersheds.

In my opinion, I would like to see the Army Corps of Engineers:

- \* Analyze downstream water quality impacts, including, but not limited to, pathogens, trash, and toxics.

- \* Analyze cumulative water quality impacts.

- \* Exclude wetlands from the programmatic/general permit process.

- \* Analyze impacts on endangered species, including current and pending critical habitat designations( including steelhead trout ).

- \* Analyze impacts on wildlife other than endangered species, including displacement and relocation.

- \* Analyze impacts on recreation, including San Onofre State Beach and impacts on surfing. Other recreation includes, but is not limited to, horseback riding, birdwatching, fishing, hiking, camping, and swimming.

- \* Analyze impacts on traffic, air quality, and noise.

- \* Analyze impacts on sediment flow, natural beach replenishment, and sand bars, including Trestles Beach at San Onofre State Beach.

- \* Analyze impacts on local tourist economy-impacts on amenities in the human environment that the local tourist economy depends on.

- \* Analyze impacts on public park resources, including San Onofre State Beach.

- \* Analyze impacts on privately managed land conservancies and preserves, including Rancho Mission Viejo Land Conservancy and the Audubon Starr Ranch Preserve.

- \* Analyze impacts on Camp Pendleton and their use of ground water from San Mateo Creek watershed.

- \* Analyze a full range of alternatives.

Thank You.

---

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**Tabatabai, Farinaz SPL**

**From:** wendy morris [wendymorris@worldnet.att.net]  
**Sent:** Thursday, May 17, 2001 4:17 PM  
**To:** ftabatabai@spl.usace.army.mil  
**Cc:** Brittany Mckee  
**Subject:** San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Dear Sirs;

Attached is a copy of my letter of comments to the Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR. Please include my comments in these documents and add my name to the public interest list. Also , could you please send me a reply to this email so I can be sure you received it.

Thank you,  
Wendy Morris

## Tabatabai, Farinaz SPL

---

**From:** Michael D. White [mdwhite@consbio.org]  
**Sent:** Thursday, May 17, 2001 1:22 PM  
**To:** Fari Tabatabai  
**Cc:** Dan Silver  
**Subject:** San Juan Creek SAMP comments



San Juan SAMP  
comments.doc



Card for Michael D  
White

Fari,

Attached is an electronic copy of comments that CBI has prepared for the Endangered Habitats League. I have both faxed and mailed an original as well.

Mike

## Tabatabai, Farinaz SPL

---

**From:** Worden, Susan [SWorden@d11.uscg.mil]  
**Sent:** Wednesday, May 16, 2001 3:04 PM  
**To:** ftabatabai@spl.usace.army.mil  
**Subject:** San Mateo & San Juan Creeks

Fari:

I have the task of doing a jurisdiction determination for the Coast Guard on the above two creeks. We had already determined from a survey done after the flash flood event in 98 that CG does have jurisdiction on San Mateo Creek up to .4 nm where the NCTD bridge was put back together. Now

I need specific information about San Juan Creek. Is it tidal? If so, where does it come to the ocean. Lat/lon or nearest town? Are there any bridges crossing the tidal portion of the creek. How far upstream does the tide reach? These are basic questions. If you could refer me to the topo/location I could determine the above.

In regard to the SAMP, I do not believe we have any comments. Thanx

## Tabatabai, Farinaz SPL

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**From:** Haidinger, Tori [Tori.Haidinger@smes.org]  
**Sent:** Wednesday, May 16, 2001 2:55 PM  
**To:** 'tabatabai@spl.usace.army.mil'  
**Subject:** San Juan/San Mateo Creek Watershed SAMP

My name is Tori Haidinger. I live at 27762 Paseo Barona San Juan Capistrano, CA 92675. I would like to comment on the San Juan/San Mateo Creek Watershed SAMP proposal.

I would like to make the following points:

1. The plan needs to address the loss of open space involved any proposal.

South County maintains a fair amount of open space, and I would like consideration to be taken to maintain it.

2. I would like the Foothill-South Toll Road project to be excluded from the plan.

3. Any proposal needs to include the impact of the building on all species, not just endangered species. The only way to protect species from becoming extinct in the future is to maintain adequate habitat for the sensitive species.

4. When decisions are made concerning water ways (by the USACE) the effect of these plans on the surrounding habitat needs to be considered as well (even if by other agencies). On aspect of the environment (ex. water) is never affected in isolation, and greater cohesion between agencies needs to be enacted to streamline the process.

5. I would like the section of San Clemente that is currently omitted from the SAMP area to be included.

Thank you,  
Tori Haidinger

## Tabatabai, Farinaz SPL

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**From:** Stephen.Burgess@fhs.com  
**Sent:** Monday, May 14, 2001 10:15 AM  
**To:** ftatabai@spl.usace.army.mil  
**Subject:** Public Meeting ???

After my wife and I attended what you laughingly call a public meeting in San Juan Capistrano last Tuesday (5/8/01) we would like to give you our thoughts. The maps that were situated around the room were totally meaningless to most people and were put there as a smoke screen. Showing us the geological make up of the area does nothing for us. After the Corps spokesman made his comments which everyone was allowed to hear, the meeting was then essentially over. The public who were in attendance were 99.9% against runaway development which includes the proposed toll road extension. Yet there will now be no record of this because the public were not allowed to speak. We are supposed to trust that you will review all comments that were submitted to a stenographer, or comments that will be mailed to you. The way this meeting was run was a smack in the face for democracy and was nothing short of cowardice on the part of the Corps. The rest of the Army must be really proud of the way you managed to hide behind your own rules. Just what were you afraid of? The answer is obviously that you knew you would be in for a very rough ride, as you would not have been able to satisfactorily answer all the questions that would have come your way. So you waved the white flag. Hooray for the Army Corp of Engineers.

Stephen & Trish Burgess  
San Clemente

**Tabatabai, Farinaz SPL**

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**From:** susan hagstrom [suehagstrom@hotmail.com]  
**Sent:** Monday, May 14, 2001 11:06 AM  
**To:** ftabatabai@spl.usace.army.mil  
**Cc:** suehagstrom@hotmail.com  
**Subject:** Waste of tax dollars (San Mateo Creek watershed)

Commander, U.S. Army Corps of Engineers, Los Angeles

I view with alarm that your department is paying First Class Envelope Postage for mass post card mailings.

I received a post card for attending the San Juan Creek Watershed/San Mateo Creek Watershed Special Area Management Plan FIS/EIR scoping meeting which was held on May 8, 2001. The post card I received had postage of 34c paid by meter!

Please inform the Mailroom Clerk that postcards should be sent through the mail at the post card rate.

SAVE MY TAX DOLLARS FOR ENVIRONMENTAL PROTECTION.

THE WATER RUN OFF FROM THE SAN JUAN HILLS TOLL ROAD IS POLLUTED WITH OIL.

Sue Hagstrom

Sierra Club Member

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Get your FREE download of MSN Explorer at <http://explorer.msn.com>

## Tabatabai, Farinaz SPL

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**From:** Daniel [DAN-L@pacbell.net]  
**Sent:** Saturday, May 12, 2001 2:14 PM  
**To:** ftatabai@spl.usace.army.mil  
**Subject:** Special Area Management Plan Study (Orange County)

You should:

- Analyze downstream water quality impacts.
- Analyze cumulative water quality impacts.
- Exclude wetlands from the programmatic process.
- Analyze impacts on endangered species including steelhead trout.
- Analyze impacts on wildlife other than endangered species.
- Analyze impacts on recreation, including San Onofre State Beach and impacts on surfing.
- Analyze impacts on traffic, air quality and noise.
- Analyze impacts on sediment flow, natural beach replenishment, and sand bars, including Trestles Beach at San Onofre State Beach Park.
- Analyze impacts on local tourist economy impacts on amenities in the human environment that local tourist economy depends on.
- Analyze impacts on public park resources, including San Onofre State Beach Park.
- Analyze impacts on privately managed land conservancies and preserves, including Rancho Mission Viejo Land Conservancy and the Audubon Starr Ranch Preserve.
- Analyze impacts on Camp Pendleton and their use of groundwater from San Mateo watershed.
- Analyze a full range of alternatives.

Thank you.

Daniel Dowden  
949-495 2824

**Tabatabai, Farinaz SPL**

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**From:** Mail Delivery Subsystem [MAILER-DAEMON@earthlink.net]  
**Sent:** Monday, May 14, 2001 1:10 AM  
**To:** rhobles@earthlink.net  
**Subject:** Warning: could not send message for past 4 hours



ATT00311.DT



Mapping hearing

\*\*\*\*\*  
\*\* THIS IS A WARNING MESSAGE ONLY \*\*  
\*\* YOU DO NOT NEED TO RESEND YOUR MESSAGE \*\*  
\*\*\*\*\*

The original message was received at Sun, 13 May 2001 20:50:11 -0700  
(PDT)  
from pool0156.cvx9-bradley.dialup.earthlink.net [209.178.176.156]

----- The following addresses had transient non-fatal errors -----  
<ftabatabai@spl.usace.army.mil>

----- Transcript of session follows -----  
451 <ftabatabai@spl.usace.army.mil>... spl.usace.army.mil: Name server  
timeout  
Warning: message still undelivered after 4 hours  
Will keep trying until message is 3 days old



## Tabatabai, Farinaz SPL

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**From:** Rhonda [rhrobles@earthlink.net]  
**Sent:** Saturday, May 12, 2001 6:01 PM  
**To:** Tabatabai, Farinaz SPL  
**Subject:** scoping hearing

U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
ATT: CESPL-CO-R-199915966-FT  
PO Box 532711  
Los Angeles, CA 990053-2325

I am writing to express my deepest concerns and provide scoping comments about the proposed SAMP for San Juan Creek and San Mateo Creek watersheds. I would like to see the ACE be more responsive to public input and opinions for this public land. Specifically I/we would like to see the following:

Analyze downstream water quality impacts, including but not limited to, pathogens, trash, and toxics.

Analyze cumulative water quality impacts.

Exclude wetlands from the programmatic/general permit process.

Analyze impacts on endangered species, including current and pending critical habitat designations (including steelhead trout).

Analyze impacts on wildlife other than endangered species, including displacement and relocation.

Analyze impacts on recreation, including San Onofre State Beach Park and impacts on surfing. Other recreation includes but is not limited to horseback riding, birdwatching, fishing, hiking, camping, swimming.

Analyze impacts on traffic, air quality and noise.

Analyze impacts on sediment flow, natural beach replenishment, and sand bars, including Trestles Beach at San Onofre State Beach Park.

Analyze impacts on local tourist economy-impacts on amenities in the human environment that local tourist economy depends on.

Analyze impacts on public park resources, including San Onofre State Beach Park.

Analyze impacts on privately managed land conservancies and preserves, including Rancho Mission Viejo Land Conservancy and the Audubon Starr Ranch Preserve.

Analyze impacts on Camp Pendleton and their use of groundwater from San Mateo watershed.

Analyze a full range of alternatives.

Respectfully,

The Robles Family  
c/o Rebecca Robles

119 Avenida San Fernando,  
San Clemente, CA

## Tabatabai, Farinaz SPL

---

**From:** Rhonda [rhobles@earthlink.net]  
**Sent:** ✓ Saturday, May 12, 2001 6:01 PM  
**To:** ftatabai@spl.usace.army.mil  
**Subject:** scoping hearing

U.S. Army Corps of Engineers. Los Angeles District  
Regulatory Branch  
ATT: CESPL-CO-R-199915966-FT  
PO Box 532711  
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Analyze cumulative water quality impacts.

Exclude wetlands from the programmatic/general permit process.

Analyze impacts on endangered species, including current and pending critical habitat designations (including steelhead trout).

Analyze impacts on wildlife other than endangered species, including displacement and relocation.

Analyze impacts on recreation, including San Onofre State Beach Park and impacts on surfing. Other recreation includes but is not limited to horseback riding, birdwatching, fishing, hiking, camping, swimming.

Analyze impacts on traffic, air quality and noise.

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Analyze impacts on local tourist economy-impacts on amenities in the human environment that local tourist economy depends on.

Analyze impacts on public park resources, including San Onofre State Beach Park.

Analyze impacts on privately managed land conservancies and preserves, including Rancho Mission Viejo Land Conservancy and the Audubon Starr Ranch Preserve.

Analyze impacts on Camp Pendleton and their use of groundwater from San Mateo watershed.

Analyze a full range of alternatives.

Respectfully,

The Robles Family  
c/o Rebecca Robles

119 Avenida San Fernando,  
San Clemente, CA

## Tabatabai, Farinaz SPL

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**From:** daber@hmausa.com  
**Sent:** Friday, May 11, 2001 7:54 AM  
**To:** ftatabai@spl.usace.army.mil  
**Subject:** scoping comments re: proposed SAMP for San Juan and San Mateo Creek watersheds

In your analysis of the proposed toll road, the Army Corps of Engineers must analyze a full range of alternatives, and take into consideration all of the following issues:

Cumulative downstream water quality impacts, including but not limited to, pathogens, trash, and toxics.

Impact on wetlands, sediment flow, natural beach replenishment, and sand bars, including Trestles Beach at San Onofre State Beach Park.

Impact on endangered species, including current and pending critical habitat designations, including the steelhead trout.

Impact on recreation, including San Onofre State Beach Park and impacts on surfing. Other recreation includes but is not limited to horseback riding, birdwatching, fishing, hiking, camping, swimming.

Impact on the local tourist economy.

Impact on traffic, air quality and noise.

Impact on public park resources, including San Onofre State Beach Park.

Emphasis should be on preserving the quality of life for the people of South Orange County and everyone who visits this special area.

By taking into thorough consideration all of these issues, you will reject the toll road expansion proposal.

facilities, editing facilities, and sound facilities are all here.

Want some nice domestic wine? We produce over 17 million gallons per year. We'll need all it to drown our sorrows when we think about the fact that no matter how many California products we export to make the rest of America's lives better, America can't see its way clear to help us out with a little electricity. You can no longer have any of our wine.

You all complain that we don't build enough power plants. Well, you don't grow enough food, write enough software, make enough movies, build enough airplanes and defense systems or make enough wine.

This is your last warning, America. Lighten (us) up before it's too late.

Love, The Californians

**Tabatabai, Farinaz SPL**

**From:** Gail Prothero [gprothero@ix.netcom.com]  
**Sent:** Thursday, May 10, 2001 1:17 PM  
**To:** ftatababai@spl.usace.army.mil  
**Subject:** SAMP for San Juan Creek and western San Mateo Creek

May 10, 2001

To: Ms. Fari Tabatabai  
Army Corps of Engineers

Re: SAMP for San Juan Creek and western San Mateo Creek Watersheds

At the Public Scoping meeting for the above referenced SAMP, Army Corps staff advised that copies of information displays used at the scoping hearing would be posted for the public to access at the following website:

[www.spl.usace.army.mil/co/co5.html#reg](http://www.spl.usace.army.mil/co/co5.html#reg) . As of May 10, this information was not available on the website. Would it be possible for this information as well as the EIS, when completed, to be made available on the web?

Army Corps staff at the scoping meeting were not sure how the SAMP would affect resource extraction and related activities located in the watershed which have been operating under "grandfather" permits. Please address this issue in the EIS.

Also please address in the EIS how development under a SAMP long-term programmatic 404 permit would impact, or be impacted by, the implementation of changes in public policy on a Federal, State, or local level related to development, water, or sensitive species. Is there a limit on the duration of time within which development may occur under a long-term programmatic 404 permit so that compliance with public policy can be kept reasonably current?

Thank you,  
Gail Prothero  
29302 Sandalwood Court  
San Juan Capistrano, CA 92675  
gprothero@ix.netcom.com

**Tabatabai, Farinaz SPL**

**From:** Robb Hamilton [robb.hamilton@gte.net]

**Sent:** Thursday, May 10, 2001 7:39 PM

**To:** ftatabai@spl.usace.army.mil

**Subject:** public scoping comments, Proposed SAMP for San Juan and San Mateo Watersheds

Dear Army Corps Regulatory Branch,

Following are my public scoping comments on the proposed SAMP for San Juan and San Mateo Creek watersheds. The USACOE should:

Analyze downstream water quality impacts, including but not limited to, pathogens, trash, and toxics.

Analyze cumulative water quality impacts.

Exclude wetlands from the programmatic/general permit process.

Analyze impacts on endangered species, including current and pending critical habitat designations.

Analyze impacts on wildlife other than endangered species, including displacement and relocation.

Analyze impacts on recreation, including San Onofre State Beach Park and impacts on surfing. Other recreation includes but is not limited to horseback riding, birdwatching, fishing, hiking, camping, swimming.

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Analyze impacts on public park resources, including San Onofre State Beach Park.

Analyze impacts on privately managed land conservancies and preserves, including Rancho Mission Viejo Land Conservancy and the Audubon Starr Ranch Preserve.

Analyze impacts on Camp Pendleton and their use of groundwater from San Mateo watershed.

Analyze a full range of alternatives.

Kind Regards,

Robert A. Hamilton  
34 Rivo Alto Canal



Long Beach, CA 90803  
robh.hamilton@gte.net

rannalsLD@mail.cpp.usmc.mil; tubmansl@mail.cpp.usmc.mil  
Cc: Bacsikin, Scott; Cleary Milan, Macie; Huard spencer, Christine;  
M\_benner@pdconsultants.com; vpwest@montrose.net; Jmharty@mediate.org;  
shortsmart@aol.com; Hanf.Lisa@epamail.epa.gov  
Subject: EPA: Refined No Action & Tolloed Arterials

Hi, I wanted to give the Collaborative a quick heads-up on EPA's  
position  
regarding the Refined No Action and the Arterial Alternatives Toll  
Option.

#### Refined No Action

From EPA's perspective, the purpose of the Refined No Action is to set a  
"more realistic" baseline than the Traditional No Action for comparison  
to  
the build alternatives. The Traditional No Action assumes the full  
build-out of the RTP/MPAH and the General Plans. The Refined No Action  
was  
developed because the Collaborative recognized and agreed that full  
build-out of the RTP/MPAH and the General Plans would not necessarily  
occur. Thus, the Refined No Action was developed to include "potential  
improvements and deletions associated with the No Action Alternative."  
The  
intent of the sensitivity run is to test the traffic performance under  
the  
assumptions made in the Refined No Action Alternative.

The Refined No Action Alternative is included in the list of project  
alternatives submitted by FHWA to the SOCTIIP Collaborative in their  
October 6, 2000 letter requesting concurrence on the range of  
alternatives  
under the NEPA/404 MOU. EPA concurred on this list of alternatives.

EPA  
expects the Refined No Action Alternative to be carried through the EIS  
and  
used as a baseline against which the build alternatives will be  
compared.  
As with all other alternatives, EPA will only consider dropping the  
Refined  
No Action Alternative from further consideration if there is strong  
justification and documentation to support that decision.

#### Arterial Alternatives Toll Option

EPA agrees in concept with the arguments made in TCA's March 20, 2001  
memorandum for dropping the Arterial Alternatives Toll option from  
further  
consideration. However, we would like to hear the traffic analysts'  
opinion on this issue (Austin Faust and DKS), as well as a discussion of  
the possibility of using new technologies to provide a toll option on  
the  
Arterial Alternatives.

## Tabatabai, Farinaz SPL

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**From:** Mike and Jule [mcguire4@home.com]  
**Sent:** Saturday, May 19, 2001 1:14 PM  
**To:** ftabatabai@spl.usace.army.mil  
**Subject:** Toll Road

To whom it may concern :

Besides the fact that I don't want this still somewhat quiet beach town to turn into something like LA, with traffic jams and overpopulation you need to look at everything else you are destroying while building the toll road. From open land to endangered species to bird and wetlands and beaches, nothing seems holy to you people any more.

Everything is always about the money, not about preserving not only the last natural preserve, San Mateo Creek, but also destroying recreation areas. And with the building of the toll roads more and more people are going to come to San Clemente, we certainly do not need that !

I went to the TCA scoping meeting a while back here in San Clemente, and half the people that I thought were going to be there weren't even there, ie somebody from CalTrans, well the person was there, but not ready to participate in any discussion that may be held.

Anyway, I hope you make the right decision.

Sincerely,

Juliane Marquis and Mike McGuire

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Ronald + Beverly Loney  
Affiliation (if any):  
Address: 27866 Via Arica Laguna Niguel  
Email: bjloney@comcast.net

Comment:

We feel that the extension of the toll road will impact our natural environment and quality of life in San Diego County. Our major concerns are: 1) water quality threat to endangered species and all wildlife in the area; 2) pollution & impact on streams & ocean from construction & increased population; 3) destruction of some of the most beautiful areas in So Calif - Rancho Mission Viejo Conservancy, Fresles Beach, San Mateo Creek & Campgrounds, Wellbush. Increased air pollution as a result of urban sprawl & noise pollution that accompanies it. We need to be concerned about the long range effects and preserve our environment for future generations.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list?   

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: TIM DONLIN  
Affiliation (if any): SURF RIDER Foundation  
Address: PO Box # 3293 SAN CLEMENTE CA 92674  
Email:

Comment:

THE BEHAVIOR OF THE ARMY CORP TO MINIMIZE AND STIFFLE PUBLIC TESTIMONY BEFORE THE PUBLIC IS INCREASINGLY IN A CUMULATIVE INTENT, THIS AGENCY IS VIOLATING THE LAW. THERE IS A CLEAR POSITION THAT THE "NO ALTERNATIVE" ALTERNATIVE HAS ALREADY BEEN RULED OUT. THIS IS A VIOLATION OF THE LAW.

THE HABITAT & SPECIES THAT EXIST IN THE SUBJECT AREA, AS WELL AS THE WATER QUALITY AND POTENTIAL IMPROVEMENT OF WATER QUALITY, ARE CLEARLY AT RISK TO ANY DEVELOPMENT.

SIMPLE MITIGATION UNDER THE CURRENT LAW ONLY ATTEMPTS TO HIDE THE DAMAGE CREATED BY DIVERTING ATTENTION AND MONIES TO OTHER AREAS NOT AFFECTED BY THE PROPOSED DEVELOPMENT.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? \_\_\_\_\_

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
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P.O. Box 532711  
Los Angeles, California 90053-2325



Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: CALVIN HECHT  
Affiliation (if any):  
Address: 601 VIA PROMONTORIO P.O. CA.  
Email: CHECHT@CARTHLINK.NET

Comment:

I URGE THE SAMP TO SPECIFICALLY EXCLUDE THE TOLL ROAD AS PRESENTLY PLANNED ALONG THE SAN MATEO CREEK. REASON: REASONABLE PROGRESS, INCLUDING TRAFFIC FLOW ARTERIES (TOLL ROAD), MUST BE BALANCED AGAINST ENVIRONMENTAL DAMAGE CAUSED BY SUCH PROGRESS. IF THE TOLL ROAD HAD SOME BENEFIT ONE MUST WEIGH THE BENEFIT AGAINST THE ENVIRONMENTAL HAZARD. HOWEVER, THE ROAD AS PROPOSED HAS NO OBSERVABLE BENEFIT, THE TOLL ROAD AGENCY, TCA, CONTINUALLY ISSUES INCORRECT PROJECTIONS AND ERRONEOUS DATA REGARDING TRAFFIC FLOW AND FUTURE ~~PROJECTIONS~~ FORECASTS, AND HAVE DEMONSTRATED THEIR "MITIGATION" TECHNIQUES DO NOT DO WHAT THEY CLAIM CONCERNING WATER QUALITY & WILDLIFE PROTECTION.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? \_\_\_\_\_

Mail Comments on the Notice of Intent to:  
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Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: VANCE DORFEE  
Affiliation (if any): SCSHS  
Address: 122 W. ANA. CORDON CA 92612  
Email: VDORFEE@CALI.NET

Comment:  
SAVE OUR BEACHES!!!

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? YES

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
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Attn: CESPL-CO-R-199915966-FT  
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Los Angeles, California 90053-2325



Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: TINA GARNER & ANNIE SMALL & SHELBY WAGNER  
Affiliation (if any): SAN CLEMENTE HIGH SCHOOL - AN ENVIRONMENTAL SCIENCE CLASS  
Address: 2922 ESTANCO SAN CLEMENTE CA 92673  
Email:

Comment:

We are against the toll road being built through our city because of many reasons. First of all, traffic would be terrible. Pico is already crowded enough without the toll road. There is also the issue of our water being polluted. We attend the beach often and are involved in water activities such as surfing and swimming. We also enjoy how San Clemente is a smaller and quieter community without the toll road. We feel the toll road would bring upon many problems to disrupt that environment we cherish. San Clemente is known for their beautiful beaches and clean environment. We wouldn't want that to change. The runoff from this potential toll road would pollute our water, which is unwanted. We are concerned San Clemente citizens we are aware of the problems that are an outcome of this toll road being built and we feel it shouldn't be built. Thank you

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? Yes

Mail Comments on the Notice of Intent to:  
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P.O. Box 532711  
Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Adam J. Stentz  
Affiliation (if any): SCSIS  
Address: 6000 U.S. Highway 101  
Email: stentz@csis.com

Comment:

It you put the toll road in it will go  
through my back yard it will destroy the  
environment, plus it will drive people out of  
my elementary school people into it you want  
have traffic it will drive from city beaches  
  
**STOP the ~~RA~~  
Madness!**

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list? yes

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
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P.O. Box 532711  
Los Angeles, California 90053-2325

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Alex Rios  
Affiliation (if any): SCAS  
Address: 713 Calle Arroyo  
Email: \_\_\_\_\_

Comment: The toll road is absolutely preposterous. It will ruin the city and all of the plants and animals who depend on it. It is a crime to kill innocent plants and animals. Let's stop the idea of a toll road. It's a joke.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? Yes

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325



Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Jason Fiebeck  
Affiliation (if any): \_\_\_\_\_  
Address: 3466 SAN JUAN CAV 92673  
Email: central@aseo.dream

Comment: I FEEL THAT THIS PROPOSED  
TOLL ROAD IS UNACCEPTABLE AND WILL  
HAVE AN ADVERSE EFFECT ON THE NATURAL  
HABITAT OF MANY ENDANGERED SPECIES

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? No

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR

Name: David King  
Affiliation (if any):  
Address: 2312 Plaza de la Virgen San Clemente 91672  
Email:

Comment:

It is my intent to understand that any  
full round pathway will be determined  
to the same meeting as a scheduled meeting  
is. I am concerned if you determine that  
it is better to have a meeting in a room  
by hand because of the cost of some of the  
that be a detail. The fact that they are expected  
to be successful that would be the  
same prior to your meeting by hand would be  
the worst situation in my opinion.

Please do not call me and please  
I have to see if you can get my  
you might see that is by the way  
David King

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR  
public interest list? Yes

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Bruce Lane  
Affiliation (if any): \_\_\_\_\_  
Address: 168 North "B" Street  
Email: Justin\_CA\_92780

Comment:

1. The toll road should be excluded from the SAMP
  2. Consider downstream water quality impacts - particularly effects of sedimentation, effects changes in flow and velocity, effects on pathogen loads,
  3. Investigate the impacts of similar types of projects before and after construction
  4. Preserve all remaining wetlands. Make certain that each wetland requires an individual permit so ~~each~~ <sup>each</sup> is evaluated on a case-by-case basis. Wetlands should not be covered by a fast-track permitting process
  5. Look at impacts to wildlife, in general, including endangered species
  6. Consider the trash that would end up in waterways and be flushed out to the ocean. Consider the additional beach pollution that would result at creek mouths.
7. Evaluate the impacts on run-off and channeling that would result from any projects

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Lee Watson  
Affiliation (if any):  
Address: 517 Calle Guaymas San Clemente, CA 97612  
Email: lwatson@capo.usa.k12.ca.us

Comment:

I'm concerned about the water quality of the Trestle Beach area. The freely flowing stream north of San Mateo Creek San Juan Creek, is a source of pollution and disease. The Dairy Beach and Cope Beach areas are perfect examples for our activities at best zero day program and one may find within a time of a few stories. This is a concern for the jelly from many non-point source pollution - the run-off from a city by which suburban and light industrial sites exist. If a fall pack is allowed, one can inject Bayshore Road with the existing fall of Orange County. Orange County's Department is inevitable. Several employees of San Joaquin River Station, California. The only reasonable check for this fall road is the No Project Alternative. No compromise is possible - limited or reasonable growth does not exist in Orange County of any kind.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? Yes

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Michael Susoc A  
Affiliation (if any):  
Address: 227 Avs De La Grulla San Clemente CA 92672  
Email: SURFANIMA@AOL.COM

Comment:

I AM TIRED OF OUR WATER QUALITY BEING  
COMPROMISED BY ENVIRONMENTAL MITIGATION.  
THIS HAS BEEN A TD FAC FAILURE  
AT SAN JUAN CREEK. DOHENY STATE BEACH  
AND TO THE SOUTH TO CAPO BEACH HAS  
"DANGER" DO NOT ENTER" SIGNS CONTINUALLY  
POSTED ALONG THE SHORE. THIS MUST  
NOT HAPPEN TO SAN MATEO CREEK OR  
ANY OF ITS WATERSHED. TREESTLES SURFING  
BEACH IS A NATIONAL TREASURE AND  
SHOULD NOT CHANGE IN ANY WAY PLEASE  
DO NOT PUT ANY OF THE SAN MATEO CREEK  
WATERSHED ON A FAST TRACK PROGRAM.  
THIS AREA MUST NOT BE DISTURBED. THE WATER  
AT TREESTLES MUST ~~NOT~~ REMAIN CLEAN.....

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list? YES

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: JAY MATCHETT  
Affiliation (if any): SIERRA CLUB, ANGELES CHAPTER ORANGE COUNTY GROUP  
Address: 14801 NEWPORT AVE #E COSTIN, CA 92780  
Email: SIERRA-JAY@JUND.COM

Comment:

PLEASE INCLUDE IN YOUR STUDIES THE EFFECTS OF  
INDUCED NEW GROWTH BROUGHT ON BY THE RECORD  
FLOW WHICH AFFECT ALL THE ENVIRONMENTAL IMPACTS  
YOU ARE STUDYING.  
HOW WILL IT EFFECT TRAFFIC WILL THERE BE INDUCED  
CIRCULAR RISKS IN A ZERO IMPACT ON TRAFFIC?  
A. NEGATIVE IMPACT?

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list?

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Sandra Haverlock  
Affiliation (if any):  
Address: 16 KENNEDY COURT COTO DE CAZA CA 92679  
Email: THAVERLOCK@aol.com

Comment:

I am against the extension of the toll road (south). This area is not replaceable and should not be scarred by a toll road. I live in Coto de Caza and I had to watch as the toll road destroyed pristine land to the north. I have to watch as they destroy the kind to the south to build a high school and a tollway. Too many animals have already been killed by the existing tollway. If you ~~can~~ continue to build to the south more animals will die. I moved to Coto because of the beauty of the natural surroundings and because of the wild life. The wild life will find fewer places to go with the toll road extension. There are many times more crowded today than 4 years ago. Building homes and roads should stop. Build open spaces should be conserved. We don't need more stores, roads and homes.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

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Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR

Registered Professional Engineer

Name: HOWARD BEAUMONT State of California EE 34243

Affiliation (if any):

Address: 319 CITIZEN SAN CECILIE, SAN CECILIE, CA 94767

Email:

Comment:

When are we going to realize that building new  
roads will not provide a long term solution to our  
transportation needs?

Concurrent systems will provide the needed  
transportation solutions.

Perhaps the most effective solution is to put  
rail stations in the center of the existing freeway.

Just another way to put the money in the wrong  
place.

W.H.K.E. / / / / /

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR  
public interest list? yes

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR

Name: Jeff Howard  
Affiliation (if any): Friends of the Foothills / Sierra Foundation  
Address: 1215 Olive ave # B Huntington Beach ca 91698  
Email: JEFFREY HOWARD 330 (G) AOL.COM

Comment:

I WOULD LIKE THAT THE RILL ROAD BE EXCLUDED FROM THE COASTAL MASTER PLAN. I HOPE THEY WOULD ANALYZE THE IMPACT THIS WOULD HAVE ON THE OVERALL ENVIRONMENT INCLUDING THE SPECIFIC THREATS, BIRDS, WATER QUALITY, THE POLLUTANTS, NOISE, THE TIDE WATER GOBY, THE SEDIMENT FLOW DOWN TO THE OCEAN. PLEASE PRESERVE THIS LAST BIT OF WILD RIVER THAT IS LEFT IN AMERICA, THIS ROAD WOULD RUIN SAN MATEO CAMPGROUND, IT WOULD RUIN SAN ANTOINE STATE PARK. IT WOULD DESTROY VALUABLE AND IRREPLACEABLE WILD LIFE TRAVEL CORRIDORS. PLEASE STOP THIS FURY MENNY FOUND. IT BRINGS TEARS TO MY EYES TO THINK OF THE DEVASTATION THIS DEVELOPMENT WOULD BRING. THANK YOU!

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? YES

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: JIM STONEVE  
Affiliation (if any): \_\_\_\_\_  
Address: 156 AVENIDA SANTA MARGARITA, SAN CLEMENTE  
Email: STONERS@CS.COM

Comment:

Please look into the destruction of the San Mateo  
Campsite, the run off into the creek and  
water sheds, and the effect this will have  
on the beautiful beaches in San Clemente, that  
a toll road or development ~~is~~ running through  
that area would ~~be~~ also ~~be~~ can concern  
about the endangered special living in that area  
There are better alternatives than just  
road and more development of open space.  
Example, more and better public transportation  
please preserve this beautiful area and stop destruction  
because ~~of~~ the almighty dollar, must have it.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list? Yes

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: C. H. Gullett  
Affiliation (if any): \_\_\_\_\_  
Address: 169 Airside Repairs, San Clemente, CA 92677  
Email: \_\_\_\_\_

Comment:

Protect the watershed at all costs. Presently there is too much unbridled development without thought to watershed. We presently have state highwayards who have experienced Stroh Steep and Hep from the water from San Juan Creek.

There are four water sources for contamination to reach the beach. Aliso creek, San Juan Creek, a water course at the intersection of PCH and the North Beach bridge, and a potential source at San Juan Mateo creek

The water course at PCH and North Beach also has a yard up stream with oil soaked ground that has been there for 20 years. Could this be a source for additional contamination?

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? please indicate if I am already on the list.

If not please add my name.

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Dee Brady  
Affiliation (if any): Local Citizen  
Address: 34433 Via Gomez, Capitola Beach CA 95024  
Email: Abrydee@aol.com

**Comment:**

I would like to see the toll road excluded from the SAMP. I worry that any construction in this area would damage the San Mateo Creek, the last free flowing central creek and also damage all the water at the fill sites and downstream.

My family and I go to San Onofre Beach and San Mateo Campground; we really love the outdoor recreation and are concerned the toll road would hamper it.

Finally I am not just concerned with the endangered species but all the wildlife. How will they be impacted.

Please do not permit this construction. It will damage the ecosystem. Lets prevent the damage rather than trying to fix after the damage is done.  
Thank you for allowing public comment.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? yes

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Los Angeles, California 90053-2325

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: DIANA HAMMER  
Affiliation (if any): US TAXPAYER  
Address: 317 CALLE VILLARIC, SAN CLEMENTE 92672  
Email: \_\_\_\_\_

Comment:

EITHER OR ANY TOLL ROAD THROUGH  
ANY PART OF SAN CLEMENTE IS A DESTRUCTIVE  
PLAY BENEFITING ONLY DEVELOPERS, BUILDERS  
AND REAL ESTATE INTERESTS. THIS PROPOSED  
ROAD WILL DESTROY WATER, LAND AND EXISTING  
NATIVE FLORA AND FAUNA. IT WILL POLLUTE  
A VAST AREA ON ALL SIDES DOWN TO AND  
INTO THE OCEAN. NO TOLL ROAD

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list? YES

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Los Angeles, California 90053-2325

May 8, 2001

Dear Army Corps of Engineers,

My Name is Pauline Faye and I am a five year resident of San Clemente. I LOVE where I live because of being so close to the ocean and having the incredible hills and open space behind me.

My passion is hiking, being out in the wilderness, listening to the birds and walking under the oak and sycamore trees. The chance that I could possibly see a coyote, deer, bobcat or mountain lion enhances what natural Southern California has to offer. Because of projects like the Foothill-South Toll road, I am concerned about the survival of the wildlife with the diminishing open space.

Not only are the hills behind San Clemente a physical and spiritual retreat for the human population, they are the first place I take friends when they come to visit...it's like living next to a National Park.

I am respectfully requesting the following.

Exclude the Foothill-South Toll road project from the SAMP (Special Area Management Plan)  
Exclude wetlands from the programmatic/general permit process

Analyze the impacts on the issues below:

- Wildlife, including endangered species
- Recreation, including San Onofre State Beach Park
- Downstream water quality, including pathogens, trash and toxics
- Traffic, air quality and noise
- Privately managed land conservancies and preserves, including The Rancho Mission Viejo I and Conservancy and the Audobon Starr Ranch Preserve.

These requests are very important to me, because once our open space is gone, so is our quality of life.

Thank you for your time.

*Pauline H. Faye*

Pauline H. Faye



NE PAUL HENDERSON  
16 KAWIKEY CI  
CORONA, CA 92619

May 8, 2001

To Whom It May Concern:

As you know, Orange County is one of the most beautiful areas in Southern California. The rolling hills and the beautiful beaches inspire every Californian. However, some of the county's last remaining open spaces are being threatened by the construction of the Foothill toll road. I urge you to oppose the construction of this toll road because of the inevitable damage to these habitats through the destruction of natural parks, threats to endangered wildlife, and depletion of the county's most important assets: open, wild space.

The path of the toll road will intersect one of California's most popular state parks, San Onofre Beach State Park. The California Department of Parks and Recreation states that the toll road will stop the "functional use of most of the [park] and may have significant direct or indirect impacts to park wetland, access and visual resources." The toll road will destroy the aesthetic qualities that lure many Californians to this natural treasure, and if the toll road is not constructed, Californians for generations to come will have this beautiful landscape available for weekend retreats, family campouts, and surfing adventures.

With few wilderness areas left in Orange County, the Foothills are home to some of Orange County's most endangered wild creatures. By constructing a toll road through wilderness areas, these unique animals will encounter even more threats to their survival. The Pacific Pocket Mouse, Arroyo Southwest Toad, Southwestern Willow Flycatcher (bird), Least Bell's vireo (bird), and the Riverside Fairy Shrimp complete the list of endangered animals who live in the path of the toll road; the California gnatcatcher, a threatened species, also lives in this area. The Southern steelhead trout, California red-legged frog, and Tidewater goby are now extinct in these areas, but can be reintroduced if this area is not destroyed. These creatures are important in maintaining balance within the ecosystem; if one species is removed, it could cause a chain reaction that exterminates several unrelated species. Therefore, it is important that each of these animal species is allowed to thrive in these remaining wilderness areas with little threat from humans; this means preventing the expansion of the 241 toll road.

Not only does the toll road destroy habitat, but the human traffic it sustains threatens the roaming species. From October 1998 to July 2000 drivers on the 241 toll road have killed twice as many animals than on all other Orange County roads combined. The numbers are devastating: 7 mountain lions, 39 deer, 40 coyotes, and 11 bobcats. Fences

remain protected and the Transportation Corridor Agency is not allowed to build the proposed road.

As a citizen of Orange County, I value the beauty natural habitats provide. Driving out to Coto de Caza everyday, I value the open landscapes and rolling hills. The scenic areas were a contributing factor in the purchase of our home, as I am sure they are for many South Orange County residents, since the open spaces provide respite from the confining conditions of the bustling areas where most of us work. Marring these areas with an unnecessary toll road will destroy these feelings of being out in the wild, away from the freeways and urban areas where we toil all day long.

Studies have shown that the toll road will not necessarily provide traffic relief along the I-5 as the Transportation Corridor Agency claims it will. An engineering firm maintained by the Endangered Habitats League, Optrans, Inc. states that studies to date have been "structured to determine which alignment is preferred rather than if the facility is needed at all." Possibly, the TCA could instead expand the I-5 freeway and add toll lanes as they did with the 91 Freeway.

At \$900 million dollars, is the toll road worth the destruction of a vital habitat and a beautiful landscape? I am urging you to take the initiative to oppose the toll roads for the good of Californians and for the sake of our natural treasures.

Sincerely,



Kristin Haverlock

16 Kennedy Court

Coto de Caza, CA 92679

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Rene L. Williams  
Affiliation (if any):  
Address: 2100 Antelope, City, August 2012 717  
Email:

Comment: Future Generations deserve better!  
If your history more open spirit, or the  
eco system future is well as  
summers. History is more important  
there was environmental in practice.  
Special with design, it must propose  
that it is to improve development  
and people - there class it  
stop so

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? \_\_\_\_\_

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Jessica Parker & Jennifer Benjamin  
Affiliation (if any): \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: Jessalynne@cyber-cc.in & jenz107@aol.com

Comment:  
We attend San Clemente High School & have lived in San Clemente our entire lives. Our annual summer activity is going to the beach almost everyday when going to the beach also enjoy the natural & undisturbed habitat environment in the fall to our beaches will start to re-schedule live to the annual at-reunions but only that, but the quality and water will start to deteriorate. It is not fun to sit looking at the water at San Clemente such as ourselves, to build the fall road which will bring other people to our beloved beach community. We would like to make the fall road in the state to be a multi-modal bicycle to walk life, CCEFS, CFX, HAWKINS.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? \_\_\_\_\_

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: \_\_\_\_\_  
Affiliation (if any): \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_

Comment:

I am concerned about the protection of  
sensitive riparian habitat, wetlands, and riparian  
other wildlife.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list? yes

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: PATTIE MEADE  
Affiliation (if any): MANY  
Address: 421 VINTA VALTEGO, SAN CLEMENTE, 92672  
Email: \_\_\_\_\_

**Comment:**

I am concerned about the entire watershed - not just the TOLLROAD Project but beyond. I can't swim or surf AT DOLCENY without worry of getting sick. There is tons many other places, too. The TOLLROAD would impact the water quality at the last remaining clean habitats where multiple endangered species, including humans live. Their mitigation has proved to be ineffective. The SAN JUAN creek is already impacted - Adding massive development, which is the TCA's goal, is incomprehensible. I am also concerned about the SAND flow to the beaches. Trestles surfing beaches are world renowned "the Yosemite of surfers". Any change in SAND flow will definitely effect the surf.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list?

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Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: \_\_\_\_\_  
Affiliation (if any): \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: ced@cedusa.com

**Comment:**

The 2101 should be...  
Should include...  
wildlife...  
Should include...  
and costs...  
camp, parking, etc

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

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San Diego, California 92123  
Attn: Bill Tippets

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR

Name: MARK NIELSEN  
Affiliation (if any): CAUSE  
Address: 31621 VIA QUIXOTE, STC 92675  
Email: NIELSEN2@HOME.COM

Comment:

IN ORDER FOR THE PUBLIC TO HAVE MEANINGFUL INPUT TO THIS PROCESS  
IT IS NECESSARY THAT ALL THE MAPS OF HYDROLOGY, RIPARIAN VEGETATION  
ETC. HAVE CITY LIMITS & MAJOR ROADS SHOWN (I-5, ORTIGA HWY, AUTOMOCIL PASEO,  
ORIGINA 241 TOLLWAY, ETC.) IN THE BACKGROUND. ALSO HAVE THESE AVAILABLE ON THE  
WEBSITE.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR  
public interest list? Yes

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4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Yona Powell  
Affiliation (if any): \_\_\_\_\_  
Address: San Clemente  
Email: \_\_\_\_\_

Comment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? \_\_\_\_\_

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

7.

Name: \_\_\_\_\_

Affiliation (if any): \_\_\_\_\_

Address: 2001 Glenview Ct Laguna Beach CA 92653

Email: \_\_\_\_\_

**Comment:**

*Handwritten comment:*  
I am a resident of Laguna Beach, CA and I am very concerned about the potential impacts of the proposed project on the San Juan/San Mateo Creek watershed. The project is located in a sensitive area and I believe that the proposed project will have significant impacts on the watershed. I am requesting that the project be denied and that the watershed be protected.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? Yes

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San Diego, California 92123  
Attn: Bill Tippets

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: PAUL ARMS  
Affiliation (if any): \_\_\_\_\_  
Address: 19318 SURFWAVE DRIVE HUNTINGTON BEACH CA 92648  
Email: PARMS@SOCAL.RR.COM

Comment:

PLEASE DESCRIBE ALL OF THE CHEMICALS THAT  
ARE LIKELY TO FLOW INTO OUR WATER-SHED FROM  
DEVELOPMENTS AROUND SAN JUAN AND SAN MATEO CREEKS  
PLEASE ESTIMATE THE AMOUNT OF TAX DOLLARS NEEDED  
TO CLEAN UP THE WATER.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list?

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4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Bianca Valenti  
Affiliation (if any): Surfer, member of Surfer Foundation + DLSA  
Address: 34011 El Contento, Dana Point, CA 92629  
Email: biancar2@yahoo.com

Comment:

As a surfer of OC I not only care about the ocean, but also its surrounding environment. I think that SAMP + MSSA just don't seem to be doing enough. Second of all at no point or time of day is there ever any traffic (unless there is an accident) on the 405 highway. It makes no sense to waste money on putting a toll road where it isn't needed and where the ocean and wildlife is so prevalent.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? NO

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts



**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: MARTHA SUTUA  
Affiliation (if any): \_\_\_\_\_  
Address: 3464B VIA CATALINA CAP D BEACH CA 92624  
Email: \_\_\_\_\_

Comment:

1. INCLUDE LOWER SAN MATEO CREEK WATERSHED  
IN YOUR SAMP BOUNDARY
2. YOUR FORMAT FOR A PUBLIC MEETING  
IS TERRIBLE. IT WAS DESIGNED TO HAMPERS  
PUBLIC COMMENT.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? YES

**Mail Comments on the Notice of Intent to:**  
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San Diego, California 92123  
Attn: Bill Tippets

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Matthew Mills  
Affiliation (if any): Professional jobs in the ocean.  
Address: # 8 Puerto Valparaiso San Clemente CA 92664  
Email: pmillsmat@aol.com

Comment:

My main concern with the foothill south hill road is what it will do to the ocean. My concern for this is based on my fishing, diving and sea experiences. I know it is one of the most beautiful areas on the coast. So overall, I am concerned if the project will affect private property. I would like to see the area be protected. I would like there to be NO foothill south hill road.  
Matthew Mills

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? Yes

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR

Name: Henry B. Davis  
Affiliation (if any): \_\_\_\_\_  
Address: 28188 Moulton Pkwy #2328, Laguna Niguel  
Email: brad@nextmill.net

Comment:

The New toll Road is not something I want!  
Every beach leading up to San Clemente / San Onofre ~~has~~  
~~been~~ ~~polluted~~ has already been polluted and with  
this new TCA toll Road not only will ~~one~~ of our  
last clean beaches become contaminated so will  
our wetlands in the back country.  
IF TCA is given a blanket permit to build over all  
of the outlined areas ~~it~~ it will severely damage many  
of the untouched natural areas. A private for profit  
cooperation should never have such power to build  
and destroy where they feel makes them the most \$.  
While destroying the land/ocean for the rest of us.  
Thank you  
Bud M.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? \_\_\_\_\_

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MAN 10/4/09

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Alan WHITE  
Affiliation (if any): FRIENDS OF THE Foothills  
Address: Box 596 SAN CLEMENTE CA 92674  
Email: \_\_\_\_\_

**Comment:**

- 1) PLEASE EXCLUDE THE TOLLROADS FROM SAMP.
- 2) ANALYZE downstream water quality impacts - All of them.
- 3) ANALYZE CUMULATIVE WATER QUALITY IMPACTS.
- 4) EXCLUDE wetlands from programmatic/general permit process.
- 5) ANALYZE ENDANGERED SPECIES IMPACTS, ESPECIALLY TROUT.
- 6) ANALYZE IMPACTS ON NON-ENDANGERED SPECIES, INCLUDING DISK AND LUCKY.
- ~~7) ANALYZE ALL RECREATION IMPACTS~~
- 7) ANALYZE ALL RECREATION IMPACTS, ESPECIALLY OCEAN SPORT.
- 8) ANALYZE IMPACTS ON TRAFFIC, NOISE AND AIR QUALITY.
- 9) ANALYZE IMPACTS ON SEDIMENT FLOW, esp. AT TRUSTLES AND SAN ONOFRE STATE PARK.
- 10) ANALYZE IMPACTS ON LOCAL TOURIST ECONOMY.
- 11) ANALYZE IMPACTS ON PUBLIC PARK RESOURCES, including SAN ONOFRE STATE BEACH.
- 12) ANALYZE IMPACTS ON LAND CONSERVANCIES, ESPECIALLY THE RANCHO MISSION VIEJO LAND CONSERVANCY, AND ADDISON RANCH.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? YES

- 13) ANALYZE A FULL RANGE OF ALTERNATIVES, INCLUDING LIGHT RAIL AND ABOVE FREEWAYS.

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: CINDACE NEWTON  
Affiliation (if any): SURFRIDER FEDERATION  
Address: 29195 EL CAMINO REAL SAN CLEMENTE CA 92672  
Email: CEN@CAPGROW.COM

Comment:

67  
It concerns me that the proposed Foothill South  
Hill road may be constructed regardless of the  
environmental impact it will have to Santa California  
my individual community and my family. The beaches  
in San Clemente are the last remaining spot of  
unpolluted Ocean water. If this Hill Road is  
built I fear it will ruin this clean water. The  
past Hill road projects have caused the water quality  
in other beaches (i.e. Laguna Beach) to deteriorate.  
I do not want this to happen to Tredler beach.  
My husband is in the ocean water every day of  
his life and if this water becomes polluted I fear  
he will become sick. Please make sure that effects  
the water quality is studied before allowing the  
FOA to build that Hill road.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list? Yes

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR

Name: JOSEPH W. NEWLON  
Affiliation (if any): \_\_\_\_\_  
Address: 2919 S. EL CAMINO REAL  
Email: JANDS.NEWLON@PRODIGY.NET

Comment:

AS A RESIDENT OF SOUTH SAN CLEMENTE  
I AM DEEPLY CONCERNED ABOUT PLANS FOR  
FUTURE DEVELOPMENT OF IN PARTICULAR THE  
SAN MATEO CREEK AND WATERSHED. MYSELF  
AND NUMEROUS OTHERS SPEND NEARLY EVERY  
DAY EMERSED IN THE WATER AT THE  
MOUTH OF THE SAN MATEO CREEK. I USED  
TO LOVE TO DIVE AROUND ALISO CREEK IN  
LAGUNA UNTIL I GOT SICK AND LATER FOUND  
OUT I HAS BECOME ONE OF THE MOST  
POLLUTED AREAS ON OUR COAST. I AM CONCERNED  
THAT THE TRESTLES AREA WILL SUFFER THE  
SAME FATE. AS IT IS THE LAST FOOTHOLD  
OF CLEAN WATER AND OPEN SPACE LEFT  
IN SOUTHERN CALIFORNIA, I THINK IT IS  
AN IRREPLACABLE RESOURCE THAT MUST BE PROTECT

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR  
public interest list? YES

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: JOHN BRECKINSKI  
Affiliation (if any): \_\_\_\_\_  
Address: 33142 MARINA VISTA, DANA POINT, CA 92629  
Email: ORION@FEA.NET

Comment:

All impacts should be analyzed for the long range future of the area, including all downstream impacts of any development on the area. Also, more roads and highways will be mandatory. These, in turn, will have more impacts on the area. But these are in the distant future, but should be addressed now.

The following must be treated as a separate project and should require its own EIS/EIR.

Impacts on water and waterways should take into account on all around and benefits in the area.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? YES

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSA A FIS/FIR**

Name: Victor Leipzig  
Affiliation (if any): \_\_\_\_\_  
Address: 17461 Skyline Lane, Huntington Beach CA 92647  
Email: VICLEIPZIG@AOL.COM

Comment:

In order to maintain water quality in streams and ocean, any development should be required to achieve on-site retention of run-off such that no increase in volume of in-stream flows occurs.  
Otherwise, increased flow velocity will cause erosional problems and lead to increased pollutant load.  
Maintenance of watershed health requires maintaining natural flow volumes + velocities in the streams.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSA A EIS/EIR public interest list? YES

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR

Name: JERRY DEMERS  
Affiliation (if any): \_\_\_\_\_  
Address: 146 CALLE REDONDEI SAN CLEMENTE, CA 92672  
Email: J. DEMERS.06 @ HOTMAIL.COM

Comment:

The watershed in question is not "beautiful" when compared w/ the natural wonders such as the Grand Canyon or Joshua Tree Nat. Parks but the value of this terrain is invaluable to future generations and <sup>endange</sup> <sup>specie</sup> ~~but~~ we simply cannot underestimate the inherent value of this terrain. This habitat is pristine and completely unique. It is essential ~~to~~ to preserve it as is to protect endangered species. Any new development can change water temperature, water quality, sediment levels vegetation levels essential to trout and other <sup>endangered species.</sup>

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? YES.

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: JERRY DEMERS  
Affiliation (if any): MEMBER (FUTURE GENERATIONS)  
Address: 146 CALLE REDONDEL, SAN CLEMENTE CA 92672  
Email: \_\_\_\_\_

Comment:

REGARDING GEOMORPHIC TERRAIN MAP AT TWIGHT'S  
HEARING, IT IS EASY TO SEE THAT 2/3'S  
OF THE WATERSHED  
OF TERRAIN ~~WAS~~ HAS BEEN CREATED BY THE  
UNDISTURBED FLOW OF WATER. SILTY AND CLAYEY  
TERRAIN MAKES FOR THE INCREDIBLE REEFERAN HABITAT  
THAT EXISTS. NO SAMP OR MSAA OPTIONS ARE THE  
ONLY WAY TO KEEP THIS "NATURAL FILTRATION"  
SYSTEM INTACT.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR  
public interest list? YES

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/FIR

Name: JERRY DEMERS  
Affiliation (if any): —  
Address: 146 CALLE REDONDEL SAN CLEMENTE, CA. 92672  
Email: \_\_\_\_\_

Comment:

\* OUR U.S. MARINE CORP IS NOT ABOVE THE RULE  
AND WISHES OF THE PUBLIC.

THE ENTIRE WATERSHED BEING STUDIED HAPPENS  
TO END ON ~~MARINE~~ LAND "LEASED"? TO MARINE  
CORP.

DESPITE CONGRESS' CURRENT DECISION TO ALLOW  
USMC TO OPT OUT OF THIS CRITICAL STUDY  
I STRONGLY FEEL (NO I KNOW) A "WATERSHED"

RUNS TO THE OCEAN. TO NOT INCLUDE THE  
CREEK BASIN (A STEELHEAD TROUT HABITAT) IS A TRAVESTY.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR  
public interest list? YES

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: JEFF DEMERS  
Affiliation (if any): -  
Address: 146 CREEK REDONDEL, SAN CLEMENTE CA 92672  
Email: JDEMERS06@hotmail.com

Comment:

\* I am very perplexed as to how Toll Road is a completely separate issue. Its impact on this watershed especially due to run-off is immeasurable.  
\* SAMP, MUST STRONGLY CONSIDER NO PROJECT ALTERNATIVES EST. ~~EST.~~ IN REGARDS TO TOLL ROAD AND ALL DEVELOPMENT IT WOULD CREATE.

\* SEDIMENTATION OF ALL WATERWAYS IS INEVITABLE. IF ANY DEVELOPMENT IS ALLOWED, THE FEW REMAINING POCKETS OF WILDLIFE AND NATURAL HABITAT CANNOT SURVIVE.

\*\*\* HOTSPOTS ARE STILL COMPLETELY <sup>A</sup> MYSTERY... UNTIL WE UNDERSTAND OUR CURRENT PROBLEMS WE CANNOT FURTHER ADD TO  
Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? YES. RUNOFF.

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Attn: Bill Tippets

May 12th

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: ANTHONY L. JONES  
Affiliation (if any): \_\_\_\_\_  
Address: 118 Ave Santa Lucia  
Email: ajones@comcast.net

Comment:

I have been very involved in the San Juan/San Mateo Creek area. I have also been a State Licensing member for the San Mateo Conservancy since 1996. In light of all the changes I've seen my city go through in the last few years, I'm looking forward to raising a family in this area. I hope to see the San Juan/San Mateo area ~~in~~ in the years to come.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list?

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: KEVIN CRAIG  
Affiliation (if any): C.A.C.A.  
Address: 119 S. ALAMEDA #4 SAN CLEMENTE CA  
Email: DEACHVIEW@FCC.NET

Comment: As A Canadian I am appalled  
at the lack of concern about your  
most precious resource the Ocean  
Wake up and Smell the Ocean  
Stop the Pollution off our beaches

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? YES

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Guy PIZZARELLO  
Affiliation (if any): \_\_\_\_\_  
Address: SAN JUAN CAP.  
Email: PIZZAR@CIVIC.COM

Comment:

NO WHERE DO I SEE THE STUDY TO INCLUDE THE AREA WHERE THE SAN MATEO DELTA ENTERS THE OCEAN "THE COLLECTION POINT". NO WHERE DO I SEE THE STUDY TO INCLUDE THE DRAIN TO THE OCEAN. ARE WE GOING TO DO A COMPLETE TEST OR ARE WE GOING TO PLAY POLITICAL MUDY GAMES. THE QUALITY OF OCEAN IS A GREAT CONCERN ESPECIALLY AS YOU CAN SEE WITH HUNTINGTON BEACH. ANY POPULATION GROWTH BRINGING WASTE. ITS TIME WE DESIGN A STRONG TREE ENVIRONMENT WITH GOLDEN BALTS.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? YES

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: SCHILLER PFEFFER  
Affiliation (if any): LAGUNA SANDS LONGER LANCY  
Address: 970 GLENVIEW ST. #101 LAGUNA BEACH CA 92653  
Email: \_\_\_\_\_

**Comment:**

MY IMPRESSION OF THE SAMP/MSAA EIS/EIR IS AS  
NECESSARY. HOWEVER THE MONEY STAKES IN ORANGE  
COUNTY ARE VERY HIGH. MOST OF THE TIME (IF NOT ALL)  
THE ~~DEVELOPMENT~~ DEVELOPMENT INTERESTS IN THE PROCESS  
TO COME OUT ~~THE~~ THE WAY THEY WANT TO  
NATURE ALWAYS SEEMS TO LOOSE IN ORANGE COUNTY.  
BUILDING A TOLL ROAD AND DOUBLING MISSION VIEJO  
WILL AFFECT THE WATERSHED. WE NEED TO SAVE WHAT  
LITTLE WE HAVE LEFT OF NATURE IN THIS COUNTY. THE MISSION  
VIEJO COMPANY HAS A LOT TO GAIN ON LOOSE DEVELOPING  
ON THE FRINGES OF THE WHOLE PROCESS. EXISTING  
DEVELOPMENT HAS DAMAGED THE WATERSHED ALREADY.  
SINCE THE CREEK IS NOW WITH AN EARTH  
SAN MATEO CREEK. YOUR SPECIFIC PLAN OF  
"REASONABLE ECONOMIC ACTIVITIES" HAS BEEN FELT ALREADY  
I HOPE THE MSAE WILL COMPLY AND THE TCA DON'T INFLUENCE  
THE PROCESS. MORE IS NOT ALWAYS BETTER.  
Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR  
public interest list? YES

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Russ Usher  
Affiliation (if any): \_\_\_\_\_  
Address: 9 Precipice  
Email: rudall@sanjua hillsfalladivision.com

**Comment:**

Missing the introduction marks from the Army Corp. of Engineers + Dept. of Fish + Game does not help in my understanding of the developments planned.

I do however wish to strongly recommend not performing any development which would potentially impact the San Mateo Creek Watershed. Any development would permanently impact this delicate riparian ecosystem. Having visited the San Mateo Creek alluvial natural wasteland for 30 years, the special inst. goal of wasteland inst. has a better purpose left naturally than to exploit and damage this last untouched part of our Calif. coast.

In summary: This taxpayer + beach user says "No" to any development to SAMP + MSAE

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? Yes

*Russ Usher*  
5/8/01

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**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Keith Jones  
Affiliation (if any): concerned citizen  
Address: 111 E. Ave. San Antonio San Clemente 92672  
Email: Floresyamigos@aol.com

Comment:

I am in favor of preserving San Mateo  
campground. I am in favor of leaving  
the land east of it undeveloped.  
I am in favor of putting an end to  
the idea of a toll road. This land  
in question is the only coastal preserve  
left in San Clemente, the only place  
where the ocean is still safe to  
swim in. This is a place very special  
to my friends and neighbors which  
is why we live here in the first  
place.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR  
public interest list? yes

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSA A EIS/EIR

Name: DON & CAROL LAWRENCE  
Affiliation (if any): \_\_\_\_\_  
Address: 11652 BROOKSHIRE AVE. GARDEN GROVE, CA 92840  
Email: \_\_\_\_\_

Comment:

We attended this meeting under the false assumption that we could obtain information about this entire watershed area. The documentation provided here tonight is confusing and difficult to understand. In talking to other people attending tonight, they seemed equally confused. We are very concerned about protecting this watershed and all the habitat. Of course, by ignoring the toll road and all the development that would come with it, in years to come all this pristine area would be compromised. In our opinion, anything that can be done to preserve this area should and must be done to protect this small area, ~~the~~ the future of all the residence of Orange County.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSA A EIS/EIR public interest list? Yes

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Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Stephane Pacheco  
Affiliation (if any): \_\_\_\_\_  
Address: 18264 Santa Belinda Circle  
Email: stephac@SOCALrr.com

Comment:

Full watershed and SAMP planning is vital for determining the highest priority hydrological important areas with the best water quality and habitat value. A contiguous, undeveloped blue-line stream area is best for providing habitat for endangered species and water quality mitigation which creates unsustainable habitat for all roads should never be allowed.

Of course, this is a valuable natural resource and would be best left as open space, if possible. At the very least, the Fish and Game should be given full authority to follow their mandate of conservation. Conservation includes the balance of wetlands and uplands.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes (way ahead be on list)

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

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2001

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Karen M. Phelps  
No Affiliation  
23246 Atlantis Way  
Dana Point, CA 92629  
karenphelps@home.com  
949-443-9001

COMMENT:

I'm really delighted that someone cares about development now.  
In evaluating this area (San Juan and San Mateo Creeks)  
please consider the whole of Orange County.  
San Mateo and San Juan Creeks can take no **NO NEW INCURSIONS**  
except maybe, hikers.

Valuable to this area:

- this is the only clean watershed S of Santa Barbara
- this whole ecosystem is still working (the cougar at the top of the chain is still there though the grizzly is long gone).
- these creeks pump clean water into the ocean (the rest of Orange County has closed beaches much of the time due to pollution in the back country).
- this is a valuable natural study area for future generations
- 

I THINK WE CAN HAVE DEVELOPMENT  
AND WE CAN HAVE ENVIRONMENT.

But not here!

Orange County has already overdeveloped.

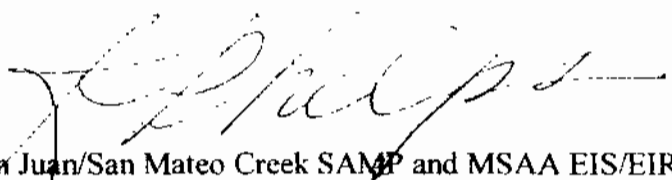
OUR NEST IS ALREADY FOULED.

LETS START TO BALANCE BY PROHIBITING ANY DEVELOPMENT IN THIS  
LAST PRISTINE AREA.

Thank you for your interest.

Sincerely,

Karen M. Phelps



I wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public  
interest list. YES





**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Karen M. Phelps  
No Affiliation  
23246 Atlantis Way  
Dana Point, CA 92629  
karenphlps@home.com  
949-443-9001

COMMENT:

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In evaluating this area (San Juan and San Mateo Creeks)  
please consider the whole of Orange County.  
San Mateo and San Juan Creeks can take no **NO NEW INCURSIONS**  
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Valuable to this area:

- this is the only clean watershed S of Santa Barbara
- this whole ecosystem is still working (the cougar at the top of the chain is still there though the grizzly is long gone).
- these creeks pump clean water into the ocean (the rest of Orange County has closed beaches much of the time due to pollution in the back country).
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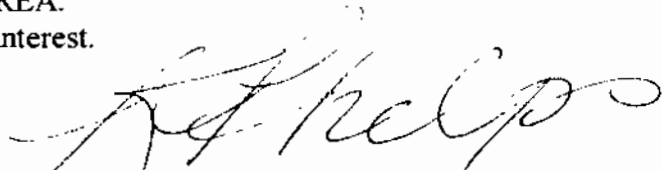
OUR NEST IS ALREADY FOULED.

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Thank you for your interest.

Sincerely,

Karen M. Phelps



I wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public  
interest list. YES

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Geni Schuster  
Affiliation (if any): Ø  
Address: 26000 Avenida Aeropuerto #78 SJC CA 92675  
Email: Ø

Comment:

As all of my neighbors, I am very concerned about plans by Home Depot to build a facility on the Lower Rosen Ranch property in San Juan Capistrano. That area abuts San Juan Creek and is less than a mile from Doheny Beach. All the runoff from the parking lot from thousands of cars will go into that area, and the operation itself would create a lot of pollution

Some of the area where they want to build is wetlands and we have had Blue Herons, California Gnatcatchers, and other endangered species there.

We urge you to take a good look at that area VERY SOON, since HD is pushing hard to get that land. Please protect our water and wildlife resources.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? No, thanks

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

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DEPT OF FISH & GAME  
SOUTH COAST REGION

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Michael Thorpe  
Affiliation (if any): \_\_\_\_\_  
Address: 26000 Ave Aeropuerto #42 San Juan Capistrano  
Email: \_\_\_\_\_

Comment:

IF Home Depot builds a store in San Juan  
we will have 15 acres of Blacktop next to  
San Juan Creek. This will pollute San Juan  
Creek which is only a 1/2 mile to Doheny Beach,  
An Area that already has pollution problems.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? NO

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SOUTH COAST REGION

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Marianna H. Handler  
Affiliation (if any): \_\_\_\_\_  
Address: 26000 Ave Aero Puerto Y1, S.J. Cap CA 92621  
Email: MHandler@a.com

Comment:

I am very concerned about plans by Home Depot to build a facility on the Lower Rosan Ranch property in San Juan Capistrano. That area abuts San Juan Creek and is less than a mile from Doheny Beach. All the runoff from the parking lot from thousands of cars will go into that area, and the operation itself would create a lot of pollution

Some of the area where they want to build is wetlands and we have had Blue Herons, California Gnatcatchers, and other endangered species there.

We urge you to take a good look at that area VERY SOON, since HD is pushing hard to get that land.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

**Mail Comments on the Notice of Intent to:**  
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MAY 14 2001  
DEPT OF FISH & GAME  
SOUTH COAST REGION

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: JOE JENSEN  
Affiliation (if any): \_\_\_\_\_  
Address: 27 VIA ENCANITO RCHO STA MARG, CA 92688-4942  
Email: Jensenfamily183@CS.COM

Comment:

ANY SAMP ALTERNATIVE MUST MAKE PROVISIONS  
FOR THE EXTENSION OF SR 241. THE TOLL ROAD IS  
A TRANSPORTATION IMPERATIVE NOT ONLY FOR  
ORANGE COUNTY BUT FOR ALL OF SOUTHWESTERN  
CALIFORNIA. ALLOWANCE SHOULD ALSO BE  
MADE FOR IMPROVING SR 74 WITHIN THE  
SAMP LIMITS.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? \_\_\_\_\_

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4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

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DEC 11 2001  
SOUTH COAST REGION

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR

Name: Ed Schlegel  
Affiliation (if any): \_\_\_\_\_  
Address: 27003 Del Prado Rd. Capistrano Beach, CA 92624  
Email: eddcapo@aol.com

Comment:

If the job of the U.S. Corp of Engineers and the California Department of Fish and Game is to preserve the water quality, hydrolic integrity, and habitat integrity of streams, riparian systems, and flood zones, then those should be the major concerns over any economic or development needs in this watershed. Preservation is desperately needed, because over development, extensive highway systems and stream enhancements will cause water pollution, beach sand degradation, and loss of animal and plant species. Housing development should be very limited, or banned, in the current undeveloped portion because it has the potential to cause the most environmental damage. Mitigation for any habitat loss should never be an option solely for economic gain.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes

Mail Comments on the Notice of Intent to:  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
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MAY 14 2001  
DEPT OF FISH & GAME  
SOUTH COAST REGION

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: JOHN EARHART  
Affiliation (if any): —  
Address: 352 THIRD ST, #306, LAGUNA BEACH, CA 92657  
Email: JOHNEARHART@AOL.COM

Comment:

SIRS: I FULLY RECOGNIZE THAT COMMENTS I PRESENT ON THE PROPOSED SAMP/EIS/EIR WILL HAVE VIRTUALLY NO EFFECT ON THE POLITICALLY-BASED DECISION MAKING PROCESS YOU ARE IN THE PROCESS OF INITIATING. THE FACT OF THE MATTER IS THE MAJORITY OF THE IMPACTED CITIZENS ARE AGAINST THE TYPE OF MASS-SCALE DEVELOPMENT THAT WILL BE PRECIPITATED BY THE BUILDING OF THE FOOTBRIDGE TOLL ROAD EXTENSION. IT WILL GET BUILT IF AND WHEN THE VERY ULTIMATE ECONOMICALLY-INTERESTED, CONNECTED FEW WANT SO. AS WITH THE SAN JOAQUIN CORRIDOR THIS TOLL ROAD WILL BE AN ECONOMIC WHITE ELEPHANT AN ENVIRONMENTAL HAZARD AND A TRAFFIC NIGHTMARE. IT SHOULD NOT BE BUILT FOR ALL OF THE ABOVE REASONS BUT ODDS ARE IT WILL BE

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? yes

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
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Attn: Bill Tippets

FRI  
MAY 14 2001  
FISH & GAME  
SOUTH REGION





**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Judy Beltis  
Affiliation (if any): Friends of the Foothills  
Address: 25431 Minos, Mission Viejo, CA 92691  
Email: \_\_\_\_\_

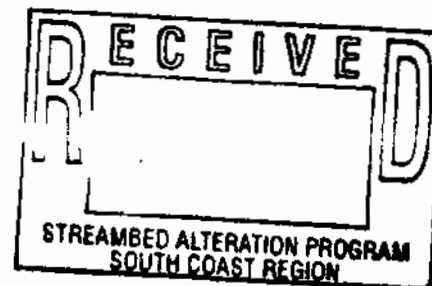
**Comment:**

I Live in the Northern end of Mission Viejo near the  
FREEWAY. Over the past two years we have experienced  
an influx of coyotes - you can see them at night almost  
any time, just walking down the street. I have lived here  
for 13 years and this is a new phenomenon. Also I have  
observed hawks (they look like red-tails to me) in our neighborhood  
over the past year, trying to catch the local smaller birds.  
That also is a sight I never saw before recent times. I believe  
I am seeing wildlife displaced by the development of new  
communities along the 241 Toll road - specifically Ladera  
Ranch & Teleca. I don't want to see any more destruction of  
habitat and the resulting wildlife displacement. I oppose  
the extension of the toll road and the accompanying  
development that will come with it.

Also I think the recent pollution/erosion problems in the Laguna  
Beach area which have occurred as a result of the San Juan in  
Hills Toll Road should be taken into evidence as what is happening to our coast  
Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR and include  
public interest list? Yes as a result of toll  
roads & development?

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
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Attn: CESPL-CO-R-199915966-FT  
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**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts



**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Jeanne O'Grady  
Affiliation (if any): Concerned citizen  
Address: 249 Camino San Clemente, San Clemente, CA 92672  
Email: jmoGrady1@cal.com

**Comment:**

Thank you for asking for the opinion of the  
citizen(s) who will most likely be impacted by the  
results of your study.

We live in a paradise called San Clemente, CA.  
Please help us save what is left by considering  
the following in your study:  
1) Analyze downstream water quality; pathogens, trash, toxins  
2) Exclude wetlands from programmatic/general permit process  
3) Analyze impacts on endangered species, including  
current & pending critical habitat designations  
4) Analyze impacts on wildlife and other endangered species  
including displacement & relocation  
5) Analyze impact on traffic air quality & noise  
6) Analyze impacts on sediment flow, natural beach replenishment  
The toll road extension will not alleviate traffic but  
only open up the back country for additional development

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR  
public interest list? Yes

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
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Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippets

Public Comment Card  
Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR

Name: Don Kunze  
Affiliation (if any): S. G. A. T.  
Address: 107 AVE. SAN DIEGO SAN CLEMENTE  
Email: \_\_\_\_\_

92672

Comment:

SAN MATEO CREEK IS A PRISTINE  
WATER SHED THAT SHOULD STAY AS IS.  
NO MITIGATION CAN ACCOMPLISH WHAT  
NATURE HAS GIVEN.  
NATIONAL FOREST AND STATE PARK  
IS PROTECTED AND PRESERVED.  
WHEN WILL A GOVERNMENT AGENCY  
STAND UP AND TELL DEVELOPERS TO  
TAKE A HIKE.  
RESOURCES - GAS - ELECTRICITY - WATER  
IS THE NEXT GOLD MINE. WHAT CAN I SAY  
THAT HISTORY HASN'T ALREADY PROVEN.  
DEVELOPMENT IS FOR ONE REASON ONLY  
MAKE MONEY FOR WHO.  
THE TOLL ROAD DEAD ENDING AT THE  
BEACH DOES NOT SOLVE ANYTHING EXCEPT  
CREATE ANOTHER AGENCY ADD.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? YES

Mail Comments on the Notice of Intent to:  
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San Diego, California 92123  
Attn: Bill Tippets

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAA EIS/EIR**

Name: Guinevere Breeding  
Affiliation (if any): \_\_\_\_\_  
Address: 262 Avenida Baja, San Clemente, CA 92672-24  
Email: lagunacf2@lagunadanyen.org

**Comment:**

I moved to and purchased my home in San Clemente four years ago. I wanted to live closer to open space, as I love to walk and hike. The open space around San Clemente offers wonderful opportunities to enjoy the out of doors. The San Mateo creek in the San Onofre State Park winds to the ocean through pleasant wilderness terrain. Recently steelhead trout have reappeared. This is also a habitat for the gnatcatcher. Endangered species that will survive if we don't kill off their habitats. Why in the world would we want to pollute such beauty? Mayor Wayne Baglin of Laguna Beach, California remarked on a recent Cox Forum broadcast that San Clemente's beaches were the only ones still safe. San Clemente's shoreline is not polluted yet. This toll road will change that. Articles in the Orange County Register and the Los Angeles Times, Orange County Edition have recounted more and more pollution of the ocean water of Orange County. The 73 Highway (Toll Road) in existence has had nothing but problems since it was allowed to foul the wilderness and open space areas it crosses. This cannot happen again. Trestles beach must be allowed to remain clean. The entire San Onofre State Park must be allowed to remain a haven and habitat for coastal species. To desecrate this area with a toll road would be unconscionable.

Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAA EIS/EIR public interest list? yes.

*Guinevere Breeding*  
*May 16, 2001*

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
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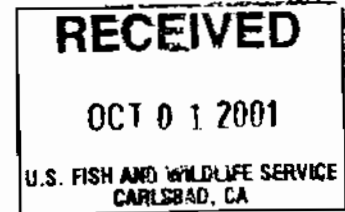


NATURAL RESOURCES DEFENSE COUNCIL

May 18, 2001

**By Electronic Mail and  
First Class Mail**

Dr. Fari Tabatabai  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
ATTN: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325



**Re: Environmental Impact Statement Scoping Comments for Preparation of a  
Special Area Management Plan (SAMP) and Associated 404 Permit Actions for the  
San Juan Creek and western San Mateo Creek Watersheds, Orange County,  
California**

Dear Dr. Tabatabai:

On behalf of the Natural Resources Defense Council ("NRDC") and its over 400,000 members, 30,000 of whom live in southern California, we submit these comments to the Army Corps of Engineers ("Corps") on the Corps' notice of intent to prepare an environmental impact statement ("EIS") for the Special Area Management Plan ("SAMP"), and associated 404 permit actions, for the San Juan Creek and western San Mateo Creek watersheds ("San Mateo Creek SAMP"). See "Draft Environmental Impact Statement for the Preparation of a Special Area Management Plan and associated 404 Permit Actions for the San Juan Creek and western San Mateo Creek Watersheds, Orange County, CA," 66 Fed. Reg. 20135 (April 19, 2001) ("scoping notice").<sup>1</sup> After carefully reviewing the scoping notice, we have significant concerns about the adequacy of the Corps' proposed EIS and the potential for the San Mateo Creek SAMP to cause substantial environmental harm to southern Orange County's water quality, wetlands, and wildlife.

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<sup>1</sup> The filing of these comments is in no way intended to waive our rights to challenge or oppose the San Juan Mateo SAMP or to challenge any future activities conducted under the SAMP in the San Juan Mateo watershed, or elsewhere.

First, the range of the “key environmental issues” identified in the scoping notice, 66 Fed. Reg. at 20136, falls far short of the National Environmental Policy Act’s (“NEPA”) mandate to consider all potentially significant impacts to the human environment presented by the SAMP.

Second, the scoping notice fails to make clear that, in addition to NEPA’s requirements, the proposed SAMP must also satisfy the requirements of the Clean Water Act (“CWA”). In this instance, the CWA requires the Corps to carefully address the effects of any discharge activities and associated projects that may be authorized through the SAMP on aquatic resources and the environment.

Third, the scoping notice does not adequately identify all of the cumulative effects in the SAMP study area that, when combined with the SAMP itself, may result in significant environmental effects.

Fourth, the scoping notice does not set forth a full range of alternatives, as required by NEPA. Moreover, those alternatives that are identified in the scoping notice are not described in sufficient detail to permit meaningful public comments.

Fifth, the scoping notice contains no assurances that the SAMP will exclude activities that have more than a minimal environmental effect. Given that there are numerous activities with the SAMP study area—such as the proposed southern segment of SR-241—that are likely to have a significant adverse environmental effect on the San Mateo Creek or San Juan Creek watersheds, the SAMP should clearly specify that these activities will continue to be subject to the individual permitting process under Section 404 of the CWA.

## **I. The National Environmental Policy Act**

Enacted by Congress in 1969, the National Environmental Policy Act (“NEPA”) commits the federal government to “encourage productive and enjoyable harmony between man and his environment” and “promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man.” 42 U.S.C. § 4321. To realize these goals, NEPA demands that the “policies, regulations, and public laws of the United States [be] interpreted and administered” in accordance with its principles, “to the fullest extent possible.” 42 U.S.C. § 4332. This strong mandate was intended to guide agencies in preparing environmental impact statements, which are required of all projects that “may significantly degrade some human environmental factor.” Steamboaters v. F.E.R.C., 759 F.2d 1382, 1392 (9th Cir. 1985) (emphasis in original). As the Supreme Court explained:

NEPA’s instruction that all federal agencies comply with the impact statement requirement—and with all the other requirements of § 102—“to the fullest extent possible,” 42 U.S.C. § 4332, is neither accidental nor hyperbolic. Rather the phrase is a deliberate command that the duty NEPA imposes upon the agencies to consider environmental factors not be shunted aside in the bureaucratic shuffle.

Flint Ridge Development Co. v. Scenic Rivers Ass'n, 426 U.S. 776, 787 (1976).<sup>2</sup>

The fundamental purpose of an EIS is to force the decision-maker to take a “hard look” at the environmental consequences of her proposal, before a decision to proceed is made. See 40 C.F.R. § 1502.1; Baltimore Gas & Electric v. Natural Resources Defense Council, 462 U.S. 87, 97 (1983). The EIS must be an objective, neutral document, not a work of advocacy to justify a predetermined result. 40 C.F.R. § 1502.2(g). To help achieve this goal, NEPA sets forth a list of factors that the responsible official must consider “to the fullest extent possible” and include in a “detailed statement”:

- (i) the environmental impact of the proposed action,
- (ii) any adverse environmental effects which cannot be avoided should the project be implemented,
- (iii) alternatives to the proposed action,
- (iv) the relationship between short-term uses of man’s environment and the maintenance and enhancement of long-term productivity, and
- (v) any irreversible and irretrievable commitments of resources, which would be involved in the proposed action should it be implemented.

42 U.S.C. § 4332(2)(C).

In order to satisfy the requirement that an EIS address the environmental impacts of a proposed action, the draft EIS must analyze the full range of the potential significant impacts on the environment, including, but not limited to impacts on ecosystems, natural resources, aesthetic and social values, cultural and historic resources, urban quality, and human health of each alternative discussed in the EIS. 40 C.F.R. §§ 1502.16, 1508.8. These impacts include:

- (i) direct effects, which are caused by the action,
- (ii) indirect effects, which are those reasonably foreseeable effects caused by the action but are later in time and/or farther removed in distance, and
- (iii) cumulative effects, which are the results of incremental effects added to other past, present, and reasonably foreseeable future actions.

40 C.F.R. §§ 1508.7, 1508.8.

Finally, the EIS must pay special attention to the duty to consider “alternatives to the proposed action”—to “rigorously explore and objectively evaluate all reasonable alternatives”—

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<sup>2</sup> The Ninth Circuit has recognized that the congressional mandate to apply NEPA “to the fullest extent possible” is “a direction to ‘make as liberal an interpretation as we can to accommodate the application of NEPA.’” LaFlamme v. F.E.R.C., 852 F.2d 389, 398 (9th Cir. 1988) (quoting Jones v. Gordon, 792 F.2d 821, 826 (9th Cir. 1981)).

which, in the words of the regulators, “lies at the heart” of the entire assessment process. 40 C.F.R. § 1502.14. Accordingly, agencies must “devote substantial treatment to each alternative” and provide support for their decisions to accept or reject them. 40 C.F.R. § 1502.14(b); Natural Resources Defense Council v. Callaway, 524 F.2d 79, 93 n.12 (2nd Cir. 1975). Agencies must discuss means of mitigating the impacts of their projects, even when those means are not included among the proposed alternatives. 40 C.F.R. § 1502.14(f).

In addition to requiring an environmental impact statement, NEPA directs all federal agencies to “study, develop, and describe appropriate alternatives” to any project involving unresolved conflicts in “alternative uses of available resources.” 42 U.S.C. § 4332(2)(E). This alternatives requirement has been repeatedly discussed by the courts; each has found it to be “both independent of, and broader than, the EIS requirement.” Bob Marshall Alliance v. Hodel, 852 F.2d 1223, 1229 (9th Cir. 1988), cert. denied, 109 S.Ct. 1340 (1989). The requirement is mandatory “even where a proposed action does not trigger the EIS process.” Id.<sup>3</sup>

## **II. The “Key Environmental Impacts” Identified in the Scoping Notice Do Not Satisfy NEPA.**

Section 4.0 of the scoping notice states that “[t]he EIS will address impacts associated with future land development in the watersheds and actions to protect aquatic resources, as identified in the SAMP.” 66 Fed. Reg. at 20136. In order to accomplish this goal, the scoping notice identifies four “key environmental impacts” that will be addressed in the EIS: (1) aquatic resources; (2) water quality; (3) threatened and endangered species; and (4) cultural resources. Id. While we agree that it is important for the EIS to fully assess the SAMP’s potential impact on all these areas, we believe that the environmental impacts analyzed by the EIS must be considerably broader.

It is important to recognize that the SAMP is not simply a Corps’ permitting action; the SAMP is also land use plan. As such, it will influence resource use and protection, housing availability, population growth and location, and infrastructure use and needs. Thus, in order to satisfy NEPA’s mandate that an EIS address all reasonably foreseeable impacts to the human environment and analyze significant impacts, the EIS must consider a range of potential impacts far more comprehensive than the limited number identified in the scoping notice.<sup>4</sup> These impacts

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<sup>3</sup> Accord City of Aurora v. Hunt, 749 F.2d 1457, 1466 (10th Cir. 1984); City of New York v. The United States Department of Transportation, 715 F.2d 732, 742-43 (2d Cir. 1983), cert. denied, 465 U.S. 1055 (1984); Aertsen v. Landrieu, 637 F.2d 12, 20 (1st Cir. 1980); Nucleus of Chicago Homeowners Ass’n v. Lynn, 524 F.2d 225, 232 (7th Cir. 1975), cert. denied, 424 U.S. 967 (1976).

<sup>4</sup> See Coalition for Canyon Preservation v. Bowers, 632 F.2d 774, 782-84 (9th Cir. 1980) (effects on traffic, air, noise, and tourism appropriate for consideration in an EIS). For impacts determined not significant, the EIS must explain why they will not have a significant effect on the human environment. See 40 C.F.R. § 1501.7.



include the SAMP's potential to effect traffic patterns (such as congestion, truck use, and traffic accident rates), air quality (such as NO<sub>x</sub> emissions, smog generations, and conformity with the requirements of the Clean Air Act), noise (such as impacts to the ambient noise level, as well as episodic noise levels associated with the use of heavy equipment, blasting, and other development activities), recreation (such as impacts to passive recreational activities such as hiking, sightseeing, and bird watching), groundwater (such as any potential draw-down or contamination of groundwater supplies) economic impacts (such as tourism and commercial fishing).

Unless all of these areas are fully analyzed by the draft EIS, it will fail to meet the basic requirements set forth in NEPA.

### **III. The Scope of the EIS Must be Consistent with the Requirements of Section 404 of the Clean Water Act.**

The Corps' authority to work with local governments to develop SAMPs flows from Section 404 of the CWA.<sup>5</sup> Accordingly, both the SAMP process and its resulting permits must comply with section 404's requirements. Because the Corps plans to use the EIS to structure the San Mateo Creek SAMP, and ultimately to form the basis of 404 permit decisions, the Corps must fully incorporate the requirements of section 404 into its EIS.

Section 404 of the CWA directs the Corps to administer the 404 permit program in accordance with guidelines developed by the Environmental Protection Agency ("EPA"). 33 U.S.C. § 1344(b). These guidelines ("Guidelines") provide the regulatory framework by which the Corps is required to assess the environmental impacts of permitted discharge activities and are guided by a fundamental precept:

[D]redged or fill material should not be discharged into the aquatic ecosystem, unless it can be demonstrated that such a discharge will not have an unacceptable adverse impact either individually or in combination with known and/or probable impacts of other activities affecting the ecosystems of concern.

40 C.F.R. § 230.1.

The "key environmental impacts" identified in the scoping notice appear to be designed to satisfy section 404 and the Guidelines. However, nowhere in the scoping notice does the Corps explicitly state that the EIS will incorporate the Guidelines into its analysis. In order to fully satisfy the requirements of the CWA, the Corps must conduct a comprehensive assessment of the four key environmental issues identified in the scoping notice, as discussed below.

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<sup>5</sup> See, e.g., U.S. ARMY CORPS OF ENGINEERS, INSTITUTE FOR WATER RESOURCES, DAVID WHITE AND LEONARD SHABMAN, NATIONAL WETLAND MITIGATION BANKING STUDY 19 (1995).

**A. Aquatic resources, water quality, and water quantity**

The Guidelines require the Corps to identify potential short-term and long-term effects of proposed discharges on the physical, chemical, and biological components of the aquatic environment. 40 C.F.R. § 230.11. To comply with this mandate, the Corps is required to make factual determinations regarding a number of impacts to water quality and aquatic resources prior to issuing any 404 permit. See id. The factual determinations required under the Guidelines point to the types of impacts anticipated from the discharge of dredged and fill material. Consequently, the EIS must include this range of impacts in its scope.

For each potential impact, the Corps must provide either a detailed evaluation of its potential effects on the aquatic environment or an explanation as to why the impact is considered insignificant. See 40 C.F.R. § 1501.7. Thus, the EIS must include not only an analysis of a project's potential impacts on the environment that result directly from discharge activities permitted through the SAMP, but also must consider any other potential effects on the aquatic environment caused by that project.

The EIS also must address impacts to the following site-specific and downstream aquatic resources, water quality, and water quantity throughout the San Juan Creek and San Mateo Creek watersheds to the surf zone and ocean:

- pathogens, heavy metals, organic compounds, and salinity;
- sedimentation;
- suspended particulates and turbidity;
- surface water quality flow regime, current patterns, and water circulation and normal water level fluctuations;
- substrate characteristics; and
- cumulative and secondary effects on aquatic ecosystem and organisms.

See 40 C.F.R. §§ 230.11, 230.20-230.25.

**B. Wildlife impacts**

The Guidelines recognize several potential impacts on the biological characteristics of the aquatic ecosystem. In addition to considering adverse impacts on threatened and endangered aquatic-dependent species, including impairment or destruction of habitat and incompatible activities,<sup>6</sup> the EIS must include in its scope site-specific and downstream impacts on wildlife and their habitat including:

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<sup>6</sup> In addition to considering habitat impacts as set forth in the Guidelines, the Corps should also be careful to analyze the SAMP's potential to lead to the destruction or adverse modification of any designated critical habitat under the Endangered Species Act. 16 U.S.C. §1563(a).

- fish, crustaceans, mollusks, and other aquatic organisms in the food web,
- other resident and transient wildlife, including mammals, birds, reptiles, and amphibians,
- breeding and nesting areas,
- escape cover,
- travel corridors, and
- preferred food sources.

40 C.F.R. §§ 230.30-230.32.

### **C. Special aquatic sites**

Additionally, the Guidelines require the Corps to consider potential impacts of the SAMP on special aquatic sites. Special aquatic sites include sanctuaries and refuges, wetlands, mud flats, vegetated shallows, coral reefs, and riffle and pool complexes.

40 C.F.R. §§ 230.40-230.45. The Corps' own 404 regulations, 33 C.F.R. § 320 *et seq.*, also acknowledge the high resource value and public interest in wetlands. Thus, the EIS must include impacts to all special aquatic sites, particularly wetlands, in its scope.

### **D. Human use**

Finally, the Guidelines recognize a variety of impacts on human use of aquatic resources. The EIS must consider impacts to the following in its scope:

- municipal and private water supplies consisting of surface water and ground water;
- recreational and commercial fisheries consisting of harvestable fish, crustaceans; shellfish, and other aquatic organisms used by humans;
- water-related recreation for both amusement and recreation;
- aesthetics associated with the aquatic ecosystem; and
- parks, national and historic monuments, national seashores, wilderness areas, research sites, and similar preserves designated under federal and state laws or local ordinances.

40 C.F.R. § 230.54-230.54.

One of these factors—impacts on parks—bears special notice. San Mateo Creek flows through the San Onofre State Beach Park. The park, which is 2,029 acres in size, is part of one of the last large coastal open spaces in Southern California and many Californians use its campgrounds as a retreat. With 1,115,631 visitors in 1995/96, this park was the 10th most visited in California's State Park system. Additionally, the Trestles surf-break is located just off of the mouth of San Mateo Creek, and both the water quality and flow regime of the Creek contributes to the break's health, character, and recreational value. The Trestles is widely regarded as one of the foremost surfing sites in the world and the EIS must carefully examine the SAMPs potential

effect upon the recreational value of the San Onofre State Beach Park generally, and the Trestles in particular.

#### **IV. The EIS Must Address Cumulative and Indirect Impacts**

In addition to analyzing a full range of potential impacts, the EIS must also consider the SAMP's cumulative and indirect effects. 40 C.F.R. §§ 1508.7, 1508.8. Unfortunately, the scoping notice fails to make clear that the EIS will carefully analyze the all of the cumulative and indirect impacts that adoption of a SAMP is likely to have on the San Juan Creek and San Mateo Creek watersheds. An adequate discussion of cumulative and indirect effects would have to consider:

- other 404 permits already or expected to be issued prior to completion of the SAMP;
- discharge activities authorized under NWP's for the SAMP study area;<sup>7</sup>
- other water quality impacts to the watershed, including municipal waste treatment disposal and stormwater runoff;
- the impact of all alternative alignments for the southern segment of SR-241; and
- other impacts to endangered, threatened and other wildlife plant and animal species.

#### **V. The "EIS Alternatives" in the Scoping Notice Are Inadequate.**

As discussed above, NEPA requires federal agencies to "[u]se the NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment." 40 C.F.R. 1500.2. Similarly, section 230.10 of the Guidelines requires consideration of practicable alternatives to adverse impacts to waters of the U.S. and minimization of potential impacts prior to issuance of 404 permits. 40 C.F.R. § 230.10.<sup>8</sup>

The scoping notice identifies four alternatives that will be considered in the EIS: (1) a "no project" alternative; (2) a "no SAMP" alternative; (3) a SAMP alternative based on "OCP-2000;" and (4) a SAMP alternative based on "Other Land Use Alternatives." 66 Fed. Reg. at 20136.

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<sup>7</sup> An alternative the EIS should consider is a SAMP that includes modification of NWP's in the SAMP study area to conform with the general and abbreviated permitting requirements developed under the SAMP.

<sup>8</sup> Because the alternatives analyses required under NEPA and the Guidelines are often similar, the Guidelines anticipate that a NEPA alternatives analysis may satisfy its requirements in a majority of cases. 40 C.F.R. § 230.10(a)(4). However, the Guidelines also provide that any gaps between the NEPA alternatives analysis prepared in the EIS and the practicable alternatives analysis required under the Guidelines must be bridged in supplemental documents prior to the issuance of permits. Id.

As written, there are three problems with the EIS alternatives identified in the scoping notice.

First, the scoping notice includes insufficient detail to permit meaningful public comment on the alternatives identified. Indeed, the scoping notice describes each alternative in only summary fashion. While a summary description may be appropriate for the “no project alternative,” it certainly cannot suffice for the alternative based on “other land use scenarios.”

Second, in addition to the “no project” alternative, the EIS should consider a “no discharge alternative.” That is, an alternative plan which prohibits the discharge of dredge or fill material into wetlands supported by the San Juan Creek and San Mateo Creek watersheds. The examination of such an alternative is particularly applicable in this case because many of the projects expected to be covered under SAMP are not water dependent. The Guidelines provide that a non-water dependent activity associated with discharge to a special aquatic site, including wetlands, must overcome the rebuttable presumption that practicable alternatives not involving special aquatic sites are available. 40 C.F.R. § 230.10(a).

Third, the scoping notice fails to make clear that the EIS will carefully examine not only the range of development activities that would be allowed under each alternative, but also the mitigation that would be required under each alternative.

**V. The SAMP Must Clearly and Categorically Exclude Any Discharge Activities, Such as the Construction and Operation of the Foothill Tollroad, Which Can be Expected to Have More Than a Minimal Adverse Environmental Effect.**

Section 404 of the CWA prohibits the Corps from employing a general permit to authorize discharge activities that have more than minimal adverse environmental effects. 33 U.S.C. § 1344(e). The SAMP process is expected to result in a “programmatic” permitting process for projects in the San Juan Creek and San Mateo Creek watershed. 66 Fed. Reg. at 20135. Ultimately, this process will result in the Corps’ issuing general permits for the San Juan and San Mateo Creek watersheds.<sup>9</sup> Accordingly, it is vital that the EIS make clear that if a SAMP process is ultimately adopted by the Corps, it will not cover activities that have more than minimal environmental effects on the San Juan Creek and San Mateo Creek watersheds.

For example, one of the largest—and potentially most environmentally damaging—projects that is currently proposed in the San Mateo Creek watershed is the construction of the southern segment of SR0-241 (“Foothill Tollroad”). The Foothill Tollroad is a 16-mile long four-lane highway that will run from Interstate 5, just south of San Clemente, California, to the inland foothills of southern Orange County. The tollroad will cross San Mateo Creek and run

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<sup>9</sup> Of course, the issuance of a general permit by the Corps is also subject to NEPA and, depending upon the scope of the San Mateo Creek EIS and the content of the general permit, may require the Corps to prepare either a supplemental or an entirely new EIS.

along side its banks for some distance. As the Corps is aware, San Mateo Creek is part of one of the last largely undeveloped coastal watersheds in Southern California, forming the backbone of a very complex ecosystem. The habitat supported by San Mateo Creek is a refuge for seven threatened and endangered species, including the Pacific pocket mouse, arroyo toad, least Bell's vireo, coastal California gnatcatcher, southwestern willow flycatcher, tidewater goby, and steelhead trout. Construction of the tollroad will likely adversely effect these species and degrade the water quality of San Mateo Creek. It would be entirely inappropriate if any aspect of the Foothill Tollroad were to be processed under the San Mateo Creek SAMP.

Nor is the tollroad the only project now under consideration in the San Juan and San Mateo Creek watersheds that would have a significant effect on the environment. Accordingly, NRDC urges the Corps to clearly state that the SAMP will categorically exclude any projects that have more than a minimal environmental impact.

## VI. Conclusion

If the Corps is to produce a EIS that meets the basic requirements of both NEPA and the Guidelines, we believe that it must carefully identify all of the SAMP's impacts (both direct, indirect and cumulative), expand the scope of the alternatives identified by the scoping notice, and clearly exclude any activities that will have more than a minimal environmental effect. Thank you for considering these comments.

Very truly yours,



David Beckman  
Senior Attorney



Andrew Wetzler  
Senior Project Attorney

**Public Comment Card**  
**Public Scoping for San Juan/San Mateo Creek SAMP and MSAE EIS/EIR**

Name: Barbara Rosenbaum  
Affiliation (if any): League of Women Voters  
Address: 15 Fontaine, Coto de Casa, CA 92679  
Email: barbrosen@aol.com 4964

**Comment:**

Your job is to plan & protect the watersheds of San Juan Creek & San Mateo Creek. We are trying to convince our cities to build carefully, but not to SPRAWL. Water needs to be conserved and the creeks, wetlands, & watersheds protected. They all slow down the flow of hard rain IF they are not encased in concrete and too many roads. The natural land in the right places also filter & clean water which filters down to our aquifers. The correct natural use of our watersheds also support the unique habitat & plants in a comprehensive way. We want to put together the connected open space which will ensure the habitat for mountain lions down to frogs & steel head trout. Runoff from the built areas are already polluting our beaches - an economic factor  
Do you wish to be added to the San Juan/San Mateo Creek SAMP and MSAE EIS/EIR public interest list? yes for the health of Orange County businesses.

**Mail Comments on the Notice of Intent to:**  
U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
Attn: CESPL-CO-R-199915966-FT  
P.O. Box 532711  
Los Angeles, California 90053-2325

**Mail Comment on the Notice of Preparation to:**  
California Department of Fish and Game  
4949 Viewridge Avenue  
San Diego, California 92123  
Attn: Bill Tippetts

(P.S. The format of the public hearing in San Juan Capistrano was not good for gaining respect & confidence in the U.S. Army Corps of Engineers. As a taxpayer, remember you work for us.)

# Urban Water Infrastructure Systems & Challenges

*Call this man* ↓

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