

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BOARD OF DIRECTORS MEETING
22ND DISTRICT AGRICULTURAL ASSOCIATION

DEL MAR FAIRGROUNDS
2260 JIMMY DURANTE BOULEVARD
DEL MAR, CALIFORNIA 92014

(TELECONFERENCE)

MONDAY, JULY 15, 2024

--o0o--

Transcribed by:

QuickCaption, Inc.
3457 Arlington Avenue, Ste. 104
Riverside, CA 92506

--o0o--

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN ATTENDANCE

OFFICERS:

- FREDERICK SCHENK, PRESIDENT
- MICHAEL GELFAND, 1ST VICE PRESIDENT
- G. JOYCE ROWLAND, 2ND VICE PRESIDENT
- MARK ARABO, 22ND DAA
- LISA BARKETT, 22ND DAA
- PHIL BLAIR, 22ND DAA
- DON MOSIER, 22ND DAA

22ND DISTRICT AGRICULTURAL ASSOCIATION STAFF:

- CARLENE MOORE, CHIEF EXECUTIVE OFFICER
- TRISTAN HALLMAN, CHIEF COMMUNICATIONS OFFICER
- KATIE MUELLER, CHIEF OPERATING OFFICER
- MELINDA CARMICHAEL, CHIEF

ADMINISTRATIVE OFFICER

- DUSTIN FULLER, SUPERVISING ENVIRONMENTAL
PLANNER

- DONNA O'LEARY, OFFICE MANAGER
- HENRY RIVERA, PRODUCTION DIRECTOR

22nd DAA COUNSEL

- STEPHEN SUNSERI, DEPUTY ATTORNEY GENERAL
- [Via Zoom]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- PUBLIC COMMENTERS :
- LISA MONTES
 - KIMBERLY JONES
 - CARLA HAYES
 - ALI NILFORUSHAN
 - PEGGY
 - MARTHA SULLIVAN
 - DWIGHT WORDEN
 - TRACY MARTINEZ
 - LISA HEEBNER
 - KIRA DOMINGUEZ
 - RUBY DOMINGUEZ
 - ALISON PRATER
 - BONNIE CROKER
 - LYNN FREUDENBERG
 - JANE CARTMILL

1 PRESIDENT SCHENK: Good afternoon, everyone.
2 We have a quorum in the room.
3 Today is Monday, July 15th, 2024, and it is approximately
4 1:33 in the afternoon.
5 And I call this meeting of the 22nd DAA to order.
6 Donna, please take the roll.
7 [Roll call]
8 MS. O'LEARY: Sure.
9 President Schenk.
10 PRESIDENT SCHENK: Here.
11 MS. O'LEARY: Vice President Gelfand.
12 VICE PRESIDENT GELFAND: Here.
13 MS. O'LEARY: Director Arabo -- I mean, Vice President
14 Rowland.
15 VICE PRESIDENT ROWLAND: Here.
16 MS. O'LEARY: Director Arabo.
17 MR. ARABO: Here.
18 MS. O'LEARY: Director Barkett.
19 MS. BARKETT: Here.
20 MS. O'LEARY: Director Blair.
21 Director Mead.
22 Not on yet.
23 Director Mosier.
24 MR. MOSIER: Here.
25 MS. O'LEARY: And Director Nejabat, excused absence.

1 PRESIDENT SCHENK: All right, we have a quorum physically
2 here so we'll move forward.

3 We're going to take item 5A ahead of item 3 to
4 accommodate scheduling needs of some board members.

5 I'll thank you all for being here.

6 While it's unusual for us to have a meeting in July, just
7 recently we're eating corn dogs and pineapple filled with
8 chicken and rice.

9 But today we're here in between the horseracing meet and
10 the fair.

11 As you know we were quite surprised to find out in early
12 June that our property was under continued consideration with
13 SANDAG for siting a train right-of-way that would seem to have
14 severe implications for the work we do here throughout the
15 year.

16 We have an important deadline coming up in this process,
17 so we felt it imperative that we all get together to discuss
18 how we should collectively move forward.

19 I'm grateful to all of you for taking the time to be a
20 part of the of this discussion.

21 And I realize we may not have a lot of answers today but
22 it's important for us to at this point start asking the
23 questions that need to be asked, identify the issues that need
24 to be identified and chart our path forward together.

25 And in order to do that, we needed to maintain a quorum.

1 So that is why we're going to be taking item 5 out of
2 order and we'll take item 3, public comment, at the finish
3 along with the Executive Report.

4 So we are now on item 5A, general business.

5 And that is topically the consideration of the San Diego
6 Association of Governments, SANDAG's notice of preparation,
7 NOP of the draft, Environmental Impact Report, or EIR.

8 I'm giving you the key words for each of these so you
9 keep them in mind.

10 For the San Diego-Los Angeles-San Diego-San Luis Obispo
11 LOSSAN Rail Realignment Project.

12 The alignments screening report for the LOSSAN Rail
13 Realignment Project the financial planning and operational
14 impacts related to SANDAG's various proposals to relocate rail
15 lines in the San Diego Subdivision of the LOSSAN Rail
16 Corridor.

17 Before I turn it over to Carlene Moore, our CEO, to
18 provide the staff report, a reminder of our process this
19 afternoon.

20 At the conclusion of the presentation, we will entertain
21 questions or points of clarification on the report from the
22 board members.

23 Those questions should be addressed to Ms. Moore.

24 Remember, these questions should only be for
25 clarification purposes, to save your discussion until after we

1 have a motion under consideration.

2 For questions I'll ask in seat order from my left, to my
3 right and those participating remotely afterward.

4 And then after the board has finished with its questions
5 we'll have public comment.

6 The comments should be germane to the item, meaning they
7 pertain to the matter at hand.

8 I'll go to members of public who are in person first and
9 then we'll go to those joining us by Zoom.

10 Each speaker will have two minutes.

11 This is not a time for discussion and debate or questions
12 and answers.

13 We will not engage with the speakers.

14 Board members will have an opportunity afterward to make
15 a motion if advised and at that point we will a discussion.

16 Please only speak when recognized by the chair and please
17 let's have only one person speaking at a time.

18 I will invite the mayor of Solana Beach, Mayor Heebner
19 and any council members who wish to speak, I will allocate
20 them additional time because we're looking to them for their
21 valued input and advice to this board.

22 So now, the chair recognizes CEO Carlene Moore to provide
23 the staff presentation on this matter.

24 MS. MOORE: Okay, thank you, President Schenk.

25 So we're here today because as was said SANDAG issued the

1 Notice of Preparation for the Draft Environmental Impact
2 Report, it was issued on June 4th.

3 This is a time sensitive process under the California
4 Environmental Quality Act or CEQA with comments on the draft
5 EIR due within 45 days, which would actually be this coming
6 Friday, July 19th.

7 The staff report for this item begins on page 30 of your
8 packet.

9 Before we get started I just want to make sure it's okay
10 with the board if staff speaks in a bit of acronyms today, it
11 will make the presentation go much faster.

12 You can find a list of those on page 62 of your packet
13 because they were actually included in the report.

14 The common ones that you're going to hear are SANDAG,
15 NOP, EIR, LOSSAN and CEQA.

16 So just for some background and context, the LOSSAN
17 Corridor is 351 miles long.

18 And it's the only rail corridor in San Diego that
19 connects to the rest of the nation.

20 And each year it moves approximately eight million
21 passengers and about a billion dollars' worth of goods.

22 And in case you were wondering why this is important to
23 us as the 22nd DAA, beyond the regional asset that it is, I
24 just wanted to provide just some brief points on that.

25 It is the primary public transportation that connects us

1 to the rest of our region.

2 In fact, one major incident on the I-5, which we
3 experienced during the fair, and it becomes the only option to
4 get to the fairgrounds in a timely manner.

5 It also aligns with our environmental initiatives.

6 It minimizes vehicle trips and it minimizes emissions.

7 And thousands of visitors even as it currently is,
8 thousands of visitors rely on the LOSSAN Corridor annually to
9 visit the fair, to visit racing, to visit some of the other
10 events and activities that take place here, things like music
11 festivals such as KAABOO.

12 And especially when we provide direct shuttle services
13 from the Solana Beach Train Station to the fairgrounds.

14 Plans for this corridor have included a plan that has
15 been in the works for over 30 years now is to add a seasonal
16 special events platform here at the 22nd DAA.

17 And this really would alleviate even more vehicles,
18 again, the emissions from those vehicles and just alleviate so
19 many concerns with regards to traffic in our region and in the
20 area.

21 So here's a map, a graphic to just kind of better
22 understand what we're referring to when we're talking about
23 the LOSSAN Corridor.

24 And there's a call out here of the section that is under
25 consideration in the NOP for the Rail Realignment Project.

1 You can also find this graphic in your board packet on
2 page 75.

3 So a little bit about SANDAG for those who are not
4 familiar.

5 First off, I wanted to say that we thought in the
6 interest of time that we do have it was more important to
7 present on our analysis of the report and the information and
8 considerations within the NOP for the Rail Realignment
9 Project.

10 And so we brought that forward to you but I want to
11 provide context for our larger public as well about SANDAG and
12 their role in this.

13 This is taken from SANDAG's website.

14 And the various information was provided from reports
15 that they have provided that are in your packet as well as the
16 scoping meeting that was held on June 18th and the recent San
17 Diego SANDAG board of directors meeting that was held on June
18 28.

19 As a note, I do have an upcoming meeting scheduled with
20 the new CEO of SANDAG, Mario Orso who took over the reins just
21 after the NOP was issued and only two days, I think it was,
22 before the scoping meeting.

23 But that meeting is not until next month so we will
24 continue to engage with SANDAG throughout this process.

25 There are several important notes to be made.

1 Prior to the NOP that was issued on June 4th, any
2 fairgrounds alternative had already been ruled out in 2017 and
3 again in 2021.

4 As recently as the public outreach meetings that were
5 held in 2023 we were told by SANDAG staff that the fairgrounds
6 alignment had been studied and ruled out.

7 But as you can see, because we're all here gathered today
8 with the release of the NOP, that has not been the case.

9 Also too, and as I mentioned prior to and throughout this
10 rail realignment discussions has been the plans for -- a plan
11 for the corridor has included the construction of the special
12 events platform as part of the double tracking discussions as
13 well.

14 And because this NOP and report are focused on the
15 environmental considerations, if the Rail Realignment Project,
16 there is little mention as to when, how, or if the special
17 events platform and the double tracking project aligns with
18 it.

19 This is SANDAG's project timeline as presented in their
20 presentations.

21 And just please take a note, and this information again
22 is found in the report by their own admission, a federal lead
23 agency has yet to be identified.

24 This is also taken from SANDAG's report and can be found
25 on page 43 of your packet.

1 Again along with the scoping meeting and the SANDAG board
2 meeting presentations that have been made with emphasis added
3 by us.

4 Under CEQA, the EIR shall describe a range of reasonable
5 alternatives that meets most of the basic project objectives,
6 are feasible to construct and avoid or lessen significant
7 environmental impacts.

8 Based on the CEQA project objectives that have been
9 identified by SANDAG, Alternative A fails on at least four of
10 six objectives by their own admissions in the alignments
11 screening report.

12 This will be included in our response to the NOP.

13 First of all, it fails at minimizing impacts in the
14 surrounding communities.

15 It also fails at avoiding or minimizing impacts on
16 recreational resources of state and local significance which
17 we are both.

18 It's inconsistent with the 2021 Regional Plan and the
19 prior work that ruled out the fairgrounds.

20 It failed at accommodating direct rail access to the
21 fairgrounds because at the end of the day what is the points
22 if the 22nd DAA doesn't survive the interruption that this
23 would cause.

24 Here's a map of Alternative A through the fairgrounds.

25 It's the only one of the three alternatives that has a

1 major impact to us.

2 It costs more than twice --

3 PRESIDENT SCHENK: Could you describe what page this is
4 on?

5 You are saying "here is" but we don't have the page
6 numbers.

7 MS. MOORE: Sorry.

8 That one I didn't make a note of.

9 Page 50.

10 PRESIDENT SCHENK: Thank you.

11 MS. MOORE: This alternative costs more than twice as much
12 as the least expensive alternative and it would be the longest
13 route.

14 And as you can see from the green portion on the legend,
15 the proposal calls for a cut and cover tunnel through the
16 majority of the impacted portion of our property before
17 switching over to boring.

18 You might be wondering, what is cut and cover?

19 It involves digging an enormous trench which is later
20 covered over.

21 This is an image of such a project in New York for an
22 Amtrak train.

23 PRESIDENT SCHENK: We have this as a page?

24 MS. MOORE: No.

25 PRESIDENT SCHENK: Okay.

1 MS. MOORE: The previous graphic of Alternative A appears
2 to show a large cut and cover tunnel through the San Diego
3 County Fair midway and a significant portion of the
4 fairgrounds.

5 The "term cut and cover" gets mentioned throughout the
6 report and just sort of glossed over.

7 The truth of it is that it would cause major disruptions,
8 major surface disruptions, and what we don't know is the
9 spillover affect this would cause on other activities on the
10 fairgrounds.

11 So again, we're here today to consider SANDAG'S Notice of
12 Preparation of the Draft Environmental Impact Report for the
13 LOSSAN Rail Realignment Project, the Alignment Screening
14 Report for the project, and even more importantly the
15 financial planning and operational impacts related to the 22nd
16 DAA.

17 The objective of today's discussion is to identify
18 environmental concerns, resources that the 22nd DAA should
19 engage with, provide general guidance to me, to directly
20 oppose any alternative that jeopardizes our existence, and any
21 other steps the board wishes to take on this matter.

22 Again, based on SANDAG's own admission in the Alignment
23 Screening Report, the concept of Alternative A is less
24 developed than the other two potential alignments.

25 And you can find this information beginning on page 73 of

1 your packet.

2 To quote from it, the August 2023 report San Dieguito to
3 Sorento Valley double track Del Mar tunnel's alternative
4 analysis report refined five potential alignment alternatives
5 based on previous conceptual engineering studies, evaluated
6 against a set of performance criteria.

7 Two of those alternatives were advanced to 10% conceptual
8 engineering and were further analyzed for engineering and
9 environmental considerations.

10 But again, going back just a few slides ago, the
11 fairgrounds was not one of those alternatives because it was
12 ruled out long before the August 2023 report.

13 So when we talk about impacts to the 22nd DAA's
14 operations and our economics, there has been no consideration
15 of the spillover effect to our activities, the ability to
16 retain ongoing business, and quite frankly, our ability to
17 survive.

18 Last August, in the course of discussing an agreement to
19 negotiate a possible site for affordable housing on the 22nd
20 DAA's property, the Fairgrounds Alignment was reintroduced and
21 promoted by a Del Mar city council member.

22 The 22nd DAA notified the City of Del Mar that this
23 consideration could put any negotiations for affordable
24 housing at the fairgrounds at risk.

25 And in response to that, the City of Del Mar adopted this

1 Guiding Principle, which you see on the left of the screen in
2 December of 2023 and the discussions continued.

3 At the City of Solana Beaches and Del Mar's behest,
4 SANDAG did proactively engage the 22nd DAA with a presentation
5 to our Affordable Housing Committee in December of 2023.

6 When the fairgrounds were only a consideration through
7 limited public outreach and that limited public outreach has
8 been generalized by SANDAG as public outreach.

9 In February of 2024, this board adopted our official
10 position on the LOSSAN Corridor Rail Realignment concurrent
11 with the exclusive negotiating rights agreement approval of
12 the City of Del Mar.

13 Our full resolution can be found on page 33 of the packet
14 and the City of Del Mar's Guiding Principles on the LOSSAN
15 Corridor project can be found on page 14 of the supplement to
16 your packet.

17 In April, SANDAG reached out again to the 22nd DAA staff
18 looking for a neutral site to host the NOP meeting in May.

19 We attempted to accommodate that, trying to take into
20 consideration the set up as we were well underway with fair
21 activities.

22 As we were all acutely aware of now, but not at the time,
23 the fairgrounds quickly became a nonneutral site.

24 And as such we did not host the meeting but we were not
25 notified of that.

1 We received the announcement the same time everyone else
2 did on June 4th.

3 Again, look at page 36 of your packet.

4 I did attend the scoping meeting that was held on June
5 18th, along with our chief communications officer, Tristan
6 Hallman, our supervising environmental planner, Dustin Fuller,
7 as well as Director Mosier.

8 During SANDAG's limited public outreach and the concerted
9 efforts by residents of Del Mar to popularize the fairgrounds
10 alternative, AKA Alternative A in the NOP or "also known as.

11 " There was no effort by SANDAG to discuss these
12 conclusions, this is taken from their report.

13 So there is no effort to discuss these conclusions, the
14 issues, or the impacts to the fairgrounds operations.

15 There is no proactive engagement with the 22nd DAA.

16 Note that the inclusion of Alternative A was not done in
17 a scientific manner or conceptual engineering studies.

18 As can be found on page 71 of your packet in the
19 Alignment Screening Report, Alignment P7A changed to Alignment
20 A in the NOP, quote, "Would be the most similar to what the
21 public supported in terms of a tunnel alignment," end quote.

22 Again, these are the conclusions taken from that that
23 SANDAG came to on Alternative A.

24 It's also worth noting that the last bullet point
25 "greatest construction complexity" translates to the most

1 expensive to taxpayers.

2 And with that, I'm going to invite our supervising
3 environmental planner Dustin Fuller up to present on some of
4 the environmental impacts that we'll be identifying in our
5 response, in our comments to the NOP.

6 DUSTIN FULLER: Thank you.

7 Good to see everybody.

8 These represent the impacts as we currently see them to
9 the fairgrounds.

10 They are going to be generalized here, but in our letter
11 I'm going to expand upon them and they will be more specific
12 to the uses here at the fairgrounds.

13 We often comment on NOP or excuse me, Notice of
14 Preparations.

15 These are not uncommon.

16 Some of the ones that I think are a little bit more out
17 of the norm, the tunneling, once we get past the cut and cover
18 which will be extremely disruptive, but the tunneling - I
19 don't know the method which they are going to use.

20 Hard to identify potential impacts when you don't know
21 what that method is.

22 Drilling fluids can commonly be released.

23 It is called a frac-out.

24 I would like to get more information and put that into
25 the comment letter.

1 It also effects our restored wetlands.

2 The larger Southern California Edison Wetland Restoration
3 Project and the effect on geology and hydrology and water
4 quality.

5 Land use is currently mentioned.

6 Disruption of fair uses, races, our interim events.

7 We do have low cost visitor serving uses as defined by
8 the Coastal Commissions.

9 What are the impacts to those uses.

10 And then compatibility with our current and then proposed
11 documents.

12 We had the 2008 Master Plan.

13 We are looking at a potential new Master Plan that may be
14 out at least in a draft form prior to the completion of the
15 EIR for this project.

16 I would like to have them take those documents into
17 review.

18 And then there's other agency planning documents.

19 The City of Del Mar, the City of Solana Beach, River Park
20 JPA, a plethora of other documents that I would like them to
21 compare and contrast.

22 Another item that's kind of unknown is noise and
23 vibration.

24 We have houses that impact our fairground users.

25 How does it impact thoroughbred horses that are here, our

1 livestock animals that are here.

2 And then vibration impacts to our existing structures.

3 Some of these buildings are pretty old.

4 Are there potential impacts resulting from the vibration
5 to those the buildings.

6 Recreation.

7 We're not a traditional park but I think all of our uses
8 are recreational in nature.

9 How are those going to be impacted.

10 Again, low-cost visitors servicing uses.

11 And then, we have partnered with the River Park JPA for
12 the installation of the Coastal Crest Chill from I-5 to Jimmy
13 Durante, we're looking from Jimmy Durante to our western
14 boundary.

15 What are the impacts to those types of recreational uses.

16 Obviously, cumulative impacts will be addressed.

17 I would like to see a large, robust list that includes
18 many of our projects and many of our issues.

19 And then, if you can click.

20 Next steps as Carlene mentioned, we're looking for a
21 federal lead agency.

22 Can, should the 22nd DAA be a responsible agency?

23 I think so.

24 We don't have traditional permit issuances that the City
25 of Del Mar does.

1 But given the impacts and easements, and access entry
2 right-of-ways, and all that type of stuff, I think we should
3 be.

4 I think once the federal lead agency is identified we may
5 have a second bite at this.

6 We get another Notice of Preparation, alignments can be
7 changed, alignments can be removed, added.

8 So there is an opportunity for us to provide new
9 comments.

10 And then, I know that the NEPA process includes a
11 socioeconomic analysis.

12 Whether or not they state that in the new NOP, we're
13 going to be asking for that in the current NOP comment letter.

14 And again, I just generalized the issue areas.

15 The letter will be more robust, it will include specific
16 impacts as we see them to the 22nd DAA.

17 That's all I had.

18 MS. MOORE: Thank you.

19 So moving onto our operational impacts as well.

20 Just a little bit about us that many people may not
21 realize.

22 As the 22nd DAA we are not taxpayer subsidized.

23 We're really dependent on generating our own revenue.

24 We have about approximately a \$680 million economic
25 impact on this region.

1 And we comprise about 40% of the City of Del Mar Del Mar
2 sales tax revenue base.

3 The fair and other events would be drastically impacted
4 if even operable just through construction alone.

5 The construction estimate by SANDAG is currently 7 to 10
6 years and does not take seasonality into consideration, that
7 seasonality being our business operation.

8 Again, if we were even able to continue operations of any
9 kind, construction would need to pause for a significant
10 portion of time each year.

11 Approximately 8 weeks for the fair, approximately 10 to
12 12 weeks for racing, and that is during what is considered
13 peak construction period of the summer months.

14 And again, all of this is if we even could.

15 Some of these limits that would be necessary in order for
16 us to try to operate during this time period might not even be
17 acceptable to the project or to the construction companies
18 once selected.

19 I also want to clarify that it's incorrectly stated in
20 the Alignment Screening Report that the fairgrounds is quote,
21 "state owned property."

22 This is a common misconception.

23 And had we been proactively engaged, SANDAG and Del Mar
24 residents would have learned that the 22nd DAA as a state
25 institution owns its property.

1 The titles are in our name.

2 There is actually food and ag codes specific to the
3 District Agricultural Associations owning their property and
4 what they have the rights with.

5 After nearly 90 years at this location, over 140 years in
6 operation, Alternative A or any route that disrupts the
7 fairground's operations begs the question, how would the 22nd
8 DAA survive?

9 And what happens to the beloved San Diego County Fair, to
10 horse racing, to music festivals, to this community gathering
11 place, and the mega evacuation center that we serve as for the
12 whole of this region.

13 There are also planning impacts.

14 And any consideration of a route that disrupts our
15 operation impacts our planning efforts both in the here and
16 now as well as in the future.

17 Again, even if it was possible to host the fair while
18 construction is going on, it would change our layout and risk
19 public safety considerably.

20 Horse racing is an entire other matter.

21 The infrastructure is fixed for horse safety purposes.

22 As this board is aware, we've been making significant
23 capital reinvestment as part of our budgeting process for the
24 past several years.

25 We would need to reconsider how much effort and financial

1 resources to continue to put back into the property if this or
2 any alternative that disrupts our operations moves forward.

3 We are unclear about how this impacts the seasonal rail
4 platform.

5 There has been conjecture that it would move underground.

6 We don't know how that might affect funding that's
7 already been received for the project.

8 And again, we are not sure what the point would be if we
9 don't exist.

10 For the Board's consideration today as stated at the
11 outset of the presentation, I'm seeking direction on how to
12 proceed.

13 I'll turn it back over to you, President Schenk.

14 PRESIDENT SCHENK: Well, thank you, Carlene.

15 A lot to think about and to digest.

16 I'm going to take -- I'm going to get to questions but
17 I'm going to do public comments first.

18 MS. MOORE: Well, yeah -- you seemed antsy through that.

19 I'm sorry.

20 VICE PRESIDENT ROWLAND: Sorry, I've just been tapping my
21 toe under the desk with

22 PRESIDENT SCHENK: All right.

23 We will go out of order.

24 [MULTIPLE SPEAKERS]

25 VICE PRESIDENT ROWLAND: Contemplating the incompatibility

1 of Proposal A with viability and operations, with our
2 strategic planning, with housing plans.

3 And, you know, anything that has to do with -- I mean, it
4 just seems incompatible with viability in existence.

5 So --

6 PRESIDENT SCHENK: You are stating the obvious.

7 VICE PRESIDENT ROWLAND: Yeah, I know.

8 I mean, we've done this very good, very measured
9 retrospective on where we are.

10 And I appreciate that, and I appreciate the care with
11 which you take us and to take the folks who are listening on
12 through that.

13 It's important but really, come on.

14 This is does not work.

15 PRESIDENT SCHENK: All right.

16 Well said.

17 VICE PRESIDENT ROWLAND: Sorry.

18 PRESIDENT SCHENK: No, well said and appreciated.

19 We're going to go to public comment.

20 And then we will return for a dynamic dialogue and
21 questions to our CEO.

22 All right.

23 So I'm going to start with public comment.

24 I have several people sitting in the audience.

25 And then we'll go to members of the public on zoom.

1 [off mic]

2 PRESIDENT SCHENK: I thought we were going to do -- okay,
3 all right.

4 Okay, well then we'll take questions from the Board.

5 That's all right.

6 We're doing things a little differently today because of
7 changing order.

8 All right.

9 So we will take questions from the Board if you wish to--

10 VICE PRESIDENT ROWLAND: I have no questions --

11 [MULTIPLE SPEAKERS]

12 PRESIDENT SCHENK: -- a statement.

13 Director Blair.

14 MR. BLAIR: I have three questions.

15 I don't know who is here to answer them.

16 I just rode this line on Saturday all day.

17 How much time do we have left on the bluff?

18 Do we have a decade or two decades or three decades to
19 talk about this?

20 If "A" is twice as expensive as the other two why are we
21 even considering it?

22 PRESIDENT SCHENK: No, no, folks.

23 No, no.

24 MR. BLAIR: I just got to be the first to say it out loud.

25 PRESIDENT SCHENK: Yeah.

1 But I appreciate --

2 MR. BLAIR: I sort of understand -- [multiple speakers]

3 PRESIDENT SCHENK: Let me just say this.

4 I would appreciate that we not engage in one side or the
5 other.

6 This is really an opportunity, we want to let everybody
7 have an opportunity to be heard.

8 And I don't want anyone to feel that they are not going
9 to be welcome here to speak their point of view.

10 Regardless of my view or anybody else on the Board, I'm
11 not going to cheer or denigrate anybody's opinions.

12 This is really, we're going to do this in a really
13 professional way.

14 I appreciate people's comments and you're going to be
15 welcome to speak if you like but we're going to do it in that
16 way.

17 Director Blair, please continue.

18 MR. BLAIR: And my third question, do we have any concerns
19 with B and C?

20 Thank you.

21 PRESIDENT SCHENK: Would you like to -- yeah.

22 MS. MOORE: And please know, Board, there may be a lot of
23 this response.

24 To your first question, we don't know.

25 In terms of the time left on the bluff.

1 This really is about the impacts to the 22nd DAA.

2 I think that the second question was rhetorical.

3 But that is the position that we have as well which is
4 two times the cost why it's considered.

5 Looking at the report, popularity vote.

6 The popularity poll was taken.

7 It was the top-ranking item that kept coming up in, I say
8 limited outreach because that outreach was primarily done in
9 the City of Del Mar by SANDAG.

10 And then with regard to any concerns with B and C, again,
11 our only concern is what is impacting the fairgrounds.

12 And the only one that impacts the fairgrounds is
13 Alternative A.

14 MS. BARKETT: [off mic] -- by the residents was considered
15 the most popular?

16 MS. MOORE: Yeah.

17 I think -- so going back to it, was -- the idea was put
18 forward.

19 There was a concerted effort that that be a popular item
20 in terms of as people were making their drawings and things.

21 And SANDAG, I think it's on page 73 of the report
22 identifies that as having been -- it's page 73 or 71 --
23 identifies it as being -- it was originally labeled as
24 Alignment P7A and then changed to Alignment A in the NOP.

25 That it was the one that was the most consistent with the

1 public's input on the tunnel alternatives.

2 So and then there is a graph or a chart in the report as
3 well which shows of the 14 new alternatives that were proposed
4 7 of the 14 were fairgrounds alignments.

5 It's also worth noting in that same report, I will try to
6 find the page here while I can, or in that same chart, it
7 shows that the fairgrounds alignment they felt met 4 of the 6
8 criteria.

9 And there was another alignment that met 5 of the 6
10 criteria but was not moved forward as an alternative.

11 It can be-- oh, I don't have the page numbers.

12 PRESIDENT SCHENK: 69.

13 MS. MOORE: Thank you.

14 Page 69.

15 PRESIDENT SCHENK: Okay.

16 Any other questions?

17 MR. RIVERA: Director Arabo has his hand up.

18 PRESIDENT SCHENK: We're going to get to him at the end.

19 I want to do those present first.

20 MR. BLAIR: If I can just clarify.

21 This is twice as expensive and in the report it doesn't
22 tell us why they have continued with it.

23 Is there an advantage to it?

24 It's faster to build?

25 Or it's less disruptive?

1 I can't imagine that.

2 MS. MOORE: No.

3 Not any of those things.

4 MR. BLAIR: I mean, we have no -- okay.

5 Thank you.

6 VICE PRESIDENT GELFAND: Can I just comment on one of
7 those questions?

8 PRESIDENT SCHENK: Please.

9 VICE PRESIDENT GELFAND: On the issue of the bluffs and
10 how long it will last.

11 For all intents and purposes, any portion of that could
12 give way at any time.

13 The current process is you just build it back up again.

14 And there's cost, significant cost associated with that.

15 So I don't think they really know how long, what the
16 last, or what the average annual cost will be over the next 20
17 years.

18 But it's one of the motivating factors to move this ahead
19 expeditiously.

20 MS. MOORE: And when the Coastal Commission approved the,
21 I think it was the Del Mar Bluff's 5 Stabilization Project,
22 there are restrictions on it to remove the, in essence the
23 temporary fixes that have been made within 30 years or at the
24 end of the 30-year period.

25 PRESIDENT SCHENK: Director Arabo, is yours a comment or

1 question?

2 Because if it's a comment I want you to speak that now.

3 But if it's a question we're going to go in the order
4 here.

5 Mark, you are muted.

6 Did you have a response?

7 MR. ARABO: Sorry.

8 Hi, everyone.

9 Just a clarifying question, not a comment.

10 PRESIDENT SCHENK: All right.

11 MS. BARKETT: Should it be asked now?

12 PRESIDENT SCHENK: Yeah.

13 Go ahead.

14 Mark, go ahead.

15 Mark?

16 MR. ARABO: Okay, I was muted once again.

17 The City of Del Mar is supportive of "A," correct?

18 [MULTIPLE SPEAKERS]

19 MS. MOORE: No.

20 The City of Del Mar, the city as an elected body has not
21 taken a position in support of Alternative A to my knowledge.

22 MR. ARABO: But the City of Del Mar has to put out
23 information that residents like then what is the purpose of
24 putting that information out.

25 That's where I'm confused with the research or the data

1 from the citizens of Del Mar.

2 MS. MOORE: In the SANDAG report on page 69, SANDAG
3 references that the fairgrounds alternative was, I don't have
4 page numbers to quote it.

5 But the fairgrounds alternative was the public's choice
6 in terms of alternatives identified, so the information comes
7 from SANDAG, not from the City of Del Mar.

8 It's that the reintroduction of the fairgrounds line was
9 brought forward by Del Mar city council member back in August.

10 It had previously been ruled out.

11 That then gained -- there was a concerted, not by the
12 city itself but by Del Mar residents to continue to bring that
13 forward at these outreach, public outreach meetings that
14 SANDAG held in the city.

15 PRESIDENT SCHENK: Okay.

16 MR. ARABO: Sorry, but then why would it be even [audio
17 cutting in and out] official, it's not official from the City
18 of Del Mar.

19 Any resident from any city can say this is what we want.

20 That's my question.

21 I'm trying to see the relevance of it.

22 The City of Del Mar is not taking official action on it.

23 Why would SANDAG put it in a report?

24 Then it's just loose opinions.

25 MS. MOORE: It's a great question.

1 And it's one really for SANDAG as to why the alternative
2 was included as one of the three alternatives proposed.

3 PRESIDENT SCHENK: All right.

4 I'm going to go to Director Rowland for questions.

5 VICE PRESIDENT ROWLAND: So I had a question about what
6 assumptions that we know about has SANDAG made about this land
7 that's owned by the 22nd DAA, the one that derives all of its
8 revenues from the activities that occur here?

9 What assumptions?

10 Do we know anything about what they are assuming?

11 MS. MOORE: We don't at this time because, again, we
12 really have not been proactively engaged other than the report
13 refers to the use of public land that this project I think
14 there is something about 95% of it would be through public
15 land, which we are it's just not the sstate-ownedland.

16 And not sure that they have taken into consideration how
17 the 22nd DAA may need to be compensated not only for the land
18 but our business operations.

19 PRESIDENT SCHENK: Okay.

20 Any other questions?

21 Director Rowland.

22 Michael.

23 VICE PRESIDENT GELFAND: Okay.

24 I've got a number of questions.

25 The fairgrounds alignment was ruled out back in 2017 and

1 once again in 2022.

2 What has changed environmentally or otherwise since the,
3 you know, fairgrounds alignment if you want to call it that,
4 "Alternative A," what's changed since then?

5 MS. MOORE: Great question.

6 We don't know.

7 To our knowledge, nothing has changed about our land mass
8 and where we sit.

9 VICE PRESIDENT GELFAND: Okay.

10 This cut and cover approach, which really would shut us
11 down on having a profound effect on our ability to operate, it
12 just seems pretty wild in terms of its impact on us.

13 I wonder if SANDAG would ever consider putting a tunnel
14 under Petco Park which would be a similar sort of phenomenon,
15 planning railway lines around there.

16 PRESIDENT SCHENK: Interesting question.

17 VICE PRESIDENT GELFAND: The questions are --

18 PRESIDENT SCHENK: You want us to answer that?

19 It wouldn't look good.

20 VICE PRESIDENT GELFAND: Yeah, yeah.

21 We've already, you know, the questions already been asked
22 about why something so dramatically more expensive is even
23 being considered.

24 It's pretty baffling.

25 In the Board Packet it talks about a value analysis

1 process that involves the 22nd DAA, the City of Del Mar, the
2 City of Solana Beach.

3 Have we received an invitation to participate in that
4 process?

5 MS. MOORE: We have not.

6 We learned about it in the news article it was in.

7 VICE PRESIDENT GELFAND: Okay.

8 So there are a number of alternatives that have been
9 studied in the past.

10 There is only three that are in this document, which is
11 kind of baffling to me.

12 First of all, that there are only three.

13 Certainly, that there this Alternative A that has such a
14 profound impact on us.

15 I know that there are concerns by people who live in Del
16 Mar about having a tunnel under their homes.

17 Concerns in terms of the construction, vibrations and
18 noise, but just the railroad being under their homes and
19 whether that's going to create vibration.

20 And also, the fact that railway carries at various times
21 explosive material, toxic material, et cetera.

22 So if I was living there I would have concerns about it
23 being under my home.

24 Then on the Solana Beach side, there are concerns about
25 the lowering of the existing trench that the railway line is

1 in.

2 So given the concerns of people in Solana Beach and in
3 Del Mar, I am curious why the different Crest Canyon
4 alternatives are not in this NOP.

5 In particular, why -- I mean, there is a routing that
6 could go through Crest Canyon and then bear west under another
7 portion of Crest Canyon that probably wouldn't affect the
8 fairgrounds and would dramatically minimize the number of
9 homes that are sitting on top of a tunnel.

10 Why wasn't an alternative like that ever developed and
11 why isn't it being considered now?

12 MS. MOORE: We can't speak to why SANDAG chose the
13 alternatives they did or didn't.

14 What you have before you is the information that has been
15 provided.

16 Hopefully, what I have also been able to present to you
17 is the lack of the proactive engagement by SANDAG on -- with
18 the 22nd DAA for then winding up including us.

19 Again, all information prior to the release of the NOP on
20 June 4th of this year was that the fairgrounds alternative had
21 been ruled out.

22 Any other questions about other alternatives and things
23 are truly questions for SANDAG.

24 VICE PRESIDENT GELFAND: Okay, but these are questions you
25 could put to them?

1 MS. MOORE: Mm-hmm.

2 VICE PRESIDENT GELFAND: And then the other thing about
3 Alternative A, we have our seasonal train platform planned and
4 funded, which we've been waiting for a long time.

5 It has all kinds of positive benefits.

6 That seasonal platform is obviously not only above sea
7 level, it is significantly above sea level, would
8 theoretically survive sea level rise.

9 Yet Alternative A because of tunneling, if there was to
10 be any kind of seasonal station or station of any kind at the
11 fairgrounds would literally be below sea level.

12 Is that -- I mean, it's hard to believe that that's what
13 they are proposing in Alternative A.

14 Is that your understanding of it?

15 What's your understanding?

16 MS. MOORE: The report references that it would likely,
17 again, there is no detail on it because this has not had the
18 engineering detail to it.

19 There is mention of it possibly going underground.

20 What that looks like, I don't think none of us can
21 answer.

22 But we are at sea level.

23 VICE PRESIDENT GELFAND: I didn't read every word of this,
24 but the entire fairgrounds property is subject to
25 liquefaction.

1 So an earthquake, the soil becomes more like a milkshake.
2 The same would be true of that underground rail station.
3 Is there anything that you know of that SANDAG is
4 considered to date about the impacts of liquefaction in
5 Alternative A?
6 MS. MOORE: No.
7 And that would be part of our comments on the NOP with
8 regard to the geology of the area.
9 And again, going back to Director Rowland's question of
10 what assumptions may have been made.
11 People may not realize the extent to which we have to go
12 to due the liquefaction on the soil that we're on.
13 VICE PRESIDENT GELFAND: I wonder if they considered the
14 impacts to the wetlands area with tunneling under as opposed
15 to a bridge over it.
16 We don't know.
17 MS. MOORE: Great questions we'll take forward.
18 PRESIDENT SCHENK: All right.
19 VICE PRESIDENT GELFAND: That's it for me.
20 PRESIDENT SCHENK: Thank you very much.
21 Director Barkett.
22 MS. BARKETT: Well, I actually agree with everything that
23 has been said by the directors and Carlene.
24 What concerns me the most is we were not involved in the
25 value analysis at all.

1 And it looks like we were left out of the meetings
2 purposefully, which shows intent.

3 And so it makes me question the intent of the city
4 council, of Del Mar and also of SANDAG.

5 And it's very hard to deal with that when you don't know
6 what's happening behind the scenes.

7 When you are not part of the scene we don't know what
8 happening.

9 And obviously, we're a stakeholder.

10 We are a major stakeholder and should be given the right
11 to be at all meetings and to be notified.

12 And we should have had the meeting here on the premise.

13 MS. MOORE: Well, if I can -- I just want to clarify.

14 There has not been a value analysis meeting yet.

15 The report on that is that that is what has now been
16 recommended.

17 And I want to clarify once again that the bringing
18 forward the fairgrounds alternative was not an action of the
19 Del Mar City Council.

20 It was originally brought forward by a councilmember but
21 as part of something that the city itself from a governing
22 body was involved in.

23 MS. BARKETT: Still, the person is part of the city
24 council.

25 I don't know who it was who we're referring to.

1 And they had a duty to notify a major stakeholder.

2 That would have been the judicious thing to do.

3 And also, this is shocking to me because you are going to
4 go for, you know, CEQA, is going to take forever.

5 And they are going to do their own technical and the
6 analysis and I find it very hard that this would even pass
7 muster.

8 That's just my -- and why waste all this time, all this
9 money, which we could be--

10 VICE PRESIDENT ROWLAND: Point of order are we on
11 questions now of discussion?

12 PRESIDENT SCHENK: Yeah, it's supposed to be questions.

13 [MULTIPLE SPEAKERS]

14 VICE PRESIDENT ROWLAND: This sounds like it should be
15 after --

16 PRESIDENT SCHENK: -- there's a motion.

17 [MULTIPLE SPEAKERS]

18 VICE PRESIDENT ROWLAND: After the motion is made.

19 MS. BARKETT: My last question is, I was approached by a
20 Del Mar resident and who was for Alternative A.

21 And she brought up two things to me.

22 The fact that if we're talking about horses and we're
23 talking about a fair that the people, the residents of Del Mar
24 deserve better.

25 And I'm not sure if anyone can clarify that for me but I

1 would love a clarification on what that meant and is that the
2 tone of these meetings that are taking place.

3 Thank you.

4 PRESIDENT SCHENK: Okay.

5 Director Mosier.

6 MR. MOSIER: I've been paying attention to these planning
7 efforts for the last 20 years.

8 And it's surprising that option "A" has reappeared after
9 two more detailed engineering studies said it was nonviable.

10 I know I attended some of the SANDAG meetings in Del Mar.

11 I'm a Del Mar resident and I was interested in what was
12 happening there.

13 And there was a vocal majority of people who attended
14 those meetings who didn't want tunnels under Del Mar.

15 And I understand that sentiment.

16 But I do want to point out to SANDAG and to Del Mar that
17 there are many other options other than option "A" that avoids
18 going under Del Mar, including one that was mentioned one of
19 the Crest Canyon routes could be modified to have minor
20 impacts to Del Mar residents.

21 I also really object to losing the seasonal platform and
22 the double tracking over the San Dieguito River and raising
23 that bridge to avoid impacts of sea-level rise.

24 Another project that has been delayed and delayed and
25 delayed and is now finally funded.

1 When I was on Del Mar council in 2012 that project was
2 said to be three years away.

3 It's --

4 [off mic]

5 MR. MOSIER: It's currently three years away, so nothing
6 changed except it is finally fully funded and designed.

7 To have a shovel-ready project that would benefit the
8 community, reduce environmental impacts of traffic to the
9 fairgrounds, alleviate some of our parking issues, to have it
10 put at risk at this late date seems a major step backwards.

11 My comment is that SANDAG hasn't really evaluated the
12 full environmental and economic impacts of option "A".

13 And to me, they seem to be extremely greater than any of
14 the other options.

15 And again, I think there could be an option "D" that is
16 better than option "A".

17 PRESIDENT SCHENK: All right.

18 Again, these are questions.

19 Director Arabo, do you have any questions for staff?

20 You are muted, Mark.

21 MR. ARABO: Yeah, no.

22 I asked my question about the City of Del Mar.

23 And I believe the answer was the city has not taken a
24 position.

25 PRESIDENT SCHENK: Thank you.

1 I have two questions.

2 And I think they are questions that are not in the
3 abstract hopefully.

4 The first one is after building this lagoon, what is it
5 going to look like to have this cut and trench under -- I
6 mean, you touched on it earlier.

7 But can you explain a little bit how that might affect
8 our lagoon.

9 MS. MOORE: Are you asking Dustin?

10 PRESIDENT SCHENK: Yeah,

11 MS. MOORE: Come to the microphone, please.

12 PRESIDENT SCHENK: Dustin spoke about it.

13 That's what I'm saying.

14 These are things that I think we can have a conversation
15 about internally, rather than an abstract what SANDAG maybe
16 choosing to do.

17 MR. FULLER: I wish I could tell you what that would do to
18 our lagoon.

19 I don't know, I have major concerns over it, you know,
20 the boring type and method they are going to use is unknown.

21 I know that when we did a short little frosting of the
22 San Dieguito River for our sewer force main and we had to
23 create a frac-out plan, we had to have contingency plans in
24 case of drilling fluid release.

25 It's a long way and a long corridor underneath the river,

1 underneath our restored wetlands, under the Southern
2 California Edison Wetlands.

3 I wish I knew.

4 My comments would be a thorough analysis of those
5 potential impacts and any mitigation to reduce or eliminate
6 them.

7 It's a big question.

8 And we spent millions of dollars on those restoration
9 efforts.

10 I don't want to see those go to waste.

11 And they are required by the Coastal Commission.

12 How do those -- how do you reconcile that.

13 Coastal Commission isn't going to let us off the hook.

14 PRESIDENT SCHENK: Dustin, stick around because my next
15 question I'm not sure if it's you or Carlene that would
16 answer.

17 But we spent, we invested quite a bit of time, energy,
18 and relationships with the City of Del Mar to work with them
19 to date on affordable housing.

20 And I can't imagine that this isn't on the minds of every
21 board member and perhaps people throughout the City of Del Mar
22 of the impact on the City of Del Mar's efforts coming to us
23 asking for our help, helping them on a statewide basis with
24 finding affordable housing on our property.

25 What's the economic or the environmental impact on access

1 for affordable housing.

2 And if Carlene, if you think you are better qualified to
3 answer that, I welcome either one of you or both to try to
4 respond to that one.

5 MR. FULLER: I will defer to Carlene and fill in as
6 needed.

7 MS. MOORE: I'm just going to go back to this slide.

8 I think that remains to be seen.

9 But I go back to this slide in terms of SANDAG's
10 Alignment Screening Report and their own conclusions with
11 regard to Alternative A.

12 And the fourth or third bullet point says, event access
13 to the fairgrounds may also be affected.

14 So if that's events, what does that look like for even
15 the potential even of adding residents to it.

16 So I think it is -- it's unknown.

17 And but more importantly is I'm not sure how we look as
18 an organization economically to not just only survive but
19 thrive through the process to be able to accommodate that
20 request.

21 PRESIDENT SCHENK: All right.

22 Dustin, anything that you can add to that?

23 MR. FULLER: Just from an environmental perspective, just
24 putting housing here in general, we're in a floodplain.

25 There's a floodway that runs through the property.

1 Sea-level rise.

2 Those are all issues that would be considered for the
3 housing component.

4 Adding the complexities of a major construction project
5 that lasts 7 to 10 years, our own planning efforts, it's kind
6 of a land use nightmare in my opinion.

7 PRESIDENT SCHENK: Okay.

8 Thank you.

9 And I appreciate all of the questions and comments, which
10 we'll get to more of those later.

11 Right now I'm going to turn to public comment.

12 And I'm going to invite -- I'm going to reserve the
13 representatives of Solana Beach and Del Mar but invite any
14 non-elected officials to come up and speak first.

15 If there are any, please come on up.

16 MS. MOORE: You can queue up at the podium.

17 PRESIDENT SCHENK: Yeah.

18 You are welcome to.

19 LISA MONTES: Good afternoon, my name is Lisa Montes.

20 I am a resident of Solana Beach.

21 My family, my mother was born in actually Del Mar in
22 1929, which is Solana Beach is the city now.

23 And my grandfather was the railroad foreman for the Del
24 Mar trains.

25 My family lived in a section house here in Del Mar.

1 So I'm deeply rooted in both communities, very active.

2 Also served as the docent here at the Alvarado House
3 during the Del Mar Fair.

4 And I'm also the curator at the Solana Beach Heritage
5 Museum.

6 As you can see, I'm very invested in this.

7 I highly oppose Alternative A for many reasons.

8 I'm from a community called La Colonia de Eden Gardens.

9 We are the first neighborhood of Solana Beach in Del Mar.

10 My family came here to work in the citrus groves in
11 Rancho Santa Fe.

12 I see that there are many employees from my community not
13 only of La Colonia de Eden Gardens but Solana Beach and the
14 region and the state that work for the Del Mar Fairgrounds.

15 Not only that but they also work for the races.

16 And there are many people that would be impacted if
17 Alternative A passed.

18 People would lose jobs.

19 You would lose the sales tax revenue.

20 Both of our cities are, you know, tourism is very
21 important to our cities to keep our cities alive.

22 So I see many impacts.

23 I support either option Alternative B or C. I'm here
24 today just to express my concerns about Alternative A.

25 And there is just so many impacts.

1 And many of you talked about the environmental impacts
2 too.

3 I wanted to express my concerns.

4 Thank you.

5 PRESIDENT SCHENK: Thank you for your time.

6 Yes.

7 Good afternoon.

8 KIMBERLY JONES: Good afternoon.

9 And I'm Kimberly Jones, the Executive Director for the
10 Solana Beach Chamber of Commerce.

11 Thank you for giving us time for the chamber to express
12 their views of Alternative A.

13 The Solana Beach Chamber of Commerce questions how
14 Alternative A was even included in the Notice of Preparation.

15 It will eventually lead to its inclusion in an
16 Environmental Impact Report.

17 But the process typically involves a thorough study of
18 all the alternatives.

19 But Alternative A was given significantly less attention
20 compared to Alternatives B and C. It appears the primary
21 criterion for Alternative A for SANDAG was that it used 95%
22 public land, which we learned today isn't necessarily public,
23 and that it avoided impacts on Del Mar homes.

24 Under questioning by the Solana Beach City Council,
25 SANDAG admitted they could not tell the impact and the cost of

1 Alternative A.

2 Despite this, SANDAG acknowledged Alternative A met fewer
3 of their own criteria than B and C.

4 Alternative A was also only engineered 1% compared to the
5 other alternatives.

6 They also estimated Alternative A would cost twice as
7 much and take twice as long to construct.

8 The lack of stakeholder guidance especially concerning
9 the San Dieguito Lagoon and its vital home and role to the San
10 Diego County Fairgrounds is troubling.

11 The fairgrounds are essential to Solana Beach's economy
12 from the large events that it holds from the fair itself and
13 the races.

14 It supports local businesses and generates significant
15 sales tax revenue for the city.

16 Closure of the fairgrounds during construction would have
17 a negative impact on the Solana Beach economy and community.

18 Digging a tunnel through Solana Beach as proposed through
19 Alternative A would paralyze our downtown area, particularly
20 the Cedros Design District, which is our prime retail business
21 attraction.

22 Making it a construction zone would be a disaster for the
23 local businesses that are already experiencing a slow economic
24 recovery after the pandemic.

25 Alternative A should be withdrawn immediately.

1 It is deficient in meeting SANDAG's own criteria
2 completely and --

3 PRESIDENT SCHENK: Thank you very much.
4 Appreciate your time.

5 MS. JONES: Okay, thank you.

6 PRESIDENT SCHENK: Any other non-elected officials?

7 CARLA HAYES: Hi. Hello, everybody.

8 Director Schenk, thank you so much for insisting on
9 civility.

10 That's something I have not been experiencing from some
11 of the people in Del Mar who are vociferous about "A".

12 And it's quite disturbing to be called names when you're
13 just quoting facts from SANDAG.

14 That being said, this is what I'm going to be-- what I
15 wrote to SANDAG concerning the equine community, which as you
16 know, with all of our work on horse park, I'm very concerned.

17 Option "A", if it were chosen for train relocation,
18 SANDAG confirmed at the Solana Beach City Council meeting on
19 June 26 that all fairground events would be shut down for 5 to
20 10 years.

21 According to SANDAG, 7 to 10 acres, in other words, the
22 midway all the way up to the grand stand would have to be shut
23 down because of the cut and tunnel -- chunnel.

24 The cut and cover needs to meet the tunnel with the
25 boring machine, which is a very interesting name.

1 That means horse racing and the fair are gone for seven
2 to ten years.

3 The main proponent of option A, by the way, compared it
4 to a chunnel project.

5 And I would like to remind those of you who don't
6 remember the chunnel project, because I was working at City
7 Bank at the time in London, that was double the amount of time
8 and one and a half the time and double the amount of money to
9 construct.

10 So when they are saying seven to ten years at the outset
11 it could easily be 14 to 20.

12 Instead of 4 billion, it could be 8 billion.

13 There are a lot of issues with a project of this size,
14 particularly, I didn't know we had liquefaction here.

15 But that also brings up --

16 [MULTIPLE SPEAKERS]

17 MS. O'LEARY: Thank you your time is up.

18 MS. HAYES: Okay.

19 Thank you very much.

20 PRESIDENT SCHENK: Thank you so much for your time.

21 UNIDENTIFIED SPEAKER: Option "A" is not an option.

22 PRESIDENT SCHENK: Appreciate it.

23 Welcome.

24 ALI NILFORUSHAN: Hi, everybody.

25 My name is Ali Nilforushan.

1 Nice to see you all.

2 And congratulations on a wonderful fair.

3 It was beautifully run.

4 Traffic was not terrible.

5 Good job on that.

6 As you all know I run the horse shows in the winter and
7 this would affect the horse shows immensely.

8 This would dramatically hurt our community.

9 We're a very fragile community at the moment.

10 I'm doing my best to build us back up.

11 And anything like this that would shut us down for that
12 period of time or any period of time is just not doable.

13 So I hope that common sense prevails and that we can get
14 past this.

15 And we can continue our business.

16 We have a beautiful thing that you guys have built here.

17 We've all built our homes, I live 5 minutes from here.

18 We have a beautiful life.

19 Let's leave good enough alone.

20 And thank you for your time.

21 Appreciate it.

22 PRESIDENT SCHENK: Thank you.

23 Any other non-elected officials in the room who would
24 like to speak?

25 If not, I'm going to go to our remote speakers.

1 PEGGY: I am a non-elected resident.

2 I live in Solana Beach.

3 Listening to this conversation aside from the very
4 obvious things, the twice the cost and twice the construction.

5 Four things struck me from your very excellent
6 presentation.

7 And thank you for that.

8 And these are questions I would direct to SANDAG.

9 First of all, it was noted that this Alternative A fails
10 in four of SANDAG's six objectives so why would we even
11 consider it?

12 It has not been done in a scientific manner, she
13 mentioned.

14 So why would we even consider it.

15 Spill over outcomes.

16 It could jeopardize the existence of the fair and the
17 horse racing, so why would we even consider it?

18 Alternative A was ruled out and then previously came
19 back.

20 And I heard talk of some kind of a public choice that was
21 the route of public choice.

22 But I wonder who the public was that chose it?

23 It wasn't Solana Beach.

24 And data only means if you know the source of the data.

25 So public choice I would question.

1 Finally, Michael mentioned Crest Canyon route.

2 Somebody recently at a Solana Beach meeting suggested
3 another route.

4 And I would ask SANDAG why aren't these other routes
5 being explored?

6 It seems like there is so many options that could be fair
7 to Del Mar and Solana Beach.

8 So that's what I would like to see, some new routes.

9 Thank you very much.

10 PRESIDENT SCHENK: Thank you.

11 Any other members of the public that would like to speak
12 before I invite elected officials?

13 All right.

14 So I'm going to go to Martha Sullivan, who has asked to
15 speak on this item.

16 Ms. Sullivan.

17 MARTHA SULLIVAN: Hello, this is Martha Sullivan.

18 I just wanted to point out some specifics in my research
19 on the Alternative A that would go through the fairgrounds.

20 In 2009, there was one of two tunnel alternatives that
21 would have skirted the fairgrounds beginning at Jimmy Durante
22 Boulevard.

23 And then in December 2017, SANDAG published three
24 alternatives and one of them was the Interstate 5 alignment,
25 which would have a portal south of the fairgrounds.

1 There was such a portal in the Alternative Screening
2 Report of SANDAG recently, but it was called Fairgrounds South
3 Portal.

4 It was shown for the conceptual and stakeholders and
5 outreach alternative in two of the maps in that Alternative
6 Screening Report.

7 But then, when the alternative P7A AND P7B got forwarded
8 and became basically Alternative A fairgrounds south
9 disappears on the map and it's only fairgrounds north and
10 using the trench from Solana Beach.

11 That's a huge black box right there.

12 I mean this tunnel has been looked at for years.

13 So it shouldn't be a shock.

14 What's a shock is what happened to the Fairgrounds South
15 Portal that was considered, you know, very recently and
16 documented very recently but there is no analysis I can find.

17 MS. O'LEARY: Your time is up.

18 PRESIDENT SCHENK: All right.

19 Thank you, miss Sullivan.

20 Now I'm going to invite elected officials.

21 I'm going to start with Councilmember Worden.

22 Councilmember, would you like to speak?

23 And we're not going to limit to you to two minutes
24 because what you're doing is helping to speak on behalf of the
25 City of Del Mar.

1 And I wouldn't feel that it would be appropriate if I was
2 coming to you that you would limit me.

3 So as a good neighbor I'm going to give you as much time
4 as you would like here today.

5 DWIGHT WORDEN: I appreciate that I will try to return the
6 courtesy by being two minutes or less.

7 I am Dwight Worden.

8 I am a member of the Del Mar City Council.

9 I spent 30 years as a CEQA attorney, so this is my
10 wheelhouse of information.

11 And I would encourage everybody to take a deep breath
12 when we start and realize where we are in the process.

13 There has been a lot of discussion back and forth about
14 trains and tunnels, all of which is not part of the formal
15 process.

16 The Notice of Preparation is the first formal part of the
17 process.

18 And it is basically to put it in the vernacular, it's the
19 lead agency, in this case SANDAG, saying what should the table
20 of contents be in this book that we're going to spend two
21 years and millions of dollars to write.

22 What are the issues that should be in the table of
23 contents.

24 And they outline the ones they think are important and
25 then they ask all of us, did we miss any?

1 Are there any others?

2 And so, that's the mission at this point is to make sure
3 that the issues we care about are on that the table of
4 contents so they are discussed.

5 And it's pretty easy to lose sight of that and get sucked
6 into, well, here's the conclusion, but realize this is not the
7 process.

8 The process is we're identifying the issues.

9 And the Environmental Impact Report will study those
10 issues probably for two years.

11 And then at the end of that a draft will be released for
12 public review and comment.

13 Everybody will have a right to comment in writing on
14 anything they like or don't like about it.

15 And SANDAG is obligated by law to respond in writing to
16 all significant comments raised.

17 And then eventually all of that is bound up and sent to
18 the SANDAG Board and they make a decision.

19 That's a long, complicated process but it's a good
20 process.

21 And at this point we're just identifying what are the
22 issues that we think should be studied.

23 That's where I encourage you to focus.

24 Michael, I see you.

25 A couple of other things then to keep in mind.

1 One, the current status of the rail line, there is about
2 60 trains a day.

3 And the safety of it, the engineers have said is about 30
4 years from now.

5 And as we've spent as a region \$100 million plus on these
6 various stabilization projects, but what's absolutely clear is
7 it can't stay there forever.

8 So it has to go somewhere.

9 And that timeframe is the window in which that obligation
10 is made to relocate it.

11 In terms of cost benefit, under federal law a Cost
12 Benefit Analysis is required, it's part of the of the process
13 and you would expect that anytime you will spend any
14 significant money, certainly in the billions that there would
15 be a Cost Benefit Analysis.

16 And when there is a federal agency identified they will
17 take the lead on that.

18 But it is too early to expect that now.

19 You couldn't do a Cost Benefit Analysis now because you
20 don't even know what the option that you have chosen for
21 environmental reasons you are going to pursue.

22 So I guess I'm making the point that these all fall out
23 in sequence and they take time, but there's logic to it.

24 There's fairness to it.

25 Every body's perspective gets a chance to be heard.

1 Finally before I stop, on our city we're buffeted by the
2 winds kind of like you are on this.

3 There's strong feelings on all sides of it.

4 So we did what we thought was prudent.

5 We adopted a Statement of Guiding Principles.

6 These are the guiding principles that are going to govern
7 us as the elected officials of the City of Del Mar.

8 And you had those up on your screen.

9 And it doesn't say we favor one option or oppose other
10 option.

11 It says we don't want the fairgrounds hurt.

12 You are an important stakeholder, you're I think about
13 30% of our community so you are us.

14 And we have a shared interest not only in this long-term
15 success of the fairgrounds and all you do, but for our shared
16 affordable housing program we're looking to partner with you.

17 And all that is very, very important to us.

18 So we don't want your interest harmed.

19 And I guess that's where we stand.

20 The final thing I would say is we're meeting tomorrow --
21 correct me if I'm wrong, Ashley -- on our own.

22 And we're going to have our own group if you will where
23 people will pull us one way or another about all of these
24 issues for final comments on the Notice of Preparation.

25 So if you take an action today please make sure you get

1 it to us so we can include that in our deliberations tomorrow.

2 Or perhaps if you think it's worth your time, send
3 somebody to come and speak to us to represent your perspective
4 at that time.

5 I hope that's been helpful.

6 I'm avoiding saying what the ultimate conclusion is
7 because that's really not on the table now.

8 It's what do we want them to study and have they missed
9 anything.

10 That's the task.

11 PRESIDENT SCHENK: I appreciate your time.

12 And thank you for coming and sharing with us.

13 DWIGHT WORDEN: You're welcome.

14 And I apologize but I have to go to another meeting, so
15 I'm gonna --

16 PRESIDENT SCHENK: That's all right.

17 I'm glad that I was able to put you on first then.

18 TRACY MARTINEZ: Thank you for the opportunity to be here.
19 My name is Tracy Martinez, I'm a city council member.
20 And I was not prepared to talk, so my notes are written.
21 I noticed my colleague Mayor Heebner has a typed
22 response.

23 I respect her immensely.

24 So I'm not going to be as poised as she will be.

25 However, I do want to say that we in Del Mar want to be a

1 partner with the fairgrounds.

2 And I mean that wholeheartedly personally and I know the
3 majority of the council feels the same.

4 We also want to be a partnership in affordable housing
5 here at the fairgrounds.

6 We want to make sure there's survival of the operations
7 here at the fairgrounds and that they remain viable for years
8 to come.

9 So much so that Councilmember Worden talked about the
10 guidance principles that we have in Del Mar and the added ones
11 that we have specifically to the fairgrounds that says, to
12 protect the operational, economic and environmental and
13 planning needs of the 22nd Ag.

14 The Del Mar NOP response will also request that specific
15 financial, environmental, operational, and impacts that the
16 fairgrounds has looked at.

17 The routes A, B and C all have significant impacts to all
18 of the parties here today as you heard.

19 We know that it will take 7 years maybe as much as 10
20 years of construction.

21 So it would be an immense impact on all of us.

22 Eminent domain in Del Mar could be numerous houses.

23 Jimmy Durante would be raised 30 feet to make room for
24 the train portal to go underneath.

25 And we know that that road elevation would have

1 significant impacts to our entry into Del Mar.

2 The Alternative C, which would be a cut and cover under
3 the entire main street of Del Mar would surely impact our
4 businesses as well.

5 We also know that Solana Beach has legitimate concerns
6 about their businesses and their eminent domain to their
7 homes.

8 We know here the impact to animals, toxic fumes and noise
9 would be immense.

10 And it would also be immense within the distance from
11 homes in Solana Beach, the surviving homes in Solana Beach and
12 the surviving homes in Del Mar.

13 So I just ask all of us let's work together.

14 We all have concerns, and so we shouldn't be fighting
15 among ourselves but we should impress upon to SANDAG that they
16 maybe should look at less impactful routes and then alternate
17 routes should be sited.

18 Let's work together.

19 Thank you.

20 PRESIDENT SCHENK: Thank you, Council Member.

21 Madam Mayor.

22 LESA HEEBNER: Thank you.

23 Lesa Heebner, I'm the mayor of Solana Beach and also the
24 second vice chair at SANDAG.

25 I cannot answer any of the questions that you asked about

1 SANDAG.

2 We too were blindsided as you were with the inclusion of
3 Alternative A.

4 So I have really no answers to that.

5 But I do have a few answers to some of the questions that
6 you asked Somebody did mention that the Bluff Stabilization
7 Project.

8 The fifth one is in place, happening right now.

9 There will be a sixth one.

10 They are supposed to stay up.

11 They are soldier piles, so if the bluff falls away, it
12 will be like a monorail, 25 to 30 years is what the estimate
13 of that is.

14 In terms of the public's choice and popular, we weren't
15 asked, you weren't asked.

16 So I think that's important.

17 As was said by Peggy, data only matters when you know
18 where it's coming from.

19 Our position is that we're strongly opposed to
20 Alternative A.

21 And the reason is why is because it would destroy
22 literally the south half of our city.

23 And that is literal.

24 It would completely destroy the south half of our city.

25 We are also very empathetic with City of Del Mar and

1 their concerns about Alternatives B and C. We have never
2 advocated for Alternatives B or C, which is why I brought this
3 to the Board of Directors at SANDAG to help us to take a
4 different tact.

5 But in the meantime, before I get to that, I just want to
6 tell you a few things you might want to include in your
7 letter.

8 It does indeed include -- Alternative A does indeed
9 include demolishing the soon to be constructed and fully
10 funded replacement of the San Dieguito Bridge and the at grade
11 seasonal platform.

12 And it also would destroy the double tracking that is
13 coming to Solana Beach very, very soon.

14 We're already speaking to our city manager about the
15 logistics of all of that.

16 That's \$254 million.

17 It would start the cut and cover tunnel, not at the
18 fairgrounds but in Solana Beach in order to get down
19 underneath the lagoon.

20 And so at a two percent grade it has to start back that
21 far north.

22 So all of that infrastructure that the region already
23 paid for to lower the tracks would be gone.

24 We would also demolish the Via De La Valle Bridge, the
25 vehicle bridge.

1 And that is an important access road for you.

2 So I think that that would be quite relevant.

3 I'm cutting a number of things out of this.

4 The seasonal platform, we were told because we did meet
5 with SANDAG staff after we heard about Alternative A being
6 included in the NOP, and everything that I'm saying came
7 directly from their mouths as well as when we had them at
8 council on the 26th they answered a lot of our questions It
9 might be worth your while to watch that meeting.

10 But the seasonal platform that would be an Alternative A
11 would be 80 feet underground.

12 So that's about seven or eight stories underground.

13 Imagine waiting for that elevator.

14 That would be real fun.

15 It's unclear if the races would be able to operate as the
16 construction, the noise, the vibration and the dust could
17 unsettle the horses.

18 So if the races stop the bonds in the grandstands, I
19 think they go into default.

20 So that's another matter for you to address.

21 Part of the criteria for making it into the NOP is to
22 meet certain objectives, there are six.

23 B and C met six, A we think only meets three.

24 The fourth that they gave them credit for was that the
25 rail line would continue to operate.

1 We don't believe that it would be able to continue to
2 operate.

3 They said they would use a shoofly, and a shoofly is
4 adding an extra rail line alongside the current rail line,
5 which was done when we lowered the track.

6 I could get it if it was at grade.

7 But now it doesn't make sense in a constrained trench,
8 unless what they would do would be to completely destroy the
9 rail trail in order to put the shoofly there, which would also
10 impact 101, another impact road for you all.

11 Or to the east they would destroy all of those homes to
12 put the shoofly there.

13 A lot of your workers live in Solana Beach as was
14 mentioned.

15 And I'm sure that some of these, which are more naturally
16 affordable occurring multi-family homes, I would guess that
17 many of your workers would be living in some of those as well.

18 One of the other environmental impacts of this
19 alternative is over the course of construction period, and by
20 the way Alternative A is said to take twice as long as B and C
21 and B and C are said to take seven years.

22 But the course of the construction period, it would
23 double the number of truck trips of B or C. So that is
24 1,100,000 truck trips.

25 And if you do the math, that's over 400 truck trips per

1 day for 10 years, all originating in our little corner of the
2 county.

3 Another environmental impact is to Stevens Creek, which
4 is in FEMA recognized flood zone and spans into the
5 fairground's property.

6 This creek would have to be diverted and/or pumped.

7 Is it a good idea to not only divert the natural flow of
8 a creek but do so in a floodplain and think that mechanical
9 pumps would be the failsafe?

10 I don't think so.

11 Finally, this route is designated as a military strategic
12 rail corridor.

13 And ceasing rail operations for construction of
14 Alternative A would endanger our national security.

15 Of technical interest, and I don't need to tell Dustin
16 this.

17 But Alternative A does not mitigate any of the impacts of
18 either B or C, one of the rationales used to add an
19 alternative to an NOP yet somehow Alternative A was included
20 in the NOP.

21 So as you can tell I'm not happy this, nor are you folks,
22 which is why I put this item on the June 28, SANDAG Board of
23 Directors agenda.

24 The Board of Directors are the decision-makers, and
25 without putting it on the agenda a couple weeks ago it would

1 not have come back to the Board of Directors for a year and a
2 half or more.

3 What we know is that we find Alternative A to be
4 unacceptable, Del Mar residents and you all find Alternative -
5 - well, they find B and C unacceptable.

6 We're not in a good place for a project of this
7 magnitude.

8 All three cause negative impacts to the environment, to
9 homes, to the economy and the Board.

10 So where are we now after the SANDAG Board meeting?

11 The ultimate decision made at that meeting with full
12 consensus was to continue the NOP just to the original
13 deadline of this Friday, July 19.

14 I learned that if you modify, add or eliminate an
15 alternative from an NOP it has to be reissued.

16 So it's obvious we're on the path to do one of those
17 things.

18 So it's not productive to extend the NOP period knowing a
19 new NOP will need to be reissued.

20 Concurrently, SANDAG is lead agency and acknowledging
21 they could have done better and that much needs to be done to
22 get this project on track, that's a quote from our new CEO, a
23 very good man.

24 SANDAG will be assembling the values analysis team that
25 was referred to earlier to include all stakeholders.

1 They just met on Friday after the board meeting to put
2 together the scope of what that will be.

3 And I would expect that you guys will be quickly notified
4 that you will be invited over the next few weeks if not
5 sooner.

6 The values analysis team will be taking a look at not
7 only the A, B and C, but they will look into alternatives.

8 For instance one of our residents suggested an
9 alternative that keeps the trainings running as is through
10 Solana Beach over the soon to be rebuilt San Dieguito Bridge,
11 retain the at grade seasonal platform, but at the Y take a
12 turn to head over Jimmy Durante elevated along San Dieguito
13 Road and continue up to the I-5 as indicated in the current
14 southern portion of Alternative A.

15 The values analysis team will also review alternatives
16 that met four or more objectives but for some reason were not
17 included in the NOP.

18 Additionally, and this is kind of important.

19 Mayor Kranz of Encinitas asked we explore routes that do
20 not restrict the new alignment to keeping the trains running
21 between Solana Beach and Sorrento Valley.

22 In other words, it would be all along I-5, so you might
23 have something to say about that in the next NOP when we get
24 to it.

25 As that idea means looking at alternatives only along the

1 I-5, eliminating stops at Solana Beach, the seasonal platform
2 and Sorrento Valley.

3 He's been talking about it a lot.

4 A lot of people talk about it.

5 I think it deserves exploration but it's something
6 important for you to keep an eye out for.

7 The result will be a new NOP with new alternatives that
8 will have been vetted by all stakeholders including you all
9 and us.

10 To be issued in about the fall along with initiation of
11 the federal NEPA process.

12 They are looking for a lead agency now and their version
13 of the NOP, which is called an NOI.

14 And a new scoping period will be held along with the
15 whole new comment period.

16 But as we stand here today, do send in your comments on
17 the alignments in the current NOP.

18 We need that.

19 SANDAG staff, under the leadership Mario Orso met Friday
20 to determine what this would be about.

21 And you will be receiving your invitation to values
22 analysis.

23 In conclusion, Alternative A is clearly not going to work
24 for my community.

25 It essentially would destroy the entire southern half of

1 my city.

2 And it's not going to work for the fairgrounds and thus
3 the many county residents who attend events here.

4 Some Alternative A proponents claim using public lands is
5 a positive.

6 As one speaker said at our council meeting, no, it's not
7 a positive.

8 Public lands are where we recreate.

9 It's where we created parks and venues for the public to
10 enjoy together.

11 But Alternatives B and C don't work for Del Mar so it is
12 my hope that we can find an alternative that works for all
13 stakeholders as much as possible within a built environment
14 and cheaper.

15 We've got work to do to both remove the train tracks from
16 the crumbling bluffs of Del Mar and to relocate them in a
17 manner with the least impacts to all of us.

18 It appears this is what we will be doing our over summer
19 vacation, looking at these new alternatives with the values
20 analysis team.

21 And I thank you for allowing me this time.

22 I'm happy to answer any questions.

23 PRESIDENT SCHENK: Mayor Heebner, thank you for your
24 comments.

25 Councilmember Worden indicated that tomorrow they will be

1 having a meeting and invited us to share our perspective
2 before the meeting.

3 So with that in mind, I'm going to entertain a motion.

4 VICE PRESIDENT GELFAND: Yes.

5 PRESIDENT SCHENK: Okay.

6 VICE PRESIDENT GELFAND: I move that the 22nd District
7 Agricultural Association authorizes and directs our CEO to do
8 the following.

9 One, proceed with a response to SANDAG's Notice of
10 Preparation.

11 Two, notify SANDAG of the Board's opposition to
12 Alternative A and any subsequent alignment that disrupts 22nd
13 District Agricultural Association operations.

14 Three, urge SANDAG to move forward with the construction
15 of the planned double tracking and seasonal rail platform.

16 Four, pause affordable housing discussions with the City
17 of Del Mar until and unless the Del Mar City Council
18 officially opposes Alternative A in accordance with the city's
19 December 2023 Guiding Principles.

20 Five, engage all necessary resources to directly oppose
21 Alternative A and any subsequent alignment that disrupts 22nd
22 District Agricultural Association operations.

23 And six, provide regular updates on discussions regarding
24 all of this through the strategic planning committee.

25 PRESIDENT SCHENK: Motion has been made.

1 Is there a second?

2 VICE PRESIDENT ROWLAND: Second.

3 MR. ARABO: Second.

4 PRESIDENT SCHENK: It's been seconded by Vice President
5 Rowland.

6 I heard others too but I recognized the second.

7 Is there a desire for any further discussion?

8 MR. ARABO: Yeah.

9 I would -- can you hear me?

10 PRESIDENT SCHENK: We'll start with you, Director Arabo.

11 MR. ARABO: Yeah, I want thank Director Gelfand for the
12 motion.

13 And I think it's a great motion, I will be voting in
14 favor for it.

15 I'm just disappointed in the City of Del Mar.

16 And I like that the motion includes the pausing any
17 discussions for affordable housing.

18 I'm surprised --

19 PRESIDENT SCHENK: That's in the motion.

20 MR. ARABO: I know.

21 I'm thanking director Gelfand for putting that in there
22 and --

23 PRESIDENT SCHENK: Oh, I see.

24 [MULTIPLE SPEAKERS]

25 MR. ARABO: No, I'm disappointed that the two

1 councilmembers from Del Mar didn't oppose it going into this
2 meeting knowing that this would totally be disruptive and
3 maybe destructive to the 22nd DAA.

4 With that, thank you, Director Gelfand for the motion.

5 And I'll be supportive of it.

6 PRESIDENT SCHENK: Thank you, Mark.

7 I'm sorry, I misheard you.

8 I thought you were asking that that language be in there
9 and it is.

10 Director Blair, real quick.

11 MR. BLAIR: Okay.

12 I guess I'm thinking should we -- is it fair to give
13 SANDAG an opportunity to respond to all of our questions and
14 concerns before we're adamantly against it?

15 VICE PRESIDENT ROWLAND: No.

16 [CHUCKLING]

17 MR. BLAIR: I mean, we haven't heard from them.

18 And I can't imagine an answer that would solve all of our
19 concerns.

20 But I would just encourage with the information we have
21 now or unless something dramatic changes under what we
22 currently understand we are opposed, opposed, opposed.

23 Right?

24 I'm sounding very diplomatic here.

25 I haven't heard the other side of the story yet and we're

1 adamantly opposed because of what we hear and that's my
2 concern.

3 I'm not opposed to the motion but I think that's more
4 civil.

5 MS. BARKETT: Yeah, I have a similar concern.

6 That's the only reason I'm -- and I think on number 6
7 actually that should be broadened.

8 And because it says provide regular updates on
9 discussions regarding through the Strategic Planning Committee
10 but something should be in there regarding maybe having a
11 representative from the DAA at those meetings that are going
12 on.

13 PRESIDENT SCHENK: Would you accept the amendment in the
14 motion and in the second?

15 Absolutely.

16 We accept it.

17 PRESIDENT SCHENK: All right.

18 [multiple speakers]

19 MS. BARKETT: That tells a story better.

20 PRESIDENT SCHENK: All right, so --

21 MS. MOORE: Can I just ask for clarification on that.

22 PRESIDENT SCHENK: Sure.

23 MS. MOORE: When you are referring to representative at
24 the meeting, are you referring to a Strategic Planning
25 Committee member or staff representative?

1 MS. BARKETT: I think it could be either.

2 MS. MOORE: Okay.

3 I just wanted to clarify.

4 Thank you.

5 PRESIDENT SCHENK: Okay, so there's been an amendment
6 made.

7 Any further discussion?

8 VICE PRESIDENT ROWLAND: Yeah, I just want to say that I
9 think SANDAG they have their process.

10 And I think they are going to go through their process.

11 I'm not sure that it would be fruitful to go and ask some
12 separate process for more feedback.

13 I think they have done the best they can with what they
14 have.

15 And until they go further down the path that they now
16 need to, which it looks like it's going to be a new NOP, I
17 don't think we're going to get anything out of that.

18 And I don't think we should delay anything we do based on
19 that.

20 PRESIDENT SCHENK: Director Gelfand.

21 VICE PRESIDENT GELFAND: Comments and questions.

22 I think Dwight Worden did a great job of kind of
23 explaining where we are.

24 And in fact, because of the timing of the NOP, we have to
25 respond.

1 And we have scheduled meetings with SANDAG
2 representatives to inquire further about their thinking and
3 how they arrived at this.

4 But we do have to go forward and make a statement in
5 time.

6 So that's part of what this is about.

7 I'm -- aside from that I have a question maybe for
8 Dustin.

9 Because I do think that Dwight Worden explained the CEQA
10 process really well.

11 But what I don't understand is the NEPA process.

12 Where the federal agencies get involved and could -- all
13 the work and a multimillion-dollar EIR that SANDAG is doing
14 could basically turn into another 2 to 10-year process with
15 all new alternatives studied and whatever.

16 If you could just explain to us a little bit about how
17 those two processes interface, I would appreciate it.

18 DUSTIN FULLER: Yeah, so my understanding based on what
19 I've seen and heard from SANDAG is that they are setting up
20 their environmental document to be a joint EIR/IRS.

21 So you have the three alternatives that they are
22 analyzing, NEPA requires you to analyze all three of those
23 alternatives equally.

24 Under CEQA you could do a less intensive alternatives
25 analysis, kind of generalize, so if I remove this portion of

1 the project, traffic might be reduced.

2 Under CEQA you got to do a full technical study for each
3 of those impact areas, for each of those alternatives.

4 MS. MOORE: Thank you, Dustin.

5 Thank you.

6 PRESIDENT SCHENK: Real quick, Director Rowland.

7 VICE PRESIDENT ROWLAND: Yeah, I just want to say that I
8 think it's possible for the City of Del Mar to oppose A, B,
9 and C. And that would meet the item that Michael put forward.

10 And I'll call the question.

11 PRESIDENT SCHENK: All right.

12 If we call the question, then we have to vote on the
13 calling of the question.

14 All right.

15 So there is --

16 VICE PRESIDENT ROWLAND: Well, I'll withdraw that.

17 PRESIDENT SCHENK: I appreciate that.

18 I don't think you need to call the question.

19 I know Robert's Rules and that's what I would have to do.

20 VICE PRESIDENT ROWLAND: You're correct.

21 PRESIDENT SCHENK: All right.

22 Hearing no further discussion, there has been an amended
23 motion and a second.

24 We'll take a roll call on the amended motion made.

25 [Roll Call Vote]

1 MS. O'LEARY: President Schenk.

2 PRESIDENT SCHENK: Aye.

3 MS. O'LEARY: Vice President Gelfand.

4 VICE PRESIDENT GELFAND: Aye.

5 MS. O'LEARY: Vice President Rowland.

6 VICE PRESIDENT ROWLAND: Aye.

7 MS. O'LEARY: Director Arabo.

8 MR. ARABO: Aye.

9 MS. O'LEARY: Director Barkett.

10 MS. BARKETT: Aye.

11 MS. O'LEARY: Director Blair.

12 MR. BLAIR: Aye.

13 MS. O'LEARY: Director Mosier.

14 MR. MOSIER: Aye.

15 PRESIDENT SCHENK: Well, I think we clearly have a
16 unanimous decision that we have given direction to our friends
17 in the community.

18 And hopefully they will take our perspective with some
19 sense of seriousness and concern.

20 We're going to take a 10-minute break before we go onto
21 the next public comment.

22

23 [Meeting adjourned for 10-minute break at 3:06 p.m.]

24

25 [Meeting reconvened at 3:18 p.m.]

1 PRESIDENT SCHENK: Okay.

2 Good afternoon, we are reconvening the 22nd DAA Board
3 meeting for 7/15/2024.

4 And we will now be taking under action or under item
5 number 3, public comment for items not on the agenda.

6 And I see we have some visitors here in our audience.

7 If there are any of you that would like to come up and
8 speak, I would invite you to come up and queue up so that you
9 can, you know, speak one after the other.

10 If there is only one of you, whoever is the
11 representative of the group, you are welcome to come up.

12 But all of you are welcome to come and speak.

13 We would love to hear from you.

14 KIRA DOMINGUEZ: Hello, good afternoon.

15 I'm Kira Dominguez.

16 I represent The Changers, a San Dieguito Alliance Youth
17 Group.

18 Our goal to educate peers, community and civic leaders on
19 the dangers of underage drinking, tobacco, vaping, marijuana,
20 and other drug use.

21 We recognize that young people are especially influenced
22 by what they see around them.

23 I go to the fair each year.

24 So it really is something, an event that is personal to
25 me.

1 And I absolutely adore it every single time.

2 This year the fair we assessed it for compliance with
3 tobacco and marijuana rules by fairgoers, staff and vendors.

4 And this year we conducted a four-day observational
5 assessment to determine the extent of smoking and vaping on
6 the fairgrounds.

7 And with all due respect, here are some of our findings.

8 We also observed that vaping was used more often than
9 traditional cigarette use.

10 Fairgoers did not hesitate to vape just walking around
11 the fair or while standing in line for a ride.

12 Traditional cigarette smoking was generally observed on
13 the south side of the exhibitor halls or between the
14 buildings.

15 And cigarette butts were found most often in those areas.

16 The smell of marijuana was noticed while in many areas,
17 including the Grandstand, Paddock, O'Brien Hall, Seaside
18 Pavilion, Fun Zone and areas of tables where people are
19 enjoying food and entertainment.

20 So it's not exactly very appetizing to smell marijuana
21 while you're trying to eat.

22 Fairgoers told us they were instructed not to confront
23 smokers, even alert staff so the vape policy is not enforced.

24 With enforcement comes prevention.

25 And data shows that tobacco use begins between the ages

1 of 12 and 17 and that one in five high school students now use
2 vape products.

3 These products contain enormous amounts of nicotine or
4 marijuana that can rewire a young person's developing brain
5 and lead to addiction.

6 Ruby will share with you our observations and
7 suggestions.

8 Thank you so much for listening.

9 PRESIDENT SCHENK: Thank you.

10 RUBY DOMINGUEZ: Good afternoon.

11 I'm Ruby Dominguez, and I'm here to respectfully share
12 some factors of changes that will contribute to the
13 noncompliance with the fair's no smoking, no vaping policy.

14 Lack of enforcement or monitoring of smoke free rules by
15 fair employees and security staff.

16 We suggest the fair website should more aggressively
17 emphasize and promote the fair as a no smoking/vaping venue.

18 Lack of no smoking/vaping signs around the fairgrounds.

19 There is a need for more signs to remind the public and
20 staff of the no smoking policy.

21 We suggest adding a marijuana image to those signs as
22 well.

23 We notice vendors this year had merchandise like hats,
24 shirts, socks, backpacks with marijuana images, which should
25 be against the fair's family friendly policy.

1 Enforcement of the smoke/vape free policy is designed is
2 designed to be self-enforcing, but without signage,
3 monitoring, and education fairgoers will not be aware of the
4 smoking restrictions.

5 Smoke free policies are good for the health of fairgoers
6 and employees, good for the environment and make good business
7 ends by reducing cleaning and maintenance cost at the
8 fairgrounds.

9 As the group has recognized, it's important to improve
10 our neighborhoods by participating in the community and
11 speaking out about important issues.

12 We hope the fair board will consider concerns and make
13 changes for this next year.

14 I have a letter I would like to share with you.

15 And thank you for hearing our concerns.

16 PRESIDENT SCHENK: Thank you very much.

17 Are there any other members of the public that would like
18 to speak on that?

19 If not, I would just tell you this, as the chair of the
20 board, I come to the fair almost daily and I walk the
21 property.

22 I didn't go on a single ride.

23 I don't eat fair food very often.

24 I played no games.

25 My purpose for walking the property is to observe.

1 And what you just commented on, I did observe.

2 But I will tell you I also told people what I've
3 observed.

4 And I commented to people that were at the fair.

5 So you are not alone in this.

6 I share some of the perspective that you've expressed.

7 And as the chair of the board, I felt it was my
8 responsibility and I also happen to be chair of fair
9 operations, I feel it is my responsibility to make sure that -
10 - and I was on the Board when we established those policies
11 many years ago, Director Barkett and I both were.

12 And I still feel very strongly when I see it I do comment
13 on it.

14 But I really respect and appreciate your time coming here
15 today.

16 All right, so with that, I will pass it onto -- oh, I'm
17 sorry.

18 Yes, yes, yes.

19 Yes.

20 There are others.

21 All right.

22 So we'll now go to the remote public.

23 And Martha Sullivan, if you would like to speak.

24 MARTHA SULLIVAN: Hello, this is Martha Sullivan.

25 PRESIDENT SCHENK: Yes, ma'am.

1 MS. SULLIVAN: I'm sorry, I've got some feedback going on.
2 Can you hear me okay?
3 PRESIDENT SCHENK: We can.
4 We hear a little bit of feedback too.
5 MS. SULLIVAN: Okay, yeah.
6 I'm moving away from that.
7 I wanted to just -- as we have the Del Mar races starting
8 up this Saturday again, I wanted to share with you from the
9 San Francisco Chronicle, who reported on the closure of Golden
10 Gate Field up in the Bay Area last month after 83 years.
11 And it's a very apt quote from the San Francisco
12 chronicle.
13 It says that Golden Gate Field was quote, "Wiped out by
14 an epidemic of declining interest that is eliminating tracks
15 all over the country.
16 Big time racing is struggling, sure.
17 Bay Meadows shut down in 2008.
18 26 tracks have closed down nationally in the past 10
19 years," end quote.
20 That Golden Gate fields makes that 27 tracks and it's
21 actually the 46th track, which has closed in the U.S. since
22 2000, which I think you probably heard me say before.
23 So I just want to emphasis this as the most recent horse
24 racing track goes down, one that is relatively close to home.
25 And it's just a matter of time until horse racing meets

1 its end.

2 Because it is an epidemic of disinterest as the San
3 Francisco Chronicle article pointed out.

4 Thank you.

5 PRESIDENT SCHENK: Thank you, Ms. Sullivan.

6 Next is Alison Prater.

7 ALISON PRATER: Hello?

8 PRESIDENT SCHENK: Yes, Ms. Prater.

9 MS. PRATER: This is Alison Prater.

10 I just wanted to say, there's been a 38% increase in
11 horse deaths this year over the same period of time last year.

12 Forty-four horse deaths on the racing circuit this year
13 so far.

14 I personally witnessed two horses collide and one die on
15 the spot on the track on Sunday, July 7th at another track
16 just last week.

17 It was one of the most horrifying things I've ever seen.

18 I can assure you I will never forget it.

19 These horses are living breathing creatures, not machines
20 to be discarded like vehicles that no longer operate.

21 Last year at Del Mar the following horses died: Nevisian
22 Sunrise, Ghostem, Vagabond Prayer, Pastor T, and Peace of
23 Mind.

24 I have chosen to name them and not summarize them as five
25 horses that died because they are beautiful individual animals

1 who deserve to be recognized.

2 No legitimate sport would allow this to happen to so many
3 of their athletes.

4 Horse racing must stop.

5 These gorgeous, sensitive animals deserve much better.

6 Thank you.

7 PRESIDENT SCHENK: Thank you very much.

8 Bonnie Croker, good afternoon.

9 BONNIE CROKER: Good afternoon.

10 Can you hear me?

11 PRESIDENT SCHENK: Yes.

12 BONNIE CROKER: Thank you so much.

13 I'm Bonnie Croker with Kill Racing, Not Horses.

14 I am asking you to transition away from allowing horse
15 racing at Del Mar.

16 Simply put, horse racing kills horses.

17 In California alone 44 have died racing so far in 2024.

18 And I'm talking about dying from horrific injuries
19 sustained, horses tripping over one another, breaking necks,
20 breaking backs.

21 And can you imagine having to be attached to a winch to
22 drag you into a truck with your dangling limbs so that you can
23 be dragged off the track.

24 On June 25th, 2024, a Lexington, Kentucky sports channel
25 interviewed horse racing insiders attending an equine welfare

1 and safety seminar.

2 The seminar was held by the Grayson-Jockey Club Research
3 Foundation, which keeps and analyzes USA horse racing data,
4 including racing-related horse fatalities.

5 Jamie Haydon, the foundation's president proudly offered
6 some fatality statistics that in isolation do not reveal an
7 indisputable truth.

8 Haydon remarked that since 2009 when the equine injury
9 database was instituted up until 2023, there has been a 34%
10 decrease in USA horse racing fatalities.

11 However, that data should not be viewed in isolation but
12 rather compared to data kept by the Jockey Club, which
13 revealed a 36% reduction in the number of horse races actually
14 occurring in the United States.

15 Then we can clearly see the direct correlation.

16 34% fewer horse racing fatalities compared to 36% fewer
17 horse races.

18 Notably, if increased safety measure and improved
19 veterinary intervention was having any significant effect or
20 impact we would expect to see the reduction in fatalities far
21 exceed the reduction in races.

22 Instead the reductions in both categories are almost nose
23 and nose at the --

24 MS. O'LEARY: Ms. Croker, your time is up.

25 PRESIDENT SCHENK: Thank you very much.

1 Next is Lynn Fruedenberg.

2 I apologize if I mispronounced.

3 LYNN FREUDENBERG: You did great.

4 Thank you so much.

5 Can you hear me?

6 PRESIDENT SCHENK: We can, yes.

7 LYNN FREUDENBERG: Okay.

8 Perfect.

9 My name is Lynn Freudenberg.

10 I'm going to be reading parts about an article I found in
11 the policy report.

12 It's an op-ed by Aaron O'Keefe.

13 And it's entitled, "From Our Mims to Mims Eppi, How Long
14 Can The Thoroughbred Industry Survive Itself?"

15 As stories are published of the thoroughbreds ending up
16 in kill pens and of accusations of a regulatory veterinarian
17 recommending unsound horses be sent to Mexico, many are
18 looking at the state of aftercare and wondering "how did we
19 get here?"

20 Our Mims and Mims Eppi, are two mares separated by a
21 generation, that ultimately faced remarkably similar fates.

22 Currently, the Thoroughbred industry lacks sufficient
23 systems to ensure safety nets for all horses leading to some
24 that have fallen through the cracks.

25 A fact most are aware of and many are working towards

1 solutions.

2 Horses retiring from the racetrack are at a clear
3 transition point in their career and being evaluated for a
4 second career, which have many options.

5 But a lot of times these connections for other options
6 fail their horses, whether through ignorance of options, lack
7 of resources, or intentional disregard.

8 These horses are seen as the ones that have fallen
9 through the cracks of the industry ending up in high-risk
10 situations like extortionary kill pens or exported to
11 countries without sufficient access to care in place.

12 But what about the horses that are shoved through those
13 cracks.

14 The horses that can clearly be identified as high risk
15 due to age, reproductive status, history, general performance
16 or injury.

17 Our duty to those horses is to take greater care in the
18 transitioning them to a suitable next phase of life, or
19 maintaining ownership.

20 Instead, there are some in the thoroughbred industry that
21 exploit currently accepted methods to unload these horses
22 making them someone else's problem.

23 To unload high-risk horses to avoid responsibility for
24 their lives after they no longer are income generating could
25 not continue to be permitted by the industry.

1 The two horses, just a quick breakdown.

2 Is Our Mims 17-year-old brood mare found in a cattle
3 field nearly forgotten but rescued by a neighbor named Jean
4 Mardido.

5 MS. O'LEARY: Ms. Freudenberg, your time is up.

6 PRESIDENT SCHENK: Thank you very much.

7 Appreciate your comments.

8 Our next speaker is Jane Cartmill.

9 Thank you.

10 Ms. Cartmill?

11 MS. CARTMILL: Sudden deaths in horse racing continue to
12 plague and confound the equine veterinary community.

13 Abrupt fatality in an apparently healthy horse during or
14 immediately following exercise and not associated with
15 musculoskeletal injury.

16 The HRB Scott Cheney is quoted in a May issue of
17 Thoroughbred Racing commentary saying quote, "What we're
18 really struggling with now is these sudden deaths and really
19 getting a handle on why they occur and how to prevent them.

20 The HRB identified 13 sudden deaths in 2023 and three in
21 2024.

22 With three more suspected."

23 Blood-Horse Daily reports sudden death in thoroughbreds
24 is often compared to a human heart attack.

25 Though heart issues alone do not cause all sudden deaths

1 in horses.

2 Sudden death has been known to occur due to spinal
3 trauma, hemorrhages associated with fracture, colic,
4 infectious disease.

5 Many risk factors such as cardiac arrhythmias can be
6 present in healthy horses.

7 University of Minnesota researcher Dr. Durward-Akhurst
8 stated that 82% of healthy exercising thoroughbreds have at
9 least one premature ventricular contraction during exercise
10 and 20% have complex arrhythmia.

11 Quote, "Trying to say which horses are safe and which are
12 not is really quite difficult, end of quote," he said.

13 Where genetic risks exist they can be combined with
14 performance and training and medical histories to help define
15 an overall risk factor for sudden death.

16 Durward-Akhurst, however predicts that quote, "Overall
17 the sudden death is likely going to be a combination of
18 variants."

19 A simple and obvious solution is to stop risking and
20 taking horses' lives for entertainment and gambling.

21 PRESIDENT SCHENK: Thank you very much.

22 That completes the public comment.

23 We will now go onto the Executive Report.

24 MS. MOORE: All right.

25 This is just an informational item for you.

1 So consistent with the delegation of authority to
2 President Schenk to approve contracts that exceeded my
3 delegation of authority as the CEO, beginning May 15th, 2024,
4 through the next regularly scheduled and noticed district
5 board meeting this item was included this month because this
6 is the next regularly scheduled and noticed meeting.

7 So it's there for you for information purposes.

8 We'll have a much more robust Executive Report at the
9 August meeting.

10 As you all already know, we had a really great fair.

11 That concludes our business.

12 Oh, unless you have any.

13 PRESIDENT SCHENK: Well, that's all the -- I don't see any
14 further --

15 MS. MOORE: That's it.

16 PRESIDENT SCHENK: All right.

17 Yes.

18 MR. BLAIR: if I'm understanding this right, did we under
19 sponsorship agreements revenue contracts, did we get a million
20 dollars and 60,000 from Mattress Firm?

21 MS. MOORE: We have over the -- that's a -- has been a
22 five-year agreement.

23 And so over those five years, yes.

24 MR. BLAIR: That's what they pay us to show there?

25 MS. MOORE: Mm-hmm.

1 MR. BLAIR: And the Elite Show Services is a question
2 because I don't do this business but just out of interest, is
3 that a multiyear contract at 183 because it was sole sourced.

4 And I'm surprised it didn't go out to bid.

5 MS. MOORE: No, so while we have a contract with Elite
6 Show Services, that is a multiyear agreement, this contract is
7 very specific to -- we are in what is called "fire watch mode"
8 with the grandstand while the fire suppression system is being
9 worked on.

10 And we need to have 24/7, round-the-clock security on
11 that during that time.

12 So it's an exigent circumstance because we were using it
13 during the fair and horse racing while repairs are being made.

14 MR. BLAIR: Thank you.

15 PRESIDENT SCHENK: Any other comments from the Board?

16 Well, we've lost our crowd and one board member.

17 So I will entertain a motion to adjourn.

18 UNIDENTIFIED SPEAKER: So moved.

19 UNIDENTIFIED SPEAKER: Second.

20 PRESIDENT SCHENK: Moved.

21 Seconded.

22 All in favor?

23 It's unanimous, we are adjourned.

24 [Meeting adjourned at 3:36 p.m.]

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

CERTIFICATE OF TRANSCRIBER

I, Antha A. Ward, do hereby certify that the 22nd District Agricultural Association Board of Directors Meeting was transcribed from audio by me; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither a member for, related to, nor employed by the District in which this was taken; and, further, that I am not a relative or employee of any member or staff employed by the District hereto, nor financially or otherwise interested in the outcome of this action.

Antha A. Ward
QuickCaption, Inc.

--o0o--