



CITY OF DEL MAR

May 11, 2026

Honorable Board Chair Sam Nejabat and CEO Becky Bartling
California 22nd District Agricultural Association
2260 Jimmy Durante Boulevard
Del Mar, CA 92014-2216

RE: 22nd DAA Board Agenda Item 6D – City of Del Mar Comment Letter

Dear Chair Nejabat and CEO Bartling,

On behalf of the City of Del Mar, please accept our comments on Board Agenda Item 6D, which includes two subitems that relate to the City including Item 6D.1 - Discussion and vote on whether to terminate the ENRA with the City of Del Mar for affordable housing site due diligence; and Item 6D.3 - Update on City of Del Mar's San Dieguito Lagoon levee, habitat enhancement, and trail project.

Item 1 - Discussion and Vote on Whether to Terminate Affordable Housing Site Due Diligence

The City and District executed an Exclusive Negotiating Rights Agreement (ENRA) (Agreement) in March 2024, following unanimous approval by the District Board and City Council, which remains in effect through April 15, 2027. The Agreement specifies milestones related to affordable housing site due diligence to be completed by the respective parties to help inform a future Board decision as to whether affordable housing should be sited on District property.

First and Second Amendments to the Agreement were requested by the District to better align the ENRA schedule with the District's Master Site Planning effort and address concerns raised by the Board regarding exclusivity of negotiations, clarity of Board decision making authority, and ensure alignment with State housing law. The City gladly accommodated the District's requested amendments, the Second of which was recently unanimously approved by the District Board in March 2026.

The City and District additionally executed a Memorandum of Understanding in May 2025, that enabled the Fairgrounds to utilize approximately \$800,000 of \$1.5 million in State grant funds secured by the City, to pay for affordable housing site due diligence studies completed by the District in March 2026. The City understood the study findings would be presented to the Board by the District's consultant and staff at the April and May 2026, Board meetings. However, these presentations have not been scheduled and instead the Board scheduled an action item to once again consider terminating the ENRA without any explanation or dialogue with the City, or having received important presentations of the study findings that will help to inform future Board decisions related to affordable housing and the District's current Master Site Planning effort.

Following is a high-level summary of key details that were collected through the completed studies to inform Board decisions related to Site Planning:

- Site due diligence studies included analyzing Fairgrounds property vulnerability to significant flood hazards and includes a recommended plan to begin phasing adaptation strategies to protect District assets and operations, including the fair and horseracing. This is crucial information for the Board to consider during the master plan process and is a mandated standard of review prior to any Coastal Commission decisions regarding future development on Fairgrounds property, which is located entirely in the Floodplain and Floodway mapped by the Federal Emergency Management Agency (FEMA).

- Using potential sites identified by District staff, not the City, the studies confirm there are three feasible sites for affordable housing located within the City of Del Mar's jurisdiction for Board consideration when determining whether to pursue affordable housing on Fairgrounds property.
- Affordable housing developers met with the District's consultant to help inform their studies and indicated strong interest in the three District identified sites in Del Mar as well as the type and scale of affordable housing being considered including affordable family housing (61-82 units in a 4 to 5 story building) or affordable senior housing (62-128 units in a 3 to 5 story building).

The City respectfully requests that the District complete the next steps in the process agreed to under the Agreement, and any subsequent amendments, by holding off on making any decisions regarding affordable housing until the various due diligence studies have been presented to the Board for consideration.

Item 3 - Update on City's San Dieguito Lagoon Levee, Habitat Enhancement, and Trail Project

Like affordable housing, the City has been engaging the District on flood mitigation strategies, including development of a Lagoon Levee, for more than a decade starting in 2013. The Fairgrounds had a representative on the City's Sea Level Rise Technical Advisory Committee where this strategy was endorsed for inclusion in the City's Sea Level Rise Adaptation Plan, that was adopted by the City Council in 2018.

In recent years, as the City has been pursuing grant funds to complete the environmental review, design and permitting for the project, the Fairgrounds has been directly engaged at the staff level, including sharing of all publicly available documents, copies of Council agenda reports/presentations, and most recently a detailed meeting in early April occurred with District leadership in preparation for the Board presentation regarding the Levee project, among other topics.

On April 14, 2026, City consultants and staff made a presentation to the Board regarding the Draft Mitigated Negative Declaration (MND) for the San Dieguito Lagoon levee, habitat enhancement, and trail project currently in process in accordance with California Environmental Quality Act requirements. In response to the presentation, the Board provided very positive feedback.

It is important to note that the Levee project is in the early planning phase and will facilitate adaptation to minimize risk of flooding from the San Dieguito River and projected increases in the intensity and frequency of storms due to changing climatic conditions. The attached timeline details related City actions to date to plan for and protect critical public assets.

Fairgrounds engagement has primarily occurred at the staff level between Principal Planner Amanda Lee and Fairgrounds Supervising Environmental Planner Dustin Fuller, who also attends the San Dieguito Riverpark JPA meetings as a Fairgrounds representative where details of the Levee/Trail project have been discussed many times.

It concerns the City that the District staff's April agenda report and project comment letter submitted to the City by District staff have not accurately represented the Levee/Trail project, even after the City covered this material in its presentation to the Board at your April meeting. As explained, the Levee project is in the preliminary environmental review and project design phase and there is no specified timing for construction.

The City is using State Parks grant funding to complete 30% engineering design and an environmental document for the project. Once designed, the next step in the process would include seeking approvals from property owners including the Fairgrounds and regulatory resource agencies including the Coastal Commission, State Lands Commission, California Department of Fish and Wildlife, Regional Water Quality Control Board, and United States Army Corps of Engineers resource agencies.

The City appreciates the District's concerns about potential project impacts to its property, which is exactly what this stage of the process is intended to identify, and we look forward to working with you to address.

Sincerely,

A handwritten signature in blue ink that reads "Tracy Martinez". The signature is written in a cursive, flowing style.

Tracy Martinez
Mayor

cc: Del Mar City Council
Ashley Jones, Del Mar City Manager

Del Mar/JPA Levee, Trail, Habitat Project

Timeline	Description	Notice & Coordination
2013 - 2018	Sea Level Rise Technical Advisory Committee (Priority Flood Adaptation Strategy: Levee Project)	City/DAA 5 years of public meetings
June 2019	City Council – Consultant Selection M&N Contract 2019 to 2024 to produce SCOUP and Preliminary Concept for Levee Project	City Council public meeting
July 2023	JPA awarded State Parks Grant Funds \$1.3 million – grant term July 1, 2023 to June 30, 2027	JPA/DAA State Budget process
June 2024	Presented Preliminary Concept for Levee, Trail, Habitat to City Council City shared plan/reports with JPA and DAA	City Council public meeting & City/JPA meetings
October 2024	City awarded State Parks Grant Funds \$500,000 – grant term Oct 28, 2024 to Feb 1, 2027	City State Budget process
December 2024	Discussion of Grant Award/Levee Project Scheduled consultant selection/project kickoff Jan 2025	City and DAA staff coordination meeting
January 2025	City Council – Consultant Selection Dudek/GHD Contract 2025-2027 to produce environmental, 30% engineering design, permit process	City Council Public Meeting
January 2025	Project Kickoff with Consultant and City/DAA/GHD Mtg Specific to Fairgrounds	City and DAA coordination meetings
December 2025	Tribal Consultation Notices and Cultural Resources Survey with Kumeyaay Monitor	City and Native American Tribes
January 2026	City/Dudek/GHD Presented Levee, Trail, Habitat Project to JPA Subcommittee	City and JPA public meeting
May 2025-March 2026	Harris/GHD Hydrology & Adaptation Reports Explicitly identify this levee project in Floodway as recommended first phase strategy to minimize flood risk	City/DAA

Del Mar/JPA Levee, Trail, Habitat Project

Timeline	Description	Notice & Coordination
March 2026	CEQA Draft IS/MND – Notice of Completion	City/JPA public notice
March 2026	CEQA Draft IS/MND – Notice of Public Review and Comment Period through April 17, 2026 Mailed notices, including to DAA 3/5, and Legal Ad 3/13	City/JPA Public notice
March 2026	Informational Presentation of Draft MND Findings to City Council Presented 3/17/26 and shared with JPA and DAA	City Council public meeting & JPA/DAA
March 2026	Presentation of Levee, Trail, Habitat Enhancement Project to DAA Staff City staff presented project to DAA staff - April 1, 2026	City Council public meeting & City/JPA meetings
April 2026	City/JPA Consultant Team Presentation of Draft IS/MND for Levee, Trail, Habitat Project District Board Meeting - April 14, 2026	DAA Board public meeting
April - June 2026	City/JPA Review and Response to Comments	City/JPA Published in Final MND
June 2026	Target: Planning Commission Recommendation to City Council Final IS/MND	Planning Commission Public Hearing
July 2026	Target: City Council Adoption of Final IS/MND	City Council Public Hearing
September 2026	Target: District Board Authorization for Applications for Resource Agency Approvals	DAA Board public meeting
September 2026 - 2027	Processing of Resource Agency Approvals	City/JPA and DAA Coordination
To follow Permit Approvals	Bids/Construction Timing - TBD Dependent on Resource Agency Approvals	Pending Permit Approvals