

Orange County toll road plan stalls

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Save San Onofre members applaud a speaker at Wednesday's hearing. — *Peggy Peattie / UT San Diego*

An Orange County toll road proposal reached a dead end at the county line Wednesday, when San Diego water regulators denied a waste discharge permit for its impacts on San Diego waters.

The road segment would be located entirely within Orange County, but critics said it was the first step toward a larger project that could extend to San Onofre State Beach, home of the renowned Trestles surf breaks.

The San Diego Regional Water Quality Control Board agreed. They voted three to two against issuing the permit for the project, known as the Tesoro extension, with a slim majority of the board saying they didn't think the toll road company was telling the whole story.

"I do not believe that the project is Tesoro," water board member Sharon Kalemkiarian said. "I believe that the project is the entire toll road."

Board Chairman Tomas Morales and member Henry Abarbanel joined Kalemkiarian in denying the permit, while Eric Anderson and Vice Chairman Gary Strawn voted in favor of it.

The proposal to build a five-and-a-half mile segment of the road in Mission Viejo had reignited a clash between commuters and conservationists that drew thousands to a Coastal Commission hearing five years ago over the larger, related project that would have ended at San Onofre State Beach.

The commission rejected the proposal in 2008 and the U.S. Commerce Department affirmed that call a year later.

On Wednesday, hundreds of speakers for and against the plan crowded a public hearing of the Regional Water Quality Control Board to weigh in on the more limited, recent plan. Turnout was so high that officials closed the board room because of fire risk, so participants spilled out into the front walkway, where they gathered under pop-up tents erected by the opposing camps.

Toll road opponents in neon green shirts proclaiming "Save Trestles" contrasted with the Laborer's International Union of North America members, sporting orange tees in support of the project.

The Transportation Corridor Agencies, which build and operate toll roads in Orange County, proposed extending state Route 241 five and a half miles south through Mission Viejo to a surface street called Cow Camp Road. The toll road would parallel I-5 and ease traffic in the heavily congested area, said spokeswoman Lisa Telles.

The road section would cost \$200 million, and would accommodate 31,000 trips per day by the year 2035, Telles said.

Proponents called the proposed road a standalone project that would open a path through congested and growing neighborhoods in South Orange County and would generate up to 2,400 jobs.

A map provided by the Transportation Corridor Agencies estimated that the Tesoro extension would reduce average daily trips by 7,700 on Interstate-5, and by 17,200 on Antonio Parkway.

"This route will serve as an independent utility to provide traffic relief and mobility to my constituents," San Juan Capistrano Mayor Sam Allevalo told the water board.

But members of the Save San Onofre Coalition called the latest plan a detour around the previous, failed proposal, which was denied by the Coastal Commission five years ago. They feared the shorter segment would pave the way for revisiting the original road alignment through the treasured coastal park.

"This is regurgitation of the same project but in an illegal piecemeal fashion," Oceanside City Councilwoman Esther Sanchez said.

Last Month State Attorney General Kamala Harris made similar arguments when she filed suit to block the toll road, calling it a "proverbial 'road to nowhere.'" The plan would circumvent environmental law by breaking the ultimate project into segments, without considering its combined environmental impacts, she argued.

Despite the historic controversy and recent legal complications, the water board's decision caught toll road officials by surprise. With water board staff recommending approval of their plans to control runoff and restore wetlands damaged by the project, they entered the hearing assured of their chances with the board.

"We expected to get the permit approved," Telles said. "We were confident that the project was comprehensive and addressed all the water quality issues."

Each of the board members voiced ambivalence about the decision, which came after more than six hours of public testimony on Wednesday, and a seven-hour public hearing in March. Members opposing the permit acknowledged that they were nearly swayed to approve it. And those voting in favor of it admitted they weren't fans of the project, but said it complied with water quality rules.

"I don't like this project," Strawn said. "I don't like the toll road through the hills; I don't like what it does to endangered species... But looking at the project we were presented, I reluctantly think I need to vote in favor."

Abarbanel said, however, that he did not believe the project presented was the one the company ultimately intended to build.

"I think the project here is pretty clear," he said. "It's the project that was presented in 2008 and rejected by the people of California and the United States."

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