



Otay Mesa East Port of Entry / State Route 11

Presidential Permit Application

Submitted to:

Secretary of State
Attention: Coordinator for U.S.-Mexico Border Affairs
WHA/MEX, Room 4258
2201 C Street, NW
Washington, D.C. 20520
Attn: Rob S. Allison

November 26, 2007



Submitted by:



**California Department of
Transportation District 11**

4050 Taylor Street
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Otay Mesa East Port of Entry & State Route 11

Introduction

The California Department of Transportation, District 11 (Caltrans), in cooperation with the Federal Highway Administration (FHWA), is proposing to construct a new land Port of Entry border crossing in East Otay Mesa to serve the San Diego, California and Tijuana, Baja California areas (Figure 1). The future Otay Mesa East Port of Entry (POE) has been identified by state and local governments in both the United States and Mexico as being necessary to alleviate existing congestion and accommodate future growth in trade and traffic between San Diego and Tijuana.

The project proposes construction of State Route (SR) 11, a new four-lane highway, and a new U.S. Customs and Border Protection (CBP) Port of Entry that would be located in the unincorporated community of East Otay Mesa within the Otay Subregional Planning Area in the southernmost portion of San Diego County. From the approved SR 125/SR 905 interchange, SR 11 would extend east approximately 2.5 miles to the proposed Otay Mesa East POE at the U.S.-Mexico international border. Directly north of the future POE in San Diego County, the project area consists of about 3,340 acres of generally undeveloped land that is confined by the San Ysidro Mountains to the east and the Otay River Valley to the north. Much of the land in this area has been designated as industrial and low-density residential by local land use authorities.

The SR 11 and Otay Mesa East POE facilities are interdependent projects, in that their locations and designs must be compatible and neither can operate independently of the other. These projects would ultimately be designed and built by different agencies. Caltrans/FHWA will be responsible for SR 11 and the U.S. General Services Administration (GSA) will be responsible for the POE.

Environmental clearance for the project includes both SR 11 and the POE under a two-phase process. Under Phase I, a Program Environmental Impact Report/Phase I Environmental Impact Statement (PEIR/PEIS) will be prepared, addressing the two projects at a programmatic level, to identify the preferred facility locations and allow for: (1) route adoption by the California Transportation Commission (CTC); (2) consideration and approval of a Presidential Permit for the POE by the U.S. Department of State (DOS); and (3) designation and acquisition of right-of-way (R/W) for each facility. Caltrans and GSA can then proceed independently with the design and environmental processing of their respective projects under Phase II, with mutual knowledge that the overall program has been approved. During Phase II, identification and analysis of operational alternatives for the POE and SR 11 will also occur II.

The Project Study Report (PSR) for SR 11 was completed in 2000. SR 11 is included in the San Diego Association of Governments' (SANDAG) 2030 Revenue Constrained Regional Transportation Plan (RTP): 2006 Update; the 2006 Regional Transportation Improvement Plan (RTIP), which covers Fiscal Years 2007 through 2011; and the SAFETEA-LU List of High Priority Projects in San Diego, which covers the five-year period ending 2008/2009. It is shown conceptually on the circulation elements of the East Otay Mesa Specific Plan and the County of San Diego General Plan. The Otay Mesa East POE is also conceptually indicated on the land use plan for Subarea 1 of the East Otay Mesa Specific Plan.



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OTAY MESA EAST PORT OF ENTRY REGIONAL LOCATION MAP

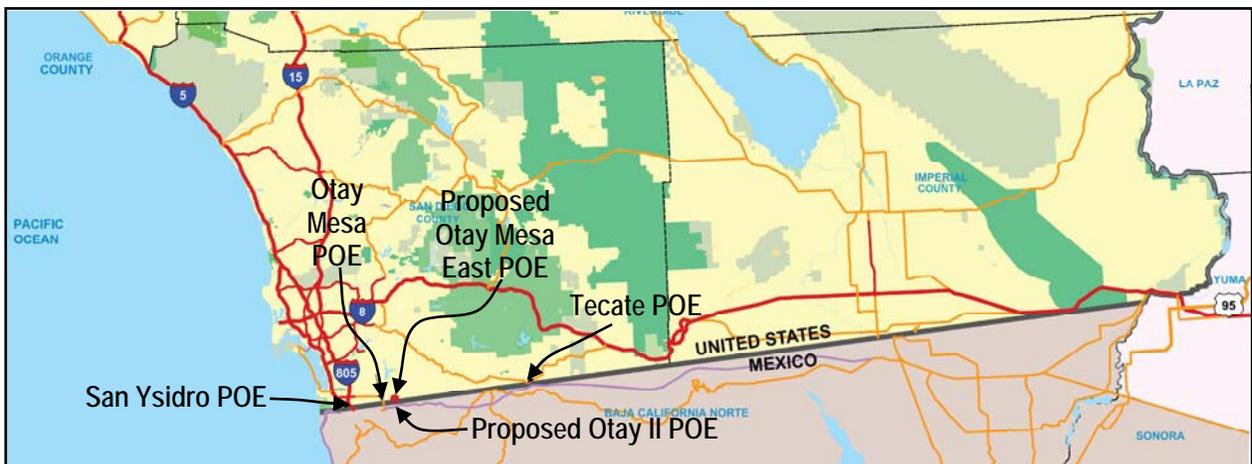
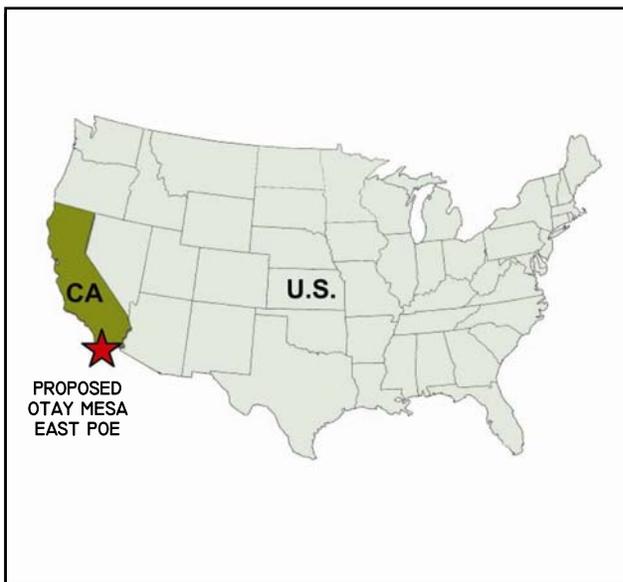


Figure 1



Identifying Information

This Presidential Permit application is being applied for by the State of California, Department of Transportation (Caltrans). Caltrans is the branch of the California State government whose mission, in partnership with others, is to develop, operate and maintain an efficient and effective interregional mobility system; assist and facilitate the delivery of local and regional transportation services across all modes; provide leadership for California's transportation future by formulating plans and programs leading to an intermodal transportation system which is modern, safe, environmentally responsible and fully meets the needs of the people of California; and whose purpose is to assure the economic vitality and quality of life for the people of California by providing for mobility of people, goods, services and information.

Authority for the California Department of Transportation to make this application is granted pursuant to the provisions of Executive Order (E.O.) 13337 (April 30, 2004) and E.O. 11423 of August 16, 1968 (33, Federal Register 11741), as amended by Executive Order 12847 of May 17, 1993 (58 Federal Register No. 29511). The application further complies with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. Section 4321 et.seq.), the National Historic Preservation Act (NHPA) of 1966 (16 U.S.C. Section 470f.) and the California Environmental Quality Act (CEQA) (Division 13 et.seq. of the State of California Public Resources Code). The applicant derives its specific authority under state law to make this application pursuant to Section 14000-14000.5 et.seq, Section 14030 and Section 14153 of the State of California Government Code.

The person or persons who may be contacted in regards to this application are:

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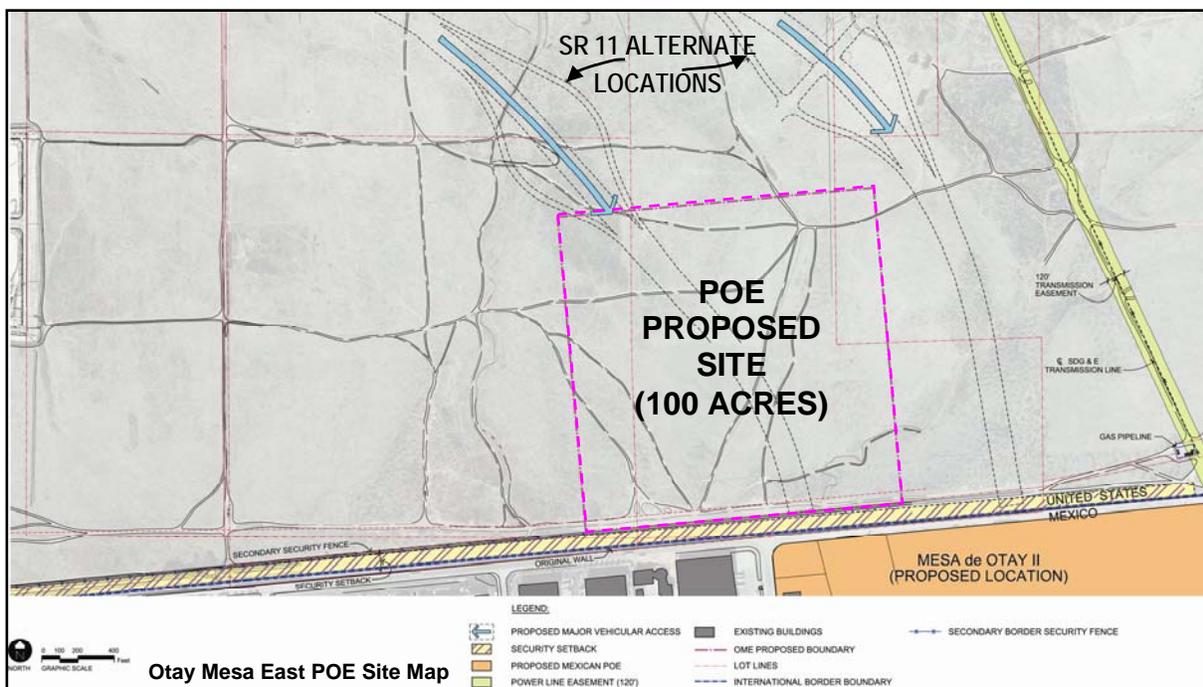
The California Department of Transportation intends to transfer/assign the approval of this permit to the U.S. General Services Administration (GSA) for ownership of the new Port of Entry. GSA will have lead responsibility for design, construction and maintenance of the new Port of Entry. The Department of Homeland Security/Customs and Border Protection (CBP) will be responsible for daily operations, inspections and security enforcement.

Description of Facility

This section includes a description of the proposed facility: its location, design elements, safety standards to be applied, access routes, and construction methods. The proposed project is a new land Port of Entry (POE) to be located in East Otay Mesa, approximately two miles east of the existing Otay Mesa POE. The need for a new POE in San Diego County is due to growth in local population and international trade. This growth has resulted in corresponding increases in both local and cross-border traffic along the southern U.S. border, placing a greater strain on the existing POEs and their local and regional transportation infrastructure.

Location

The proposed Otay Mesa East POE is located in San Diego County, California, approximately 23 miles southeast of metropolitan San Diego. It is located on several hundred acres of completely undeveloped property, in a landscape characterized by gently rolling hills, with several notably severe sloping sections in the northeastern portion of the area. An existing San Diego Gas and Electric Company (SDGE) overhead high voltage (230 kV) transmission line is located east of the proposed site, running in a northwest-southeast direction. SDGE also owns a 30 inch, 800 pound per square inch (psi) gas transmission main that is located at the southeastern end of the power line, running parallel to the international border and crosses the border east of the proposed POE site.



SOURCE: The Louis Berger Group and Performa, Inc.

Existing commercial development is continuous to the west, but does not extend east of Alta Road, which is over one mile from the high voltage power line. Development in Mexico is relatively dense all along the international border in the vicinity of proposed POE.

Site Features

Geology

The study area is within the Peninsular Ranges Geomorphic Province (Province), a region characterized by northwest-trending structural blocks and intervening fault zones. The Province extends approximately 900 miles from the Los Angeles Basin to the southern tip of Baja California, and varies in width from approximately 30 to 100 miles. Bedrock units in the Province include Jurassic metavolcanic and metasedimentary rocks (between approximately 144 million and 206 years old) and Cretaceous igneous rocks (between approximately 65 and 144 million years old) of the Southern California Batholith (a large igneous intrusive body). Coastal areas of the Province in San Diego County, including much of the study area, are typically overlain by a sequence of Tertiary marine and non-marine sedimentary strata (between approximately 2 and 65 million years old forming a dissected coastal plain.

Topographically, the Peninsular Ranges Province is composed of generally parallel ranges of steep sloping hills and mountains separated by alluvial valleys. More recent uplift and erosion has produced the characteristic canyon and mesa topography present today in western San Diego County, as well as the deposition of surficial materials including Quaternary (less than approximately two million years old) alluvium, colluvium and topsoil. Topography within the study area is characterized by generally undulating terrain, with no major geomorphic features such as canyons or mountains, and an average elevation of approximately 520 feet above mean sea level.

Due to the proposed site's location in southern California, a discussion of seismic activity is warranted. The most prominent fault projecting through the San Diego area is the Rose Canyon Fault. It is located 14 miles to the west of the proposed site and is the closest known active fault. The La Nacion Fault, located 8 miles north-northwest of the site, is the closest known potentially active fault. The majority of faults to either side display normal, westerly-dipping movement.

Hydrology

The principal groundwater body in the region occurs in deep sand and silt units in the Otay Formation.





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State Water Resources Control Board (SWRCB) water well information indicates that the majority of wells in the area are deep-irrigation wells, pumping from water bearing strata at depths greater than 500 feet below the ground surface. Surface waters consist of multiple unnamed, intermittent streams that traverse the site in a generally north-south direction. The stream beds are predominantly dry and there is no larger body of water near this site.

Land Use

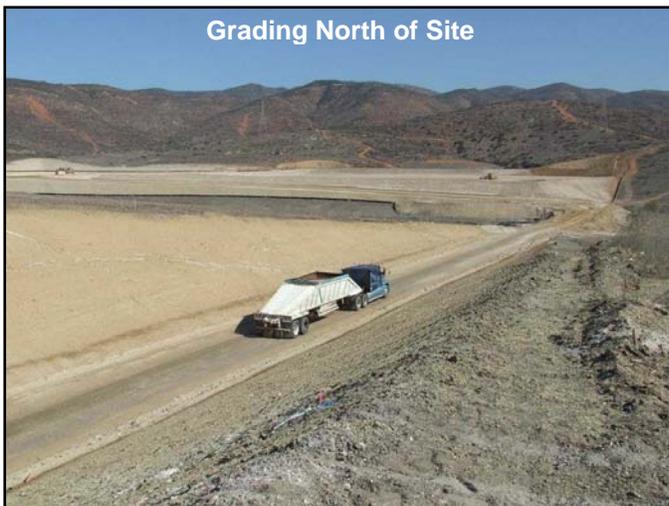
Existing land use in the area is characterized as undeveloped open space. The foothills of the San Ysidro Mountains are located to the east, and the closest development on the U.S. side of the border is located approximately one mile to the west, and includes a parcel used as an automobile salvage yard and the California Highway Patrol Commercial Vehicle Enforcement Facility (CVEF) associated with the existing Otay Mesa POE. The U.S. Border Patrol monitors activity in the area by using the existing unpaved roads that traverse the area. To the south lies the international border, marked by a series of security fences, followed by commercial, industrial, and residential uses. On the Mexican side, commercial and industrial development is focused in an area to the west, with residential development to the east where it continues up the foothills of the San Ysidro Mountains.

View of International Border Fence and Mexico



The San Diego County (County) General Plan Map for Otay Mesa, dated April 29, 2004, depicts the land uses and maximum allowable density of planned land uses under the currently adopted General Plan. The proposed POE is located in the East Otay Mesa Specific Plan Area (SPA). The county is planning for mixed industrial development in the area surrounding the proposed port and residential development in the foothills to the north and east.

Grading North of Site



County land use planning efforts will be adjusted after the final alignment of SR 11 and the location of new POE are determined. A number of private sector industrial and commercial development proposals have been submitted to the County, and are currently pending approval, with some grading permits

issued to the north and work is proceeding (as shown in the photograph at left). The majority of developer proposals however, are currently under environmental review, and developers will be required to fund infrastructure improvements for local roadways and utilities.

Design Elements

Methodology

The proposed 100-acre Otay Mesa East POE site would be sufficient to accommodate all the federal agency and security functions currently anticipated to be necessary for the long-term effective operation of an international POE. GSA is the lead agency for design and construction of the new POE. The proposed project is currently in the GSA Feasibility Study (FS) stage of Project Delivery. The design objectives being considered in the FS in developing viable alternatives for the Otay Mesa East POE are as follows:

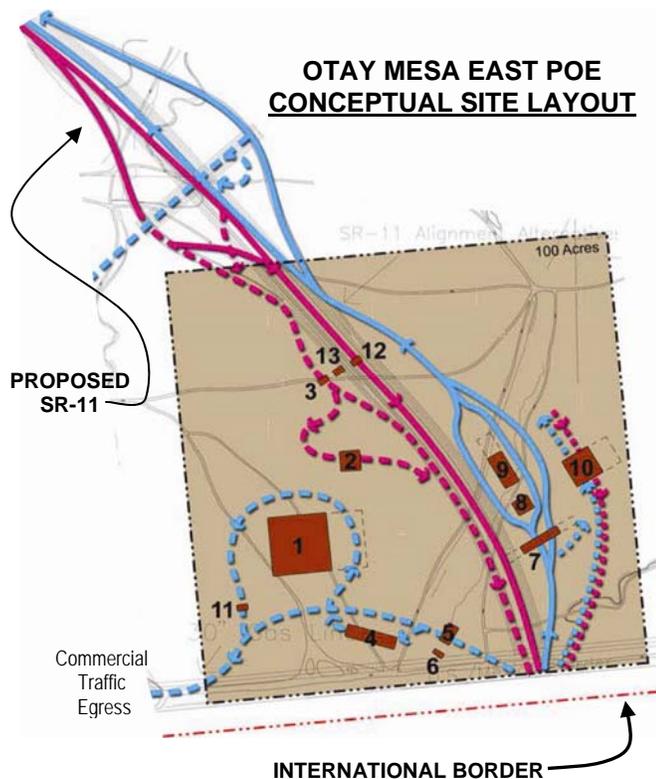
- Satisfy current and projected operational needs
- Address site constraints
- Enable efficient pedestrian and vehicle movement across the U.S. / Mexico border
- Provide a pleasant, secure, and safe environment for travelers and CBP staff, consistent with guidelines for federal facilities such as the U.S. Land Port of Entry Design Guide (dated March 2006) and the GSA PBSP100, Facility Standards for the Public Buildings Service
- Design facilities compatible with the regional character and local context, and present a positive image of U.S. Government facilities (welcoming, but formal)
- Allow for future expansion
- Identify facility design strategies that work to optimize the project's access to energy from seasonal solar, natural lighting, and wind to reduce undesirable loads and maximize desirable loads in order to meet desired energy targets for the facility (currently targeting an improvement of 30 percent over American Society of Heating, Refrigerating and Air-Conditioning Engineers [ASHREA] 90.1-2004)
- Utilize the Leadership in Energy and Environmental Design (LEED) Green Building Rating System that is the nationally accepted benchmark for the design, construction, and operation of high performance green buildings. LEED gives building owners and operators the tools they need to have an immediate and measurable impact on their buildings' performance. LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality. The GSA requires all new construction, renovation, and modernization projects to be certified through the LEED program, with design teams encouraged to achieve Silver ratings.



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Design Features

It is envisioned that, the new state-of-the-art Otay Mesa East POE will accommodate both non-commercial and commercial traffic, with the following facilities to be constructed:



1. Commercial Inspection Building with Docks
2. Outbound Inspection Building with Docks
3. Outbound Commercial Inspection Booth
4. Non-Invasive Inspection, HAZMAT, Bins
5. Commercial Primary Inspection Booths
6. Commercial Unladen Truck Inspection Booth
7. Non-Commercial Primary Inspection Booths
8. Non-Commercial Headhouse
9. Non-Commercial Secondary Inspection (Inbound/Outbound)
10. Main Building (with Turnstiles)
11. Commercial Exit Booths
12. Outbound Non-Commercial Inspection Booth
13. Outbound Commercial/ Non-Commercial Inspection Building

Source: Louis Berger Group and Performa

Safety and Security Considerations

Safety and security concerns will be addressed for both the proposed Otay Mesa East POE and SR 11. The “Land Port of Entry Design Guide, Security and Information Technology Supplemental Guide”, updated June 29, 2007 contains the most current information concerning safety of POE facilities, occupants, and visitors. Appropriate technical and design solutions for safety challenges will be addressed following established guidelines. Executive Order 12977 of October 19, 1995 established the Interagency Security Committee (ISC) to enhance the quality and effectiveness of security in, and protection of, all non-military federal facilities. Land POEs were initially excluded from the initial requirements in a Document titled “Interagency Design Criteria for New Construction and Major Modernization Projects” due to the uniqueness of the mission for these facilities. An addendum was subsequently added to this document that supersedes the initial exclusion. Essentially, the addendum



states that criteria referenced are ‘minimum’ standards, and that updates due to threat, ongoing research, and rapid technological developments, particularly as related to CBP mitigation and risk assessments, will be made. Users of this document should monitor CBP, ISC, and GSA websites for relevant new information that may affect the application of the criteria. CBP, in collaboration with ISC and GSA, developed a document titled “Land Port of Entry Design Guide, Security and Information Technology Supplemental Guide”, updated June 29, 2007. This supplemental guide was originally issued May 30, 2007.

This supplemental guide lists the requirements of the design standards and performance specifications for the CBP Physical Security System (PSS) provided at all land ports of entry. The standards are to be considered as ‘minimum’ standards established for officer and passenger safety, and the protection of CBP assets. They are also intended to maintain the integrity of the border and address operational safety and security considerations. Additional security systems beyond these minimum standards, or baselines, may be required based on project-specific operational requirements, risk, risk mitigation strategies or policies, and regulatory manuals.

Certain basic planning concepts that should be incorporated in all facility designs include the ability to increase security and develop a comprehensive approach to increasing levels of possible threats to the operation of the port.

In addition to the “Land Port of Entry Design Guide, Security and Information Technology Supplemental Guide”, the United Facilities Criteria (UFC) Manual UFC 4-010-01, titled “DoD Minimum Antiterrorism Standards for Buildings, dated October 8, 2003, shall be followed in the design the Otay Mesa East POE and SR 11 facilities.

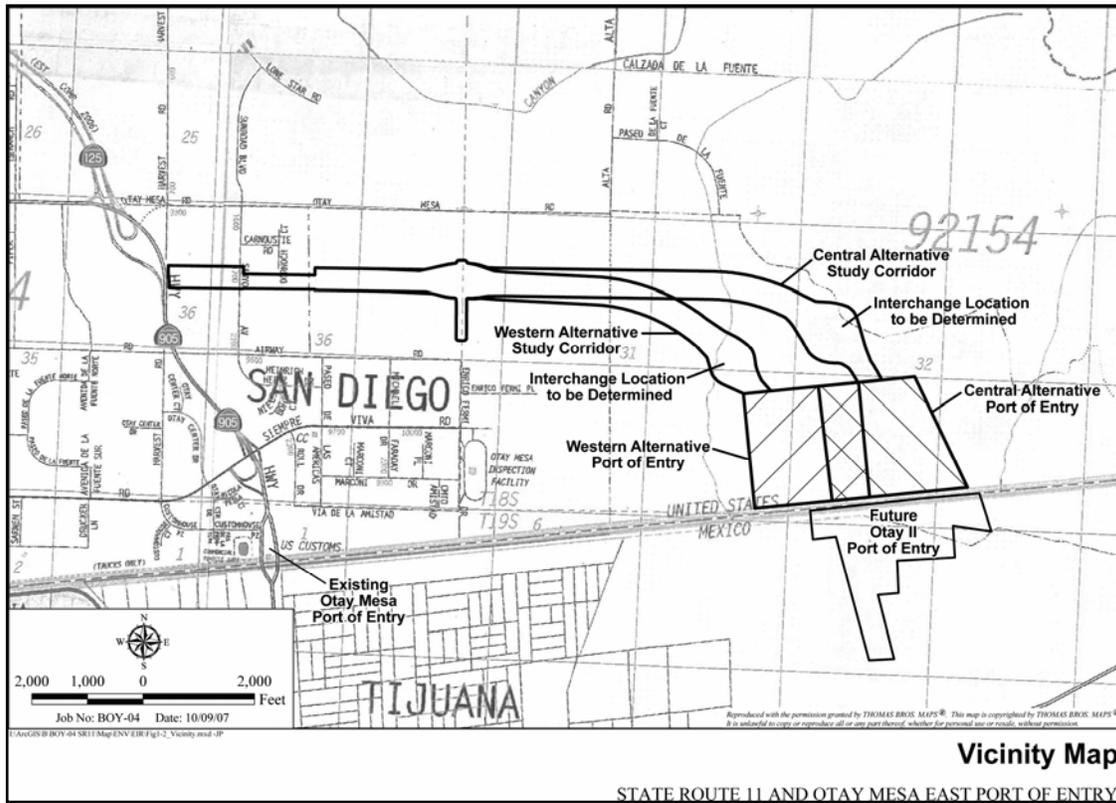
Access Routes

To facilitate bi-national and regional transportation, a new state highway, SR 11, is proposed to connect the new POE with the California State Highway system, via a four-lane, 2.7 mile long highway facility (that could potentially be a toll road). In the United States, SR 11 would begin at the approved SR 125/SR 905 interchange (see the following SR-11 and Otay Mesa East Port of Entry Vicinity Map) and would extend east approximately 2.5 miles to the proposed Otay Mesa East POE at the U.S.-Mexico international border. In Mexico, the corridor will connect the new POE to the Tijuana – Tecate and Tijuana – Ensenada free and toll roads.

A financial feasibility study was completed in 2006 by the San Diego Association of Governments (SANDAG) to analyze SR 11 as a toll road and the new POE as a tolled facility. The study indicated that the project was financially viable and that the projected revenues were sufficient to limit debt-service coverage risk to only a few years. The primary objective of the study was to determine the financial feasibility of building SR 11 and the Otay Mesa East POE as toll- or fee-based facilities. Traffic, revenue, cost, and financial risk models were developed for this analysis. Key findings of the



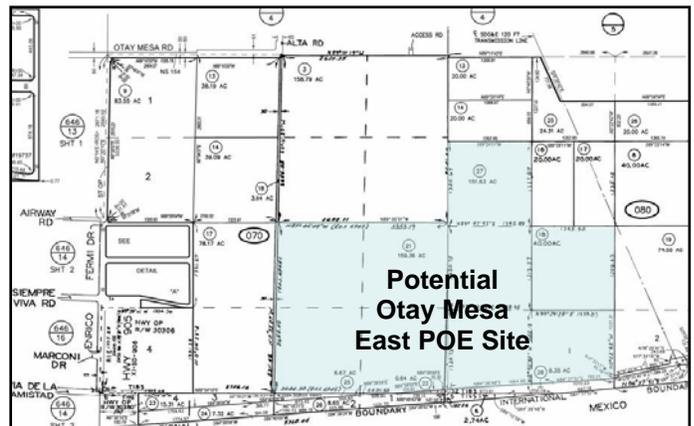
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study concluded that the construction of the project as a tolled facility was a potentially good investment provided that there is a sizeable upfront capital grant and sufficient external resources to cover the Operations and Maintenance (O&M) costs of the POE. Public participation would be necessary to attract sufficient private capital and finance construction and management of the POE. It is envisioned that the POE would be built as a turnkey operation for GSA and CBP at no cost to the federal government.

Property/Parcel Information

During the GSA Feasibility Study, City of San Diego and San Diego County officials were contacted and informed of the general premise of the project. Parcel maps were collected and existing ownership and occupancies of these various sites were identified. Construction will not begin until the parcels are acquired. It is a priority that these properties are acquired at an early stage in the project development process. The properties likely to be recommended for acquisition of the POE are shown at right.





National Interest

According to a January 2006 SANDAG/Caltrans study entitled *Economic Impacts of Wait Times at the San Diego – Baja California Border*, border delays discourage cross-border personal trips, and result in increased transportation costs and interruptions in the manufacture and delivery of goods. In an economy increasingly based on “just-in-time” delivery of inputs and products, unpredictable border wait times for trucks act as a barrier to trade, inhibiting cross-border economic investment opportunities.

The increase in local population and international trade have resulted in corresponding increases in both local and cross-border traffic along the southern U.S. border, placing an increased strain on the POEs and related local and regional transportation infrastructure. The existing San Ysidro and Otay Mesa POEs have become a bottleneck in the system of interchange between the two countries, increasingly restricting the safe and secure movement of people and goods at certain times. The average processing and wait time for commercial freight crossings at the Otay Mesa POE has been reported as typically 1.5 to 2 hours (without U.S. secondary inspection), with 10 percent of commercial crossers waiting as much as four hours.¹

Border delays in freight movement result in increased transportation costs and interruptions in manufacturing and delivery cycles. With border processing times averaging more than two hours per truck, it is estimated that San Diego County loses \$539 million in annual revenue from reduced freight activity. This translates to, in 2007, more than 2,900 jobs or \$155 million lost in labor income a year. Labor income losses fall heavily in the machinery and equipment sector. In 2007, the overall impact at the state level is anticipated at \$847 million in foregone output and \$242 million in labor income losses (or more than 4,300 jobs). For the United States, total output losses are estimated at \$1.5 billion and employment losses at more than 9,000 jobs in 2007².



Typical traffic at the San Ysidro POE
(SOURCE: SANDAG)

Numerous improvements to the existing POEs have been studied, and in many cases have been implemented or are planned for implementation to reduce border delays. The existing Otay Mesa POE was last upgraded and expanded in 1994. An adjoining 13-acre parcel could potentially be acquired to allow some expansion on the U.S. side of the existing Otay Mesa POE,³ although this would not address

¹ SANDAG/Caltrans, *Economic Impacts Of Wait Times At The San Diego – Baja California Border*, January 2006 and SANDAG/Caltrans, *State Route 11 Toll Road and East Otay Mesa Port of Entry Financial Feasibility Study*, December 21, 2006a.

² 2007 Update: *Economic Impacts of Wait Times in the San Diego – Baja California Border Region Fact Sheet*, SANDAG

³ Caltrans/GSA, *Otay Mesa and Otay Mesa East Feasibility Study (FS) Presentation of 75% Submittal*, October 2007.



constraints on the Mexican side of the border. A 2004 Caltrans study⁴ identified a number of recommendations for improvements in the flow of vehicles and the operational efficiency of the existing Otay Mesa and San Ysidro POEs. For the northbound flow at Otay Mesa, the report suggested potential operational improvements, and increasing the number of lanes leaving the Mexican export facilities. For the southbound flow at Otay Mesa, recommendations focused on improving access leading to the U.S. export facilities, re-routing empty commercial trucks within the Mexican import facilities, and improving unsignalized intersections. At the San Ysidro POE, the report recommended expansion of the SENTRI lanes,⁵ signalization of an intersection, enforcement of no parking zones, restriping lanes, rerouting traffic, extending the pedestrian bridge and grade separation, and other improvements. The Tecate POE has recently been expanded on the U.S. side, but operational constraints and access problems have limited the effective capacity of this POE. Recent California Highway Patrol enforcement action at Tecate will divert truck traffic to Otay Mesa or other POEs due to truck length restrictions.

Overall, while these short-term solutions can improve operational efficiency, growth is outstripping capacity at the existing POEs, particularly on the Mexican side of the border where the two existing POEs are surrounded by dense development. Transportation and land use planning agencies on both sides of the border have identified the long-term need for a third border crossing and associated transportation facilities in the San Diego/Tijuana area, in addition to completing planned improvements to the existing POEs. Local, regional and bi-national land use studies have identified Otay Mesa East as the preferred general location for the new POE, and a corresponding POE site has been identified on the Mexican side of the border (Otay II). Diplomatic Notes have been exchanged between the U.S. and Mexican governments, agreeing that a new port is in the best interests of both countries.

San Diego and Tijuana constitute the largest urban area along the U.S./Mexico border and the tenth-largest urban area of the three North American Free Trade Agreement (NAFTA) countries. In 1999, the County of San Diego had a Gross Regional Product (GRP) of approximately \$91.6 billion and the GRP of the Municipality of Tijuana was around \$8 billion. Together, their combined economy would rank 36th in the world. It is in the national interest of the United States to allow construction of the new Otay Mesa East POE (and SR 11) because it is a relatively easy fix to promote economic growth. It would provide immediate, visible benefits to domestic and foreign enterprises, and is essential to the social and economic growth of both the San Diego/Tijuana region and the U.S. and Mexico. As a stimulus to growth and prosperity, it is in the national interest of the U.S. to grant a Presidential permit for the construction and operation of the Otay Mesa East POE.

Support for the project is also demonstrated in the correspondence included in Appendix A.

⁴ Caltrans, "Bottleneck Study": *Transportation Infrastructure and Traffic Management Analysis of Cross Border Bottlenecks*, November 2004a.

⁵ The SENTRI (Secure Electronic Network for Travelers Rapid Inspection) program consists of dedicated commuter lanes where prescreened applicants and vehicles are allowed to cross the border northbound into the US, usually more quickly and efficiently than in the open-access lanes.



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Similar Facilities

There are currently two Ports of Entry that link the San Diego/Tijuana region: San Ysidro and Otay Mesa. There is a third POE located east of the San Diego metropolitan area at Tecate. Together, these three POEs serve as the gateway for all pedestrian traffic and vehicular movement of people and goods between the San Diego region and Baja California.

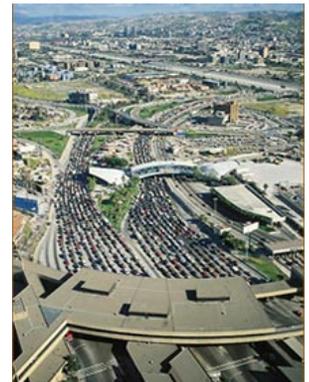
Ownership of these POEs is as follows:

OWNER – SAN YSIDRO POE	OWNER – OTAY MESA POE	OWNER – TECATE POE
United States of America 720 and 800 E. San Ysidro Blvd. San Diego, CA 92173	United States of America 9777 Via de la Amistad San Diego, CA 92154	United States of America 419 Tecate Road Tecate, CA 91980

SOURCE: MetroScan, Version 3.7.0, 1994-2005, First American Real Estate Solutions, L.P.

San Ysidro Port of Entry

The San Ysidro POE, located between San Diego, California and Tijuana, Baja California, Mexico is known as the busiest port of entry in the U.S. It handles private vehicle, bus, rail (limited use) and pedestrian traffic only (no commercial or cargo traffic). It supports 24 northbound lanes into the United States and 6 southbound lanes into Mexico. On a daily basis, it serves up to 50,000 northbound vehicles and 25,000 northbound pedestrians.



The U.S. General Services Administration (GSA) is developing a project to expand this POE to maintain and improve border crossing service and increase efficiency, security, and safety for federal agencies and the traveling public. The four expansion options developed during the Feasibility Study call for a new northbound inspection facility, including primary booths, secondary inspection area, administration space and a pedestrian processing facility. A new southbound inspection facility will also be constructed as part of this project to match Mexico’s proposal to relocate their border station to the old Virginia Avenue/El Chaparral commercial crossing, west of the existing facility⁶. The anticipated completion date is in 2012. Even with the GSA improvements, future traffic demands will continue to stress the capacity at the SanYsidro POE.

Otay Mesa Port of Entry

The Otay Mesa POE occupies a relatively flat site on the south-easternmost edge of the City of San Diego and is surrounded by an extensive arterial road system. It accommodates north-south commercial and non-commercial traffic on 43 acres of fully developed property that is mostly paved, and is divided

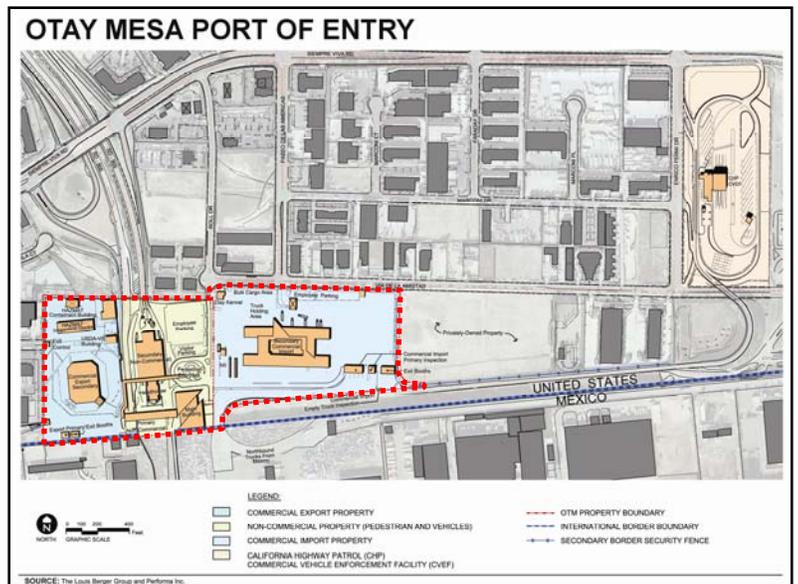
⁶<http://www.gsa.gov/Portal/gsa/ep/programView.do?programId=11227&programPage=%2Fep%2Fprogram%2FgsaOverview.jsp&P=9PCS&pageTypeId=8199&oid=16106&channelId=-15895>



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into three major areas. Non-commercial inspection (POV's, pedestrians, and buses) is located on the central section of the site, commercial import inspection occurs on the eastern portion of the site, and commercial export functions occupy the west side of the site.

The site is oriented with its long axis running east-west, parallel to and adjoining the international border in a densely developed area characterized by a mixture of commercial, industrial and office buildings on both sides of the border. Interstate 5, Interstate 805, and SR 905 are the primary U.S. highway connections. The Otay Mesa POE is surrounded on the north and west by commercial development, including warehouses and brokerage offices, and on the south by the Mexican land port of entry facilities. Several undeveloped parcels are located to the east



of the port's commercial import inspection facility. Development in the vicinity of the site, on the Mexican side, is extremely dense and includes residential, commercial and industrial structures.

The original POE was constructed in 1984 with northbound cargo operations and the passenger inspection facility. The layout aligned the primary and secondary non-commercial vehicle lanes with SR 905, and located the main building to the east, separating northbound pedestrian and non-commercial vehicular traffic, with commercial inspection located to the west of SR 905. In 1994, a newer commercial facility was constructed and is now in operation to the east of the pedestrian facility, and the older commercial facility has been converted to commercial export inspections, producing the tripartite site organization described above. There is no room for expansion within the existing site boundaries and existing development constrains the site to the north and west, while the site abuts the international border to the south. The undeveloped parcels located directly east of the port's commercial inspection facility do allow for expansion; however, private sector development of these parcels for commercial and light industrial use is underway.

Tecate Port of Entry

Located 30 miles east of San Ysidro, the Tecate POE is the easternmost POE in San Diego County. It handles passenger cars, bus and truck traffic, having inspected 2,779,776 persons and 1,199,646 passenger vehicles, buses and trucks in 2002.⁷

⁷ San Diego-Baja California Land Ports of Entry, Fact Sheet, SANDAG, July 2003



Traffic Information

The San Diego and Tijuana region has the largest urban border area along the entire U.S. - Mexico border, with a combined population of over four million people. This combined population is anticipated to grow to over 5.5 million by the year 2020⁸. The communities of San Diego and Tijuana are connected through the existing POEs at San Ysidro and Otay Mesa, which play a major role in the exchange of goods, services and people between the U.S. and Mexico. The San Ysidro POE handles vehicular, bus, rail (limited use) and pedestrian traffic only, and is the busiest land crossing in North America, with over 47,000 northbound vehicle crossings per day⁹. The Otay Mesa POE is the third busiest commercial POE between the two countries (in terms of dollar value of goods), and the busiest commercial POE along the California-Mexico segment of the border. This POE handles 96 percent of all the commercial truck traffic in the region, as well as vehicular, bus, and pedestrian traffic. In 2006, the Otay Mesa POE was the gateway for \$28.6 billion in freight, transported by more than 1.4 million truck trips. The remaining commercial traffic in the San Diego County - Baja California region, over 140,000 truck trips carrying \$1.2 billion in goods, passed through the POE at Tecate¹⁰. Due to a recently implemented length restriction on trucks traveling on the eastern portion of State Route 94 from the Tecate POE, many truck trips have now been diverted from the Tecate POE to the existing Otay Mesa POE, placing additional service demands on the Otay Mesa POE.

The need for a third POE in the San Diego/Tijuana area is well established¹¹ and is based on recent and projected increases in trade and personal travel beyond the capacities of the existing POEs. The regional metropolitan planning agency for San Diego County, SANDAG, identified the Otay Mesa East and SR 11 as a priority goods movement corridor in their 2030 Regional Transportation Plan. The proposed location for the new POE is the only feasible alternative in San Diego County. It is located in a largely undeveloped area in East Otay Mesa. The County of San Diego has recently updated its East Otay Mesa Specific Plan and has several active development applications within and adjacent to the project study area. Without a defined construction footprint for SR 11 and the Otay Mesa East POE, the County could succumb to private developer pressures, which could result in greater disruption of sensitive resources and less developable lands being available for implementation of SR 11 and the POE in the future. The selection of a corridor for SR 11 and a site for the POE will allow for the complementary planning and development of the surrounding roadway infrastructure and land uses, including appropriate interchange locations.

In 2006, two-way passenger vehicle crossing statistics¹² for U.S./Mexico range from a high of 67.8 million (Texas) to approximately 1.6 million (New Mexico). Cross border freight trade between the

⁸ SANDAG/Caltrans, *State Route 11 Toll Road and East Otay Mesa Port of Entry: Financial Feasibility Study: Final Report*, Dec. 21, 2006

⁹ SANDAG/Caltrans, *State Route 11 Toll Road and East Otay Mesa Port of Entry: Financial Feasibility Study: Final Report*, Dec. 21, 2006.

¹⁰ SANDAG, *Economic Impacts of Wait Times in the San Diego – Baja California Border Region: Fact Sheet*. April 2007.

¹¹ See documents cited in footnotes 1 and 7, as well as Joint Working Group, *Binational Border Transportation Infrastructure Needs Assessment Study*, July 2004; Caltrans, "Bottleneck Study": *Transportation Infrastructure and Traffic Management Analysis of Cross Border Bottlenecks*, November 2004; and SANDAG, *Cross Border Collaborative Planning in Otay Mesa*, October 3 and 11, 2005; and <http://www.dot.ca.gov/dist11/departments/planning/WhitePaper.pdf>.

¹² Passenger vehicle statistics are based on Customs and Border Protection data, and freight rankings are derived based on data from the U.S. Bureau of Transportation Statistics Crossborder Freight Database.



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U.S. and Mexico in 2006 was over \$131.0 billion according to U.S. Bureau of Transportation Statistics Cross border Freight Database. This includes transport by commercial truck and rail for all goods and commodities. While Texas-Mexico trade continues to lead in value, California ranks second and is followed by New Mexico and Arizona, respectively.

California/Baja California trade has increased tremendously with the passage of NAFTA in 1994, and exceeded \$37 billion for 2006, with over 90% of this trade transported by commercial trucks. Pedestrian and auto crossings have also increased in 2006, totaling 65.6 million people, including 14.1 million pedestrians, and 34.3 million autos crossing northbound through the California/Baja California POEs. Existing traffic at the Otay Mesa POE¹³ is 6,800,000 passenger vehicles, with an expected increase to 11,500,000 by the year 2025¹⁴. This represents a growth of 68%. Existing commercial traffic is 743,000 commercial vehicles, with a 92% increase expected and 1,400,000 commercial vehicle crossings forecasted for 2025. Projections for the year 2025 at an Otay Mesa East POE, are 7,000,000 passenger vehicles and 500,000 commercial units. Between 1996 and 2006, the number of primary inspections (commercial and non-commercial) at the existing Otay Mesa POE increased over 80 percent. This is projected to climb an additional 50 percent by 2025. At the San Ysidro POE, it is anticipated that the total number of primary inspections will increase by approximately 28 percent during the same period, with a similar percentage increase at the Tecate POE.¹⁵ This growth in trade, in combination with recent increases in U.S. security requirements, have resulted in infrastructure-related challenges. Current transportation infrastructure on both sides of the border was not designed to handle the large traffic volumes stimulated by NAFTA and other economic growth.

The growth in local population and international trade have resulted in corresponding increases in both local and cross-border traffic along the southern U.S. border, placing a greater strain on the POEs and related local and regional transportation infrastructure. The existing San Ysidro and Otay Mesa POEs have become a bottleneck in the system of interchange between the two countries, increasingly restricting the free movement of people and goods at certain times. The average processing and wait time for commercial freight crossings at the Otay Mesa POE has been reported as typically 1.5 to 2 hours (without U.S. secondary inspection), with 10 percent of commercial crossers waiting as much as four hours.¹⁶

According to a January 2006 SANDAG/Caltrans study entitled, “Economic Impacts of Wait Times at the San Diego – Baja California Border,” border delays discourage cross-border personal trips, and result in increased transportation costs and interruptions in the manufacture and delivery of goods. In an economy increasingly based on “just-in-time” delivery of inputs and products, unpredictable border wait

¹³ Source: U.S. Customs and Border Protection

¹⁴ http://www.borderplanning.fhwa.dot.gov/wp05_masterplan.asp.

¹⁵ Caltrans/GSA, *Otay Mesa and Otay Mesa East Feasibility Study (FS) Presentation of 75% Submittal*, October 2007.

¹⁶ SANDAG/Caltrans, *Economic Impacts Of Wait Times At The San Diego – Baja California Border*, January 2006 and SANDAG/Caltrans *State Route 11 Toll Road and East Otay Mesa Port of Entry Financial Feasibility Study*, December 21, 2006.



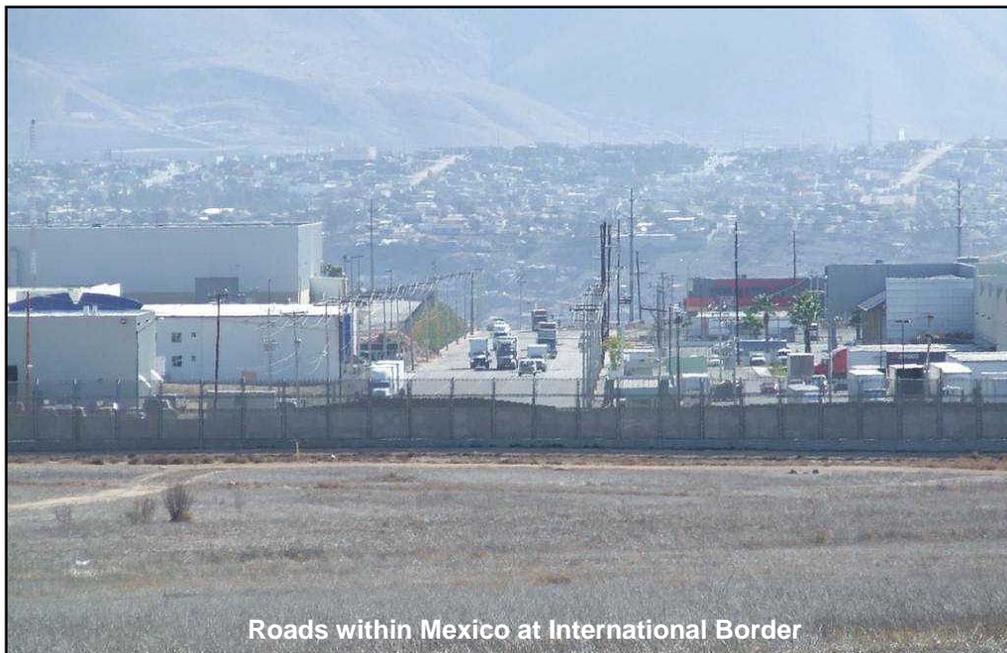
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times for trucks act as a barrier to trade, inhibiting cross-border economic investment opportunities. The study concluded that:

“Inadequate infrastructure capacity, which is failing to keep up with the increase in trade and security requirements at the principal border crossings between San Diego County and Baja California, currently creates traffic congestion and delays that cost the U.S. and Mexican economies an estimated US \$6 billion in gross output in 2005. An estimated 51,325 jobs are sacrificed because of the reduction in output.”

The study indicated that border delays will increase and the economic losses incurred by the regional and national economies will more than double in the next ten years unless significant improvements in border crossing and transportation infrastructure and management take place. Mexico is concurrently developing preliminary engineering and environmental analyses, as well as processing their own permits and approvals for the Otay II POE and the transportation network to access it.

Current and projected traffic volumes, traffic counts, maps and other detailed traffic information are presented in Appendix B, “Draft State Route 11 Phase I Traffic Technical Report,” prepared by VRPA Technologies, in association with Boyle Engineering Corporation, November 2, 2007.



Roads within Mexico at International Border

Construction Plan

The schedule for construction of the Otay Mesa East POE and SR 11 is dependent on the completion of a number of steps. These steps include obtaining: approval of the Presidential Permit application; financing approvals for the highway and non-federal components of the POE; funding for the federal border station; receipt of various federal and state permits in both the U.S. and Mexico; attaining the POE Operations and Maintenance budget; and having legislation in place in the U.S. in time to support a public-private partnership through tolls and/or user fees.

Caltrans assumes that once the Presidential Permit is approved, the expected schedule for construction of the facility, including securing all permits and necessary approvals, financing and construction will be as follows:

CONSTRUCTION PLAN								
Task Name	2007	2008	2009	2010	2011	2012	2013	2014
Phase I Environmental Document Approved		◆						
Phase II Environmental Clearance		■						
Design/Right of Way			■					
Begin Construction					■			
End Construction								◆
PROJECT: OTAY MESA EAST AND SR 11								



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Financing

Estimated Cost

Since neither the POE or SR 11 can function on their own, the project must be evaluated as a whole. The estimated cost to construct the project, consisting of the new POE and SR 11 highway, is between \$550 and \$660 million. The POE facility is estimated to cost in the range of \$250 to \$300 million depending on the functionality of the POE and the year of construction. Depending on the highway alternative selected and year of construction, the cost of constructing the four-lane highway ranges from \$300 to \$360 million.

Programmed Funds

Funding for the project will come from a variety of sources. The California Transportation Commission (CTC) has programmed \$8 million for the Otay Mesa East POE and SR 11 from the Interregional Improvement Program of the State Transportation Improvement Program to initiate environmental studies. SAFETEA-LU includes \$800,000 for this project. Additional funding from local, regional, state, and federal sources, as well as private sources will also be pursued.

Caltrans has recently applied for \$75 million from the Trade Corridor Improvement Fund (TCIF) program of the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 that was approved by the California voters under Proposition 1B in 2006. Another potential resource is the Transportation Infrastructure Finance and Innovation Act (TIFIA), which is a federal program enacted to leverage limited federal resources and stimulate private capital investment in transportation infrastructure by providing credit assistance in the form of direct loans, loan guarantees, and standby lines of credit to projects of national or regional significance.

Alternative Funding

San Diego regional stakeholders (Caltrans and SANDAG) have been evaluating alternative funding options for the Otay Mesa East POE and SR 11 project because of the following reasons: 1) the many demands on the federal government to build and upgrade existing POEs; 2) the subsequent delay in receiving funds from the Public Buildings Fund for any one project; 3) given the critical need for additional port capacity in the San Diego/Tijuana region; and 3) private land developer pressure for the only remaining available land for a new International POE.

Funding mechanisms being examined include public agency partnerships and public-private partnerships. In public agency partnerships, government backed bonds (i.e., municipal bonds) are sold based on the revenue anticipated from the project's user fees or tolls, coupled with traditional programming funds (federal, state, and local). The public agency or partnership of government agencies uses these funds to develop and build the project, as well as to fund operation/maintenance for a certain number of years. In public-private partnerships, capital investment is made by the private sector via a



contract or lease agreement; whereby, the private company provides the capital and/or operation/maintenance investments required for a certain number of years. Although this type of partnership would be a new way to fund a POE, the public-private partnership mechanism has worked successfully for transportation facilities in California and many other states.

Whether or not the project is fully or partially funded as a public agency partnership or a public-private partnership will depend on a number of factors, including the capability of local government to sell bonds based on projected revenues, the ability of the State of California to pass enabling legislation, the ability of the U.S. Customs and Border Protection and/or U.S. General Services Administration to receive user fees or advanced funding for construction costs, operations and maintenance (including the possible development of federal legislation to provide them that ability), and most importantly, the marketability of the project.

Financial Feasibility Study

A financial feasibility study was completed by SANDAG in 2006 analyzing SR 11 as a toll road and the new POE as a tolled facility (copy included in Appendix C). The study indicated that the project was financially viable and that the projected revenues were sufficient to limit debt-service coverage risk to only a few years. The primary objective of the study was to determine the financial feasibility of building SR 11 and the Otay Mesa East POE as toll- or fee-based facilities. Traffic, revenue, cost, and financial risk models were developed for this analysis. Key findings of the study concluded that construction of the project as a tolled facility was a potentially good investment, provided that sufficient external resources exist to cover the Operations and Maintenance (O&M) costs of the POE. Public participation would be necessary to attract sufficient private capital and to finance construction and management of the POE. It is envisioned that the POE would be built as a turnkey operation for GSA and CBP at no cost to the federal government.

Various funding possibilities exist, as outlined below.

- No local public/private funding - GSA purchases land, builds POE and CBP funds operations of the POE

Capital Cost Options

- GSA receives donated land for Port of Entry – Port built with Public Buildings Fund
- GSA receives donated land and fully constructed Port of Entry (built to GSA/CBP Design Guide standards and under GSA supervision) (title to be held by local public/private sector until debt is retired then transferred to GSA)

- GSA receives donated land and fully constructed Port of Entry (built to GSA/CBP Design Guide standards and under GSA supervision) (title transferred to federal government upon completion)

Operational Cost Options

- CBP receives partial funding (user fees are given to CBP for their use – no direction of funds)
- CBP receives partial funding (user fees are given to CBP for staffing)
- CBP receives partial funding (user fees are given to CBP for staffing with guaranteed staffing levels (e.g. CBP pays for 2 shifts, user fees pay for 3rd shift – with specified continual minimum level of staffing)
- CBP receives full funding (user fees are given to CBP for full staffing --with specified continual minimum level of staffing)

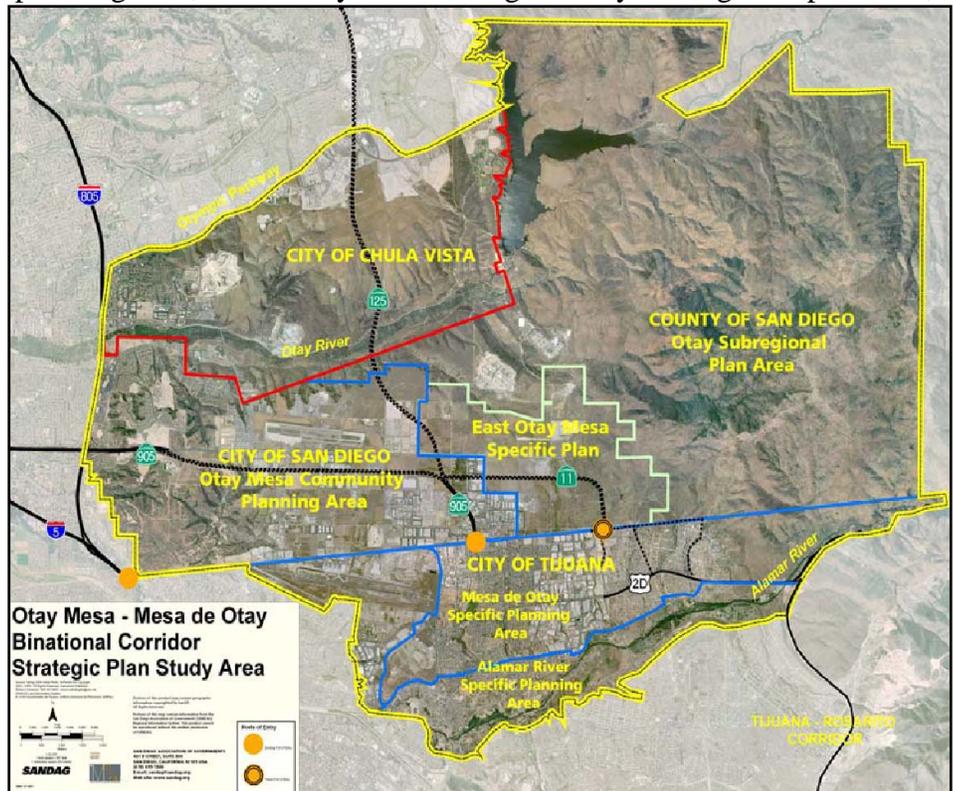
Further analysis of the financial and legal challenges of the various funding mechanisms will be conducted to determine the most viable option and to explore the potential of non-toll revenues (e.g. development fees, interest earnings on operating reserves) to make up projected revenue short falls, especially in POE O&M costs (e.g. baseline staffing paid by CBP and additional staffing covered by tolls/fees). This analysis needs to complement a similar analysis that is underway in Mexico for the proposed Otay II POE and connecting roads in Tijuana.



Mexican Approvals

San Diego and the rest of Southern California are home to major U.S.-Mexico trade corridors where goods pass through the region on their way to markets throughout the U.S. and the world. This makes transportation infrastructure in the border region a critical issue for both Mexico and the United States. In 2005, the SANDAG Borders Committee and the Committee on Binational Regional Opportunities (COBRO) identified the Otay Mesa-Mesa de Otay bi-national corridor as an area of opportunity to create an effective bi-national planning partnership. This partnership developed the “Otay Mesa – Mesa de Otay Binational Corridor Strategic Plan,” to focus on four key areas: transportation, housing, economic development, and environmental conservation. The study area encompassed the City of San Diego’s Otay Mesa community planning area, the County of San Diego’s Otay Subregional plan area, including Otay Lakes, the eastern section of the City of Chula Vista east of Interstate 805 and south of Olympic Parkway, and the planning areas of Mesa de Otay and Centenario, including the Alamar River in the City of Tijuana (see figure at right).

On September 28, 2007, the strategic plan was approved by the SANDAG Board of Directors and the Otay-Mesa - Mesa de Otay Binational Corridor Strategic Plan (Plan Estratégico del Corredor Binacional Otay Mesa – Mesa de Otay) also was approved by the Tijuana City Council on October 5, 2007¹⁷.



Bi-national collaboration and cooperation on the need for additional border transportation infrastructure is evidenced in the 1998 SR 11 Letter of Intent that was signed by Caltrans, the County of San Diego, the City of San Diego, SANDAG, the Municipality of Tijuana, the Municipality of Playas de Rosarito and the Secretariat of Human Settlements and Public Works of the State of Baja California. The letter included support for the creation of a new POE designated as, East Otay Mesa-Otay II (a copy of this letter is provided in Appendix D).

Bi-national support for a new Otay Mesa East-Otay II POE is also evidenced by:

¹⁷ <http://www.sandag.org/index.asp?projectid=285&fuseaction=projects.detail>



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- Completion of a roadway plan for a new Otay II POE entitled, “Estado de Integración Vial Para El Puerto Fronterizo Otay Este II, En La Ciudad de Tijuana, B.C.,” 2002, from the Municipality of Tijuana and the Secretariat of Social Development of the Mexican Federal Government.
- The Secretariat of Communication and Transportation of the Mexican Government identified the need for additional capacity for commercial traffic in the Tijuana region in the document, “Análisis de las Necesidades de Ampliación de la Capacidad de la Infraestructura de Transporte en los Puertos Fronterizos de Carga de Tijuana, B.C.,” October 2002.
- The diplomatic note sent on May 17, 2006 from the Mexican Federal Government to the U.S. Department of State indicating the Mexican government’s interest in conducting the necessary feasibility studies on both sides of the border.
- Having reserved the land needed for the Otay II POE by the Municipality of Tijuana through the State of Baja California. The act was published in the Periodico Oficial (similar to the U.S. Federal Register) on May 19, 2006 (#21 – Section 1). Although this land reservation will expire on May 19, 2011, it can be extended based upon project status at that time.
- The Conceptual Master Plan, Cost/Benefit Studies and Financial Feasibility (Feasibility Study) for a new crossing at Otay Mesa East (“Elaboración del Plan Maestro Conceptual, Estudios de Costo Beneficio y Factibilidad Financiera para el Nuevo Cruce Internacional de Mesa de Otay II, en el Estado de Baja California”), being conducted by the Secretariat of Communication and Transportation (SCT), scheduled for completion by the end of December 2007.

After the Feasibility Study is complete, the study results will be analyzed by SCT, who will program the project along with the other Southern Border projects that they have underway. That program will be shared with the Grupo Intersecretarial (SCT, INM, CILA, SAT, SAGARPA, SEDESOL, INDAABIN, SECTUR). If the Group Intersecretarial approves of SCT’s project and proposed schedule, then SCT will move forward to award of a concession leading to construction of the Otay II POE.



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Other U.S. Approvals

The following permits, reviews, and approvals would be required to implement the proposed project:

Agency	Permit/Approval
U.S. Department of State	Presidential Permit
U.S. General Services Administration	Approval of preferred POE site alternative
Caltrans/FHWA	Approval of preferred SR 11 corridor alternative
California Transportation Commission	SR 11 Route Adoption
Caltrans/FHWA	Project Report Approval
Caltrans/FHWA	Approval of preferred design/operational characteristics for SR 11 (Phase II EIR/EIS)
U. S. General Services Administration	Approval of preferred design/operational characteristics for POE (Phase II EIR/EIS)
U.S. Fish and Wildlife Service	Endangered Species Act Section 7 Consultation for Threatened and Endangered Species Review and Comment on Clean Water Act 404 Permit
U.S. Army Corps of Engineers	Clean Water Act Section 404 Permit for filling waters of the United States
California Regional Water Quality Control Board	NPDES Permits; Clean Water Act Section 401 Water Quality Certification or Waiver
California Department of Fish and Game	California Fish and Game Code 1602 Agreement for Streambed Alteration Section 2080.1 Agreement for Threatened and Endangered Species
County of San Diego City of San Diego	Freeway Agreement
International Boundary and Water Commission	Review and Approval
Federal Emergency Management Agency	Review



Historic Preservation

The National Historic Preservation Act of 1966, as amended, (NHPA) sets forth national policy and procedures regarding historic properties, defined as districts, sites, buildings, structures, and objects included in or eligible for the National Register of Historic Places. Historical resources are considered under the California Environmental Quality Act (CEQA), as well as California Public Resources Code Section 5024.1, which established the California Register of Historical Resources. Public Resources Code Section 5024 requires state agencies to identify and protect state-owned resources that meet National Register of Historic Places listing criteria. Section 5024 also specifically requires Caltrans to inventory state-owned structures in its rights-of-way.

A cultural resource survey was conducted for the SR 11/Otay Mesa East POE project in 2000, and a “Cultural Resource Survey and Extended Phase 1 Test Program” report was prepared in 2001. The study area included the area of potential impacts for three potential SR 11 alignments east of the Enrico Fermi Drive northern extension: Western, Central, and Eastern. Approximately 600 acres were surveyed during the 2000 study. Several prehistoric sites identified as potentially significant were located within the eastern alignment and therefore, the eastern segment was been dropped from further consideration. A subsequent cultural resources survey was conducted to address an expanded project area adjacent to portions of the western program area boundary. The “First Addendum Archaeological Survey for State Route 11 and the East Otay Mesa Port of Entry Report” (2007) details the additional surveys (Appendix E).

The 2001 study included record searches at South Coastal Information Center, San Diego Museum of Man, and the San Diego Historical Society. Other resources included a review of publications, theses, County Assessor and Recorder records, historical aerial photographs, and historical maps. Twenty-one prehistoric previously recorded archaeological sites were identified within the project footprint, five of which are not within the current Area of Potential Effect (APE), and the survey identified five previously unrecorded prehistoric sites. The record search for this project revealed that eight prehistoric sites and an isolate artifact (CA-SDI-514) have been previously identified within or partially within the study area: CA-SDI-1794, CA-SDI-8014, CA-SDI-8076, CA-SDI-8079, CA-SDI-8080, CA-SDI-8082, CA-SDI-10081, and CA-SDI-12256. All are identified as sparse lithic scatters with no subsurface deposits. From these data, one can conclude fairly positively that there is no potential for buried cultural deposits within the project footprint for both the current study and for the previous cultural study done in 2001.

Potential historic resources were assessed in the 2001 archaeological survey report (ASR). There are no known farmstead sites from the Alta School District community within the project study area, although two farmstead sites are located adjacent to the APE area and the SR 11 alignment alternatives cross portions of the farms. A mid-20th century house site occupied during the 1950s and 1960s is located within the project site, but is not eligible for the National Register of Historic Places.

In March 2007, a new field survey was conducted that included approximately 100 acres that were added to the original project footprint. The archaeological survey was an addendum to the 2001 ASR, and was conducted using transects of 5 to 10 meters (16.4 to 33 feet) between field personnel. Ground



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visibility was generally good. Disturbance included previous agricultural use, grading of dirt roads, numerous rodent borrows, construction, and impacts from U.S. Border Patrol activities. The locations of all previously recorded cultural resources were carefully inspected and the current status of each site noted.

The 2007 survey re-recorded four prehistoric lithic scatters and located one new lithic scatter. The sparse lithic scatters were programmatically exempted under studies done for SR 905. In concurrence with the State Historic Preservation Officer (SHPO), the sparse lithic scatters on Otay Mesa are not subject to further analysis beyond their recordation. The criteria to determine what other attributes these sites must contain for further investigation was developed in a management plan, a by-product of the SR 905 Section 106 efforts. None of the four lithic scatters found during the current work contain the prerequisite materials to require further evaluation. The other sites previously recorded within the addendum study area were either mapped incorrectly, were not originally archaeological sites, or have been destroyed by off-road-vehicular and dinking activities. No further survey work should be necessary.

A rock cluster located on one site was identified within a graded dirt road during the field survey. After consultation with Caltrans staff, excavation of $\frac{1}{4}$ of the cluster was conducted to determine whether it was prehistoric in nature. Remains of a burned wooden post were almost immediately identified subsurface in the excavation unit. Continued excavation identified this as the remains of a wooden fence post around which rocks had been piled. This was a common practice in agricultural fields in the Otay Mesa area where there were numerous cobbles located in fields that needed to be removed from agricultural fields so that plowing could be done. Often these cobbles were piled along fence lines and around fence posts. Although this could have been a fencepost associated with early farming on Otay Mesa, the rock cluster did not contain information with which to place it in any context and contained no associated historical artifacts. As a single isolated fence post, the feature has no further research potential other than locational.

Native American consultation completed for this project included a request to the Native American Heritage Commission for completion of a record search of its Sacred Lands File for the project area. Consultation with local Native American tribes was recommended, and a list of Native American contacts was provided. Letters describing the project and a map of the study area were mailed to eleven local Native Americans on July 11, 2007. No responses were received to the letters. A follow-up telephone call was completed to all of the Native American contacts on July 31, 2007. None of the Native Americans contacted expressed concerns regarding the proposed project.

The Western SR 11 Corridor alternative encompasses three identified cultural sites and the Western POE Site alternative includes all or portions of four cultural sites. Cultural surveys conducted within this alternative have determined that existing cultural resources would not be subject to further analysis



beyond their recordation and that no further survey work would be necessary. Therefore, no direct or indirect impacts to cultural resources would occur as a result of the project.¹⁸

¹⁸ “State Route-11 and the Otay Mesa East Port of Entry, First Screencheck Draft Program Environmental Impact Report/Phase I Environmental Impact Statement,” Section 3.10 – Cultural Resources; Helix Environmental Planning, Inc. October 2007



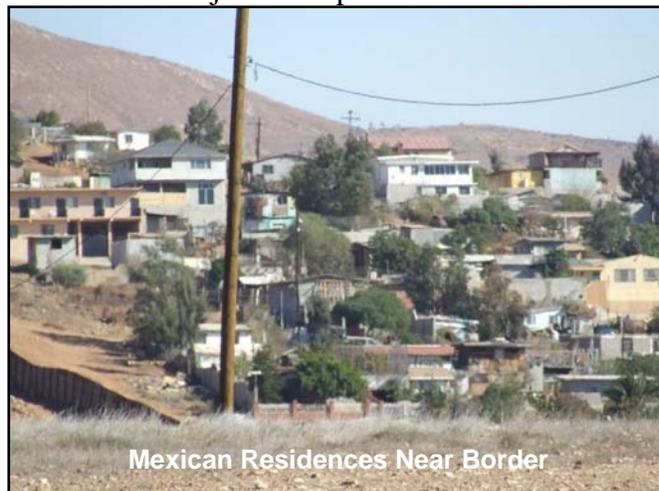
Environmental Justice

The data for Census Tract 100.15 (shown in the table below) indicates that the area surrounding the project site has higher low-income and minority resident populations than the regional average. It is important to note however, that there are no existing or planned homes within or adjacent to the program alternatives or in the immediate program area. The closest residences are three homes located approximately 1,000 feet to the north of the international border, on the north side of Otay Mesa Road. The proposed project lies within the planned industrial area of the subject census tract.

RACE AND ETHNIC CHARACTERISTICS TABLE (PERCENTAGE OF THE TOTAL POPULATION)						
Category	Census Tract 100.15			San Diego Region		
Year	2000	2006 Estimated	2030 Projected	2000	2006 Estimated	2030 Projected
White (Non-Hispanic)	2.0%	1.5%	0.1%	56.0%	51.4%	38.1%
Black	1.0%	0.3%	0.1%	5.7%	5.3%	4.8%
American Indian, Eskimo or Aleut	1.0%	0.7%	0.05%	0.9%	0.5%	0.5%
Asian	1.0%	0.7%	0.3%	8.9%	10.2%	11.9%
Hispanic	94.0%	96.2%	99.2%	26.7%	29.1%	38.1%
Other	1.0%	0.6%	0.02%	1.8%	3.5%	6.6%

The only potential environmental justice issue for the project would be the potential socioeconomic impacts to disadvantaged populations if a toll alternative were considered for SR 11 and/or the Otay Mesa East POE. If this were to occur, the potential environmental justice implications would have to be evaluated in the Phase II environmental process, based on the specific toll operations proposed.¹⁹

If a toll alternative is selected, the project should ensure that toll-free options remain available for potentially disadvantaged persons to reach destinations within East Otay Mesa and to cross the border.



Mexican Residences Near Border

¹⁹ "State Route 11 and the Otay Mesa East Port of Entry, First Screencheck Draft Program Environmental Impact Report/Phase I Environmental Impact Statement," prepared by Helix Environmental Planning, Inc., October 2007.

Environmental Review

In compliance with NEPA and CEQA, Caltrans and FHWA have prepared a Program Environmental Impact Report/Environmental Impact Statement (PEIR/PEIS), which examines at a program level, the potential environmental impacts of the alternatives being considered for the preservation and acquisition of right of way for future State Route 11 and the proposed East Otay Mesa Port of Entry (POE) located in San Diego County, California. The document describes why these projects are being proposed, and presents at a program level the alternatives for each project feature, the existing environment that could be affected by the project; the potential impacts from each of the alternatives; and the proposed avoidance, minimization and/or mitigation measures at the level appropriate for a programmatic document. The projects are interdependent as their locations and designs must be compatible and neither could proceed independently of the other; however, the projects would ultimately be constructed and operated/maintained by different government agencies. The implementation of the POE is the responsibility of the United States General Services Administration (GSA) and the roadway portions of the program, SR 11, are joint projects of Caltrans and FHWA. The PEIR/PEIS contains sufficient detail regarding the project alternatives to permit conceptual analysis of each alternative concept and its anticipated maximum impact footprint, leading to approval of the Presidential Permit for the POE and selection of a preferred program for the compatible implementation of these projects that are embodied within the program. Approval of the PEIR/PEIS would then allow the Department and GSA to proceed independently with the right-of-way acquisition, design and project level environmental processing of their respective projects, with mutual knowledge that the overall program is approved.

A copy of the PEIR/PEIS is included as an addendum to this application.



Appendix A – Letters of Support



Appendix B – Phase I Traffic Technical Report



Appendix C – Financial Feasibility Study



Appendix D - Letter of Intent



Appendix E – First Addendum Archaeological Survey for State Route 11 and the East Otay Mesa Port of Entry Report