

December 5, 2023

Supervisor Terra Lawson-Remer
District Three
County of San Diego

Dear Supervisor Lawson-Remer,

As you know, Rancho Santa Fe is an historic community that has served as a role model for planned communities for over a century. Just outside the Rancho Santa Fe Covenant, the community of Whispering Palms is home to some 575 families living along or near Via de La Valle and in earshot of the noise pollution – hooting horns, whistles, and screaming – (which starts early most weekends and continues until dark), clouds of dust, and endless traffic congestion as a result of the overuse of the former polo fields.

The Whispering Palms Community Council was established in the 1970s to preserve and enhance the natural and community assets of the community and the San Dieguito River Valley. This includes promoting public awareness of those assets and taking an active role in alerting governmental decisionmakers such as yourself, to issues that directly affect our community.

The 2016 lease between Surf Cup Sports and The City of San Diego is specific about land use and days of events allowed annually under the Grant Deed for that property – no more than 25 days (not events) a year – because of the negative impacts generated by thousands of people and their vehicles. In fact, the Grant Deed, to which the lease is subordinate, specifically prohibits any large gatherings of people or automobiles along with any commercial use.

We are sure that you are aware of the repeated and continued violations of the lease held by Surf Sports on the Del Mar Polo Fields, and the City's failure to enforce it, because of the many letters being written by the surrounding communities. We would be encouraged if you would take a serious look into this growing storm in your backyard and help to find a solution with the City of San Diego. To date there has been little to no official response to either the letters or the clear and continued violations.

The fact that the City repeatedly and continuously violates the terms of the Grant Deed through its failure to enforce the lease with Surf is disappointing, and presumably for you, the supervisor for this area, something more than that.

Two Civil Penalty Notice and Orders have also been issued to Surf Cup for transgressions on adjacent wetlands. They seemed to have learned that these actions are simply an acceptable cost of doing business for their otherwise highly profitable industrial parking, and exploitation of children's sports business. It certainly has not changed their behavior in any way.

They are negatively impacting the environment while the surrounding neighborhoods are subjected to air, noise and light pollution from this commercial enterprise. Night lighting has

also been prohibited and yet continues throughout the winter months with no regard to the neighbours whose homes are affected by very bright lights shining through their windows in the late evening. Light pollution is also having an increasingly recognized harmful effect on local wildlife in the San Dieguito River Valley.

Surf Cup is an astute, profit-making enterprise masquerading as an organization committed to the health of youths. It boasts over 490,000 attendees per year. That is not an estimate, it's what they proudly declare on their own website. The surrounding neighbors are subjected to tens of thousands of cars per year. Think about the exhaust pollution and dust generated by cars for 490,000 attendees. We breathe that air and live with the residue on and in our homes. We live with the ailments that come with idling cars sitting in the endless traffic jams right next to our homes. We hear the regular accidents Via de la Valle as under-resourced traffic officials attempt to regulate a flow of traffic on a County road for which neither the polo fields nor Via de La Valle were ever designed. Those parking officials have told us that they are more or less powerless to control the volume of traffic and the frustration of the drivers who have paid \$20 to park and then spend prolonged periods of time trying to leave the property.

We have recently become aware of Surf Cup's application to build a "Sports Complex" (also below). We know that they have hired a lobbying firm operated by a former city employee who is now profiting from their attempts to codify the violations of the Grant Deed – the irony is hard to ignore but, alas, all too familiar where San Diego's real estate dealings are concerned.

This is of great concern to the community of Whispering Palms as it demonstrates Surf's obsession with developing the entire area. Somehow this so-called philanthropic enterprise has managed to buy two adjacent parcels for millions of dollars and now is endeavoring to turn at least one of them into an extension of its commercial enterprises on the polo fields.

We have a written statement from the City that claims Surf only collects parking fees to help offset the costs of running their not-for-profit business. A not-for-profit which can buy millions of dollars' worth of property without fundraising? Is the City really this naïve or do they simply hope that we are? Of course, the City is under no illusions about the profitability of Surf or the commercial nature of its operations (prohibited by the Grant Deed) - the City takes a percentage rent from the revenues.

Surf has no interest in complying with the polo fields lease and even seems to brag about it. If the City accepts their application to build sports complex it would be yet another example of how-money trumps the environment. Isn't that why we have extreme climate change?

We support the current lawsuit being pursued by Fairbanks Polo Club Homeowners' Association. It is interesting that one of Surf's defenses for the lawsuit is that their investors would not receive a sufficient return on their investment were Surf to comply with the restrictions in the Grant Deed. More irony – they are using their commercial status and requirements for an attractive ROI as a defense of their use of the property on which such activities is strictly prohibited.

Supervisor Remer, we applaud your stated goals of preserving the County's open spaces and natural habitats for future generations by ending sprawl development.

In this case the development is not just sprawl, it is strictly prohibited by the terms of a Grant Deed which was put in place as a quid pro quo for the allowance of another development. Allowing Surf to continue to develop this property will make a mockery of any such arrangement in the future and render San Diego's commitments empty and hollow.

Please assist us in preventing this continued and egregious abuse of contract and the environment. We surely do not live somewhere where officials can ignore the contracts to which they are a party for profit or where the environment is ignored whenever it suits us.

There are many other options which would accommodate the youth sports pastimes in this region without violating a Grant Deed such as this one. Almost certainly not as profitably for Surf. But that's what we are really dealing with isn't it?

Sincerely,

The Whispering Palm Community Council
Representing 575 families in the community