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May 31, 2019

22ND DISTRICT AGRICULTURAL ASSOCIATION  
State of California

Hon. Kevin Faulconer, Mayor  
City of San Diego  
202 C Street, 11th Floor  
San Diego, CA 92101

Subject: Surf Cup Sports, LLC, Sports Park

Mayor Faulconer,

I am writing on behalf of the 22<sup>nd</sup> District Agricultural Association (22<sup>nd</sup> DAA) in order to bring to your attention serious safety and traffic issues created by events scheduled at Surf Cup Sports Park over the next two months. Over the past several months, the 22<sup>nd</sup> DAA, City of Del Mar and City of Solana Beach have been meeting with management at Surf Cup Sports, LLC (“Surf Cup”) to request that Surf Cup curtail its use of the Polo Fields during the San Diego County Fair – the largest annual event within San Diego County.

As you may know, the 22<sup>nd</sup> DAA owns the neighboring Horsepark property and utilizes that property for offsite parking and large equestrian activities. Based on the ongoing use of the Horsepark property for parking during the Fair, the 22<sup>nd</sup> DAA reached out to Surf Cup with the goal of maximizing safety for patrons of the San Diego County Fair and Surf Cup events by ensuring that activities and schedules were coordinated to avoid significant traffic issues (e.g., SigAlerts on I-5 and grid lock) on surrounding surface streets<sup>1</sup>, which would certainly result in potentially disastrous effects on emergency response (fire, police, medical). The 22<sup>nd</sup> DAA is also concerned for the safety and welfare of Surf Cup event attendees who attempt to cross over the two-lane section of El Camino Real on foot, dodging in and out of traffic. Additionally, without a traffic and parking plan in place that addresses the issues the 22<sup>nd</sup> DAA has discussed with Surf Cup, both the City of San Diego and the 22<sup>nd</sup> DAA will suffer negative economic impacts.

The lease agreement between Surf Cup and the City of San Diego was made subject to certain deed restrictions identified when the land was deeded to the City of San Diego in 1983. These deed restrictions have not changed and limit use of the Surf Cup property to, “active non-commercial uses not involving large assemblages of people or automobiles”. While the 22<sup>nd</sup> DAA does not intend to eliminate those uses of the Surf Cup property that comply with the lease agreement and deed restrictions, the City of San Diego should prevent Surf Cup from any use of the Surf Cup property that fail to comply with the deed restrictions – uses that have increased in size and number since the beginning of the lease term in 2016.

Neither the City of San Diego nor Surf Cup have adopted mitigating measures to off-set or minimize the impacts from increased use at the Surf Cup property. The 22<sup>nd</sup> DAA’s conversations with

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<sup>1</sup>It was brought to the 22<sup>nd</sup> DAA’s attention that just this past weekend, large numbers of automobiles were parked illegally on private property on the south side of Via de la Valle.

Surf Cup representatives have revealed that the City of San Diego has not required Surf Cup to implement any traffic improvements and has not required that Surf Cup obtain a Special Events Permit (SEP<sup>2</sup>) for events at the Surf Cup property.

As it stands, one of Surf Cup's largest tournaments at the Surf Cup property is scheduled to coincide with the most heavily attended Fair dates (June 26 – July 4, 2019). Surf Cup's decision to schedule a tournament for this time period was the impetus to our outreach/coordination efforts with Surf Cup. Unfortunately, those efforts did not result in a satisfactory conclusion and the Surf Cup tournament is scheduled to proceed as planned. The 22<sup>nd</sup> DAA fully anticipates a *significant* traffic issue in the area on the identified dates and those traffic issues will certainly result in significant health and safety issues, including delaying necessary and critical emergency response. The 22<sup>nd</sup> DAA has taken, and will continue to take, every step it can to work with all stakeholders (Cities of Del Mar and Solana Beach, CALTRANS, MTS, NCTD, SD County Sherriff, CHP, SDPD, and our local Senate and Assemblymember offices) to mitigate traffic impacts within the 22<sup>nd</sup> DAA's control.

Because of Surf Cup's unwillingness to work with the 22<sup>nd</sup> DAA to address the issues discussed in this letter, the 22<sup>nd</sup> DAA thought it was critical to make you aware of the situation. We look forward to working with your office to resolve the issues related to use of the Surf Cup property.

Should you need any additional information please do not hesitate to contact Tim Fennell at 858-792-2210. Thank you for your attention to this matter.

Sincerely,



Steve Shewmaker  
President, 22<sup>nd</sup> DAA Board of Directors

CC: Hon. Mara Elliott, City Attorney, City of San Diego  
Cybele Thompson, Director Real Estate Assets Department, City of San Diego  
David Nisleit, Chief of Police, City of San Diego

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<sup>2</sup> A SEP would generally identify the need for an event specific traffic control plan. The SEP may also include other mitigation requirements (e.g., noise attenuation mitigation and controls to mitigate effects of nighttime lighting, parking plans, etc.).