

COASTAL CONSERVANCY

Staff Recommendation
October 21, 2010

NELSON SLOAN QUARRY RECLAMATION PLAN

10-019-01
Project Manager: Karen C. Bane

RECOMMENDED ACTION: Authorization to disburse an amount not to exceed \$250,000 to the City of San Diego to prepare a plan and environmental compliance documents for reclamation of the Nelson Sloan Quarry in the Tijuana River Valley for open space and habitat purposes.

LOCATION: Tijuana River Valley Regional Park, City of San Diego, County of San Diego

PROGRAM CATEGORY: Integrated Coastal and Marine Resources Protection

EXHIBITS

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Tijuana River Valley Enhancement Plan](#)

Exhibit 3: [Consultation letter with State Water Resources Control Board](#)

Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Section 31220 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two hundred fifty thousand dollars (\$250,000) to the City of San Diego to prepare a plan and environmental compliance documents for reclamation of the Nelson Sloan Quarry for open space and habitat purposes in the Tijuana River Valley. Prior to disbursement of Conservancy funds, the City of San Diego shall submit for the review and written approval of the Conservancy’s Executive Officer:

1. A detailed work program, including budget and schedule;
2. The names and qualifications of any contractors to be employed on the project;
3. Evidence that additional funds necessary to complete the project have been secured.”

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Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 5.5 of Division 21 of the Public Resources Code, regarding integrated coastal and marine resources protection.”

PROJECT SUMMARY:

Staff recommends that the Conservancy authorize disbursement of an amount not to exceed \$250,000 to the City of San Diego to prepare a plan and environmental compliance documents for reclamation of the Nelson Sloan Quarry in the Tijuana River Valley to create open space and habitat. The purpose of this project is to both reclaim the former quarry site and to provide a local, low-cost option for disposing sediment collected as part of the management of the Tijuana River Valley Regional Park (TRVRP) and the Tijuana Estuary.

The amount of sediment entering the Tijuana River Valley from the canyons in the City of Tijuana has increased dramatically because population growth and building practices have exacerbated the rate of erosion. The City of San Diego, County of San Diego, and California Department of Parks and Recreation (State Parks) annually excavate sediment from channels and basins to prevent flooding and sedimentation of facilities and natural resources in the valley and estuary. This annual sediment management is essential to protect the ecosystem of the Tijuana Estuary, which is the largest, intact and publicly protected coastal wetland in the Southern California Bight and is designated by RAMSAR as a “wetland of international importance.”

Reclaiming the quarry with local sediment would ensure protection of the existing riparian and estuarine habitats by making annual maintenance consistent and affordable. The project would also increase open space and high quality coastal sage scrub habitat in the mesas bordering the river. Disposal methods and costs vary year to year depending upon whether the excavated material is suitable and there is a demand for fill. Often the material must be trucked to an inland landfill at an exorbitant cost. For example, State Parks’ annual costs to clear and dispose material from the Goat Canyon sediment basins have ranged from \$200,000 to \$1.2 million. The ability to transport the material 2 miles to the quarry would secure a consistent, lowest cost budget for the annual sediment management.

Quarry operations ceased in 2002. In 2003, the County of San Diego purchased it with Conservancy funds as part of the Tijuana River Valley Regional Park. The County accepted the responsibility to implement the reclamation plan approved when the quarry received permits to operate in 1982. The existing reclamation plan specified that finished slopes would be contoured such that the site would be returned to a natural appearance. In fact, implementation of the reclamation plan was deemed mitigation for impacts to visual quality and land form alternation identified in the environmental impact report for the quarry. Estimates of fill needed to achieve the grading design in the existing reclamation plan have ranged from 100,000 to 300,000 cubic yards. Since 2002, coastal sage scrub habitat has naturally established in the quarry. Recent conceptual analysis suggests that between 1 and 2 million cubic yards of material may be placed

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in the quarry, while providing appropriate slopes to complement the aesthetics and habitat of the surrounding border highlands. Revising the grading portion of the reclamation plan to accommodate significantly more fill while honoring the original intent of creating a natural appearance to the landscape would provide at least ten years of low cost sediment disposal, a byproduct of sediment management necessary to protect existing wetland and riparian habitats in the river valley and estuary, and expand the habitat and open space benefits of the reclamation project.

The proposed project would revise the existing reclamation plan with supporting grading designs, geotechnical and drainage studies, and biological surveys. The new plan will update planting, maintenance and monitoring direction. Consultations with the environmental regulatory agencies will be conducted. Environmental compliance documents and permit applications will be prepared.

The City, County and State Parks have agreed to jointly pursue the proposed project. The County is the landowner with the responsibility to implement the existing reclamation plan and certify closure of the quarry. By revising its Reclamation Plan, the County would be considering a more intensive and prolonged reclamation process; however, it would gain protection of the important habitat in the floodplain, an increase of coastal sage scrub habitat in the mesa, and an improved aesthetic backdrop to the TRVRP. The City of San Diego is responsible for flood control in the Tijuana River Valley, which mainly entails clearing the pilot channel draining Smugglers Gulch. State Parks maintains the Goat Canyon sediment basins to keep the Tijuana Estuary from being buried in sediment. Additionally, revising the quarry reclamation plan may contribute to the feasibility of future projects pursued by these and other partners to improve the physical and biological function of the river valley and estuary, such as restoration of the southern extent of the estuary or removal of fill and berms.

The City of San Diego Storm Water Department has agreed to lead the planning process. The Department's mission is to protect and improve water quality and reduce flood risk through efficient storm water management. The staff has experience with all stages of capital projects from planning through construction and management. These projects include structural improvements to the City's storm drain system and porous pavement projects.

Site Description: The project site is in an area known as the Border Highlands and is part of the Tijuana River Valley Regional Park, which is owned and operated by the County of San Diego and located within the City of San Diego (Exhibit 1). It is included in the Multi-Habitat Planning Area (MHPA) of the City of San Diego's Subarea Plan for the Multiple Species Conservation Plan. The Border Highlands predominantly support coastal sage scrub and coastal chaparral plant communities but also support a number of plants at the northern limits of their range or found only in isolated locations such as the Channel Islands.

In 1982, Nelson and Sloan received a 20-year permit to operate a sand and gravel quarry called the Border Highlands Pit with capacity to extract up to 7.5 million cubic yards of material from approximately 139 acres. After mining ceased in 2002, the quarry site was bisected by a steep cut slope with the eastern half being flat and the western half containing two steep canyons draining north. Coastal sage scrub habitat has naturally established on the low lying areas exposed by mining operations. Gnatcatchers have been heard during site visits in Fall 2009 and Spring 2010. The project site is bounded by the Border Infrastructure Project to the South, the South Bay International Wastewater Treatment Plant to the north east, and agricultural operations and open space to the north.

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Project History: Through participation in the Tijuana River Valley Recovery Team, the Conservancy, City and State Parks staff have been working to find a local disposal option in order to guarantee annual protection of the river valley and estuary as well as make future restoration projects cost effective. The City and State Parks identified the quarry as an opportunity and approached the County with a proposal to jointly reclaim the quarry.

The proposed project will advance the intent of prior Conservancy investments totaling \$10 million – protection and restoration of land acquired for the Tijuana River Valley Regional Park and sustainable operation of the Goat Canyon Sediment Basins constructed to protect the Tijuana River National Estuarine Research Reserve from sedimentation. First, the proposed project will support restoration of land purchased with Conservancy funds. The County of San Diego began assembling the Tijuana River Valley Regional Park in 1988 with the passage of Proposition 70 (Wildlife, Coastal and Parkland Conservation Bond Act), which allocated ten million dollars for acquisition of park and wildlife lands in the Tijuana River Valley. The Conservancy contributed four million dollars toward the acquisition program from 1998 through 2003 guided by the Tijuana River Valley Enhancement Plan (Exhibit 2), which prioritized properties that either contained riparian, coastal sage or coastal chaparral habitat or were suitable for restoration of those habitats. In 2003, the County purchased with Conservancy funds five parcels owned by Nelson & Sloan totaling 139 acres, which contained coastal sage scrub and chaparral habitats as well as the portion that had been disturbed by quarry operations from 1982 to 2002. The County assumed the responsibility to implement the Reclamation Plan approved in 1982 as part of the permit issued for operation of the quarry. The proposed project will provide a revised reclamation plan that, once implemented, would directly restore more coastal sage scrub habitat at the quarry than designed in the 1982 reclamation plan.

Second, the proposed project would support protection of other lands purchased with Conservancy funds for the Tijuana River Valley Regional Park. The City of San Diego is responsible for flood control in the Tijuana River Valley, which mainly entails clearing the pilot channel draining Smuggler's Gulch. The frequency of this activity has increased. In 2009, the City excavated 30,000 cubic yards and by the end of the rain season, the channel was already two-thirds full. At the moment, the only disposal option is trucking to an inland landfill. The proposed project would make protection of existing habitat sustainable by providing a low cost disposal location for material excavated by the City of San Diego.

Third, the proposed project would provide certainty that State Parks could maintain the Goat Canyon Sediment Basins constructed in 2004 with a Conservancy contribution of approximately \$5 million. The basins, along with source control efforts in the City of Tijuana, were deemed necessary to protect existing and restored coastal wetland habitats from sediment flows.

PROJECT FINANCING

Coastal Conservancy \$250,000.00

Total Project Costs \$250,000.00

The anticipated source of funds will be the FY 2008/2009 appropriation to the Conservancy from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84, Public Resources Code sections 75001-75090). This funding may be expended on projects that protect San Diego Bay and adjacent watersheds pursuant to Section 75060(f) of the Public Resources Code. Proposition 84 defines the term “protection” as “those actions necessary to prevent harm or damage to ... natural resources or those actions necessary to allow the continued use and enjoyment of property or natural resources and includes acquisition, development, restoration, preservation and interpretation” (Public Resources Code Section 75003.5(m)). Accordingly, Proposition 84 funds are appropriate for the proposed project because the project will support the protection and restoration of natural resources and public access amenities in the Tijuana River watershed. The City of San Diego Storm Water Department will contribute its staff time to manage the proposed project. The County of San Diego Parks Department and California State Parks will also contribute staff time to participate in the proposed project and to develop any legal agreement deemed necessary.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to Chapter 5.5 of the Conservancy’s enabling legislation, Division 21 of the Public Resources Code (Section 31220), regarding integrated coastal and marine resources protection.

Consistent with section 31220(a), the proposed project would “protect coastal ... water quality and habitats” by planning a “sediment management” project. The SWRCB has been consulted to ensure consistency with Chapter 3, section 30915 of Division 20.4 of the Public Resources Code (Exhibit 3).

Consistent with section 31220(b), the proposed project “(2) Protects ... fish and wildlife habitat within coastal ... waters and coastal watersheds” and “(6) ... protects and restores coastal wetlands, riparian areas, floodplains, and other sensitive watershed lands, including watershed lands draining to sensitive coastal or marine areas.”

The proposed project would result in a reclamation plan that will enable beneficial reuse of sediment with two benefits: the coastal sage scrub habitat in the Border Highlands would be increased in extent and quality and the City, County and State would be able to reliably budget annual maintenance to protect existing tidal wetlands and riparian areas in the estuary and river corridor from sedimentation.

**CONSISTENCY WITH CONSERVANCY'S 2007
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 6, Objective A** of the Conservancy's 2007 Strategic Plan, the proposed project would develop a plan that contributes to the preservation and restoration of the Tijuana River watershed.

Consistent with **Goal 6, Objective G**, the proposed project would develop an approach to sediment management in the Tijuana River Valley and Estuary.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on June 4, 2009, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** Letters of support will be hand delivered on October 21, 2010.
4. **Location:** The proposed project would be located within the coastal zone of the City of San Diego.
5. **Need:** The proposed project is being conducted by a partnership of the City of San Diego, the County of San Diego, and the State of California for the benefit of a coastal ecosystem of regional and international importance. Since the City of San Diego has agreed to manage the project, the Conservancy funds are necessary for the State's contribution to assist the City in completing this project.
6. **Greater-than-local interest:** The Tijuana River Valley and Estuary is entirely publicly owned, with exception of approximately 200 acres. It is the only coastal wetland and riverine ecosystem in the Southern California Bight that affords the open space necessary for the ecosystem to migrate and adjust with the affects of climate change for perpetuity. In April 2005, the TRNERR was designated a RAMSAR "wetland of international importance". The Southern California Wetlands Recovery Project recognizes the Tijuana Estuary as a coastal wetland of regional significance. The proposed project may lead to restoration of important and limited habitat in the river valley and to sustainable protection of existing estuarine and riverine habitat.
7. **Sea level rise vulnerability:** The project site may not be vulnerable to sea level rise as its elevation ranges from 100 feet to 280 feet above mean sea level. Consistent with Executive Order S-13-08, the proposed reclamation plan will include analysis of the site's vulnerability to future sea level rise by considering a range of sea level rise scenarios for the years 2050 and 2100. If the site is deemed vulnerable, then options to reduce expected risks and increase resiliency to sea level rise will be proposed if feasible.

Additional Criteria

8. **Urgency:** The proposed project needs to be completed as soon as possible to enable the annual sediment management to be conducted reliably.
9. **Resolution of more than one issue:** The proposed project would enable long-term protection of existing habitat, restoration of new habitat, and satisfaction of requirements to reclaim the quarry.
10. **Leverage:** See the “Project Financing” section above.
13. **Readiness:** The City of San Diego Storm Water Department has consultants on retainer that could start work as soon as funds are available.
14. **Realization of prior Conservancy goals:** The Conservancy has invested at least 21 million dollars since the early 1980s in the Tijuana River Valley Regional Park and the Tijuana River National Estuarine Research Reserve to acquire land, plan landscape –scale restoration and public access, implement restoration and access projects, conduct source control projects in the canyons draining from the City of Tijuana, and advance the science and policy of beneficial reuse of sediment in the near shore. The proposed project is one of many initiatives supported by staff to continue the Conservancy’s commitment to acquisition, restoration and protection of the Tijuana River and Estuary for natural resource and public access purposes.
16. **Cooperation:** The project would not be possible without the County of San Diego’s permission to access the property and the cost sharing and leadership provided by the City of San Diego, State Parks and the Conservancy.
18. **Minimization of greenhouse gas emissions:** The proposed project will include an analysis of the greenhouse gas emissions during implementation of the revised reclamation plan compared with those associated with transport to landfills further inland.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the Tijuana River Valley Local Coastal Plan Land Use Plan (Local Coastal Plan) administered by the City of San Diego. Recommendations in the Plan to ensure that uses in the Valley are compatible with the MHPA designation include the “all existing ... mined lands adjacent to or within the MHPA shall be reclaimed pursuant to SMARA (Specific Recommendations, D. Mining, Extraction, and Processing Facilities, p. 12).” Implementing the Reclamation Plan or an amended Reclamation Plan for the Border Highlands Pit would meet the SMARA requirements. The MSCP Subarea Plan provides more specificity about the standard of reclamation of mined land in the mesa area of the Tijuana River Valley: “Over the long term, restore areas of the mesas that have been mined and excavated. Restoration should include reconfiguration to the natural landform, with the surrounding natural areas as reference (Multiple Species Conservation Program Subarea Plan, City of San Diego, March 1997, p. 68).”

The Local Coastal Plan also states that “environmentally sensitive habitat areas within and adjacent to the estuary should be protected against any significant disruption of habitat values...” (Specific Recommendations, E. Environmentally Sensitive Habitat Areas, p. 13). The proposed project will provide a revised reclamation plan that could accommodate disposal of material

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from Goat Canyon Sediment Basins, the Pilot Channel and any other local maintenance operation for many years – possibly 10 or more. The location of the quarry minimizes costs for processing and disposing of sediment captured and excavated by the City and State Parks. The City and State Parks gain a known annual cost to budget for over a decade or longer. This combination guarantees a sustainable sediment management solution for a decade or longer. In the meantime, the TRVRT members will be planning and implementing more permanent solutions ranging from source control to sediment capture and nearshore disposal where the littoral cell is sediment starved.

CONSISTENCY WITH LOCAL WATERSHED MANAGEMENT PLAN/ STATE WATER QUALITY CONTROL PLAN:

In “A Binational Vision for the Tijuana River Watershed,” it is acknowledged that restoration and maintenance of the Tijuana River Estuary requires excavation of accumulated sediment, construction and routine excavation of sediment basins at canyon mouths draining into the estuary, and implementation of erosion control projects in the canyons draining into the estuary (<http://trw.sdsu.edu/English/Publications/visionDraft.htm>, p. 97).

The Water Quality Control Plan for the San Diego Basin recognizes the Tijuana River Estuary as an important resource and sets beneficial uses and water quality objectives for the river valley, estuary and tributary creeks in the Tijuana Watershed. One of the ways the San Diego Regional Water Quality Control Board implements its Plan is by issuing municipal storm water permits which include waste discharge requirements. As co-permittees, the City of San Diego, City of Imperial Beach and County of San Diego established the Tijuana River Watershed Urban Runoff Management Program to plan and implement activities in order to comply with the municipal permit and reduce impacts of urban activity on receiving water quality within the watershed. The annual report acknowledges the sediment excavation activities of the County of San Diego and City of San Diego and discusses the Tijuana River Valley Recovery Team work on reducing and controlling sediment in the river valley. The project would provide a mechanism to support the sediment management activities identified by the co-permittees.

COMPLIANCE WITH CEQA:

The proposed project is statutorily exempt from review under the California Environmental Quality Act pursuant to 14 California Code of Regulations Section 15262, in that it would involve only planning studies and feasibility analyses. The project is also categorically exempt under Section 15306, which exempts basic data collection and resource evaluation activities. Upon approval staff will file a Notice of Exemption for this project.