

COASTAL CONSERVANCY

Staff Recommendation  
December 6, 2012

**SAN DIEGO RIVER CONSERVATION PLAN**

Project No. 08-171-01  
Project Manager: Moira McEnespy

**RECOMMENDED ACTION:** Authorization to disburse up to \$55,000 to The Trust for Public Land to prepare a plan for projects to preserve and restore the San Diego River area, including those to complete the San Diego River Park.

**LOCATION:** County of San Diego

**PROGRAM CATEGORY:** Resource Enhancement and Public Access

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**EXHIBITS**

- Exhibit 1: [Project Location and Site Map](#)
- Exhibit 2: [Addendum to the San Diego River Conservancy Five-Year Strategic and Infrastructure Plan, 2006-2011](#)
- Exhibit 3: [Resolution of the Governing Board of the San Diego River Conservancy Approving 2012-2017 Strategic Plan Update and Authorizing Preparation of a Five-Year Capital Outlay and Infrastructure Plan \(Resolution 12-02; July 12, 2012\)](#)

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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31111, 31251-31270 and 31400 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of up to fifty-five thousand dollars (\$55,000) to The Trust for Public Land (TPL) to prepare a plan for projects to preserve and restore the San Diego River area, including those to complete the San Diego River Park. Prior to the disbursement of any funds, TPL shall submit for the review and written approval of the Conservancy's Executive Officer a work program, budget, schedule and the names of any contractors to be employed in carrying out the work.”

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 Chapters 6 and 9 of Division 21 of the Public Resources Code, regarding coastal resource enhancement and a system of public accessways, respectively.
3. The proposed project was approved by the San Diego River Conservancy on July 12, 2012.
4. The Trust for Public Land is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code and whose purposes are consistent with Division 21 of the Public Resources Code.”

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**PROJECT SUMMARY:**

Staff recommends that the State Coastal Conservancy (SCC) authorize disbursement of up to fifty-five thousand dollars (\$55,000) to The Trust for Public Land (TPL) to prepare a plan for projects to preserve and restore the San Diego River area, including those to complete the San Diego River Park.

The San Diego River area is an historical, archeological and biological treasure of statewide significance. Its conservation and restoration is the mission of the San Diego River Conservancy (SDRC), which has focused its investments on developing a 52-mile park from the river's headwaters to the Pacific Ocean (Exhibit 1). To help implement its conservation goals, the SDRC retained TPL to develop a land conservation vision consisting of goals, objectives and priorities for use by the SDRC and its partners.

This visioning exercise helped guide an update of the SDRC's 2006-2011 strategic plan (Exhibit 2), serving to clarify objectives and priorities. In January 2012, the SDRC Governing Board formally added a capital assessment and financing component to its strategic planning process (Exhibit 3, third paragraph), and in July 2012 authorized its Executive Director to seek SCC funds to draft a “Five-Year Capital Outlay and Infrastructure Plan” (Exhibit 3).<sup>1</sup> Per this direction, the SDRC now seeks authorization of funds for TPL to prepare such a plan.

The proposed plan will serve as the capital assessment and financing portion of the SDRC's strategic plan, and provide the specificity needed to develop, prioritize, fundraise for, and deliver on-the-ground projects under the SDRC's four program areas (as shown in Exhibit 1):

- Land Conservation: Acquisition of interests in priority properties;
- Recreation and Education: Closing of critical gaps along the San Diego River Park Trail (located between Interstate 5 and the El Capitan Reservoir);
- Natural and Cultural Resources Preservation and Restoration: Primarily invasive non-native plant species removal; and
- Water Quality and Natural Flood Conveyance: Primarily costing out river cleanups and water quality monitoring).

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<sup>1</sup> Note that SDRC Resolution No. 12-02 authorizes its Executive Officer to initiate expenditures from “a modification of the State Coastal Conservancy's grant for Conservation Visioning,” but the Conservancy's grant was never authorized due to the State's bond freeze of December 2008. Hence, the direction is taken to mean a new Conservancy grant rather than modification of an existing one. See more detail in the “Project History” section of this staff report.

For example, the SDRC has identified gaps in the San Diego River Trail, but does not have estimates of the cost to close those gaps. In order to most efficiently allocate staff resources and most effectively leverage and raise funds, the SDRC must be able to prioritize projects based on realistic estimates of cost and effort; this in turn requires project-specific scoping for land acquisitions, on which TPL recommended that the SDRC focus, as well as projects under the SDRC's other program areas. It is anticipated that the planning will be completed in five months, after which the resulting document will be brought before the SDRC Board to be incorporated into the July 2012 Strategic Plan Update.

TPL is an appropriate grantee to conduct this planning because it is an established national nonprofit organization with extensive real estate expertise that offers services to agencies and communities in conservation finance, conservation transactions, conservation visioning, and park design and development. TPL has more than 40 active or completed conservation vision projects across the country, including numerous greenprints, trail and greenway plans, watershed protection plans and implementation strategies. TPL also completed the earlier San Diego River land conservation vision, for which this proposed project will serve as the financial component.

**Site Description:** The San Diego River runs 52 miles from its headwaters in the Cleveland National Forest in east San Diego County, through Mission Valley and the first settlement in California at Old Town, to the Pacific Ocean at Ocean Beach (Exhibit 1).

The San Diego River watershed is the second-largest in San Diego County (land area of approximately 440 square miles), and is also the most heavily populated. The San Diego River winds its way through a complicated matrix of natural, urban, and agricultural lands. The upper reaches of the watershed lie primarily within Cleveland National Forest and are largely undeveloped, while the lower portions are influenced by heavy urban development which has impacted habitat value, water quality, and hydrology. Despite these pressures, the San Diego River serves as an essential cultural and natural resource. The river corridor is known to support a rich diversity of wildlife, including several threatened and endangered species, and provides a one-of-a-kind resource for education and recreation.

**Project History:** On September 13, 2002 the SDRC was established by the California Legislature (See Public Resources Code Division 22.9, commencing with Section 32630 (also known as the San Diego River Conservancy Act)) to preserve, restore and enhance the San Diego River Area. The SCC has worked with the SDRC since 2006 to develop projects and funding for land conservation, habitat restoration, and public access in the San Diego River watershed.

In late 2008, SCC staff prepared a recommendation that the SCC Board authorize funds to develop a land conservation vision, strategy, and action plan for use by the SDRC and its partners in creating a San Diego River Park. The SDRC also intended to use the document to inform an update of its 2006-2011 strategic and infrastructure plan. The request was never brought before the SCC Board, however, due to the State of California's bond freeze.

The SDRC found alternate funds to complete a portion of the visioning and planning tasks, retaining TPL to analyze and map the conservation priorities and efforts of the SDRC and its partners, prepare a fact sheet of SDRC programs and focus areas, and produce an addendum to the SDRC's *Five Year Strategic and Infrastructure Plan, 2006-2011* (Exhibit 2). In January 2012, the SDRC Governing Board formally added a capital assessment and financing component

to its strategic planning process (Exhibit 3, third paragraph), and in July 2012 authorized its Executive Director to seek SCC funds to draft a “Five-Year Capital Outlay and Infrastructure Plan” (Exhibit 3). Per this direction, the SDRC now seeks authorization of funds for TPL to conduct the capital assessment and financing portion of the SDRC’s strategic plan.

**PROJECT FINANCING**

Coastal Conservancy	55,000
San Diego River Conservancy	<u>45,000</u>
<b>Total Project Cost</b>	<b>100,000</b>

Anticipated Source of Funds: The anticipated source of Coastal Conservancy funds is the fiscal year 2008/2009 appropriation from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for projects that protect San Diego Bay and adjacent watersheds and are authorized by the San Diego River Conservancy. The funds were reappropriated for this purpose in 2011.

Consistency With Proposed Funding Source: Public Resources Code Section 75060(f) makes a portion of Proposition 84 funds available to the SCC for expenditure on projects that protect San Diego Bay and adjacent watersheds. The proposed project consists of developing the financial components of a land conservation strategy to create a San Diego River Park and enable delivery of on-the-ground projects under the SDRC’s four program areas of land conservation, recreation and education, natural and cultural resources preservation and restoration, and water quality and natural flood conveyance. The Budget Act of 2008 specifies that a portion of the funds authorized to the SCC from Proposition 84 shall be allocated for projects authorized by the SDRC. On November 21, 2008, the SDRC authorized via Resolution No. 08-08 preparation of a conservation vision for the San Diego River area, and on July 12, 2012 authorized via Resolution 12-02 a modification of the conservation vision project to draft a five-year capital outlay and infrastructure plan. The proposed project is therefore consistent with the requirements of the proposed funding source.

Matching Funds: The SDRC has provided at least \$45,000 in funding and contributed in-kind services to develop a conservation vision for the San Diego River area. The SDRC is now seeking SCC funds to provide the complementary capital assessment and financing component necessary to implement on-the-ground projects.

**CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

The proposed project would be undertaken pursuant to Section 31111 and Chapters 6 and 9 of the Conservancy's enabling legislation (Public Resources Code Sections 31251-31270 (resource enhancement) and 31400-31410 (public access), respectively).

Section 31111 authorizes the SCC to fund plans and feasibility studies and to provide grants to nonprofit organizations for these purposes. Consistent with Section 31111, the SCC would award a grant to TPL, a nonprofit organization, to develop the capital assessment and financing portion of the SDRC’s strategic plan update in order to support implementation of priority projects to protect, restore, and make accessible the San Diego River area.

Under Section 31251, the SCC may award grants to nonprofit organizations for the purpose of enhancement of coastal resources that have suffered loss of natural and scenic values due to indiscriminate dredging or filling, improper location of improvements, natural or human-induced events, or incompatible land uses. Consistent with Section 31251, the SCC would award a grant to TPL, a nonprofit organization, for the purpose of enhancement of coastal resources in the San Diego River area, an area that has suffered loss of natural and scenic values due to human-induced events (such as intense development in the lower portion of the watershed). Planning under the proposed authorization would provide the capital assessment and financing strategies necessary for the SDRC later to implement projects to address the loss of natural and scenic values. The specific projects that the SDRC will later undertake were identified through the shared conservation planning exercise that the SDRC embarked on as a basis for updating its strategic plan, and were prioritized in consideration of the needs of the entire river length and watershed. Because watersheds are integrated ecological units, activities undertaken in one part will have an effect on other parts. For example, removal of invasive non-native species in the mid-to- upper reaches of a watershed (landward of the coastal zone) will help restore the entire river's hydrologic, flooding, and fire regimes, as well as remove sources of colonization in lower river reaches; ultimately, resources within the coastal zone will also benefit. Therefore, although the specific projects identified by the SDRC as priorities are located outside of the coastal zone (see Exhibit 1), their future implementation will ultimately enhance resources within the coastal zone.

Section 31400 states the Legislature's intent that the SCC have a principal role in the implementation of a system of public accessways to and along the state's coastline, to help meet the state's objective that the public have access to and enjoyment of coastal resources. Consistent with Section 31400, the SCC would be taking a principal role in helping to establish a public accessway that connects inland communities along the San Diego River to the coast. Under Section 31400.1, the SCC may award grants to a nonprofit organization to acquire and help develop lands for greater-than-local public access to the coast, and under Section 31400.3, the SCC may aid public agencies and nonprofit organizations in establishing a system of public coastal accessways. Consistent with these sections, the SCC would award a grant to TPL, a nonprofit organization, to provide information that will assist public agencies (the SDRC in particular) and nonprofit organizations in implementing public access projects. Among other things, TPL will provide or incorporate cost estimates for carrying out priority projects, including land acquisitions, identified in the recently-completed conservation vision for the San Diego River area. The SDRC will use the information provided by TPL to carry out specific projects to close gaps in the San Diego River Trail's priority reaches.

Section 31409 authorizes the SCC to award grants and provide assistance to public agencies and nonprofit organizations to establish and expand inland trail systems that may be linked to the California Coastal Trail. Consistent with Section 31409, the SCC would award a grant to establish and expand an inland trail system, the San Diego River Park trail, that may be linked to the California Coastal Trail.

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

The proposed project would be consistent with the SCC's 2007 Strategic Plan as follows:

Consistent with **Goal 1 Objective E**, the proposed project would complete a plan for a regional trail along the San Diego River that would connect inland populations to the coast and expand recreational opportunities.

Consistent with **Goal 2 Objective A**, the proposed project would complete a plan to enable creation of a river parkway trail, through acquisition of key parcels, development of trail segments, and securing and restoration of open space along the corridor.

Consistent with **Goal 6 Objective A**, the proposed project would complete a plan to create a river parkway along the length of the San Diego River to the coast.

### **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 November 10, 2011, 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:** The proposed project is supported by the SDRC, which is comprised of representatives of state agencies, two City of San Diego councilmembers, a County of San Diego Supervisor, and five members of the public (see Exhibit 3).
4. **Location:** The proposed project is located both within and outside of the coastal zone. Implementing projects throughout the San Diego River watershed will benefit resources within the coastal zone by improving water quality and enabling a continuous habitat and trail corridor along the length of the river.
5. **Need:** The SDRC's principal source of funding is the portion of funds authorized to the SCC from Proposition 84 that are to be allocated for projects authorized by the SDRC under the Budget Act of 2008 (as reappropriated in 2011).
6. **Greater-than-local interest:** The San Diego River is arguably the most historic river in California, home to the first European settlement in the State. Protecting habitat and providing for access, recreational and educational opportunities in this watershed and along the river are of value to California and the nation.
7. **Sea level rise vulnerability:** The proposed project will provide the specificity needed to deliver projects to conserve and restore the San Diego River area. Each new project implemented adjacent to or near the San Diego River will realize an additional opportunity for the SDRC and its partners to properly plan for, reduce risks from, and increase resiliency to sea level rise.

**Additional Criteria**

8. **Urgency:** The SDRC and its partners had anticipated SCC consideration for assistance with a conservation vision for the San Diego River area in 2009; unfortunately SCC consideration was rendered infeasible by the State’s bond freeze. The SDRC found funds to continue with a portion of the conservation vision, but seeks to complete the complementary capital assessment and financing portion as quickly as possible in order to begin implementing priority projects as soon as possible.
9. **Resolution of more than one issue:** The proposed project will lead to implementation of on-the-ground projects under the SDRC’s four program areas of land conservation, recreation and education, natural and cultural resources preservation and restoration, and water quality and natural flood conveyance.
10. **Leverage:** See the “Project Financing” section above.
11. **Readiness:** TPL is ready to begin work on the proposed project as soon as funds are available.
12. **Realization of prior Conservancy goals:** See “Project History” above.”
13. **Cooperation:** The proposed project will involve TPL, the SDRC, the SCC, and all of the SDRC’s partners participating in development of a shared conservation vision for the San Diego River area. Such partners include cities, agencies, nonprofit groups, community-based organizations, and private landowners.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The San Diego River Park will run 52 miles from its headwaters to the Pacific Ocean, and is therefore located partially within and partially outside of the coastal zone. Although the proposed authorization will fund planning for completion of the San Diego River Park as a whole, the specific projects it will focus on are located outside of the coastal zone. This section will nevertheless discuss consistency with local coastal program (LCP) policies in order to provide context for the overall San Diego River Park project.

The City of San Diego’s Land Use Plan (LUP) corresponds to its 12 community plans (each segment approved at various times), and the implementation phase of the City’s LCP serves as the single unifying element (approved by the Commission in January 1988). Portions of the San Diego River Park fall within the jurisdictions of two San Diego community plans: The river channel and areas north are under the Mission Bay Park plan, and areas south of the channel are under the Ocean Beach plan.

Actions to complete the San Diego River Park would be consistent with the Mission Bay Park Master Plan Update (this LUP segment approved with suggested modifications on November 15, 1996) as follows:

- The plan states that Mission Bay Park, at which the San Diego River Park will terminate coastside, should be viewed as a key destination of the regional system of recreational paths, and encourages connecting the park’s bikeways and pedestrian paths to the regional network (such as the San Diego River Park) (*Chapter VII, Access and*

*Circulation, Bicycle and Pedestrian Paths, Recommendation No. 103, “Regional Linkages”*).

- The plan calls for expansion of upland preserves along the levee of the San Diego River Channel (*Chapter VI, Environment, The Natural Resource Management Plan, third paragraph*).

Actions to complete the San Diego River Park would be consistent with the Ocean Beach Precise Plan and Local Coastal Program (LCP) addendum (certified July 13, 1988; LCP Amendment approved November 17, 1988) as follows:

- The plan identifies as an issue the preservation of the natural integrity of the San Diego River Channel (*Introduction, Problems and Issues*), calls for actions to preserve the natural features and beauty of the coastline adjacent to Ocean Beach (*Public Facilities Element, Parks and Recreation, Goals [2<sup>nd</sup> bullet]*), and recommends that the San Diego River Channel be maintained as a natural wildlife sanctuary as much as is practically possible by limiting use to passive recreation (*Public Facilities Element, Parks and Recreation, Summary of Plan Recommendation [8<sup>th</sup> bullet]*). Natural resource preservation and restoration within the San Diego River area defines the mission of the SDRC, and said preservation and restoration is an inherent part of completing the San Diego River Park.

#### **COMPLIANCE WITH CEQA:**

The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) under 14 California Code of Regulations Section 15262 because it consists of a feasibility study for possible future actions that the SCC has not approved, adopted or funded and which do not require preparation of an environmental impact report or negative declaration. Staff will file a Notice of Exemption upon approval of the proposed project.