

COASTAL CONSERVANCY

Staff Recommendation
December 3, 2015

**SAN ELIJO LAGOON RESTORATION PROJECT:
FINAL DESIGN AND ENGINEERING**

File No. 08-118-01
Project Manager: Megan Cooper

RECOMMENDED ACTION: Augment the Conservancy's April 18, 2013 authorization to disburse an additional amount of up to \$3,958,146 to the San Elijo Lagoon Conservancy for final engineering, construction contract documents, permit applications, and a monitoring program for the San Elijo Lagoon Restoration Project, San Diego County.

LOCATION: San Elijo Lagoon, Cities of Encinitas and Solana Beach, County of San Diego

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

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

Exhibit 2: [December 4, 2008; February 26, 2009; December 6, 2012 and April 18, 2013 authorizations](#)

Exhibit 3: [Funding Commitment Letter from SANDAG](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31111 and 31251 - 31270 of the Public Resources Code:

"The State Coastal Conservancy hereby augments its April 18, 2013 authorization to disburse an additional amount of up to three million, nine hundred fifty eight thousand, one hundred forty six dollars (\$3,958,146) to the San Elijo Lagoon Conservancy for further technical studies needed for permitting and design, preparing engineering submittals, and permit applications for the San Elijo Lagoon Restoration Project, San Diego County. This authorization remains subject to the conditions of its April 18, 2013 authorization."

Staff further recommends that the Conservancy adopt the following finding:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that the proposed project remains consistent with the Conservancy's findings in its April 18, 2013 authorization with respect to the Conservancy's enabling legislation, Project Selection Criteria and Guidelines; and the nonprofit status of the San Elijo Lagoon Conservancy

and further finds that the project is consistent with the Conservancy's most recent Strategic Plan."

PROJECT SUMMARY:

Staff recommends that the Conservancy augment its April 18, 2013 authorization to disburse to the San Elijo Lagoon Conservancy (SELC) an additional amount of up to \$3,958,146 of Conservancy funding received from the San Diego Association of Governments (SANDAG) for final engineering for the lagoon restoration, including technical studies and data collection, design and engineering of two pedestrian bridges, construction contract documents, permit applications, and a monitoring plan for the San Elijo Lagoon Restoration Project (SELRP). The Conservancy's April 18, 2013 authorization incorporates three other Conservancy authorizations for the SELRP. (See Exhibit 2 and Project History section, below).

The goal of the SELRP is to enhance and restore the biological functions and values of the San Elijo Lagoon Reserve with a balance of habitat types, taking into account regional historic losses (See Exhibit 2). San Elijo Lagoon is owned by the California Department of Fish and Wildlife, the County of San Diego and SELC. It is designated as a State Ecological Reserve and is located at the southern boundary of the City of Encinitas adjacent to Solana Beach (See Exhibit 1).

The SELRP is in the final design and engineering phase and this proposed augmentation will fund the completion of all pre-construction tasks for the SELRP. Since the Conservancy's original December 2008 project authorization, the SELRP has gone through several design changes which affect these pre-construction tasks. The project's stakeholder group, including all of the resource and regulatory agencies and the landowners, worked very hard to develop a project that restores water and sediment quality, improves ecological processes, and restores and protects habitat for important species. This multi-stakeholder process led to the need for additional studies, modeling, and engineering and a long environmental evaluation and permit process. The Army Corps of Engineers, the federal lead agency for the SELRP, recently selected its Least Environmental Damaging Project Alternative (LEDPA), which will be the project it will permit.

This authorization would be the final disbursement of the Conservancy's SANDAG funds to complete additional technical studies, final (100%) engineering submittals and construction specifications, a pre- and post-construction monitoring plan, implementation of pre-construction monitoring, and additional environmental and permit application information. In addition, this augmentation would also include funding for the design and engineering of two pedestrian bridges as a new task.

Project History

On December 4, 2008 the Conservancy authorized disbursement of up to \$680,000 in Conservancy funds (Proposition 84) for the SELRP. Subsequent to that approval, the Conservancy and the Conservancy through its Executive Officer augmented the Conservancy's grant contribution to the SELRP by \$77,000 (Proposition 84). The Conservancy's funds have previously been augmented by grants to the Conservancy from SANDAG in the amount of \$3,437,745. The Conservancy has approved the dispersal of SANDAG's funds to the SELC (See Project Financing, below). The Conservancy's grant funds from SANDAG come from the

California Department of Transportation’s proposed mitigation project for a major expansion of Interstate 5 in Northern San Diego County. Interstate 5 is one of the three major transportation corridors that bisect San Elijo Lagoon. SANDAG’s grant to the Conservancy is specifically to fund planning and engineering services for the SELRP.

Please see Exhibit 2 for additional project history and Project Financing, below.

PROJECT FINANCING:

Fund Source	Conservancy Authorization	Funding Approved
Conservancy Funds	December 4, 2008	\$680,000
Conservancy Augmentation	December 6, 2012	\$77,000
<i>Sub-Total Conservancy Prop 84 Funds</i>		<i>\$757,000</i>
Conservancy SANDAG Funds	February 26, 2009	\$960,000
Conservancy SANDAG Funds	December 16, 2011 (EO)	\$275,390
Conservancy SANDAG Funds	April 18, 2013	\$2,202,355
<i>Sub-Total Conservancy SANDAG Funds</i>		<i>\$3,437,745</i>
Conservancy SANDAG Funds	Current Request	\$3,958,146
Project Total		\$7,395,891

The source of funds for this proposed augmentation is a grant to the Conservancy from SANDAG via the California Department of Transportation (See Exhibit 3). The funding for the I-5 widening will come from a half-cent sales tax for local transportation projects called TransNet, which includes \$850,000,000 for an environmental mitigation program. This environmental mitigation program will fund the acquisition, restoration, and maintenance of many open spaces and wetlands throughout San Diego County, including the SELRP. Over the course of the SELRP, SANDAG has provided the Conservancy with approximately \$150,000 in staff support for this project.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION

The proposed project remains consistent with the Conservancy’s April 18, 2013 authorization with respect to the Conservancy’s enabling legislation (See Exhibit 2).

STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 2, Objective A** of the Conservancy’s 2013-2018 Strategic Plan, revised June 25, 2015, the proposed project would plan two pedestrian bridges that will increase compatible public access to and around San Elijo Lagoon.

Consistent with **Goal 5, Objective A** of the Conservancy's 2013-2018 Strategic Plan, revised June 25, 2015, the proposed project would develop a plan for the enhancement of 1,066 acres of tidal wetland habitat by restoring tidal circulation and re-establishing native habitats.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project remains consistent with the Conservancy's April 18, 2013 authorization regarding project selection criteria. In addition, the proposed project is consistent with the most current project selection criteria, adopted on October 4, 2014, in the following respects:

3. Promotion and implementation of state plans and policies:

The SELRP will implement *California's Wildlife Action Plan* (2007) by furthering the following goal for the South Coast Region:

- e. Federal, state, and local agencies, along with nongovernmental conservation organizations, should protect and restore the best remaining examples of coastal wetlands that provide important wildlife habitat.

The SELRP will implement the *California State Water Action Plan* (January 2014) by furthering the following action:

- 4. Protect and Restore Important Ecosystems, Restore Coastal Watersheds. The SELRP will develop a plan to implement a large-scale habitat project along the California coast in a strategic coastal estuary, per the Department of Fish and Wildlife's goal.

The SELRP will implement *Safeguarding California: Reducing Climate Risk Plan* (July 2014) by furthering the following goal:

Achieve Multiple Benefits from Efforts to Reduce Climate Risks and Prioritize Green Infrastructure Solutions. This goal states that the restoration of wetlands can provide more resilient natural systems that also offer protection from climate impacts. The SELRP is a plan to implement a wetland restoration project.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES

The proposed project remains consistent with the Conservancy's December 4, 2008 and April 18, 2013 authorizations with respect to the Local Coastal Program Policies (See Exhibit 2).

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 for possible future actions, which includes all design and engineering components of the project. The project is also categorically exempt

under Section 15306, which exempts basic data collection and resource evaluation activities, which includes the monitoring, mapping and data collection components of the project. Environmental factors will be considered in the studies undertaken pursuant to this authorization.

Upon approval, staff will file a Notice of Exemption for this project.