

COASTAL CONSERVANCY

Staff Recommendation
February 2, 2023

SANTA ANA RIVER MOUTH MONITORING PROJECT

Project No. 21-059-01
Project Manager: Bryce Perog

RECOMMENDED ACTION: Authorization to disburse up to \$143,120 to Orange County Coastkeeper to augment a previously authorized Conservancy grant of \$35,780 to conduct monitoring and outreach to protect endangered bird species and associated habitat located near the Santa Ana River Mouth in Orange County.

LOCATION: Santa Ana River Mouth, City of Newport Beach, City of Huntington Beach, Orange County

EXHIBITS

Exhibit 1: [Project Location Maps](#)

Exhibit 2: [September 23, 2021 Staff Recommendation](#)

Exhibit 3: [Project Support Letters](#)

RESOLUTION AND FINDINGS

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed one hundred forty-three thousand one hundred twenty dollars (\$143,120) to Orange County Coastkeeper (“OC Coastkeeper”) to augment a previously authorized Conservancy grant of \$35,780 for monitoring and outreach to protect endangered bird species and associated habitat near the Santa Ana River Mouth in Orange County to expand outreach activities and conduct an additional four years of the project.

Findings:

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

1. The proposed authorization is consistent with Chapter 6 of Division 21 of the Public Resources Code, regarding coastal resource enhancement.
 2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
 3. The Orange County Coastkeeper is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.
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STAFF RECOMMENDATION

PROJECT SUMMARY:

Staff recommends the Conservancy authorize a \$143,120 increase of the previously authorized grant to Orange County Coastkeeper (“OC Coastkeeper”) to conduct monitoring and outreach to protect endangered bird species and associated habitat located near the Santa Ana River Mouth in Orange County (Exhibit 1). This grant would augment the Conservancy’s previous grant of \$35,780, which the Conservancy authorized on September 23, 2021 (Exhibit 2), to enable expansion of the outreach component and a four-year extension of the project.

The Santa Ana River Mouth encompasses an area that is owned and managed by several public agencies, including the City of Newport Beach (City), the County of Orange (County), California State Parks, and the State Lands Commission. Multiple jurisdictions and differing regulations have made enforcement of local laws in the area problematic and have resulted in the area becoming popular for pet owners to take their dogs for daily off-leash recreation. The presence of off-leash dogs has a negative impact on the foraging and nesting success of nearby populations of federally threatened Western Snowy Plovers and federally endangered California Least Terns. Pet waste that is not properly disposed of also has a negative impact on the water quality of the Santa Ana River Mouth.

The Conservancy’s 2021 grant funded a pilot project that has been in effect for one year and includes conducting passive monitoring surveys before and after setting up the outreach table to understand how the area is being utilized with and without the OC Coastkeeper’s presence. Data collected includes presence of birds and dogs, enforcement by City, County, and State Parks employees, and maintenance activities. OC Coastkeeper engages the public in conversations about conservation of the birds and water quality when they walk up to the outreach table. The data and observations gathered through surveys are reported on a biannual basis and posted on OC Coastkeeper’s website and distributed to the City of Newport Beach, the County of Orange, the California Coastal Commission, the Conservancy, and the public. Past reports can be found on [OC Coastkeeper’s website](#) under “Reports.”

The proposed augmentation will support a four-year extension of the project through 2026 and an expansion of the outreach component of the project. Continuation of the project will have a meaningful impact on conservation of the local populations of threatened and endangered birds by allowing staff and volunteers to spend more time in the field. The project has successfully provided meaningful data to the agencies that manage the data, and OC Coastkeeper has engaged thousands of beach visitors in the year that it has been active. OC Coastkeeper has reported that the data from the passive monitoring of the area has already

been useful to the Orange County Public Works and the State Lands Commission to improve the management of the sensitive wildlife habitat. OC Coastkeeper reports that locals often know that they are breaking the rules by allowing their dogs in the river mouth as well as off-leash. The augmentation will allow OC Coastkeeper to hire full-time staff to increase their presence at the project site, allowing OC Coastkeeper to build rapport with the locals. Connecting with these locals and conveying the conservation implications of off-leash dogs on the recovery of the sensitive bird species is critical to the success of the project. Another important benefit to continued funding for the project includes better networking between local community organizations. Since the beginning of the project, OC Coastkeeper has been able to connect with a local Audubon chapter and has started conversations about collaborations in the future.

Extending the project timeline and increasing staff and volunteer time on the project will allow greater rapport with locals, greater outreach to visitors, and more possibilities for networking and collaborations with other organizations. The outreach component of the project will be expanded to include presenting the project to community groups and to community members, soliciting community member ideas and concerns about the area, developing a new responsible recreation dog guide to be given to visitors, and engaging local high school students in the project. Tribal consultation letters were sent in July 2021 to members of ten tribes and no responses were received.

Site Description:

The project site straddles the boundary between the Cities of Huntington Beach and Newport Beach, and is composed of several properties that are owned and managed by the City of Newport Beach, the County of Orange, California State Parks, and the State Lands Commission (Exhibit 1). The project site is approximately thirteen acres of sandy beach and granite riprap adjacent to the Santa Ana River mouth where it meets the Pacific Ocean. The western boundary of the site is a chain-link fence with barbed wire that denotes the beginning of the California Least Tern preserve on Huntington State Beach, the northern boundary is the Pacific Coast Highway bridge over the Santa Ana River, the eastern boundary is Olive Street and Lifeguard Tower 74 in the City of Newport Beach, and the southern boundary is the Pacific Ocean. OC Coastkeeper has spoken with the various management agencies and they are supportive of the project.

Grant Applicant Qualifications:

Orange County Coastkeeper has over twenty years of experience in managing state-funded projects including Conservancy grants for restoration and public access projects. Furthermore, OC Coastkeeper has successfully run three concurrent similar projects, including their Cleanup Orange County project to host monthly beach cleanups and collect data on the volunteer effort and trash removed for 13 years, their Marine Protected Area Watch human use monitoring program for approximately 10 years, and have started a new, similar project, "Berm Buddies," that monitors human impacts and conducts outreach to the public at the Aliso Creek berm in Laguna Beach, Orange County.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA:

The proposed project is consistent with the Conservancy's Project Selection Criteria, last updated on September 23, 2021, in the following respects:

Selection Criteria

1. Extent to which the project helps the Conservancy accomplish the objectives in the Strategic Plan.

See the "Consistency with Conservancy's Strategic Plan" section below.

2. Project is a good investment of state resources.

This is an augmentation for an ongoing project. The project is feasible, has a reasonable budget, and heavily utilizes volunteer work. Thus far, OC Coastkeeper's staff and volunteers have conducted hundreds of surveys and contacted thousands of beach visitors and informed them of local conservation efforts. The augmentation will allow OC Coastkeeper to expand their efforts which will have a lasting impact on the interaction of the human community with wildlife on the coast. Data generated from the monitoring portion of this project thus far has already informed decisions about management. For example, the State Lands Commission used the OC Coastkeeper's reports as part of their staff recommendation to change the county's lease of the area. Additionally, other similar efforts to improve management of the sensitive habitat are ongoing.

The project supports the goals of multiple state plans and policies, including California @ 50 Million: The Environmental Goals and Policy Report (2015), California Water Action Plan, California Wildlife Action Plan, Federal Species Recovery Plans, and U.S. Fish and Wildlife's revised California Least Tern (*Sterna antillarum browni*) Recovery Plan (1985). See Exhibit 2 for more detail on how this project supports each plan/policy. The project also advances the state's 30x30 Executive Order to target areas for conservation with species rarity, strengthen monitoring and evaluation of coastal health to improve conservation outcomes of state management, and to explore the development of ongoing monitoring and data analysis programs with long-term funding to support adaptive management of lands and coastal waters for biodiversity protection.

The project collects valuable data to understand the human impact on the California Least Tern and the positive impact of public engagement and education on the population. The project will inform public agencies of the area's recreational uses and how best to enforce local laws and protect endangered species and associated habitat based on public access and activities. This project may be replicated in other coastal areas of to better protect sensitive habitat for threatened and endangered bird species.

3. Project benefits will be sustainable or resilient over the project lifespan.

In the first year, the OC Coastkeeper was able to develop connections with local non-profit organizations and contact thousands of members of the public. With additional funding and time, OC Coastkeeper will have more meaningful conversations about conservation with local residents as they continue to build rapport with the community. Lessons taught to the public about conservation will continue to make an impact after the termination of the project, and

lessons learned by OC Coastkeeper will help to conserve other sensitive habitats through monitoring and outreach. Reports about the human use of the beach area will inform agencies and allow for future planning of how to protect sensitive bird species.

4. Project planned with meaningful community engagement and broad community support.

Meaningful community engagement and broad community support are foundational to the project. OC Coastkeeper engages with the community in a variety of spaces, including at the project site and community meetings, and through a volunteer led docent program. The community input and data gathered from these exchanges informs management agencies about how humans interact with the site and also serves to iteratively inform the outreach process. One of the goals of the project is to build connections with local non-profits to continue expanding the impact of the project past the grant termination, therefore the engagement of community groups is critical to the success of the project and during the first year OC Coastkeeper begun to build these partnerships. The project is broadly supported by elected officials, including Senator Min, Senator Nguyen, Assemblymember Petrie-Norris, various wildlife agencies and land managers, including the California Coastal Commission, California State Parks, City of Newport Beach, and several nonprofit organizations, including Friends of Harbors, Beaches and Parks, Orange Coast River Park, Orange County Habitats, and Sea and Sage Audubon Society (see Exhibit 3).

PROJECT FINANCING

Coastal Conservancy	\$143,120
Other funds	\$0
Project Total	\$143,120

The anticipated funding source is an appropriation to the Conservancy from the Violation Remediation Account (VRA). Funds in the VRA are available for carrying out provisions of the Coastal Act (Public Resources Code, Section 30823). Funds in the VRA originate from administrative orders, settlements, and judicial actions arising from Coastal Act violations. The VRA funds allocated for this project are penalties from Newport Beach encroachment violations (Consent Cease and Desist Order CCC-20-CD-02, Consent Restoration Order CCC-20-RO-01 and Consent Administrative Penalty CCC-20-AP-02) that are intended for public access or habitat restoration projects in coastal Orange County, preferably in the City of Newport Beach, and preferably projects to protect the Western Snowy Plover and its habitat from disturbance.

Expected in-kind services for the project include volunteer time. OC Coastkeeper anticipates 20 hours/month of volunteer time to be donated, valued at approximately \$34,954 per year of in-kind services.

In-kind contributions described above are estimates. The Conservancy does not typically require matching funds or in-kind services, nor does it require documentation of expenditures from other funders or of in-kind services. Typical grant conditions require grantees to provide any funds needed to complete a project.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project remains consistent with the Conservancy's enabling legislation, as detailed in the September 23, 2021 staff recommendation (Exhibit 2).

CONSISTENCY WITH CONSERVANCY'S [2023-2027 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 3.2** of the Conservancy's 2023-2027 Strategic Plan, the project will restore or enhance important wildlife habitat by conducting meaningful outreach to the public to enhance community stewardship and providing data to various land and resource managers to inform protection of critical habitat for threatened bird species.

CEQA COMPLIANCE:

The proposed project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations, section 15306, which exempts projects that consist of basic data collection and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. The proposed project, which consists of conducting passive monitoring surveys to collect data, is unchanged and remains the same project analyzed under the Conservancy's previous authorization, as detailed in the September 23, 2021 staff recommendation (Exhibit 2).