

COASTAL CONSERVANCY

Staff Recommendation
February 15, 2024

**ORMOND BEACH RESTORATION AND PUBLIC ACCESS PROJECT:
PERMITTING AND IMPLEMENTATION**

Project No. 90-048-09
Project Manager: Sally Gee

RECOMMENDED ACTION: Authorization to disburse: 1) an amount not to exceed \$1,270,551 to augment a contract for preliminary design, including preparation of more detailed designs, engineering, and permitting for the Ormond Beach Restoration and Public Access Project (OBRAP), and 2) a grant of an amount not to exceed \$35,000,000 to The Nature Conservancy to complete permitting and implement the first phase of the OBRAP, which consists of restoration and public access improvements on approximately 280 acres at the eastern side of Ormond Beach and management of the wetlands.

LOCATION: Ormond Beach, City of Oxnard, Ventura County

EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [Ormond Beach Ownership Map](#)
- Exhibit 3: [Ormond Beach Restoration and Public Access Plan](#)
full plan: <https://www.oxnard.org/ormond-beach-restoration-public-access-plan/>
- Exhibit 4: [Statutory Exemption for Restoration Projects Concurrence](#)
- Exhibit 5: [Project Letters](#)

RESOLUTION AND FINDINGS

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

Resolution:

The State Coastal Conservancy hereby authorizes: 1) disbursement of an amount not to exceed one million two hundred seventy thousand five hundred fifty one dollars (\$1,270,551) to augment a contract for preliminary design, including preparation of more detailed designs, engineering, and permitting for the Ormond Beach Restoration and Public Access Project

(OBRAP), and 2) a grant of an amount not to exceed thirty five million dollars (\$35,000,000) to The Nature Conservancy (“the grantee”) to complete permitting and implement the first phase of the OBRAP, which consists of restoration and public access improvements on approximately 280 acres at the eastern side of Ormond Beach and management of the wetlands.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain 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 Nature Conservancy is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.

STAFF RECOMMENDATION

PROJECT SUMMARY:

Staff recommends the Conservancy authorize: 1) disbursement of an amount not to exceed \$1,270,551 to augment a contract for preliminary design, including preparation of more detailed designs, engineering, and permitting for the Ormond Beach Restoration and Public Access Project (OBRAP), and 2) a grant of an amount not to exceed \$35,000,000 to The Nature Conservancy to complete permitting and implement the first phase of the OBRAP and for management of the wetlands. The term "project" in this staff report refers to permitting and implementation of the first phase of the OBRAP, which consists of restoration and public access improvements on approximately 280 acres at the eastern side of Ormond Beach.

The OBRAP area is an approximately 650-acre wetland and dune complex in the City of Oxnard, Ventura County (Exhibit 1), that consists of land owned and managed by the Coastal Conservancy, The Nature Conservancy (TNC), and the City of Oxnard (City) (Exhibit 2). The goals of the OBRAP, including the first phase, are presented in the Ormond Beach Restoration and Public Access Project - Preliminary Restoration Plan (May 2021) (Exhibit 3) and include

improving habitat and hydrologic connectivity, restoring ecosystem functions, creating diverse microhabitats, replanting with a diverse native plant palette, enhancing ground water recharge, and implementing a long-term adaptive management plan. The Preliminary Restoration Plan also identifies many public access features that will provide much-needed coastal access to the community of Oxnard and will facilitate habitat restoration by reducing inappropriate use.

The Conservancy contracted Environmental Science Associates (ESA) to further the Preliminary Restoration Plan by advancing restoration designs and permitting for the entire 650-acre area. This involves conducting various biological, physical, hydrologic, and socioeconomic technical studies, and stakeholder engagement with tribes, the public, and a science advisory committee. Given the size, multitude of habitat types, and complex phasing of the OBRAP, additional funding is needed to complete the full scope of the contract, including technical studies, restoration design, permitting, and stakeholder outreach. The contract will also add development of a long-term adaptive wetland management and monitoring plan with input from permitting agencies. TNC is a partner in the restoration and has provided matching funds to support a portion of this scope, to be contracted through TNC.

The OBRAP will be implemented in phases to allow for adaptive restoration and fundraising for each phase. The first phase consists of restoration and public access improvements on the eastern segment (generally areas 3b, 4, and 5 - 9 in the Preliminary Restoration Plan in Exhibit 3), which is land primarily owned by the Conservancy. The preferred habitat restoration and public access features are also shown in Exhibit 3. To implement the first phase, designs advanced by ESA will be used to prepare final construction documents for the project and any remaining permits necessary (e.g. local construction permits) will be secured.

The OBRAP is a regionally-important wetland restoration for Southern California and is identified as a high priority by the Southern California Wetlands Recovery Project. The Ventura County coast was originally a vast complex of dunes, lakes, lagoons, and salt and freshwater marshes. From the Santa Clara River estuary to Mugu Lagoon, there were seven lagoons along the coast. Most have disappeared, been severely degraded, or been converted to marinas or ports. Historically, the Ormond Beach area contained a diverse set of habitats including sandy beaches, coastal lagoons and estuaries, fore- and back dune areas, brackish and seasonal freshwater marshes, freshwater drainages, grasslands, and transitional uplands. The Ormond Beach wetlands have been drained, filled, and degraded to accommodate agriculture, energy plants, and industrial uses. The Conservancy has been working toward protection and restoration of Ormond Beach since the early 1990s, funding multiple acquisitions and restoration planning.

Despite serious impacts to the habitats, Ormond Beach is one of the few places in coastal southern California with an intact connection between coastal dunes and salt marsh habitats. The lack of roads and other infrastructure cutting through the wetlands has left many sensitive habitat areas intact. These remaining sensitive habitats support a multitude of sensitive species including California least tern, western snowy plover, Belding's savannah sparrow, tidewater goby, and salt marsh bird's beak. These sensitive species are surviving in the areas of Ormond Beach that have not been impacted by diking, dredging, and filling. Restoring fully functional habitats and hydrology at the site will expand the habitat areas for these sensitive species.

Additionally, the land directly inland of the wetlands is currently in agricultural use, which provides a unique opportunity to allow for habitat migration inland of the existing habitat areas as sea level rises.

Ormond Beach, with its two miles of sandy beach, attracts beach users from the surrounding area, but has the potential to provide more beach access for the local community. In 2015, more than 22,000 visitors were counted at the Arnold Road entrance to the Conservancy's property at Ormond Beach. People come to walk and sit on the beach, fish, bird watch, and swim. From door-to-door surveys of adjacent residential neighborhoods with low-income residents in South Oxnard, a majority of respondents indicated that they have never been to the beach because they did not know it was there, or rarely visit the beach, despite it being one mile south of their homes. There is also a lack of easy public and active transportation options to the beach.

The project (the first phase of the OBRAP) is designed to maintain and expand salt marsh and salt panne habitats at higher elevations that will gradually be converted to saltier wetlands as sea-levels rise. The project includes restoring former industrial land to coastal habitats by removing fill and regrading to restore a series of seasonal wetlands, removing a roadway and dike to reconnect salt marsh habitats, improve water retention in current drainage ditches to enhance habitats, and creating upland and wetland-upland transition habitats with excess fill that has been removed to restore wetlands. The project will utilize earthmoving and other moderate interventions to restore a broader mosaic of native wetland and upland habitats, while enhancing or preserving existing high-value habitats. Earthwork utilized to restore or create wetlands is focused primarily on existing agricultural land or degraded industrial areas such as a former fuel tank storage facility. The target habitats include a mosaic of open water, salt marsh, seasonal wetland, brackish marsh, wetland-upland transition, salt panne, upland, and coastal dunes.

The project will construct a new public trail system with amenities which may include boardwalks, bridges, overlooks, new staging areas, and interpretive signage. The public access features are designed to further facilitate habitat restoration by controlling and directing public use. Currently most of the property is open to uncontrolled public access. The public can walk through sensitive habitat areas, including nesting areas for California least terns and western snowy plovers, which has a detrimental effect on conserving native wildlife and habitat. The public access features are designed from a naturalist approach compatible with the restoration goals (Exhibit 3). Public access improvements will support native wildlife and habitat restoration efforts by channeling existing public use through a new public trail system.

Funding adaptive management of the restoration site and surrounding Ormond Beach area will ensure ongoing success of the Conservancy's investment in the OBRAP. Management of the wetlands will involve site security to protect sensitive habitats and endangered species, predator management for nesting species protection, monitoring of beneficial and non-beneficial public use, public stewardship and engagement, and other management actions needed for habitat protection and safe public access. The adaptive management plan will provide metrics to track progress in meeting project objectives, evaluate effectiveness of restoration actions, and outline a process to guide management decisions. This will be

developed in coordination with the landowners, natural resources agencies, and adjacent landowners such as the U.S. Navy, Port Hueneme, U.S. Environmental Protection Agency, and Ormond Generating Station.

Site Description:

Ormond Beach is located along the southern coast of Ventura County, California. It is situated within the City of Oxnard and is located between the City of Port Hueneme and Naval Base Ventura County Point Mugu. Ormond Beach is a 1,500-acre area composed of agriculture, industry, and wetlands. The two-mile-long beach extends from Port Hueneme to the northwestern boundary of Point Mugu Naval Air Station. Ormond Beach is surrounded by a mix of agricultural, industrial, military, open space, and public and private duck club properties.

The City of Oxnard's South Oxnard neighborhood lies north of the Project Area. Many of the residents of these neighborhoods are Latinx (73.5 percent per 2010 US Census Bureau Data), and 16.6 percent of residents earn at or below the federal poverty line. The State defines South Oxnard as a disadvantaged to severely disadvantaged community (California Department of Water Resources 2020). The state's Office of Environmental Health Hazard Assessment ranked the City of Oxnard in the top 20 percent of the most environmentally burdened communities in the state (California EPA 2018).

Contractor and Grantee Qualifications:

ESA is a consultant specializing in environmental planning and design for more than 50 years and has extensive experience successfully designing and implementing wetland restoration projects, with over 30,000 acres of implemented wetland restoration projects. ESA developed the Preliminary Restoration Plan and is currently under contract for earlier phases of the design and engineering.

TNC is a 501(c)(3) organization that has successfully participated in large restoration projects in California (e.g., Suisun Marsh), across the nation (e.g., Chesapeake Bay), and internationally. TNC has both the resources and expertise to oversee this restoration effort. TNC owns a portion of Ormond Beach and is currently managing its own land and the Coastal Conservancy's land. TNC is also currently implementing nesting bird protection and invasive plant removal at Ormond Beach. The work that TNC is currently implementing is an interim step prior to the first phase of OBRAP while additional design development for the OBRAP occurs. TNC's work also includes environmental education training related to the wetlands; clean-up events; and public workshops, surveys, focus groups, and field trips related to the larger OBRAP planning effort.

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.

The proposed project will protect state and federal endangered and threatened species, and implement restoration at Ormond Beach which has been a restoration priority for the Coastal Conservancy for 30 years and is on the Work Plan of the Southern California Wetlands Recovery Project, a consortium of local, state, and federal agencies focused on restoration of Southern California coastal wetlands and watersheds.

3. Project includes a serious effort to engage tribes. Examples of tribal engagement include good faith, documented efforts to work with tribes traditionally and culturally affiliated to the project area.

In 2021, the Conservancy, TNC, and the City sent tribal consultation letters to the Barbareño/Ventureño Band of Mission Indians (BVBMI), the Coastal Band of the Chumash Nation, the Barbareño Band of Chumash Indians, the Santa Ynez Band of Chumash Indians, and the Wishtoyo Foundation to briefly introduce and invite engagement on the OBRAP. In response, the BVBMI indicated interest in meeting to learn more about the OBRAP. TNC and the Conservancy held multiple meetings over the years with the Tribal Council of the BVBMI. The purpose of the meetings has been to share updates with the Council about the OBRAP, learn about the tribe's needs and priorities, and discuss opportunities for collaboration.

TNC has provided small grants to support environmentally-related activities of the BVBMI. TNC is currently in the process of creating a grant agreement to support cultural monitoring by the BVBMI during interim restoration activities taking place at Ormond Beach in 2024 and 2025. The Conservancy, TNC, and the City plan to continue discussing further opportunities for collaboration on the OBRAP including any interest in community hikes, listening sessions, design feedback sessions, and construction monitoring.

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

The OBRAP will have long-term net benefits for climate resiliency by restoring native wetland habitats that act as a buffer to sea level rise and can provide room for habitats to migrate inland as sea level rises. The project area is in an extent of geographic vulnerability because it is a low-lying area that is already inundated with tides. The wetlands complex at Ormond Beach is not confined by major infrastructure (e.g. highway, railroad) or other development (e.g. housing) and therefore has room for ecosystem migration inland over the long-term as sea level rises. Thus, though the project area is projected to be vulnerable to tidal inundation, there is physical room for habitat migration to occur. Restoring functional wetlands habitats today will strengthen Ormond Beach’s ability to persist in the future.

5. Project delivers multiple benefits and significant positive impact.

The project will provide multiple benefits to biodiversity and public access. Implementation of the project will result in the creation and enhancement of a range of wetland habitats from sand dunes and uplands and will accommodate the future inland and upland migration of threatened wetland habitats. This project will contribute to the ecological resilience of the larger wetland complex, including Magu Lagoon on Naval Base Ventura County, through invasive species removal and restoration.

In addition, Ormond Beach is not well served by existing public access facilities. Parking lots and staging areas are too small, not well known to local residents, difficult to access, perceived as dangerous, or located next to undesirable industrial areas. Residents of the neighboring disadvantaged South Oxnard community tend to not visit Ormond Beach for all the reasons listed above. Improving public access and better connecting the beach to the adjoining neighborhoods is a major goal of the project.

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

Over the past six years, the Conservancy, TNC, and the City have facilitated community engagement through community workshops, door-to-door surveys, and public field trips. Through this outreach, the community has identified immediate needs for enhanced stewardship, safer and more convenient access points, outreach to underserved low-income and diverse communities, site security, and habitat protection. Additional feedback was provided by the OBRAP’s scientific advisory committee, which included representatives from federal and state wildlife agencies, nongovernmental organizations, and university faculty. As the project is undertaken, public involvement will continue and include additional public meetings, project updates via social media, focus groups, field trips, volunteer naturalist trainings, and beach cleanup events.

PROJECT FINANCING

Coastal Conservancy	\$36,270,551
Project Total	\$36,270,551

Conservancy funding is anticipated to come from a Fiscal Year 2023/24 appropriation from the General Fund to the Conservancy to address "urgent sea-level rise adaptation and coastal resilience needs using nature-based solutions or other strategies" (The Budget Act of 2023, Chapter 38, Statutes of 2023 (AB 102)). The project is consistent with this funding source as it will increase the sea level rise resilience and wetland restoration at Ormond Beach. In particular, the project will implement a habitat restoration project that will increase resiliency and protect public access. The project area is an extent of geographic vulnerability because it is a low-lying area that is already inundated with tides and vulnerable flooding. According to the NOAA sea-level rise viewer, after just one foot of sea-level rise flooding will begin to occur outside the project area. The project area is considered a disadvantaged community according

to the State Water Board's mapping. There are opportunities for federal financial support for this project, as described below.

Another anticipated funding source for this authorization is interim mitigation funds provided to the Conservancy pursuant to the State Water Resources Control Board's (SWRCB) Once-Through Cooling Policy adopted on May 4, 2010. Under a Memorandum of Understanding (MOU) between the SWRCB, Conservancy and the California Ocean Protection Council, interim mitigation funds paid under the Once-Through Cooling Policy may be used by the Conservancy to fund wetland restoration. Consistent with the MOU, the Conservancy has consulted with the State Water Resources Control Board about the proposed use of the funds on this project.

Conservancy staff have been invited to submit a full application to the National Oceanic and Atmospheric Administration (NOAA) Climate Resilience Regional Challenge grant program in the amount of \$75,000,000. If successful, the NOAA grant will provide \$30,000,000 to the project and the Conservancy's contribution could be reduced to as low as \$6,270,551, dependent on actual costs of project implementation. Staff anticipates hearing back on the NOAA grant in spring 2024.

Unless specifically identified as "Required Match," the other sources of funding and 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 Conservancy is authorized under Section 31111 of the Public Resources Code to fund and undertake plans and feasibility studies in order to implement Division 21. Section 31251.2 of Chapter 6 of Division 21 authorizes the Conservancy to undertake projects to enhance the natural character of coastal resources and to enhance a watershed resource that is partly outside of the coastal zone. The Ormond Beach wetlands complex is partly inside and outside of the coastal zone. The Conservancy may only undertake a project affecting an area straddling the coastal zone if requested by a local public agency or agencies with jurisdiction over the entire project area. The City, which has jurisdiction over the entire project area, has a policy in its certified Land Use Plan that expressly states that the City will work with the Conservancy to protect and enhance coastal resources. Local Coastal Policy 91 states:

The LCP represents the commitment of the City of Oxnard to provide continuous protection and enhancement of coastal resources. Certain areas of the coastal zone may require further public action to ensure their protection and enhancement. The City will work with the California Coastal Conservancy to meet these needs.

The project is also consistent with Section 31252, as the project area targeted for restoration is identified in the certified City of Oxnard Local Coastal Program as requiring action to protect

and enhance coastal resources. The proposed project is consistent with the City of Oxnard Local Coastal Program as it will aid in the protection and enhancement of the sensitive coastal resources in the Ormond Beach portion of the City of Oxnard's coastline.

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

Consistent with **Goal 1.1 Commit Funding to Benefit Systemically Excluded Communities**, the proposed project will commit funding to benefit the systemically-excluded community of Oxnard by increasing access to a restored and healthier coast.

Consistent with **Goal 2.4 Build Trails**, the proposed project will build approximately 1.3 miles of trail and three new viewing platforms.

Consistent with **Goal 3.2 Restore and Enhance Habitats**, the proposed project will restore approximately 280 acres of wetland, dune, and associated upland habitat.

Consistent with **Goal 4.1 Sea Level Rise Adaptation Projects**, the proposed project will implement one project to restore the ability of the Ormond Beach wetlands to adapt to sea-level rise.

CEQA COMPLIANCE:

This project is exempt from CEQA pursuant to Public Resources Code section 21080.56(a)(1). This section exempts projects that conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend. Pursuant to Public Resources Code section 21065, the Conservancy is a public agency directly undertaking the Ormond Beach Restoration and Public Access Project, which may cause a direct physical change in the environment. As the Lead Agency the Conservancy found that:

- a) The OBRAP is exclusively intended to restore and assist in the recovery of habitat for California native fish and wildlife.
- b) The OBRAP will have incidental public benefits, such as public access and recreation, that will support the restoration of the project area by directing public use in a way that is most protective of sensitive plant and animal habitats.
- c) The OBRAP will 1) result in long term net benefits to climate resiliency by restoring native wetlands habitats that act as a buffer to sea level rise; biodiversity by enhancing and creating a broad mosaic of wetland types that are expected support a wide array of California native fish and wildlife along the Pacific Flyaway; and sensitive species recovery by minimizing or eliminating threats to eight federal or state listed species, and 2) will include procedures and ongoing management for the protection of the environment.

Pursuant to section 21080.56(e), staff sought concurrence from the Director of the California Department of Fish and Wildlife that the OBRAP is exempt, including this project which covers the first phase of the OBRAP. Restoration of hydrology and ecological functions will restore habitat for native plants and wildlife at the project site. In addition, appropriate siting of public

access with habitat fencing and monitoring of bird nesting habitat will assist in the recovery of two shorebird species listed under the Endangered Species Act (California least tern and western snowy plover). Pursuant to section 21080.56(f), the OBRAP will not weaken or violate any applicable environmental or public health standards.

In accordance with this exemption, the OBRAP will promote climate resiliency, biodiversity, and sensitive species recovery through restoration of functional connections between habitat zones and the ability for wetlands to migrate with sea-level rise.

On January 2, 2024, the Director of California Department of Fish and Wildlife concurred with Conservancy staff that the OBRAP is exempt from further CEQA compliance (Exhibit 4). Pursuant to section 21080.56(g), the Conservancy filed a Notice with the Office of Planning and Research, State Clearing House #2024010071.