

COASTAL CONSERVANCY

Staff Recommendation
November 21, 2024

**BUENA VISTA LAGOON RESERVE COASTAL WETLAND
HABITAT RESTORATION AND RESILIENCY PROJECT**

Project No. 24-038-01
Project Manager: Kellan Warner

RECOMMENDED ACTION: Authorization to disburse up to \$600,000 to the Buena Vista Audubon Society to undertake the Buena Vista Lagoon Wetlands Reserve Coastal Habitat Restoration & Resiliency Project, which consists of conducting community engagement and preparing designs and permit applications needed for the restoration of 5.94 acres of wetland habitat at the Buena Vista Lagoon Reserve in San Diego County.

LOCATION: Buena Vista Lagoon, Carlsbad and Oceanside, San Diego County

EXHIBITS

- Exhibit 1: [Project Location Map](#)
 - Exhibit 2: [Project Site Photos and Initial Design](#)
 - Exhibit 3: [Project Letters](#)
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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 six hundred thousand dollars (\$600,000) to the Buena Vista Audubon Society (the “grantee”) to undertake the Buena Vista Lagoon Wetlands Reserve Coastal Habitat Restoration & Resiliency Project, which consists of conducting community engagement and preparing designs and permit applications needed for the restoration of 5.94 acres of wetland habitat at the Buena Vista Lagoon Reserve in San Diego County (the “project”).

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.
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2. Names and qualifications of any contractors to be retained in carrying out 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 resource enhancement projects.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
3. The Buena Vista Audubon Society 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 a \$600,000 grant to the Buena Vista Audubon Society to undertake the Buena Vista Lagoon Wetlands Reserve Coastal Habitat Restoration & Resiliency Project, which consists of conducting community engagement and preparing designs and permit applications needed for the restoration of 5.94 acres of wetland habitat at the Buena Vista Lagoon Reserve in San Diego County (the “project”) (See Exhibit 1 for project location).

The Buena Vista Lagoon is a coastal lagoon that spans the border of the cities of Carlsbad and Oceanside. At 220 acres, the “beautiful view” lagoon supports a variety of fish species and is on the annual bird migration route the Pacific Flyway. It is a sanctuary to several endangered bird species, such as the Light-footed Ridgway’s Rail, California Gnatcatcher, and Least Bell’s Vireo. In 1968 it became California’s first ecological reserve designated by the Department of Fish and Wildlife.

The Buena Vista Lagoon was cut-off from its connection with the ocean in 1940 when a weir (a small dam) was built at the mouth of the lagoon. This modification in the natural hydrology of the estuary has led to major impacts to water quality and loss of habitat. Many agencies, including the Conservancy, have been working on plans to restore the natural hydrology and habitat of this lagoon. The San Diego Association of Governments (SANDAG) has completed an Environmental Impact Report (EIR) and is developing plans for the Buena Vista Lagoon Enhancement Project, which will remove the weir, and dredge and engineer the lagoon to allow tidal flushing of ocean water. This will increase species diversity and restore the Buena Vista Lagoon to coastal saltmarsh habitat, while also improving water quality in the lagoon.

The project site is a small part of the larger Buena Vista Lagoon and adjacent to SANDAG’s proposed enhancement project. The project area is a 5.94-acre area of transitional upland habitats, including wetlands, on the edge of the lagoon with a short, informal trail. The project site lies in a park-poor area of Oceanside and the existing unplanned trail at the project site is heavily used. The project site has degraded over time with invasive weeds, imported fill, and soil erosion and thus provides few ecological, cultural, or recreational benefits.

Additionally, the Buena Vista Lagoon sits on the ancestral lands of the Payómkawichum people who were forcibly removed from their homelands. Now many tribal members are seeking to reconnect with these ancestral lands, including at the project site. They wish to regain access to their homelands to help heal historical trauma and to have a safe space to practice their history, language, customs and culture, and to harvest their traditional plants.

The project includes preparation of designs to: restore wetlands on the 5.94 acre site, to increase the ability of the site to adapt to future sea level rise, and to increase accessibility through trail improvements, while including local tribal partners to ensure elements important to Indigenous culture will become part of the project design.

The project includes initial design plans for restoration of the project site, which include invasive plant removal and the re-establishment of native habitat via active planting and seeding of native plants, realigning the trail to upland habitat, considering designs to allow hydrological connection with SANDAG's Buena Vista Lagoon Enhancement Project and potentially increasing tidal flow on the site, and green infrastructure features to capture and filter polluted urban runoff prior to entering the lagoon.

Members of the Payómkawichum Nation from the San Luis Rey and Rincon Bands of Mission Indians are project partners and will help ensure the project includes traditional stewardship, cultural practices, Indigenous ecological knowledge, and access to ancestral lands. To facilitate re-connecting Indigenous peoples to their ancestral land, a gathering area will be considered at the project site as part of the design. This area would be used for Indigenous cultural events. Indigenous elders and other members of the Payómkawichum Nation emphasized the importance of re-establishing plants important to their cultural practices at the project site, and they have contributed lists of these plants, which will be incorporated into the project design. Access to the site for harvesting traditional plants will also be considered in project design and long-term management.

The project includes completion and refinement of 65% project design, engagement with members of the Payómkawichum Nation and the local community in the project design, and preparation of permit applications. The project is currently under consideration for a CEQA Statutory Exemption for Restoration Projects (SERP) by the California Department of Fish and Wildlife.

If this phase of planning is completed for less than the full amount of the Conservancy grant, the Buena Vista Audubon Society may seek approval to use the remaining funds for a subsequent phase of the project (i.e., final planning tasks to prepare for construction), which may be approved by the Executive Officer if construction is CEQA exempt pursuant to the SERP or which will need board approval if not exempt from CEQA.

Site Description: The project is located on the northern portion of the Buena Vista Lagoon Ecological Reserve, west of South Coast Highway, south of Broadway Street and Eaton Street, and east of the North County Transit District railroad tracks (Exhibit 2). The 5.94-acre project site encompasses 3.8 acres of lands owned by the Buena Vista Audubon Society, 1.9 acres of land within the Buena Vista Lagoon Ecological Reserve owned and managed by the California Department of Fish and Wildlife, and 0.24 acre of City of Oceanside owned land. A popular, but

highly disturbed, informal and unmaintained trail running through the project site links the neighborhood near Broadway Street to the Pacific Coast Highway. Urban runoff from residential streets causes soil erosion and delivers stormwater pollutants onto the project site and into the lagoon. The project site is also highly disturbed by invasive plants and imported fill. The project site is split into three distinct zones- emergent marsh, degraded wetland-upland transition zone, and upslope of the transition zone. While the emergent marsh is dominated by native species, the other two zones are dominated by invasive grasses and iceplant. Endangered Light-footed Ridgway's Rail has been observed in the area and one pair is known to nest at the edge of the project.

Grant Applicant Qualifications: Buena Vista Audubon Society has significant experience in the field of habitat restoration and is currently completing a five-year habitat restoration project in Oceanside with the U.S. Marine Corps. Additionally, they received a Conservancy grant in 2016 and are working on Community Wetland Restoration Grant with the National Audubon Society and local tribal partners.

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 project contributes to protecting wetland habitats in Southern California. These areas are under intense stress from urbanization and face impacts from historical and ongoing stressors, and must be bolstered for predicted future stressors, like climate change. Wetlands provide multiple ecosystem services, including carbon sequestration, reduced flooding, and improved water quality. The budget for this project is reasonable and the project is feasible.

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.

Members of the Payómkawichum Nation are project partners and will help ensure the project includes traditional stewardship, cultural practices, Indigenous ecological knowledge, and access to their ancestral lands.

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

The project will increase natural defenses against predicted sea-level rise and ecological decline by improving the capacity of the wetland habitat to respond to climate change and maintain healthy functions. Wetlands provide a bevy of ecosystem surfaces, including carbon sequestration, buffering against sea level rise and storm surge, and the filtration of sediments

and pollutants. The project also includes components of removing non-native species and reinstating native species, which will bolster the long-term wildfire resistance of the project site.

Strategically located across from Buena Vista Audubon Society’s nature center, the project site will be maintained and monitored into the long-term by volunteers, a long-term management project manager, and paid contractors to ensure long-term habitat health.

5. Project delivers multiple benefits and significant positive impact.

The project has a variety of benefits, including the opportunity to create access through design of an ADA-compliant trail, enhance habitat by removing non-native species and installing native species, install green infrastructure features to capture and filter polluted urban runoff prior to entering the lagoon, and increase sea level rise resilience by planning for future sea levels. The project also increases equity and environmental justice by prioritizing members of the Payómkawichum Nation, whose ancestral homeland includes the project site.

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

Besides engagement with tribal groups, Buena Vista Audubon Society has also engaged the local community via neighborhood meetings and one-on-one meetings. In early 2022, they began meeting with a local community group representing neighbors who lived near the project site. The conceptual plan was shared at an open house at the Buena Vista Lagoon Nature Center. At the meeting, input was in support of enhancing wetlands and establishing native habitat. Buena Vista Audubon Society is working with the community to ensure that the community supports the trail design and location.

PROJECT FINANCING

Coastal Conservancy	\$600,000
Dorrance Family Foundation	\$417,049
Preserve Calavera	\$324,429
Project Total	\$1,341,478

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 12, Statutes of 2023 (SB 101) as amended by Chapter 38, Statutes of 2023 (AB 102)). The project is consistent with this funding source because the project will plan to restore the project site to its natural ecological conditions, which will allow the habitat to adapt to sea-level rise and improve the capacity of the habitat to respond to climate change and maintain healthy functions.

Additional funding for this project has been provided by the Dorrance Family Foundation and Preserve Calavera.

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 authorization for the project is consistent with Chapter 6 of Division 21, Sections 31251-31270 of the Public Resources Code, regarding resource enhancement projects.

Section 31251 authorizes the Conservancy to award grants to public agencies and nonprofit organizations “for the purpose of enhancement of coastal resources that, because of indiscriminate dredging or filling, improper location of improvements, natural or human-induced events, or incompatible land uses, have suffered loss of natural and scenic values.” Grants shall be used for, among other things, corrective measures that will enhance the natural and scenic character of the area. The proposed project will enhance coastal resources by restoring wetlands and transitional upland habitats that have been degraded by human activities.

Section 31252 requires that all areas proposed for resource enhancement by a state agency, local public agency, or nonprofit organization shall be identified in a certified local coastal plan or program as requiring public action to resolve existing or potential resource protection problems or shall be so identified in other local plans which the commission determines to be consistent with the policies and objectives of Division 20 (commencing with Section 30000).

The project is located within the coastal zone and is consistent with Section 31252 because the City of Oceanside’s Local Coastal Program (LCP) Section V.C. Objective 1 states that the city will work with other local state and federal agencies to protect the sensitive biological habitats and water quality of Buena Vista Lagoon.

Consistent with Section 31253, the recommended amount of funding is determined by evaluating the total amount of funding available to the Conservancy for coastal resource enhancement projects, the fiscal resources of the applicant, the urgency of this project relative to other similar projects, and the application of other factors prescribed by the Conservancy for the purpose of determining project eligibility and priority.

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

Consistent with **Goal 1.1 Commit Funding to Benefit Systemically Excluded Communities**, the proposed project will engage and include participation with people from California Native American tribes.

Consistent with **Goal 3.2 Restore or Enhance Habitats**, the proposed project will restore coastal wetlands. The project will restore approximately 5.94 acres of habitat.

Consistent with **Goal 4.1 Sea Level Rise Adaptation Projects**, the proposed project will protect coastal resources and increase the resiliency of the natural environment to the impacts of sea level rise.

CEQA COMPLIANCE:

This project is exempt from CEQA pursuant to 14 California Code of Regulations Sections 15262 and 15306 because it involves only data gathering, resource evaluation, planning, and feasibility analyses for possible future actions that have not yet been approved, adopted, or funded. Consistent with Section 15262, the project will consider environmental factors. Consistent with Section 15306, the data collection and resource evaluation components of the project will not cause major or serious disturbance to the environment.

Upon approval of the project, Conservancy staff will file a Notice of Exemption.