

COASTAL CONSERVANCY

Staff Recommendation
September 20, 2007

BALLONA WETLANDS ENHANCEMENT PLANNING

File No. 04-088
Project Manager: Mary Small

RECOMMENDED ACTION: Authorization to disburse up to \$1,500,000 to prepare a comprehensive restoration plan and to complete environmental impact analysis and permit applications for a project to restore natural habitat and improve public access to the Ballona Wetlands in Los Angeles County.

LOCATION: West of Lincoln Boulevard and south of the Marina del Rey along the Ballona Creek Channel in Los Angeles County. A portion of the project is in the City of Los Angeles and a portion is in unincorporated Los Angeles County (Exhibits 1 & 2).

PROGRAM CATEGORY: Coastal Resource Enhancement and Public Access

EXHIBITS

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

Exhibit 2: [Project Area - Wetlands Landscape](#)

Exhibit 3: [Letters of Support](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 and 31400-31409 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one million five hundred thousand dollars (\$1,500,000) to prepare a comprehensive restoration plan and complete environmental impact analysis and permit applications for a project to restore natural habitat and improve public access to the Ballona Wetlands.”

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 authorization is consistent with Public Resources Code Sections 31251-31270, regarding the Conservancy’s mandate to protect and enhance coastal resources.

2. The proposed project authorization is consistent with Public Resources Code Sections 31400-31409, regarding the Conservancy's mandate to assist in the development of a system of public accessways to and along the coast.
 3. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
 4. The project serves greater than local need."
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PROJECT SUMMARY:

This authorization would enable the Conservancy to engage consultants and fund technical studies necessary for the final design, environmental review and permitting for the restoration and enhancement of 607-acres of the historic Ballona Wetlands owned by the State of California (Exhibit 2). This project is being implemented in partnership with the California Department of Fish and Game (DFG) and the State Lands Commission (SLC), the two state agency owners of the property (Letters of Support, Exhibit 3).

More than 98% of the coastal wetlands in the Southern California bight have been destroyed or degraded. The enhancement of the Ballona Wetlands is one of the largest and best remaining opportunities to restore coastal wetlands in southern California. The site provides habitat for threatened and endangered species, including the Belding's savannah sparrow and the California brown pelican, while also providing scenic open space in the heart of Los Angeles County. This project offers an opportunity to restore more than 600 acres. It is the largest coastal wetland restoration project in Los Angeles County. This project is consistent with the Regional Strategy of the Southern California Wetland Recovery Project and is identified as a specific objective for Los Angeles County.

The project is located at the intersection of the California Coastal Trail and the Ballona Creek Trail, and may offer an opportunity for improving connections between these trail systems. As part of the enhancement, interpretive and public education programs may be expanded on the site.

The previously Conservancy-authorized feasibility phase, now nearing completion, formulated and analyzed a full range of alternatives, and is currently evaluating the relative benefits and effects of these alternatives along with preliminary estimates of their costs. Work under this previous authorization also included early implementation of certain restoration activities, such as invasive species control, as well as continuing on-site education and public involvement activities.

If approved, the Conservancy staff would build upon the feasibility phase by engaging consultants to prepare a comprehensive restoration plan, develop environmental documentation to comply with applicable environmental law, which may include a joint Environmental Impact Statement / Environmental Impact Report (EIS/EIR), complete all necessary permit applications, and produce construction-level documents needed to restore the natural structure and function to the Ballona Wetlands. Staff expects that final planning, environmental review and permitting for the restoration of the site will take approximately three years.

The Conservancy, DFG, and SLC have been carrying out a public planning process actively engaging trustee and other involved agencies, a scientific advisory committee, local government, nongovernmental organizations, and the public. There is a long history of conflict over this site and many agencies and organizations have an interest in the planning process. The

process to date has integrated these strongly held concerns, reflecting them in the alternatives that have been developed. The next phase of work will provide the thorough environmental and other analyses that will provide decision-makers with the detailed information needed to evaluate and decide between alternatives, advance through the permitting process, and finally adopt a detailed, multi-year implementation plan for the enhancement of the Ballona Wetlands.

Site Description:

The project area includes 607-acres owned by the State of California. The Department of Fish and Game owns 540 acres, and that land was purchased with funds provided from the Conservancy to the Wildlife Conservation Board. The State Lands Commission owns 67-acres, including a newly created freshwater marsh and adjacent vacant land. All of the project area is part of a much larger historic wetland complex, which once occupied more than 2,000-acres.

The Ballona Creek watershed is the largest watershed draining into Santa Monica Bay. The watershed includes approximately 130 square miles and includes much of the City of Los Angeles as well as the cities of West Hollywood, Beverly Hills and Culver City (Exhibits 1, 2). Approximately 80% of the watershed is urbanized and it is home to more than 1.5 million people. The project area receives surface runoff from adjacent urban areas through numerous storm drains. The site itself drains into the Ballona Creek channel. Flow patterns are constrained by existing roadways, levees and limited drainage outlets into Ballona Creek.

The project area has been substantially altered during the last century, significantly reducing the quantity and quality of the wetlands. Major human activities that have affected the ecological function of this site include past oil field development, channelization of Ballona Creek, and the construction of the Marina del Rey harbor, which involved deposition of dredge material onto project area. In addition, several major roadways cross the site and it is surrounded by residential and commercial development.

Despite the degradation of site resources resulting from prior development, significant wetland habitat remains within the Ballona Wetlands. Plant species within the project site include wetland indicators such as pickleweed, marsh heather, saltgrass, arrowgrass and glasswort, and a variety of upland and exotic species including brome, iceplant, oxalis, and ryegrass. Bird surveys indicate that the site is used seasonally by a variety of migratory shorebirds, as well as by typical shoreline residents (gulls, terns, and ducks) and typical upland birds including small raptors. Bird species of special interest observed in the project area include nesting pairs of Belding's Savannah sparrow and foraging use by California least terns.

Project History:

There have been more than thirty years of intense conflict about land use at this site. Several development proposals and regulatory approvals have resulted in litigation, some of which continues today. In 2001, the Trust for Public Land entered into a purchase agreement with Playa Capital Company, the former landowner. Through this purchase agreement, the Department of Fish and Game ultimately took title to 540 acres of the property during the past year. The Conservancy provided \$10 million for that acquisition.

The Conservancy has long supported enhancement and public access at the Ballona Wetlands. The first Conservancy project at this site was a 1986 grant to the National Audubon Society for an environmental education facility associated with a proposed site restoration. That project was never implemented due to the ongoing conflicts about development at the site. Beginning in the late 1980s, the Conservancy provided funding for planning and implementation of enhancements to the nearby Ballona Lagoon and holds easements for resource enhancement over much of the land bordering the Lagoon.

In December 2004, the Conservancy approved \$750,000 for conceptual planning and feasibility analysis of site restoration and for implementation of interim site stewardship and restoration activities. The Conservancy has also provided funding to the California Conservation Corps, the Los Angeles Conservation Corps and the and Mountains Recreation and Conservation Authority (MCRA) for various interim restoration activities, to the Department of Fish and Game for vegetation mapping, and has contracted with Rosell Surveying to update and physically demarcate the boundaries of the state's ownership. In addition, the Conservancy has provided funding to several local environmental groups including the Ballona Institute, Friends of Ballona Wetlands, Ballona Land Trust and Sierra Stewards for invasive plant removal, dune restoration and a variety of on-site public tours and educational activities. Throughout the Ballona Creek Watershed, the Conservancy has approved several grants for projects that help implement the Santa Monica Bay Restoration Plan, including water quality improvement projects and trail enhancements.

PROJECT FINANCING:

Proposition 12, Coastal Conservancy	<u>\$1,500,000</u>
Total Cost	\$1,500,000

The Conservancy funding would be derived from an appropriation of funds specifically designated for the Ballona Wetlands in the 2000 park bond, Proposition 12. Public Resources Code Section 5096.352(f) provided that \$25 million is available to the Conservancy for this purpose.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

This project would be undertaken pursuant to Chapter 6 of the Conservancy's enabling legislation, Public Resources Code Sections 31251-31270, Coastal Resource Enhancement Projects. The project would enhance the natural and scenic character of resources within the coastal zone. As discussed below, consistent with Section 31252, the project is consistent with the policies and objectives of Division 20 of the Public Resources Code.

This project would also be undertaken pursuant to Chapter 9 of the Conservancy's enabling legislation, Public Resources Code Sections 31400-31409, Coastal Access. If approved, the planning studies would include design and environmental review of opportunities to enhance the California Coastal Trail and create new public access opportunities at this site.

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

Consistent with **Goal 5 Objective A** of the Conservancy's Strategic Plan, the proposed project would help the Conservancy to restore and enhance up to 600 acres of coastal wetland and adjacent habitat. When implemented, this project will be a major contribution to the total acreage target for Southern California.

Consistent with **Goal 1 Objective C** of the Conservancy's Strategic Plan, the proposed project area could provide a new segment of the Coastal Trail. As discussed above, the project is located at the intersection of the California Coastal Trail and the Ballona Creek Trail, and may offer a significant opportunity for the development of improved connections between these trails.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, 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:** There is broad public support for developing a restoration plan for this site. The project is supported by and being implemented in partnership with the Department of Fish and Game and the State Lands Commission. Letters of support are attached as Exhibit 3.
4. **Location:** The proposed project would be located within the coastal zone of Los Angeles County.
5. **Need:** Conservancy participation is essential for the development of a restoration plan for this site. The Conservancy has experience developing restoration plans with meaningful public involvement, and firmly grounded in the best scientific and technical analysis. The Conservancy's commitment to engaging scientists, agencies and the public in an open, transparent and accessible restoration planning process is critical to the success of the project given the long history of conflict over this site and the numerous stakeholders. The Conservancy will continue to staff this process, as the land-owning agencies do not have the staff or resources to manage this planning effort.
6. **Greater-than-local interest:** The proposed project will be the largest coastal wetland restoration project in Los Angeles County. The site provides habitat for threatened and endangered species, including the Belding's savannah sparrow and the California brown pelican. The site also provides valuable and scenic open space and public access opportunities in the heart of congested Los Angeles County.

Additional Criteria

7. **Urgency:** More than 98% of the coastal wetlands in the Southern California bight have been destroyed or degraded. This project offers an opportunity to restore and enhance 600 acres of habitat.
8. **Resolution of more than one issue:** Restoration alternatives will be developed to achieve a number of goals, including: enhancement of wetland and adjacent habitat, creation of compatible public access opportunities, and improvement of coastal water quality, consistent with the goal of habitat improvement.
9. **Innovation and Cooperation:** The Conservancy, DFG, and SLC have agreed to develop restoration alternatives in a public, participatory process that allows stakeholders and interested members of the public to see and comment on interim and final products. The restoration plan will be developed with the best available science. The planning process will respect the authority of all the participating agencies, and will accommodate significant public comment. The transparent approach is critical to restoration planning given the long history of bitter conflict surrounding this site.
10. **Readiness:** The Conservancy has already initiated the public planning process; if approved staff would seek to commit funds to technical studies early in 2005.
11. **Realization of prior Conservancy goals:** “See “Project History” above.
12. **Cooperation:** The Conservancy has held numerous meetings of the Science Advisory Committee, the Agency Advisor Committee, the Ballona Working Group made up of representatives of local nonprofit organizations, agency staff and members of the public, and the Working Group’s Interim Stewardship Committee. In particular, a major all-day workshop in November 2006 involving all these groups and the general public was the foundation for the development of alternatives currently being evaluated.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

In the late 1980s, the California Coastal Commission certified two separate Land Use Plans that covered this project area. No Local Coastal Program was ever completed for the Ballona wetlands area and the two Land Use Plans are now out of date. However the proposed project is consistent with the policies of the Coastal Act. The project goals are consistent with the Coastal Act goals as stated in Section 30001.5, the project will protect, enhance and restore the natural resources of the site and expand public recreational opportunities consistent with conservation of those resources. Specifically, Section 30231 states that coastal wetlands shall be maintained and restored. The project is consistent with Section 30240(a), in that it will help ensure that environmentally sensitive habitat areas are protected against significant disruption of habitat values. As stated in Section 30251, the project will protect the scenic resources and open space of the project site.

**CONSISTENCY WITH LOCAL WATERSHED MANAGEMENT PLAN/
STATE WATER QUALITY CONTROL PLAN:**

A Watershed Management Plan for the Ballona Creek Watershed was completed by an interagency/stakeholder task force in 2005. The purpose of the plan is to identify opportunities to improve water quality and restore habitat. The restoration of the Ballona Wetlands is specifically identified as a priority activity in the watershed.

COMPLIANCE WITH CEQA:

Under 14 California Code of Regulations (CCR) Section 15262, feasibility and planning activities are statutorily exempt from California Environmental Quality Act (CEQA) review. Similarly, 14 CCR Section 15306 categorically exempts basic data collection, research, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. Minor alterations of land and vegetation that do not impact healthy, mature, scenic trees are categorically exempt under 14 CCR Section 15304. One of the major objectives of this authorization is to fund CEQA compliance for the full restoration plan itself. Upon approval, staff will file a Notice of Exemption for the project.