

COASTAL CONSERVANCY

Staff Recommendation

July 21, 2010

**BALLONA WETLANDS
PUBLIC ACCESS IMPROVEMENTS**

File No. 04-088

Project Manager: Mary Small

RECOMMENDED ACTION: Authorization to disburse up to \$280,000 to the Mountains Recreation and Conservation Authority for site improvements and planning activities for educational, community stewardship and public access at the Ballona Wetlands Ecological Reserve in Los Angeles County.

LOCATION: Ballona Wetlands Ecological Reserve, located 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 (Exhibit 1).

PROGRAM CATEGORY: Public Access

EXHIBITS

Exhibit 1: [Project Location](#)

Exhibit 2: [Maps and Photos](#)

Exhibit 3: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Section 31400 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes an amount not to exceed two hundred eighty thousand dollars (\$280,000) to the Mountains Recreation and Conservation Authority (MRCA) for minor site improvements and planning activities for educational, community stewardship and public access at the Ballona Wetlands Ecological Reserve in Los Angeles County. Prior to disbursement of any funds, MRCA shall submit to the Conservancy’s Executive Officer for approval a work plan, including a budget, and any contractors MRCA proposes to use for the project.”

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 is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on June 4, 2009.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding System of Public Accessways.
3. The project serves greater than local need.”

PROJECT SUMMARY:

The proposed project would provide grant funds to the Mountains Recreation and Conservation Authority (MRCA) for site preparation and planning activities for expanded educational, community stewardship and public guided site tours at the Ballona Wetlands Ecological Reserve (BWER). Currently, access to the BWER is limited to individuals or groups with permission access letters from the California Department of Fish and Game (DFG), the landowner. Most of the existing public access programs are conducted near the muted tidal wetlands south of Ballona Creek. The proposed project will primarily target the approximately 300 acres of state owned property north of Ballona Creek (see Exhibit 2).

The state purchased the Ballona Wetlands in 2004, and since that time, very little has been done to control or improve public access to the site or to install signs identifying the BWER and the rules governing use of the property. The proposed project would implement a comprehensive and strategic set of improvements such as new gates, new fences, weeding, minor habitat restoration and signage to promote public awareness, interpret the natural resources, discourage illegal access and increase opportunities for positive public use of the site. These projects will remove hazards, clear existing trails, improve safety and prepare the site for the expanded public programs. In addition to the site improvements, MRCA will also conduct planning to support development of a comprehensive interpretive program for the BWER.

The proposed project actions are consistent with all of the alternatives for the larger wetland restoration project and will be conducted by the MRCA in partnership with the DFG and the Santa Monica Bay Restoration Commission (SMBRC).

Conservancy funds would be used to improve the site, by removing dumped garbage, installing fencing and clearing existing trails. The proposed project is necessary to prepare the site so that the MRCA and the SMBRC can expand educational and community stewardship programs at the Ballona Wetlands. The MRCA will provide additional matching funds to run multi-week intensive Junior Ranger programs at the Ballona Wetlands. The MRCA runs these programs at many different parks. These programs teach outdoor leadership and create an opportunity for at-risk and underserved youth to access natural areas in and around Los Angeles County. This will be MRCA's first wetland oriented Junior Ranger program. Curriculum and interpretive information will be developed to ensure that the program meets appropriate educational standards. In addition, SMBRC will host public tours of the site as well as community restoration activities, such as weed removal and planting.

In 2008, the Conservancy authorized funds to the MRCA for planning, final design and implementation of specific public access improvements identified in the Ballona Wetlands Early

Action Plan. MRCA has completed much of that work and as a result of that planning effort, the project partners determined that some of the specific access improvements identified in that plan may need to be re-evaluated and others should be reviewed and permitted as part of the larger wetland restoration project. Rather than pursue the Early Action Plan improvements, the project partners decided that it is a higher priority to develop targeted educational and public access programs in the northern 300 acre portion of the site where there is currently almost no public access. The proposed project would also provide funding for MRCA to continue working on planning public access improvements for inclusion in the ultimate restoration project.

The MRCA is a local government entity established in 1985 pursuant to the Joint Powers Act. The MRCA is a partnership between the Santa Monica Mountains Conservancy, which is a state agency, and the Conejo Recreation and Park District and the Rancho Simi Recreation and Park District, both of which are local park agencies established by the vote of the people in those communities. The MRCA is dedicated to the preservation and management of local open space and parkland, watershed lands, trails, and wildlife habitat. The MRCA manages and provides ranger services for almost 50,000 acres of public lands and parks that it owns and that are owned by other public agencies. In recent years MRCA Rangers have assisted DFG in management of the BWER. The MRCA has developed and manages comprehensive educational and interpretive programs at many parks throughout Los Angeles County. The proposed project will expand the MRCA's educational and interpretive programming to include its first interpretive program focused on a coastal wetland.

Site Description:

The historic wetland complex at the mouth of Ballona Creek probably occupied about 2000-acres. Much of that area has been developed. The State of California now owns 600-acres of the former wetland complex. The DFG owns 540 acres, and that land was purchased with funds provided from the Conservancy to the Wildlife Conservation Board. The State Lands Commission owns 60-acres, including a newly created freshwater marsh and adjacent vacant land. All of the DFG property and a portion of the SLC property is part of the Ballona Wetlands Ecological Reserve, designated by the Fish and Game Commission.

Despite the degradation of site resources, 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.

The proposed project will be implemented primarily on the portion of the BWER north of the Ballona Creek channel (Exhibit 2). This area of the reserve currently has very limited public access and suffers from illegal uses. The proposed project seeks to improve the resources on the site, increasing public use while discouraging illegal activities through improvements to fencing and signage.

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 DFG ultimately took title to 540 acres of the property in 2004. 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 environmental education facility associated with a proposed site restoration. That project was never implemented due to the ongoing conflicts about development. Beginning in the late 1980s, the Conservancy provided funding for planning and implementation of enhancements to the nearby Ballona Lagoon and transferred to the City of Los Angeles easements for resource enhancement over much of the land bordering the Lagoon.

In 2005, the Conservancy initiated conceptual planning and feasibility analysis of restoration alternatives for the property. This project is being implemented in partnership with the DFG and the State Lands Commission, the two state agency owners of the property and the Santa Monica Bay Restoration Commission. The feasibility analysis was completed in 2008, after a delay due to the bond freeze, and the project partners are now initiating environmental review and detailed engineering of a long-term, phased restoration project.

When the restoration planning began, the Conservancy funded the development of an Interim Site Stewardship Plan to address the pressing concerns related to site management. As discussed above, in 2008 the Conservancy provided a grant to MRCA to fund construction of some site improvements and to fund planning, design and preparation of permit applications for additional access improvements. Based on the completed planning work, the MRCA and the project partners determined that it will be more cost effective and logical to pursue implementation of most access improvements as part of the environmental review and permitting for the long-term phased restoration project.

PROJECT FINANCING:

Coastal Conservancy	\$280,000
MRCA	120,000
SMBRC, US EPA funds	<u>20,000</u>
Total Project Cost	\$420,000

DFG will provide additional in-kind funding for vegetation management, site clean-ups and docent activities performed by DFG staff and the DFG Senior Volunteers.

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

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project would be consistent with Division 21, Chapter 9, Sections 31400 *et seq.* of the Public Resources Code, which directs the Conservancy to take a principal role in the implementation of a system of public accessways so that the public can exercise its right to access and enjoy the coastal resources. Consistent with Section 31400.1, the Conservancy may award grants to public agencies to develop accessways that serve greater than local public needs. The proposed project will benefit more than local public access, as described below. Consistent with Section 31400.2 and 31400.3, the Conservancy may provide assistance to public agencies to establish these public accessways.

CONSISTENCY WITH CONSERVANCY'S 2007 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 2, Objective A** of the Conservancy's 2007 Strategic Plan, the proposed project will expand public use of a currently inaccessible area.

The site improvements will support **Goal 4, Objective A** to protect significant coastal resource properties.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on June 4, 2009, 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 support for this project from the public and the partner agencies working on the Ballona restoration project. 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 funds are needed to complete this project. Neither MRCA or the DFG, the owner of the site, have resources to implement this project.
6. **Greater-than-local interest:** The proposed project is adjacent to the both the regional Ballona Creek Bike Path and the Coastal Bike Trail. The nearby Dockweiler State Beach receives approximately three million visitors each year. Currently, visitors to this area can not access the Ballona Wetlands and there is no interpretive signage to inform them about the resources of the area. The proposed project will help open this site for public access and improve a valuable and scenic open space in the heart of congested Los Angeles County.

The project complements the restoration of the Ballona Wetlands, currently the largest wetland restoration project being planned in Los Angeles County. The MRCA's Junior Ranger program will provide opportunities for at risk youth from throughout the region to experience the wetlands in while also developing leadership and outdoor skills.

7. **Sea level rise vulnerability:** All of the area of the proposed project is located 15-20 feet above sea level and currently have limited tidal connections. None of the proposed project is vulnerable to sea level rise.

Additional Criteria

8. **Resolution of more than one issue:** The proposed project will seek to improve public access while reducing illegal use of the site. The project will focus access to already disturbed areas, removal of large trash piles and removal of weeds.
9. **Leverage:** See the "Project Financing" section above.
10. **Readiness:** If approved, the MRCA can begin work immediately.
11. **Realization of prior Conservancy goals:** "See "Project History" above."
12. **Cooperation:** The proposed project will be implemented through the cooperation of the MRCA, SMBRC, DFG and youth organizations, local schools and other community groups.

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.

COMPLIANCE WITH CEQA:

The proposed project would install new gates, fences and signs, remove weeds, and remove hazards and trash. Installation of signs, gates and fences are categorically exempt from California Environmental Quality Act (CEQA) under 14 Cal. Code of Regulations Sections 15301 and 15302 because it involves repair or replacement of existing facilities. Consolidation and improvement of existing trails is categorically exempt under Section 15304 as it involves only minor alterations of land. Some of the proposed project involves habitat restoration, such as weed and trash removal, and therefore is categorically exempt under Section 15333 as a minor habitat restoration project smaller than 5 acres in size. Finally, development of a comprehensive interpretive program is statutorily exempt under Section 15262 since it involves only feasibility or planning studies for possible future approval and the program planning will consider environmental factors. Upon approval, staff will file a Notice of Exemption for this project.