

COASTAL CONSERVANCY

Staff Recommendation

February 2, 2017

**NELSON SLOAN QUARRY RESTORATION PLAN AND ENVIRONMENTAL
REVIEW**

Project No. 10-019-02

Project Manager: Sam Jenniches

RECOMMENDED ACTION: Authorization to disburse up to \$250,000 to the California Department of Parks and Recreation for project management costs in preparing a restoration plan and environmental review for the Nelson Sloan Quarry Reclamation Project in the Tijuana River Valley region of San Diego County.

LOCATION: Tijuana River Valley, City of San Diego, San Diego County

PROGRAM CATEGORY: Integrated Coastal and Marine Resources Protection

EXHIBITS

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

Exhibit 2: [Tijuana River Valley Enhancement Plan](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31111 and 31220 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two hundred fifty thousand dollars (\$250,000) to the California Department of Parks and Recreation for project management costs in preparing a restoration plan and environmental review for the Nelson Sloan Quarry Reclamation Project in the Tijuana River Valley region of San Diego County. Prior to disbursement of Conservancy funds, the California Department of Parks and Recreation shall submit for the review and written approval of the Conservancy’s Executive Officer:

1. A detailed work program, including budget and schedule;
2. Evidence that any additional funds necessary to complete the project are secured.”

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 authorization is consistent with Chapters 3 and 5.5 of Division 21 of the Public Resources Code, regarding funding feasibility studies and integrated coastal and marine resources protection, respectively.
 2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”
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PROJECT SUMMARY:

Staff recommends that the Conservancy authorize disbursement of up to \$250,000 to the California Department of Parks and Recreation (State Parks) for project management costs associated with the preparation of a restoration plan and environmental review for the Nelson Sloan Quarry Reclamation Project (“Reclamation Project”) in the Tijuana River Valley region of San Diego County. Conservancy funds will be used as a funding match for a grant award from the California Department of Water Resources and San Diego County Water Authority Integrated Regional Water Management Program grant program for Disadvantaged Communities for preparation of design, regulatory permit applications, feasibility and planning studies, a monitoring and reporting plan, a multi-jurisdictional agreement for operation and environmental documentation for the Reclamation Project.

The Reclamation Project is a restoration project that seeks to fill and restore an abandoned sand and gravel quarry in the Tijuana River Valley to native through beneficial re-use of sediment excavated from the Goat Canyon Sediment Basins, other flood control channels, and habitat restoration projects located in the Tijuana River Valley.

Reclaiming the quarry with local sediment will ensure protection of the existing riparian and estuarine habitats by making annual maintenance consistent and affordable. The Reclamation Project will also increase open space and high quality coastal sage scrub habitat in the mesas bordering the Tijuana River. Sediment disposal methods and its cost vary year to year depending upon whether the excavated material is suitable and there is a demand for fill. Often the sediment material must be trucked to an inland landfill at an exorbitant cost. For example, State Parks’ annual costs to clear and dispose material from the Goat Canyon sediment basins range from \$200,000 to over \$1.2 million. The ability to transport the material 2 miles to the quarry would secure a consistent, lowest cost alternative for annual sediment management. The estimated savings for this suite of disposal activities is outlined in the “Consistency with Conservancy’s Project Selection Criteria and Guidelines, 7. Greater than Local Interest” section, below.

The amount of sediment entering the Tijuana River Valley from the canyons in the City of Tijuana has increased dramatically because population growth and building practices have exacerbated the rate of erosion. The City of San Diego, County of San Diego, and State Parks annually excavate sediment from channels and basins to prevent flooding and sedimentation of facilities and natural resources in the valley and estuary. This annual sediment management is essential to protect the ecosystem of the Tijuana Estuary, which is the largest, intact and

publicly-protected coastal wetland in the Southern California Bight and is designated by RAMSAR as a “wetland of international importance.”

The proposed project will advance the intent of prior Conservancy investments totaling \$10 million – protection and restoration of land acquired for the Tijuana River Valley Regional Park and sustainable operation of the Goat Canyon Sediment Basins constructed to protect the Tijuana River National Estuarine Research Reserve from sedimentation. First, the proposed project will support restoration of land purchased with Conservancy funds. The County of San Diego began assembling the Tijuana River Valley Regional Park in 1988 with the passage of Proposition 70 (Wildlife, Coastal and Parkland Conservation Bond Act), that allocated ten million dollars for acquisition of park and wildlife lands in the Tijuana River Valley. The Conservancy contributed four million dollars toward the acquisition program from 1998 through 2003 guided by the Tijuana River Valley Enhancement Plan (Exhibit 2), that prioritized properties that either contained riparian, coastal sage or coastal chaparral habitat or were suitable for restoration of those habitats. In 2003, the County purchased with Conservancy funds five parcels owned by Nelson & Sloan totaling 139 acres, that contained coastal sage scrub and chaparral habitats as well as the portion of the property that had been disturbed by quarry operations from 1982 to 2002. The County assumed the responsibility to implement the Reclamation Plan approved in 1982 as part of the permit issued for operation of the quarry. The proposed project will provide a revised reclamation plan that, once implemented, would directly restore more coastal sage scrub habitat at the quarry than designed in the 1982 reclamation plan.

Second, the proposed project would support protection of other lands purchased with Conservancy funds for the Tijuana River Valley Regional Park. The City of San Diego is responsible for flood control in the Tijuana River Valley, that mainly entails clearing the pilot channel draining Smuggler’s Gulch. The frequency of this activity has increased. In 2009, the City excavated 30,000 cubic yards and by the end of the rain season, the channel was already two-thirds full again. At the moment, the only disposal option is trucking to an inland landfill. The proposed project would make protection of existing habitat sustainable by providing a low cost disposal location for material excavated by the City of San Diego.

Third, the proposed project would provide certainty that State Parks could maintain the Goat Canyon Sediment Basins constructed in 2004 with a Conservancy contribution of approximately \$5 million. The basins, along with source control efforts in the City of Tijuana, were deemed necessary to protect existing and restored coastal wetland habitats from sediment flows.

Additionally, local partners are in the planning stages for two restoration projects in the Tijuana River Valley that would also require excavation of sediment and fill that was previously deposited and that hinders the function of riverine and estuarine systems. The Tijuana Estuary Tidal Restoration Program: Phase 2 project, and the Brown Property Debris and Soil Removal Project when implemented, will be greatly benefited by a local option for sediment and fill disposal.

State Parks is a prominent partner in the Tijuana River Valley. It is active in the management of the Tijuana River Estuarine Research Reserve and Border Field State Park, and is a critical member of the Tijuana River Valley Recovery Team. State Parks has a vested interest in the success of the Reclamation Project and the proven capacity to implement it.

Site Description: The Reclamation Project site is in an area known as the Border Highlands and is part of the Tijuana River Valley Regional Park, owned and operated by the County of San Diego and located within the City of San Diego (Exhibit 1). The site is included in the Multi-Habitat Planning Area (MHPA) of the City of San Diego's Subarea Plan for the Multiple Species Conservation Plan. The Border Highlands predominantly support coastal sage scrub and coastal chaparral plant communities but also support a number of plants at the northern limits of their range or found only in isolated locations such as the Channel Islands.

In 1982, Nelson and Sloan received a 20-year permit to operate a sand and gravel quarry called the Border Highlands Pit with capacity to extract up to 7.5 million cubic yards of material from approximately 139 acres. After mining ceased in 2002, the quarry site was bisected by a steep cut slope with the eastern half being flat and the western half containing two steep canyons draining north. Coastal sage scrub habitat has naturally established on the low lying areas exposed by mining operations. Gnatcatchers were heard during site visits in Fall 2009 and Spring 2010. The proposed project site is bounded by the Border Infrastructure Project to the south, the South Bay International Wastewater Treatment Plant to the northeast, and agricultural operations and open space to the north.

Project History: Through participation in the Tijuana River Valley Recovery Team, the Conservancy, City of San Diego, County and State Parks staffs have been working to find a local disposal option in order to guarantee annual protection of the Tijuana River Valley and estuary as well as make future restoration projects cost effective. The City of San Diego and State Parks identified the quarry as an opportunity and approached the County with a proposal to jointly reclaim the quarry. In October of 2010, the Conservancy granted \$250,000 to the City of San Diego to create a reclamation plan and prepare environmental documents for the Nelson Sloan Quarry. However, following completion of the 2010 project, reaching consensus on a lead agency to implement the project proved difficult due to questions about cost effectiveness and institutional capacity to manage the proposed project. In January of 2015, the Conservancy transferred the approximately \$68,000 remaining in grant funds to the County of San Diego to conduct a financial feasibility study for reclamation operations under different proposed capacities. The *Nelson Sloan Management and Operations Plan and Cost Analysis* was completed in April 2016 with the consensus opinion that maximizing the fill capacity during reclamation held the highest value to the agencies involved. Concurrently, State Parks had tentatively agreed to lead the project forward and collaborated with the Tijuana River Valley Recovery Team to submit an application to the California Department of Water Resources (DWR) and San Diego County Water Authority Integrated Regional Water Management Program (IRWM) grant program for 2016 Proposition 1 Disadvantaged Communities Involvement. This grant application requested full funding of the project; however, the IRWM only approved a partial allocation of \$890,000, explicitly declining to fund State Parks' management of the project. The funds requested of the Conservancy will allow State Parks to accept the IRWM grant and move forward with the Nelson Sloan Quarry Restoration Planning and Environmental Review Project.

PROJECT FINANCING

Coastal Conservancy	\$250,000
Others	\$890,000
Project Total	\$1,140,000

The anticipated source of funds will be the FY 2015/2016 appropriation to the Conservancy from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84, Public Resources Code sections 75001-75090). This funding may be expended on projects that protect San Diego Bay and adjacent watersheds pursuant to Section 75060(f) of the Public Resources Code. Proposition 84 defines the term “protection” as “those actions necessary to prevent harm or damage to ... natural resources or those actions necessary to allow the continued use and enjoyment of property or natural resources and includes acquisition, development, restoration, preservation and interpretation” (Public Resources Code Section 75003.5(m)). Accordingly, Proposition 84 funds are appropriate for the proposed project because the proposed project will support the protection and restoration of natural resources and public access amenities in the Tijuana River watershed.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to Chapter 3 (Section 31111) and Chapter 5.5 (Section 31220) of the Conservancy’s enabling legislation, Division 21 of the Public Resources Code regarding funding feasibility studies and integrated coastal and marine resources protection, respectively.

Consistent with Section 31111, the proposed authorization would fund a public agency, State Parks, to “undertake plans” for the reclamation of the Nelson Sloan Quarry.

Consistent with Section 31220(a), the proposed project would “protect coastal ... water quality and habitats” by planning a “sediment management” project. The State Water Resources Control Board was consulted to ensure consistency with Chapter 3, section 30915 of Division 20.4 of the Public Resources Code.

Consistent with Section 31220(b), the proposed project “(2) Protects ... fish and wildlife habitat within coastal ... waters and coastal watersheds” and “(6) ... protects and restores coastal wetlands, riparian areas, floodplains, and other sensitive watershed lands, including watershed lands draining to sensitive coastal or marine areas.”

The proposed project will result in a reclamation plan to enable beneficial reuse of sediment with three benefits: 1) the coastal sage scrub habitat in the Border Highlands will be increased in extent and quality; 2) the City, County and State will be able to reliably budget annual maintenance costs to protect existing tidal wetlands and riparian areas in the estuary and river corridor from sedimentation; and 3) local sediment disposal will benefit future planned restoration projects by reducing costs and environmental impact.

The proposed project is consistent with the Tijuana River Valley Local Coastal Plan Land Use Plan as described in the “Consistency with Local Coastal Program Policies” section, below.

**CONSISTENCY WITH CONSERVANCY'S 2013 STRATEGIC PLAN
GOAL(S) & OBJECTIVE(S), AS REVISED JUNE 25, 2015:**

Consistent with **Goal 4, Objective 4a** of the Conservancy's 2013-2018 Strategic Plan, the proposed project protects significant coastal and watershed resources because the proposed reclamation project will allow effective sediment management of resources immediately upstream of significant coastal and watershed resources. Further, the proposed reclamation project will facilitate the future restoration of significant coastal and watershed resources.

Consistent with **Goal 4, Objective 4c** of the Conservancy's 2013-2018 Strategic Plan, the proposed project helps to preserve and restore wildlife corridors between core habitat areas because the project will develop a sediment management and reclamation plan that will reclaim the site to native habitat and that will facilitate restoration of other sites in the Tijuana River Valley to native habitats, and thus improve wildlife corridors and core habitat areas.

Consistent with **Goal 5, Objective 5a** of the Conservancy's 2013-2018 Strategic Plan, the proposed project will develop a sediment management plan to assist in the restoration and enhancement of coastal habitats of the Tijuana River and Estuary.

Consistent with **Goal 5, Objective 5c** of the Conservancy's 2013-2018 Strategic Plan, the proposed project will develop a sediment management plan to preserve and enhance coastal watersheds and floodplains of the Tijuana River and Estuary.

Consistent with **Goal 5, Objective 5f** of the Conservancy's 2013-2018 Strategic Plan, the proposed project will develop a sediment management plan to improve water quality of the Tijuana River and Estuary to benefit California coastal and ocean resources.

**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 October 2, 2014, 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. **Promotion and implementation of state plans and policies:**

California Climate Adaptation Strategy:

The proposed project is consistent with Strategy 4: Practice and Promote Integrated Flood Management – Flood Management Improvements because it will plan for the reclamation of Nelson Sloan Quarry to native habitat and will facilitate future habitat restoration projects that will increase the floodplain's ability to effectively receive floodwaters.

And Strategy 5: Enhance and Sustain Ecosystems – Species Migration and Movement Corridors, Floodplain Corridors because it will plan for the reclamation of Nelson Sloan Quarry to native habitat and will facilitate future habitat restoration projects that will improve floodplain habitat and enable species migration and movement.

California Wildlife Action Plan:

The proposed project will benefit species identified as of critical importance in the South Coast Province because it will plan for the reclamation of Nelson Sloan Quarry to native habitat and will facilitate future habitat restoration projects. These activities will provide habitat for listed species such as the least Bell's vireo and light-footed clapper rail.

State and Federal Species Recovery Plans:

The proposed project will improve the ability to implement critical wetland restoration projects and coastal habitat conservation in the Tijuana River Valley, and ultimately increase upland coastal sage scrub habitat. Some existing recovery plans for relevant species include:

Light-footed Clapper Rail Recovery Plan, Date Issued: June 24, 1985 (revised)

Recovery Plan for the Least Bell's Vireo, 1998

Recovery Plan for the Pacific Coast Population of the Western Snowy Plover, 2007

CA Least Tern Recovery Plan, 1985 (revised)

The proposed project is consistent with the *California Coastal Sediment Management Master Plan – San Diego Region* as it will improve the implementation of critical sediment management projects in the Tijuana River Valley.

4. **Support of the public:** The proposed project is supported by the following entities:
 - Tijuana River Valley Recovery Team (“Recovery Team or TRVRT”);
 - County of San Diego Department of Parks and Recreation (“County DPR”)
 - City of San Diego (“City”)
 - International Boundary and Water Commission (“IBWC”)
 - California Coastal Conservancy (“Conservancy”)
 - San Diego Regional Water Quality Control Board (“SDRWQCB”)
5. **Location:** The proposed project is located within the Tijuana River Valley Local Coastal Plan Land Use Plan area in the City of San Diego.
6. **Need:** Conservancy funds will cover Project Management costs and are critical to the success of this project because without these funds, State Parks could not complete this proposed project. The original grant application to DWR and San Diego County Water Authority IRWMP grant program for 2016 Proposition 1 Disadvantaged Communities Involvement requested Project Management funding allocation; however, the IRWM only approved a partial allocation of \$890,000.

7. **Greater-than-local interest:** The proposed project has many possible linkages to high priority projects within the Tijuana River Valley, that all require cost-effective solutions for sediment management and export. The other high-priority projects are listed below along with their estimated project savings from using the Nelson Sloan Quarry, as opposed to the local landfill, for sediment disposal. (Cost savings cited from values provided in *Nelson Sloan Management and Operations Plan and Cost Analysis* - April 2016).
- Goat Canyon Sediment Basins: Estimated Savings: \$9,843,000
 - Tijuana Estuary Tidal Restoration Program Phase 2- Friendship Marsh Restoration: Estimated Savings: \$19,686,000
 - Smuggler's Gulch Flood Control Channel: Estimated Savings: \$555,840
 - Pilot Channel: Estimated Savings: \$2,895,000
 - Tijuana River Main Channel Flood Control: Estimated Savings: \$868,500
 - Brown's Fill Debris and Soil Removal: Estimated Savings: \$405,300
8. **Sea level rise vulnerability:** The proposed project site is not vulnerable to sea level rise because the project site elevation ranges from 100' to 275' above sea level. .

Additional Criteria

9. **Urgency:** The proposed project provides a solution to an urgent and chronic issue impacting the Tijuana River Valley and Estuary. Additionally, the proposed project funds will provide a funding match to allow the State Parks to accept an IRWM 2016 Proposition 1 Disadvantaged Communities Involvement grant award that provides the remainder of the proposed project funding, but that declined funding for State Parks' project management activities. Without this Conservancy grant, State Parks will not be able to accept the IRWM funding and the proposed project will be delayed indefinitely.
10. **Resolution of more than one issue:** The proposed project will involve reclamation of the Nelson Sloan quarry while providing a local source for sediment disposal for multiple agencies and other high-priority projects, thus impacting downstream resources and reducing emissions from transport of sediment. See "7. Greater-than-local-interest" subsection, above.
11. **Leverage:** See the "Project Financing" section, above.
12. **Innovation:** The proposed project advances a novel solution for a reclamation site that requires sediment as fill with local agencies' sediment disposal needs from a variety of projects and maintenance sites. This proposed solution will result in significant environmental benefits and cost reduction.
13. **Readiness:** State Parks secured the remaining funding for the proposed project and is prepared to move quickly after Conservancy funding is approved.
14. **Realization of prior Conservancy goals:** See "Project History" section, above.
15. **Return to Conservancy:** See "Project Financing" section, above.

16. **Cooperation:** The proposed project involves the significant cooperation of multiple agencies under the umbrella of the Tijuana River Valley Recovery Team for a mutual resource benefit.
17. **Vulnerability from climate change impacts other than sea level rise:** The proposed project is not vulnerable to climate change impacts including sea level rise. Rather, the proposed project may reduce the climate change impacts resulting from the current required sediment transport and maintenance activities in the river valley.
18. **Minimization of greenhouse gas emissions:** The proposed project is only a planning project; however, future project implementation will result in a net reduction of greenhouse gas emissions because it will enable a substantial reduction in transport distances for sediment disposal by truck. Sediment removal is part of the annual maintenance activity for multiple agencies and is expected for future restoration projects in the river valley.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the following goals of the Tijuana River Valley Local Coastal Plan Land Use Plan:

Overall Goal: To provide flood protection commensurate with economic cost benefits for urbanized portions of south San Diego and Tijuana, Mexico, and to provide benefits to satisfy the International Treaty with Mexico – The proposed project will allow effective sediment management in the river valley that is critical to proper function of flood control infrastructure.

Overall Goal: To protect, preserve and restore natural coastal resources – As discussed in the “Project Summary” section above, the reclamation of the quarry will create coastal habitat while enabling local agencies to manage sediment more effectively to preserve the Tijuana River Valley and Estuary natural resources.

City of San Diego MSCP Subarea Plan’s Multi-Habitat Planning Area (MHPA) Goal: Restore the Tijuana River Valley to a broad natural floodplain containing riparian and wetland habitats, bounded by high mesas and deep canyons with chaparral, sage scrub, and grasslands. – The proposed project will result in the restoration of mesa uplands and serve to protect other riparian and wetland habitats.

City of San Diego MSCP Subarea Plan’s Multi-Habitat Planning Area Goal: Intermix the natural habitat with compatible agricultural, recreational and water quality improvement activities, all functioning in concert to maintain and enhance natural ecosystems and the local quality of life and environment. – The proposed project’s sediment removal will contribute to critical water quality improvements for the Tijuana River Valley.

Additionally, the proposed project is consistent with specific recommendations related to designated uses within the Tijuana River Valley that are intended to ensure that the goals of the Multiple Species Conservation Open Space designation are attained. The proposed reclamation project would satisfy the guideline that “All existing and future mined lands adjacent to or within the MHPA shall be reclaimed pursuant to the State Surface Mining and Reclamation Act (“SMARA”) of 1975.” The proposed reclamation project would also further the management goal to “enhance and restore, where feasible, the full range of native plant associations in strategic locations and functional wildlife connections to adjoining habitat in

order to provide viable wildlife and sensitive species habitat” by reclaiming the quarry site and facilitating restoration activities in the Tijuana River Valley.

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

“A Binational Vision for the Tijuana River Watershed”, (Institute for Regional Studies of the Californias and the Department of Geography at San Diego State University, 2005) acknowledges that restoration and maintenance of the Tijuana River Estuary requires excavation of accumulated sediment, construction and routine excavation of sediment basins at canyon mouths draining into the estuary, and implementation of erosion control projects in the canyons draining into the estuary.

The Water Quality Control Plan (“Plan”) for the San Diego Basin recognizes the Tijuana River Estuary as an important resource and sets beneficial uses and water quality objectives for the river valley, estuary and tributary creeks in the Tijuana Watershed. One of the ways the San Diego Regional Water Quality Control Board implements its Plan is by issuing municipal storm water permits that include waste discharge requirements. As co-permittees, the City of San Diego, City of Imperial Beach and County of San Diego established the Tijuana River Watershed Urban Runoff Management Program (“Program”) to plan and implement activities in order to comply with the municipal permit and reduce impacts of urban activity on receiving water quality within the watershed. The Program’s annual report acknowledges the sediment excavation activities of the County of San Diego and City of San Diego and discusses the Tijuana River Valley Recovery Team work on reducing and controlling sediment in the river valley. The proposed project will provide a mechanism to support the sediment management activities identified in the Program by the co-permittees. In March 2015, the San Diego Water Board adopted Tentative Resolution No. R9-2015-0036, the Five Year Action Plan of the Tijuana River Valley Recovery Team. The Five-Year Action Plan identifies Reclamation of the Nelson Sloan Quarry as its primary Tier 1 project, indicating that it is the highest priority project for the Recovery Team. Thus, the proposed project is consistent with both the Local Watershed Management Plan and the State Water Quality Control Plan.

COMPLIANCE WITH CEQA:

The proposed project is statutorily exempt from review under the California Environmental Quality Act pursuant to 14 California Code of Regulations (“CCR”) Section 15262, because it will involve only planning studies and feasibility analyses for a future sediment project that is not yet approved, adopted or funded by the agency. The proposed project also is consistent with this section because it includes preparation of an environmental document. Staff will file a Notice of Exemption upon approval of this project.