

COASTAL CONSERVANCY

Staff Recommendation

May 27, 2021

**ORMOND BEACH RESTORATION and PUBLIC ACCESS PLAN:  
ENVIRONMENTAL REVIEW**

Project No. 90-048-07

Project Manager: Christopher Kroll

**RECOMMENDED ACTION:** Authorization to disburse up to \$1,300,000 through one or more contracts to prepare environmental compliance documents and related technical studies for the Ormond Beach Restoration and Public Access Plan.

**LOCATION:** Ormond Beach, City of Oxnard, Ventura County

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EXHIBITS

Exhibit 1: [Project Location Map](#)

Exhibit 2: [Ormond Beach Project Area](#)

Exhibit 3: [May 26, 2016 Staff Recommendation](#)

Exhibit 4: [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 disbursement of up to one million three hundred thousand dollars (\$1,300,000) through one or more contracts for the preparation of environmental compliance documents and related technical studies for the draft Ormond Beach Restoration and Public Access Plan for the Ormond Beach area in the City of Oxnard, Ventura County.

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 enhancement of coastal resources.
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2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
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## **STAFF RECOMMENDATION**

### **PROJECT SUMMARY:**

Staff recommends that the Conservancy authorize disbursement of up to \$1,300,000 to prepare environmental review documents and related technical studies for the Ormond Beach Restoration and Public Access Plan (the Plan). Conservancy staff will use this authorization to retain consultants to prepare the environmental review documents and studies for the Plan.

Ormond Beach is one of the most important wetland restoration opportunities in southern California. Restoration of these wetlands is a high priority of the Southern California Wetlands Recovery Project. Although large areas of the wetlands have been drained, filled, and degraded over the past century, this is one of the few places in coastal southern California with an intact dune-transition zone-marsh system. Although the ecosystem at Ormond Beach is relatively intact compared to other coastal wetlands in Southern California, there are much-needed improvements and expansion of wetland function and public access. The lack of road and other infrastructure and land currently in agricultural use directly inland provide a unique opportunity to allow for habitat migration inland of the existing habitat areas as sea level rises.

In addition, Ormond Beach is not well served by existing public access facilities, i.e., parking lots, and staging areas, which 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.

The Conservancy previously authorized funding for the preparation of a plan for habitat restoration and public access for the Ormond Beach wetlands complex on May 26, 2016 (Exhibit 3). The Conservancy is currently completing a draft of the plan, with a preferred alternative developed to 30 percent of final design. The Conservancy is working on the restoration planning effort project in partnership with The Nature Conservancy (TNC) and the City of Oxnard (City). TNC has secured a grant from the Ocean Protection Council to address some of the data gaps identified in the plan and to complete 90 percent development of the preferred alternative. This authorization will allow the Conservancy to begin the environmental review which will parallel the continued refinement of the restoration and public access design through TNC's grant funding.

The CEQA and Permitting Strategy Memo, (July 2020) prepared under the previous authorization, will guide this next phase of the project. The memo outlines a strategy for environmental review of the plan and identifies the following tasks, which will be funded by this authorization: identifying the lead, trustee, and responsible agencies; completing initial study; conducting Native American tribal consultations; evaluating the potential for significant adverse

environmental impacts, identifying the correct level of environmental review, identifying data gaps needed for adequate environmental assessment, scoping the environmental review; preparing a draft document; providing agency and public review; and completing the final document. The Permitting Strategy memo has already identified several technical studies which may be required to support the environmental review process. The parallel TNC planning effort (funded by OPC) will address some of these needed studies like hydrology, flood assessment, and vegetation modeling. Other needed reports or studies such as the cultural and tribal cultural resources report and hazardous materials investigations will likely be funded by this authorization. Final determination of which technical studies to pursue will be decided once a consultant has been hired.

**Site Description:** Ormond Beach is located in the City of Oxnard and is made up of several parcels owned and managed by the Conservancy, the City of Oxnard, and TNC (Exhibit 2). The project area remains as described in the May 26, 2016 staff recommendation (Exhibit 3). Since 2016 TNC has purchased the 20-acre Metropolitan Water District (MWD) property (seen in Exhibit 2).

**CONSISTENCY WITH CONSERVANCY’S PROJECT SELECTION CRITERIA & GUIDELINES:**

As described in the May 26, 2016 staff recommendation (Exhibit 3), the proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines, last updated on October 2, 2014.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$1,300,000</b>
<b>Project Total</b>	<b>\$1,300,000</b>

The anticipated sources of Conservancy funds for the proposed project are an FY 2004 non-reverting appropriation to the Conservancy of mitigation funds pursuant to the State Water Resources Control Board’s (SWRCB) Once-Through Cooling Policy and the Habitat Conservation Fund (HCF).

The SWRCB Once-through Cooling Policy was adopted on May 4, 2010, by Resolution Number 2010-0020 and states the mitigation fees for power plants that continue operation past October 2015 may be paid to the Conservancy. Under the Memorandum of Understanding (MOU) between the SWRCB, Conservancy and California Ocean Protection Council, mitigation funds paid under the Once-Through Cooling Policy may be used by the Conservancy to fund wetland restoration.

The settlement agreement between the SWRCB and the operator of the Ormond Beach and Mandalay generating stations provides that interim mitigation funds from these facilities provided to the Conservancy are to be applied to “an Oxnard wetland restoration project.”

Under Section 2.d of the MOU, the Conservancy must consult with the State Water Resources Control Board about the proposed use of the funds. Consistent with this requirement, the Conservancy and SWRCB staff agreed that these funds should be used for the environmental review (CEQA) and related technical studies for the restoration and public access plan at Ormond Beach.

Additional funds will come from the FY 2018-19 appropriation of Habitat Conservation Fund. These funds may be used for the acquisition, enhancement, or restoration of wetlands. (Fish and Game Code Section 2786(d)). The restoration and public access project is intended to restore nearly 700 acres of wetlands and associated habitats. The Habitat Conservation Fund is therefore an appropriate source of funds for the project.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

As described in the May 26, 2016 staff recommendation (Exhibit 3), the proposed project is undertaken pursuant to Chapter 6 of Division 21 of the Public Resources Code and sections 31252, 31252.2 and 31253. The project remains consistent with these sections of the Conservancy's enabling legislation.

**CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 6, Objective A** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will support a plan for the restoration and enhancement of coastal wetlands, dunes, and other coastal habitats. The draft Ormond Beach Restoration and Public Access Plan outlines measures to restore the wetlands and other coastal habitats at Ormond Beach.

Consistent with **Goal 6, Objective C** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will support a plan to preserve and enhance coastal floodplains. Restoration of the wetlands as outlined in the draft Ormond Beach Restoration and Public Access Plan will help protect the community of South Oxnard and the adjacent agricultural fields from storms and flooding which are projected to increase as sea level rises.

Consistent with **Goal 6, Objective F** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will support a plan to improve water quality to benefit coastal and ocean resources. The Ormond Beach Restoration and Public Access Plan identifies specific measures to improve water quality in the Ormond Beach wetlands complex that will benefit ocean and coastal resources.

Consistent with **Goal 8, Objective B** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will support a plan that will increase resilience to sea-level rise and other climate change impacts. Restoration of the wetlands as outlined in the Ormond Beach Restoration and Public Access Plan will help protect the community of South Oxnard and the adjacent agricultural fields from storms and flooding which are projected to increase as sea level rises.

Consistent with **Goal 16, Objective A** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will support a plan that will improve public access to a little-used beach for the South Oxnard community, which is a state-identified disadvantaged community (DAC) and restore coastal wetlands that will serve as a buffer to protect South Oxnard from flooding impacts as sea level rises.

Consistent with **Goal 16, Objective B** of the Conservancy's 20218-2022 Strategic Plan, the proposed project will support a plan that will increase South Oxnard's resilience to climate change impacts. South Oxnard is a DAC that has a long history of inequities in terms of environmental pollution, toxic industries, and lack of adequate public access to the shoreline.

**CEQA COMPLIANCE:**

The proposed project is statutorily exempt from the California Environmental Quality Act ("CEQA") under California Code of Regulations ("CCR") title 14, Section 15262 as this project involves feasibility and planning studies for possible future action which the Conservancy has not yet funded, approved, or adopted.

In addition, this project is exempt under 14 CCR Section 15306 as it involves basic data collection and resource evaluation activities that will not result in serious or major disturbance to environmental resources. The proposed preparation of environmental analysis entails the preparation of planning documents as well as data collection and resource evaluation activities. The proposed project will not have an impact on environmental resources and environmental factors will be considered during implementation of the proposed project. Accordingly, the proposed project is exempt from CEQA.

Upon approval, staff will file a Notice of Exemption for this project.