

COASTAL CONSERVANCY

Staff Recommendation
June 1, 2023

Newland Marsh Restoration Planning

Project No. 23-017-01
Project Manager: Katie Nichols

RECOMMENDED ACTION: Authorization to disburse up to \$575,000 to the Huntington Beach Wetlands Conservancy to prepare designs, permit applications, and environmental review for restoring 44.8 acres of degraded wetlands at Newland Marsh in Huntington Beach, Orange County.

LOCATION: Newland Marsh, Huntington Beach, Orange County

EXHIBITS

- Exhibit 1: [Project Location and Site Maps](#)
 - Exhibit 2: [Project Photos](#)
 - Exhibit 3: [Project Letters](#)
 - Exhibit 4: [Conceptual Restoration Plan](#)
-

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 five hundred and seventy-five thousand dollars (\$575,000) to the Huntington Beach Wetlands Conservancy (“the grantee”) to prepare designs, permit applications, and environmental review for restoring 44.8 acres of degraded wetlands at Newland Marsh in Huntington Beach, Orange County (“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.
 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 corrective measures to enhance coastal resources.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
3. The Huntington Beach Wetlands Conservancy 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 grant of up to \$575,000 to the Huntington Beach Wetlands Conservancy to prepare designs, permit applications, and environmental review for restoration of 44.8 acres of degraded wetlands at Newland Marsh in Huntington Beach in Orange County (“the project”) (see Exhibit 1 Project Location and Site Maps).

Newland Marsh is a component of the 180-acre Huntington Beach Wetlands complex, historically part of a large Santa Ana River mouth coastal wetland system extending several miles inland from the ocean. Channelization of the river and construction of Pacific Coast Highway isolated the site from tidal influence in the early 1900’s. Urban development and flood control infrastructure have resulted in habitat loss and highly fragmented remaining pockets of wetlands in Huntington Beach. The wetlands at Newland Marsh are significantly degraded due to loss of tidal circulation, intermittent periods of prolonged inundation from freshwater, high salinity levels, historic oil exploration and the presence of invasive plants. The flood wall at Newland Marsh has cut off tidal inundation at the site and this has resulted in the loss of rare tidal wetland habitat. The marsh currently only receives freshwater inputs, and the vegetation has changed from coastal salt marsh assemblages to a combination of freshwater, relic salt marsh, and unvegetated flats. The existing freshwater marsh also presents a vector maintenance issue as the standing stagnant freshwater is a breeding ground for mosquitos. Over the last 30 years the Huntington Beach Wetlands Conservancy (HBWC) has acquired and restored three marshes in the Huntington Beach Wetlands complex to full tidal influence: Talbert Marsh, Brookhurst Marsh, and Lower Magnolia Marsh. HBWC is in the process of restoring Upper Magnolia Marsh. Newland Marsh is the last remaining salt marsh in the complex to be restored.

The proposed project consists of preparation of 65% engineering designs, conducting environmental review through CEQA with the necessary technical studies, and preparing permit applications. Technical studies to be conducted include a cultural resources survey, sediment analysis, water quality analysis, and an updated hydrology/hydraulic analysis. A biological resources report, jurisdictional delineation, and a hazardous materials analysis have been completed for the area. The HBWC has engaged with four local housing associations and the City of Huntington Beach Chamber of Commerce in the early phases of this project and will

continue town hall meetings to solicit input during the project. Additionally, the proposed project includes community engagement activities to provide updates and gather input and feedback from the public and local tribes. The community engagement activities include quarterly public meetings and volunteer events. The HBWC will work to broaden the audience and enhance public participation throughout this planning project. The City of Huntington Beach will be the CEQA lead agency for the project. The recommended grant will build upon previous planning efforts led by HBWC including a Restoration Plan developed in 2019, biological surveys and mapping conducted in 2020, and 30% engineering designs completed in 2022.

There is considerable opportunity for tidal wetland restoration of Newland Marsh due to the presence of extensive historic marsh plains at or near desired tidal elevations, and a source of seawater adjacent to the site via the Huntington Beach Channel (see Exhibit 2 Project Photos). Initial habitat assessments indicate that the proposed project will plan for significant improvements to habitat by increasing wetland diversity in the form of subtidal, low, mid- and high-marsh habitats. Existing non-tidal wetlands will be restored to salt marsh habitat, and upland habitat will increase by nearly double. The project will plan for adaptation to future sea level rise by designing levee slopes such that wetlands can migrate as sea level rises. Short-term adaptations also may include reconfiguring and/or raising the marsh above internal water levels, elevating or stacking culverts vertically to control water levels to desired conditions, and elevating the perimeter levees as needed. Transitional upland islands will also be constructed to provide wetland-upland transitional habitat to allow wetlands to migrate with sea-level rise.

HBWC is uniquely qualified to undertake this project as they have completed all previous phases of acquisition and restoration for the other three units of the Huntington Beach wetlands while holding public meetings to solicit feedback and input during the process. HBWC currently regularly holds community and volunteer engagement events. Typical volunteer events include assisting with restoration projects, planting, removal of non-native and invasive plants, and trash removal. The HBWC has had conversations with the Juaneño Band of Acjachemen Nation about the project, whose local members have attended restoration events and have demonstrated support for the project (See Exhibit 3 Project Letters). As part of the Conservancy tribal consultation process for this project, tribal consultation letters were sent to thirteen tribes and three tribes participated in conversations about this project. The Juaneño Band of Mission Indians, Acjachemen Nation-Belardes, expressed support for this project and restoration of this area. See project selection criteria #3 below for more discussion about tribal engagement.

Site Description: Owned and managed by the HBWC, Newland Marsh is 44.8 acres of wetland area located along Pacific Coast Highway between Beach Boulevard and Newland Street (see Project Site Maps Exhibit 2). The wetland is part of the larger Huntington Beach Wetlands complex, which consists of Talbert, Upper and Lower Magnolia, Brookhurst, and Newland Marshes. The first three marshes were acquired and restored (acquired date/restored date) to full tidal influence as follows: Talbert Marsh (1986/1989), Brookhurst Marsh (2007/2009), and Lower Magnolia Marsh (2008/2010). Upper Magnolia Marsh was acquired in 2008 and is in the process of being restored.

Urban development and flood control infrastructure have fragmented the wetlands in Huntington Beach and this site is adjacent to the Huntington Beach Generating Station, an operating power plant. The site is predominantly relict salt marsh, however, other important habitats such as unvegetated salt flats, alkali meadow, coastal sage scrub, and open water are also present. Some areas within the marsh are currently subject to intermittent and highly muted tidal influence because of a gated culvert that is occasionally blocked open, and these marshland areas are more robust than those found in the non-tidal portions of Newland Marsh. Several sensitive species regularly or intermittently use the marsh including Belding's Savannah Sparrow, California Least Tern, California brown pelican, Western snowy plover, and coastal woolly-head.

Grant Applicant Qualifications: The Conservancy has worked with HBWC since 1987 to acquire and restore the Huntington Beach Wetlands for the purposes of improving coastal habitat and providing educational and recreational opportunities along the coast. HBWC has demonstrated a leadership role in the restoration, preservation, and educational interpretation of the Huntington Beach coastal wetlands complex. HBWC was established in 1985 with a mission to acquire, restore, maintain, and preserve the historical Huntington Beach Wetlands in southeast Huntington Beach, the prior restoration of the first three marshes in the Huntington Beach Wetlands were very similar in size and scope to the proposed project and HBWC has successfully managed each project and is capable of conducting long-term maintenance and monitoring for the proposed project.

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:

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.

This project will provide benefits to Californians by planning for restoration of coastal wetland habitat, which will improve habitat quality and enhance resilience of a degraded fragmented habitat. Eventual restoration of the area is feasible, the budget is reasonable, and HBWC is well qualified to conduct the work.

The proposed project is included as a priority on the Southern California Wetlands Recovery Project's 2022 Work Plan and the applicant has demonstrated the ability to work with regulatory agencies and consultants to gather the permits necessary for restoration of the area.

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.

Following Conservancy tribal outreach letters in January 2023, the Conservancy scheduled government-to-government consultations with interested tribal groups to discuss the project. During the consultation with the Juaneño Band of Mission Indians, Acjachemen Nation-Belardes, the tribal representative expressed support for the project and restoration of the area. The HBWC has engaged with the Juaneño Band of Acjachemen Nation, whose local members have demonstrated support for the project (See Exhibit 3 Project Letters) and the proposed project includes funding for a cultural resources survey of the area. As part of this proposed project, the HBWC will hold one to four meetings with tribes per year during the design and construction process to provide updates and solicit input. The HBWC will continue to work with tribes to discuss how best to engage with them as the project progresses and provide stipends for their participation. Once the site is restored there will be opportunities for coastal salt marsh interpretive signage and educational trips along the perimeter of the marsh that incorporate traditional ecological knowledge.

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

The project will plan for enhanced resiliency through restoration of a coastal salt marsh that is adaptable to climate hazards such as sea level rise and coastal inundation. Planned restoration efforts will make the marsh more resilient through monitoring and adaptive management strategies, which may include elevating or stacking culverts vertically to control water levels to desired conditions, restricting water levels, and/or gradually raising the elevation of the marsh plain through thin layer deposition. Transitional upland islands will also be constructed to provide wetland-upland transitional habitat to allow wetlands to migrate with sea-level rise.

5. Project delivers multiple benefits and significant positive impact.

The restoration of Newland Marsh will be designed to provide multiple benefits including:

- Enhancing resiliency by restoring a coastal salt marsh that is resilient to climate change;
- Improving water quality;
- Providing essential nursery and foraging habitat for fish and wildlife;
- Providing for pedestrian access and passive recreation opportunities
- Removal of infrastructure barriers to natural hydrology of the salt marsh;
- Reduced flood risk;
- Reduced invasive vegetation; and
- Minimization and possible elimination of vector control issues through the reduction of standing freshwater

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

The HBWC will engage with the community throughout the proposed project through community meetings, monthly volunteer events, emails, and social media. The HBWC is well positioned to conduct outreach for this project as they have a large existing volunteer base, an interpretive center as well as support from academia, non-profit organizations, the outdoor-loving public, and local, state, and federal officials. They have received broad public support for the project and plan to engage over 300 volunteers. The HBWC will continue to engage the community during this project and endeavor to broaden public participation as the project progresses.

PROJECT FINANCING

Coastal Conservancy	\$575,000
Project Total	\$575,000

The anticipated source of most of the Conservancy funds for the proposed project is a 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 adopted on May 4, 2010. Under the Memorandum of Understanding (MOU) between the SWRCB, Conservancy and the California Ocean Protection Council, mitigation funds paid under the Once-Through Cooling Policy may be used by the Conservancy to fund wetland restoration. Under Section 2d 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 priority projects recommended by the Wetland Managers Group of the Southern California Wetlands Recovery Project from its current Work Plan. The proposed project is one of two priority projects recommended for these funds. An approval letter from the SWRCB is attached as part of Exhibit 3.

Additional funds for the project are anticipated to come from the Fiscal Year 2022/23 appropriation from the General Fund to the Conservancy for the purpose of climate resilience (The Budget Act of 2022, SB 154). These funds are available as described in Section 52 of Chapter 258 of the Statutes of 2021, which sets forth a detailed description of the purposes of the climate resilience funds. The proposed project is consistent with this funding source because it will provide planning for a climate resilient coastal wetlands restoration project.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project will be undertaken pursuant to Chapter 6 of the Conservancy’s enabling legislation, Public Resource Code Sections 31251-31253 as follows:

Pursuant to Section 31251 Code, the Conservancy may award grants to nonprofit organizations to enhance coastal resources which, because of human-induced events or incompatible land uses, have suffered loss of natural and scenic values. This planning project will facilitate the enhancement of coastal wetlands and other coastal habitats that have suffered loss of natural and scenic value due to development and habitat loss.

Consistent with Section 31252, projects authorized under Chapter 6 must be identified in a local coastal plan. The City of Huntington Beach Local Coastal Program (LCP) contains goals, objectives, and policies consistent with the restoration of Newland Marsh. These include:

- Goal C7 “Preserve, enhance and restore, where feasible, environmentally sensitive habitat areas (ESHAs) in the City’s Coastal Zone ...”; Objective C 7.2 “Promote the improvement of the biological productivity and appearance of wetland and environmentally sensitive habitats”; Policy C 7.2.1 “Promote the re-establishment of tidal flushing in wetland areas”; and Policy C 7.2.2 “Promote the participation of County,

State and federal agencies in the enhancement and maintenance of environmentally sensitive habitats by actively pursuing funding from the California Coastal Conservancy and other State and federal agencies...”

Pursuant to Section 31253, the Conservancy may provide up to the total cost of any coastal resource enhancement project, taking into the consideration the total cost of the project, the fiscal resources of the grantee, the urgency of the project and other factors as determined by the Conservancy. Consistent with this section, the proposed Conservancy contribution and source of funding is both urgent and appropriately directed.

CONSISTENCY WITH CONSERVANCY’S [2023-2027 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 3.2 Restore or Enhance Habitats**, the proposed project contributes to planning for future coastal wetland restoration in Huntington Beach.

Consistent with **Goal 4.1 Sea Level Rise Adaptation Projects**, the proposed project is a planning project that will adapt infrastructure, considering sea level rise.

Consistent with **Goal 4.3 Multi-benefit Nature-Based Climate Adaptation**, the proposed project is planning for a project that will have multiple benefits and will increase climate resilience.

CEQA COMPLIANCE:

The proposed planning project consists of completing designs, conducting CEQA review, and preparing permit applications. Thus, the proposed project involves only data gathering, resource evaluation, planning, and feasibility analyses for possible future actions that have not yet been approved or funded. These activities are statutorily exempt from CEQA pursuant to 14 California Code of Regulations Section 15262, which exempts planning and feasibility studies for possible future actions that have not yet been approved, adopted, or funded and categorically exempt under Section 15306, which exempts data collection and resource evaluation activities that do not result in a serious or major disturbance to an environmental resource.

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.