

COASTAL CONSERVANCY

Staff Recommendation

March 25, 2004

**NCCP PROGRAM IMPLEMENTATION:
SAN DIEGO RIVER–CALMAT PROPERTY PHASE 2**

File No. 03-137

Project Manager: Marc Beyeler

RECOMMENDED ACTION: Authorization to disburse up to \$1,850,000 to complete the acquisition of property adjacent to the San Diego River in Lakeside, in order to implement the San Diego Multiple Species Conservation Plan (MSCP), as part of the state’s Natural Communities Conservation Planning (NCCP) Program, and to implement the San Diego River Park: Lakeside NCCP Program, adopted by the Conservancy on June 25, 2001.

LOCATION: Southwestern San Diego County; San Diego River watershed (Exhibit 1)

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

Exhibit 1: Location Maps

Exhibit 2: October 23, 2003 Staff Recommendation

Exhibit 3: San Diego River Parkway–Lakeside NCCP Enhancement Plan

Exhibit 4: Letters of Support

RESOLUTION AND FINDINGS:

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

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million eight hundred fifty thousand dollars (\$1,850,000) to the San Diego River Park-Lakeside Conservancy (“SDRPLC”) for acquisition of property described the accompanying staff recommendation to implement the San Diego River Park: Lakeside Natural Communities Conservation Planning (“NCCP”) Enhancement Plan approved by the Conservancy on June 25, 2001; and to implement the Multiple Species Conservation Program, approved by the Conservancy on June 25, 1998, subject to the following conditions:

1. Prior to the disbursement of any funds, the Executive Officer of the Conservancy (“Executive Officer”) shall review and approve all relevant acquisition documents, including but not

limited to an appraisal, agreement of purchase and sale and documents of title; and all other funds necessary to carry out the acquisition shall be provided.

2. The SDRPLC shall pay no more than fair market value for the property as established in an appraisal approved by the California Department of General Services.
3. The SDRPLC shall dedicate the property for natural resource protection, open space preservation and public access in an appropriate instrument approved by the Executive Officer.
4. Conservancy and Wildlife Conservation Board funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which has been reviewed and approved by the Executive Officer.
5. All funds disbursed for this acquisition shall be paid from the Wildlife Conservation Board's NCCP grant to the Conservancy."

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 acquisition is consistent with and will help to carry out The Lakeside NCCP Enhancement Plan adopted by the Conservancy on June 25, 2001, pursuant to its authority under Public Resources Code Sections 31251-31270 regarding enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The San Diego River Park-Lakeside Conservancy is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code"

PROJECT SUMMARY:

Staff recommends the Conservancy authorize disbursement of up to \$1,850,000 to complete acquisition of habitat property along the San Diego River in the community of Lakeside to implement the state's NCCP Program and to implement the San Diego River Park program.

In October 2003, the Coastal Conservancy approved funding to acquire the first 80 acres of the 100-acre CalMat property along the San Diego River (Exhibit 2). On December 23, 2003 the first phase acquisition was completed. Staff is recommending the Conservancy authorize the disbursement of funds from the Wildlife Conservation Board to acquire the remaining 20 acres of the CalMat property.

The CalMat property is to be acquired by the Lakeside Conservancy and restored as riparian habitat. The Lakeside river district is an important riparian habitat linkage in the MSCP. In addition, the CalMat acquisition is the first in a county-wide effort to create a San Diego River Park extending the length of the river, which is designed to restore habitat and provide public access to the river. The 100-acre CalMat property will be acquired as part of a 250-acre San Diego River Park in Lakeside. The Lakeside Conservancy intends to restore the site to its former river-

ine and riparian habitats to benefit several threatened and endangered species and to restore the historic floodplain offering the community flood protection and water quality benefits. This effort is more fully described in the Lakeside NCCP Enhancement Plan approved by the Conservancy in June 2001 (Exhibit 3).

The City of San Diego's MSCP is one of the most important regional plans which make up the State of California's NCCP Program. Since 1998 the Conservancy has been an active partner in implementing the NCCP program in the coastal areas of San Diego and Orange counties, including the MSCP. The NCCP program is a cooperative effort to protect habitats and species. The program, began in 1991 under the state's Natural Communities Conservation Planning Act, is intended to conserve natural communities at the ecosystem scale while accommodating compatible land uses.

In June 2003, the Coastal Conservancy and the Wildlife Conservation Board (WCB) entered into an Interagency Agreement (IAA) in a cooperative effort to facilitate the acquisition of real properties as part of the state's NCCP Program, whereby the WCB granted approximately \$36 million to the Coastal Conservancy.

The Conservancy also received funds through the Resources Agency from the River Parkway program to implement the San Diego River Park program. These and other funds were used to acquire a portion of the CalMat property as the first phase of this project pursuant to the Conservancy's authorization of October 2003. The SDRPLC is now acquiring Phase 2 of the property to complete the acquisition of the CalMat holdings in Lakeside.

All property acquired pursuant to the IAA and this authorization will be acquired, held, used, and managed for the purposes of wildlife habitat preservation, restoration and management, wildlife-oriented education and research, and compatible public uses, consistent with wildlife habitat preservation, in order to enhance the natural and scenic character of coastal watersheds and their resources.

Site Description: The Multiple Species Conservation Planning area of southwestern San Diego County includes the most ecologically significant watersheds in San Diego County, including the San Diego River watershed. The City of San Diego is the lead agency in establishing the 172,000-acre MSCP preserve in southwestern San Diego County.

The San Diego River watershed is an important part of the region's MSCP. The portion of the river watershed which contains the subject property to be acquired as part of this staff recommendation is within the Core Biological Areas and Corridors of the MSCP. The San Diego River has been designed a River Parkway and active planning and implementation efforts are currently ongoing for open space and habitat preservation as well as public access and public recreation.

The Lakeside portion of the San Diego River includes significant riparian, creek, and related stream habitats which can be restored and enhanced. A conceptual restoration plan has been completed and detailed habitat and riparian restoration plans will be developed for the CalMat property upon completing the acquisition.

Project History: Since 1998 the Conservancy has been assisting local, regional, state, and federal agencies in the implementation of the MSCP, as part of the state's NCCP program. Between 1998 and 2000, the Conservancy received \$10 million to implement the MSCP. Using these and other funds granted to it, including River Parkway monies, the Conservancy has approved the expenditure of funds for property acquisition within the San Diego River watershed. Since 2000

the Conservancy has been a partner and funder in establishing a River Parkway in the San Diego River watershed.

Currently, the Coastal Conservancy is a project partner, and/or project funder, in several important coastal resource protection projects in the subject watersheds, including the eradication of non-native invasive plant species, the restoration and enhancement of coastal wetlands, riparian habitat restoration, and the provision of public access and recreational facilities.

The CalMat acquisition was structured in two phases because of the limitations and restrictions of available funding. At this time, Phase 2 can be completed because the funds granted to the Coastal Conservancy from the WCB for NCCP acquisitions in coastal San Diego County are sufficient to cover other anticipated projects previously identified.

PROJECT FINANCING:

WCB/NCCP-CalMat:	\$1,850,000
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No Conservancy funds are being requested as part of the proposed authorization. The CalMat acquisition will utilize funds granted to the Conservancy by the WCB for NCCP implementation projects. Acquisition of coastal draining watershed land in the San Diego River watershed to protect coastal natural resources and implement the state's NCCP is consistent with the purposes and requirements of this grant.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270) provides for the Conservancy's participation in a program of coastal resource enhancement. The proposed authorization would facilitate the preservation of significant coastal natural resources. Protecting riparian resources along the San Diego River is essential to ensuring the sustainability of the riparian ecosystem of the San Diego River. Loss of upstream habitat in the watershed will adversely affect water quality and aquatic ecosystem health within coastal areas of the larger watersheds.

In June 2001 the Conservancy approved the SDRP NCCP Enhancement Plan pursuant to its authority under Chapter 6 of Division 21. The Plan calls for the acquisition of key properties along the San Diego River containing riparian resources in order to protect larger watershed natural resources and open space and to provide managed public access. Acquisition of the CalMat property will help to implement the plan and accomplish these purposes and is consistent with Chapter 6.

CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOALS & OBJECTIVES:

Consistent with **Goal 5 Objective A**, the proposed project will increase Coastal Resource Conservation by the acquisition of coastal-draining watershed lands that will protect, restore, and enhance biological diversity in coastal areas. Objective A directs staff to preserve, restore, and enhance important coastal habitats including coastal stream corridors, coastal sage scrub, and oak woodlands. The proposed project contains significant natural resources.

Consistent with **Goal 5 Objective B**, the proposed project will increase Coastal Resource Conservation by the acquisition of coastal-draining watershed lands that will protect, restore, and enhance habitat corridors both between core habitat areas along the coast and from coastal habitats to inland habitat areas. The proposed project provides essential habitat lands linking habitat corridors within the larger MSCP area.

Consistent with **Goal 6 Objective A**, proposed project will improve water quality, habitat, and related coastal habitats within priority coastal watersheds, developing projects that preserve and restore coastal watersheds and create river parkways.

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:** The proposed project has widespread community and agency support. The River Parkway and NCCP programs have multiple agency involvement, including federal, state, regional, and local. In addition, the project involves community nonprofit organizations and members of the general public. See letters of support in Exhibit 4.
4. **Location:** Located in the upper portion of a priority coastal watershed, acquisition of this property for purposes of open space and natural resource protection is essential to contribute to the restoration and enhancement of significant coastal resources, including riparian and watershed resources.
5. **Greater-Than-Local Interest:** The location of the property within a priority watershed is significant both locally and statewide. Significant public land holdings are either adjacent to, or near the proposed acquisitions.

Additional Criteria

8. **Resolution of more than one issue:** The project will address coastal resource protection, habitat quality and species protection, water quality, and watershed resource protection, as well as public recreation.
9. **Leverage:** See the "Project Financing" section above.
13. **Realization of prior Conservancy goals:** See the "Project History" section above.
15. **Cooperation:** The proposed projects involve the cooperation of state, local, regional, and federal agencies, as well as interested stakeholders and members of the general public.

COMPLIANCE WITH CEQA:

The project is categorically exempt from the provisions of California Environmental Quality Act (CEQA) under 14 Cal. Code of Regulations Sections 15325 and 15313, which apply to transfers of ownership of interests in land to preserve open space or plant and animal habitat and to preserve public access. Staff will file a Notice of Exemption upon approval of the project.