

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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W22

May 31, 2001 (for June 13, 2001 Hearing)

RECORD PACKET COPY

To: Coastal Commissioners and Interested Persons**From:** Tami Grove, Central Coast Deputy Director
Charles Lester, District Manager**Subject:** Coastal Conservancy Project CP 1-01 (Development of a "River Concept Plan" for the Pajaro River in Monterey and Santa Cruz Counties)

Staff recommends that Commission approve in concept the development of a "River Concept Plan" for the Pajaro River and that the Commission find and declare as follows:

1. The "River Concept Plan"

The U.S. Army Corps of Engineers has been studying potential means to address flood control issues on the Pajaro River for a number of years. This river system has flooded frequently in the past few decades, most recently dramatic flood episodes in both 1995 and 1998. The Corps process to date has focused on an option involving large, structural flood walls to control the flow of the River and prevent flooding of adjacent lands. There have been concerns that such flood walls would not be adequately protective of the character and resource values of the Pajaro River and its adjacent lands. Based on these concerns, local stakeholders successfully campaigned to promote additional study of alternatives to such floodwalls.

On May 24, 2001, the Coastal Conservancy authorized the disbursement of \$250,000 to fund the development of a "River Concept Plan" meant to identify and refine feasible options to address Pajaro River flood control needs while simultaneously enhancing and protecting habitat, scenic, riparian corridor, recreational, and agricultural resources. The River Concept Plan would be developed through a public planning process involving affected local governments (primarily Monterey and Santa Cruz Counties) and stakeholder groups (including landowners, business owners, locally elected officials, resource agencies, and concerned community groups) in conjunction with the U.S. Army Corps of Engineers. The River Concept Plan thus developed is intended to be incorporated into the Corps' CEQA/NEPA alternatives analysis to be undertaken in support of the Corps' ongoing Pajaro River flood control project.

The development of such a River Concept Plan was one of the recommendations emanating from the 1991 Pajaro River Corridor Management Plan. The 1991 Plan was never adopted by the Conservancy nor reviewed by the Commission. As a result, in order to fund the development of the River Concept Plan, the Conservancy adopted Recommendation 6 of the 1991 Plan (i.e., the recommendation calling for the development of the River Concept Plan) and has forwarded adopted Recommendation 6 to the Commission for review as directed by the Coastal Conservancy Act of 1976.



California Coastal Commission
June 2001 Meeting in Los Angeles

Staff: D.Carl Approved by:

2. The Pajaro River Resource System

The Pajaro River forms the border between Santa Cruz and Monterey counties. The river drains a watershed of roughly 1300 square miles extending from the inland Santa Cruz Mountain range, through the plains of the Pajaro Valley, and on into the Monterey Bay. The coastal zone portion of the project encompasses that portion of the river seaward of Highway One – a meandering stretch of approximately three river miles surrounded for the most part by fertile agricultural lands of the Pajaro Valley in unincorporated Santa Cruz County (to the north) and North Monterey County (to the south). See Exhibit A.

The Pajaro River, particularly the coastal zone portion, is a rich riparian resource supporting a variety of habitats and species – some of these quite sensitive and rare (including steelhead trout, Pacific lamprey, tidewater goby, California red-legged frog, southwestern pond turtle, black-legged lizard, and potentially Santa Cruz long toed salamander). The riparian canopy and overall habitat provides important nesting, rearing, and feeding habitat for a wide variety of native and migratory birds. The rivermouth lagoon where the river outlets to the Monterey Bay complements the riparian portion of the system and provides additional habitat for shorebirds, waterfowl, and fish; including such sensitive species as brown pelican, western snowy plover, steelhead, and tidewater goby.

The River is surrounded by some of the State's most productive farmland and provides a scenic panorama both from Highway One and from the River's edge itself. While not yet fully conceptualized, the potential also exists here for enhanced public access to and along the river itself and onto the sandy beach and the Bay downstream.

3. Coastal Act Issues

By almost any standard, the Pajaro River system and the rich agricultural land surrounding it must be regarded as coastal resources of great public importance. Chapter 3 of the Coastal Act requires preservation and enhancement of these resources. It is not clear that the floodwalls proposed to date adequately protect and enhance resources of the Pajaro River to the extent feasible. The development of a more holistic "River Concept Plan" that can provide information with which to more fully understand the habitat dynamics of the River system, and that can develop non-structural flood control alternatives meant to enhance habitat, scenic, riparian corridor, recreational, and agricultural resources is welcome. However, such a plan must at least provide analysis and direction to address, at a minimum, the following:

- The riparian corridor and wetland habitats of the Pajaro River shall be protected by future flood management plans to the greatest extent possible.
- The emphasis of flood management shall be on non-structural improvements to the corridor that allow the river to interact with its floodplain as it had historically. The River Concept Plan shall provide an evaluation of non-wall alternative(s).



- Existing riparian vegetation in the Pajaro River corridor, particularly the established habitat corridor downstream of Highway One, shall be preserved and enhanced.
- Revegetation of the levee banks and the river channel to provide erosion protection and enhanced riparian habitats shall be encouraged.
- Large-scale vegetation or sediment removal as a flood control practice shall be prohibited.
- Changes to the river channel, when necessary, shall focus on widening the area between levees without removing the existing riparian corridor or altering the low flow river channel.
- Flood easements on adjacent agricultural lands (with low level berms to protect settled areas) shall be evaluated. The occasional flooding of farm land presents a mixture of benefits and costs to the agricultural production and the environment. It has been argued that periodic flooding of agricultural land is beneficial to the soil productivity of the flood plain. Depending on the crop and farming practices, such flooding can introduce harmful chemicals into the wetland and marine habitats. Such water quality concerns should be evaluated. The potential immediate loss of value to winter crops is also of concern and should likewise be evaluated. Funding for the loss of harvests or the installation of efficient drainage devices should be considered if agricultural flood easements are to be used. These remediations may still be more cost effective than expensive structural flood protection.
- Levee rehabilitation and/or levee raising should be conducted with minimal impact on riparian vegetation and water quality.
- Widening the river channel for increased flood capacity shall be emphasized as an alternative to dredging or floodwalls.
- Remediation and mitigation shall be required for all habitat disturbance to wetland habitats for flood control activities.
- Continuous monitoring of water quality, species, and habitat in the riparian corridor and the lagoon shall be required. Such monitoring shall evaluate the effects of any activities such as lagoon breaching, levee repairs, and vegetation clearance.
- Water quality measures designed to filter and treat all sources of polluted runoff shall be established.
- Alternatives to the artificial breaching of the lagoon at the Pajaro Rivermouth shall be evaluated, particularly summer breaching events. Such alternatives include flood-proofing structures, flood easements, alternative land drainage systems, pumping of lagoon water, and the construction of a by-pass channel.
- Increased use of water conservation and groundwater recharge programs shall be encouraged and evaluated. In particular, efforts must be made to reduce creek diversions and groundwater



consumption from the Pajaro River watershed during summer months.

- Upstream runoff prevention mechanisms (such as increased vegetation, management of development and resource activities, reduction of impacted or impervious ground surfaces, site-based storm water detention ponds and groundwater infiltration structures) shall be encouraged.
- Both the lagoon and riparian corridor extending to Highway One shall be evaluated for opportunities to create nature observation trails. Any modification of the Highway One crossing of the river should include provisions for a small parking area to the extent habitat can be protected. Such recreational development should be done with sensitivity to the riparian habitat, leaving significant areas undisturbed.
- The upper areas of the Pajaro River corridor should also be considered as a site for recreational uses. Playing fields may also be able to meet a dual purpose of providing local open space and creating a maintained flood channel outside of the low flow riparian habitat.
- Any necessary levee improvements shall limit alterations to the river corridor vegetation and be sensitive to visual impacts of such construction. Extreme river corridor vegetation clearance (such as that that occurred upstream of Highway One in 1995) should be avoided in the future. The Pajaro River riparian corridor is a scenic resource of great local and statewide importance that that shall be protected for the preservation of these scenic values. The River Concept Plan must consider the scenic qualities of the river in designing flood management strategies.
- The full length of the river system, including the lagoon and the upper watershed, must be considered, even if physical planning only considers a segment of the River.
- Flood control management should avoid vegetation clearance or sediment removal in the riparian corridor, particularly seaward of Highway One. Sediment removal or vegetation clearance upstream would have significant impact on habitat and water quality in the Coastal Zone, and shall be discouraged.
- Levee rehabilitation or improvement shall not affect coastal resources or flow within stream channels. Repairs should avoid alterations of stream hydrology and riparian habitat. Any disturbances from construction shall be followed by re-vegetation.
- Continuous monitoring of water quality, species, and habitat in the riparian corridor shall be included. Such monitoring should evaluate the effects of any activities such as lagoon breaching, levee repairs, and vegetation clearance. This monitoring should include sampling and analysis of water quality, fisheries, invertebrates, and habitat in the Lagoon.
- The 1993 Pajaro Basin Management Plan identified multiple concerns regarding marine resources and sensitive habitats including: the construction of structural elements such as dams, pipelines and barrier walls on habitats and species, diversion of water from Corralitos Creek, location of



Watsonville Wastewater Reclamation Plant, interference with steelhead migration of Bolsa De San Cayetano reservoir dam, impact of injection wells, and conflict with local coastal plans and the Coastal Act. Questions were also raised over the lack of discussion of conservation and groundwater recharge policies. The River Concept Plan should address these broader watershed planning concerns.

- Resource agencies (including but not limited to the California Department of Fish and Game and the United States Fish and Wildlife Service) shall be consulted early in the development of the River Concept Plan, and shall be included in the overall planning process for any flood control projects emanating from the River Concept Plan.

The Coastal Commission expects to be involved in the River Concept Plan planning process and fully intends for the above bulleted items to be incorporated within any such Plan deriving from that effort.

4. Enhancement Plan Review Procedure

Section 31258 of the Coastal Conservancy Act of 1976 requires the Conservancy to submit coastal resource enhancement plans to the Coastal Commission for determination of plan conformity with the policies and objectives of the Coastal Act. The Commission reviews a Conservancy Enhancement Plan when it affects lands over which the Commission retains jurisdiction under Section 30519(b) of the Coastal Act, including public trust lands such as the Pajaro River. Section 31258 provides that the Commission has 60 days to review the plan and transmit its findings to the Conservancy. If no findings are made prior within the 60 days, the Enhancement Plan is deemed to be approved and consistent with the Coastal Act (the subject Conservancy submittal was received on May 30, 2001 and the 60th day falls on July 29, 2001).

In this case, the "Enhancement Plan" in front of the Commission is the one excerpted recommendation of the 1991 Pajaro River Plan calling for the development of the River Concept Plan; this recommendation reads as follows:

The Counties of Monterey and Santa Cruz, and the City of Watsonville should initiate a "River Concept Plan" to address urban planning, landscape planning, and biological planning that will be needed to take advantage of the opportunities and to resolve important issues at the local level. A "River Concept Plan" would form the basis of local input to the CE plan. It is an important part of generating and maintaining local consensus on a flood control plan and for having a successful environmental review. The Pajaro River Task Force could act as an advisory committee.

Under the Coastal Act and the Coastal Conservancy Act, the Commission's task is to conduct a conceptual review of the proposed Enhancement Plan and indicate to the Conservancy what provisions, if any, must be included in the final "River Concept Plan" and/or any subsequent final project(s) (i.e., those that may emanate from the final "River Concept Plan") to find it consistent with the Coastal Act.



The proposed and submitted Enhancement Plan is not an application for a coastal development permit. Prior to the Conservancy (or any other applicant) implementing specific projects, all such proposed development must be authorized through the applicable coastal development permit process(es); by the Commission for any such development within the Commission's retained jurisdiction, and by affected local governments with certified Local Coastal Programs (LCPs) in areas where permitting authority has been transferred.

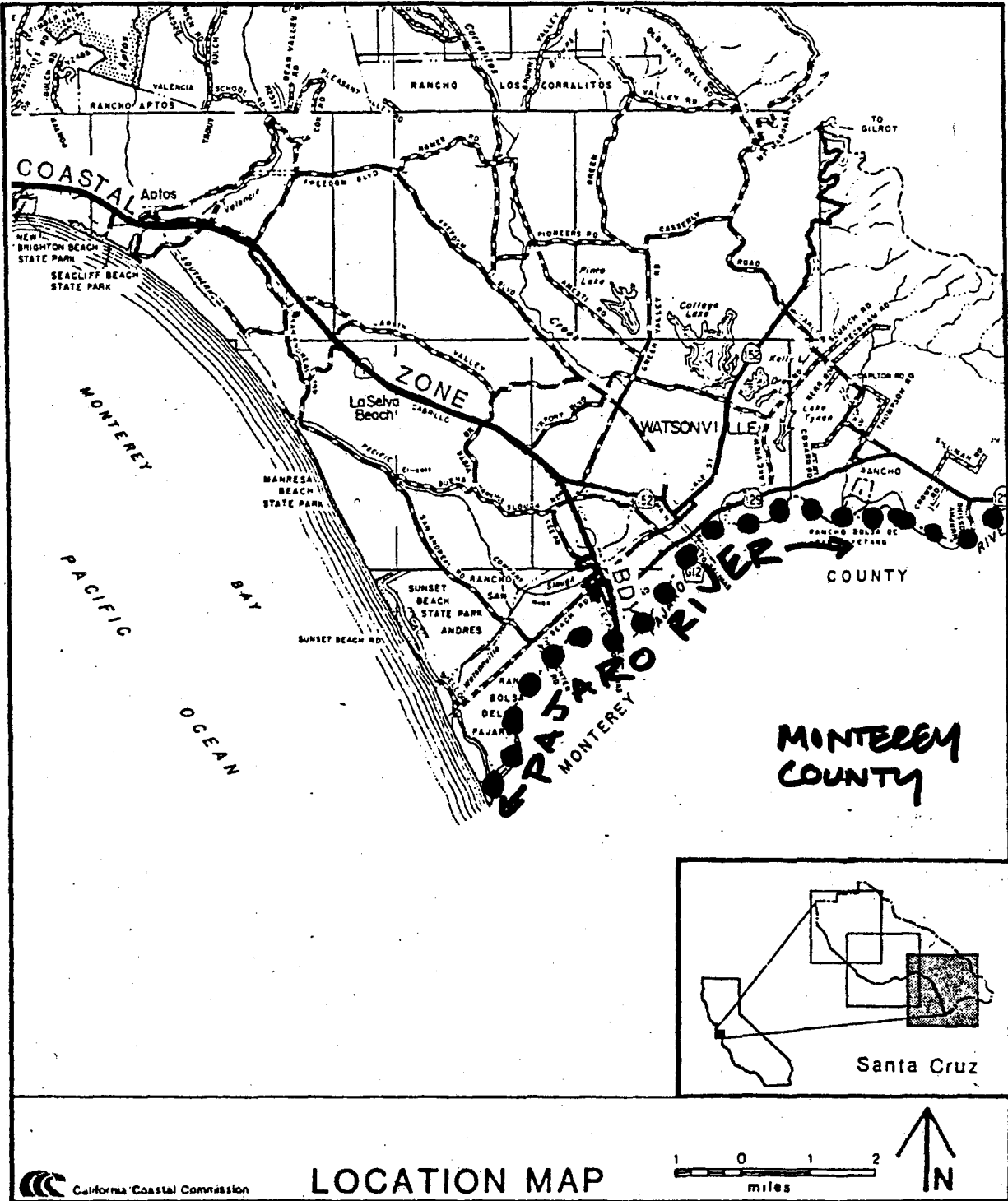
5. Staff Recommendation on Enhancement Plan

The staff recommends that the Commission, after public hearing, approve in concept the development of the "River Concept Plan" finding that the Enhancement Plan is in conformity with the provisions of Chapter 3 of the California Coastal Act.

Motion. I move that the Commission approve in concept Coastal Conservancy Enhancement Plan 1-01 pursuant to the staff recommendation.

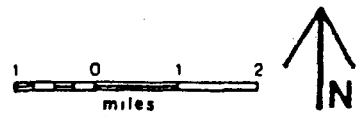
Staff Recommendation of Approval in Concept. Staff recommends a YES vote. Passage of this motion will result in approval in concept of the Enhancement Plan and adoption of the above findings. The motion passes only by affirmative vote of a majority of the Commissioners present.





California Coastal Commission

LOCATION MAP



County of Santa Cruz

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EXHIBIT A



California Coastal Commission

