

M E M O R A N D U M

DATE: November 9, 2011

TO: Honorable Mayor and Councilmembers

FROM: Patricia Allison, City Manager's Office

SUBJECT: **REQUEST BY DEPUTY MAYOR SANCHEZ ON BEHALF OF THE BUENA VISTA LAGOON JPA, TO SUPPORT STAFF PARTICIPATION IN AN EFFORT TO REQUEST THE CALIFORNIA DEPARTMENT FISH AND GAME CONTINUE WITH AND COMPLETE THE ENVIRONMENTAL STUDIES THAT WERE INITIATED FOR THE BUENA VISTA LAGOON RESTORATION**



CITY OF OCEANSIDE

MAYOR
JIM WOOD

October 25, 2011

John Laird, Secretary
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

RE: Buena Vista Lagoon Restoration Project, EIR and Potential Funding Loss

Dear Secretary Laird:

The City of Oceanside would like to express concern over the recent termination of the Buena Vista Lagoon Restoration Project and Environmental Impact Report (EIR) by the California Department of Fish and Game. Buena Vista Lagoon is an approximately 200 acre freshwater coastal estuary set in North San Diego County, between the cities of Oceanside and Carlsbad. It is 90 percent owned by the California Department of Fish and Game that is tasked with maintaining and managing the lagoon. The remaining 10 percent of the water and some adjacent lands are privately owned. While there are 29 California estuaries, Buena Vista Lagoon was the first to be designated as an Ecological Reserve.

Due to its surrounding urban setting, the lagoon is subject to sedimentation, sewage spills, overgrowth of invasive species and eutrophication. It is on the 303(d) list of impaired water bodies for bacteria, nutrients and sedimentation. While many of our southern California lagoons have problems with sediment build-up, this condition is exacerbated at the Buena Vista Lagoon because of a weir at the mouth of the lagoon. Several attempts have been made to preserve and restore the lagoon. In 1981, local citizens and the Buena Vista Lagoon Foundation (BVLFF) sponsored a signature gathering effort and took 15,000 signatures to Sacramento, resulting in a dredging of the Eastern basin of the lagoon in 1983. About twelve years ago the City of Oceanside proposed a project to widen the mouth of the lagoon and replace the permanent weir with a moveable one that would only be in place for part of each year. This project was tabled at the request of the Resource Agencies (California Department of Fish and Game, California Coastal Commission, California Coastal Conservancy, U.S Fish and Wildlife Service, U.S. Army Corps of Engineers, National Marine Fisheries Service) as they were initiating studies for a major lagoon restoration project.

These Resource agencies, the Cities of Oceanside and Carlsbad, the BVLFF, the Buena Vista Audubon Society, many interested citizens and environmental groups worked closely together over the last five years toward that project. During this time, many public meetings were held, technical studies were conducted and hundreds of thousands of taxpayer funds were expended (the Coastal Conservancy and the U.S. Fish and Wildlife Service provided the bulk of the funding).

Three restoration alternatives were analyzed: saltwater through tidal flushing, a mixed salt and freshwater regime and a freshwater alternative. Throughout this process, resource agencies staff stated that an EIR would be produced, so that the best solution to the lagoon's problems would be identified based on an objective evaluation of all of the available information. In August of 2011, the stakeholders all received an email from the California Department of Fish and Game that this project was being put "on hold." Landowners at the mouth of the lagoon have made it clear that a saltwater or tidal flushing alternative may not be acceptable to them. However, failing to move forward leaves the lagoon in a degraded condition and current estimates are that the lagoon will become a marsh in a few years with little or no value for coastal resources.

During this same time, Caltrans was undertaking the Interstate 5 Widening Project and EIR, which would cause significant impacts to Buena Vista Lagoon and other coastal wetlands. Caltrans stated that mitigation money for the I-5 widening habitat impacts could pay for part of the Buena Vista Lagoon Restoration Project. Preliminary restoration estimates in early engineering studies were between \$60 and \$120 million, depending on the type of restoration regime. Now that this restoration has been suspended, these mitigation dollars are all in jeopardy of being reallocated to other projects – leaving the Buena Vista Lagoon still in a degraded state with no potential funding to do the major restoration that is needed.

It is our understanding that all of the engineering studies have been completed for the three alternatives, and that production and public distribution of the EIR is the next step. We understand that the money for this crucial next step is available. While there remains much controversy over what is ultimately the best restoration plan for the lagoon, everyone agrees that issuing the EIR will allow all of these issues to be fully evaluated and a lagoon restoration plan to proceed. Furthermore, moving this process forward now is essential to assure that the funds that could pay for it are not diverted to other projects.

We respectfully request that the EIR for this important project be completed. A completed document will determine the best method of fixing the lagoon and can be coordinated with potential funding from the I-5 widening project.

Sincerely,



JIM WOOD
Mayor