

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN DIEGO REGION

(SDRWQCB)

**SUPPLEMENTAL ENVIRONMENTAL PROJECT APPLICATION**

Project Requested by: The City of Escondido, The Escondido Creek Conservancy, San Diego Coastkeeper

Name of Project: Barnett/Lish Property Preservation Project

Date of Request: October 24, 2008

Point of Contact: Kevin Barnard, Managing Director, The Escondido Creek Conservancy

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**Project Summary:**

The Escondido Creek Watershed is a 26-mile-long, 75-square-mile area that is served by the creek and supports five cities, county unincorporated land and the San Pasqual Reservation. Escondido Creek provides many important benefits, ranging from water transport to support for natural plant and animal communities. The residential communities along the creek benefit from a healthier, higher quality of life as a direct result of a clean and healthy Escondido Creek. The health of the creek is also directly related to the health of local beaches, one of our most precious regional assets. Escondido Creek flows into San Elijo Lagoon which is ultimately discharged into the Pacific Ocean at San Elijo State Beach in Cardiff by the Sea.

The watershed begins about four miles east of Lake Wohlford, and the creek descends from the lake into the City of Escondido where several decades ago the creek was channelized for flood control purposes. Six miles downstream the creek leaves the City of Escondido where it returns, in several areas, to its natural state. It continues through the unincorporated communities of Harmony Grove and Elfin Forest then on to the City of Encinitas on the north and Rancho Santa Fe on the south. Eventually the creek terminates at the San Elijo Lagoon, which is heavily impacted by sedimentation and lack of natural tidal flows due to the decades old coast highway, railway, and I-5 freeway.

In the past three years a multi-million dollar invasive removal grant allowed further recovery of large areas of the creek. In these areas, many in the Elfin Forest/Harmony Grove core, the creek has quickly recovered with native vegetation, such as oak woodlands, sycamore trees, and native willow.

The Elfin Forest/Harmony Grove area has been mapped by county biologists as part of the Multiple Species Conservation Program (MSCP). The Elfin Forest/Harmony Grove area is recognized as some of the last remaining areas in San Diego County in which unique habitats still exist that support numerous threatened, endangered, and species of concern. It has the majority of remaining coastal sage scrub in north San Diego County, and several other vegetative communities that are unique to this coastal/inland interface community.

Approval of this SEP proposal would significantly contribute to the preservation and conservation of the habitat and recreational resources supporting the Escondido Creek Watershed. This project would further the efforts of The Escondido Creek Conservancy to restore Escondido Creek and enhance the natural resources it supports, and support San Diego Coastkeeper's mission to protect the region's bays, beaches, watersheds and ocean for the people and wildlife that depend on them.

**Total Life Cycle Cost for the Project:**

Cost estimates include an endowment for perpetual management/preservation, slight restorations, and cost to acquire the land.

Acquisition Costs	
Lish	\$235,000 (includes transaction fees)
Barnett	\$320,000 (includes transaction fees)
<b>Total Acquisition</b>	<b>\$555,000</b>
Restoration	\$22,000
Long-term Management	\$90,500
<b>Total Project Cost</b>	<b>\$667,500</b>
Administrative Oversight (SDRWQCB)	\$7,500
<b>Total Amount Requested as SEP</b>	<b>\$675,000</b>

Any additional funds required to complete this project would come from TECC Land Acquisition Funds and/or private fund raising by TECC.

**Watershed/Water Body/Location for Project (attach maps)**

The Escondido Creek Watershed/Escondido Creek/Barnett-Lish Sites in the Elfin Forest/Harmony Grove Core area. See attached maps.

**Project Proposed Start Date and Time Line**

Property acquisition negotiations have already concluded, and a purchase agreement for both parties is awaiting approval of the SEP. After acquisition, the restoration portion of the SEP is expected to take 4-6 months. Long-term management of the acquired parcels will continue as needed.

**Organization Sponsoring Project**

Tax I.D. # 33-0497525  
Name of Project Manager Kevin Barnard, Managing Director, Escondido Creek Conservancy  
Phone (760) 471-9354  
Designated Project Trustee The Escondido Creek Conservancy

**Description of Project Trustee capability or commitments to ensure that the project will be complete**

The Escondido Creek Conservancy (TECC) is a non-profit, public benefit corporation, incorporated in 1991. TECC is dedicated to the preservation, restoration and protection of the natural open space within the Escondido Creek watershed. TECC's Board of Directors is comprised of committed local volunteers with expertise in business, science, land use planning, education, recreation, and restoration of natural landscapes. TECC has an extensive documented history of commitments in working to restore and conserve the Escondido Creek Watershed including involvement in transactions resulting in preservation of over 1,000 acres of land, of which TECC currently manages 500 acres in the Escondido Creek Watershed. TECC operates under the standards set forth by The Land Trust Alliance which ensures its long-term commitment to land management in perpetuity.

TECC is also completing the construction of the Elfin Forest Recreational Reserve Interpretive Center located within a mile of these subject properties. TECC raised over \$500,000 for this project from private sources over a two year period and expects to open the Center to the public in the spring of 2009.

TECC currently holds approximately \$1,000,000 in an account designated for land acquisitions. These funds are designated for costs associated with acquisition activities such as appraisals, real estate agent fees, and staff time for these projects. Some of these funds can be designated for endowments for acquired lands for the purpose of funding management in perpetuity. Endowment funds are restricted in their use and create a financial security for the open space properties in the event of a financial collapse of TECC itself.

**Statement of Project Trustee ability/authority to receive and disburse funds**

Funding in the amount of \$667,500 would be provided by the City of Escondido into an escrow account, to be managed by the Chicago Title Co. escrow office in Escondido, California or a different escrow officer approved by the Executive Officer of the SDRWQCB. Funding for the acquisitions would be disbursed as needed directly into the escrow accounts set up for each transaction. Funding for management of the properties would be provided to the San Diego Foundation in order to establish an account for such management. Funding for restoration of the site would be distributed directly from the escrow account upon demonstration of work completed. Any monies left at the close of escrow would be provided to the San Diego Foundation to provide additional monies for long-term management of the properties.

## Detailed Project Information

### 1. PROBLEM STATEMENT

On November 30, 2004 the San Diego Water Board Executive Officer issued ACL Complaint R9-2004-0421 to the City of Escondido in response to self-monitoring reports indicating 393 violations of effluent limitations occurring between May 3 and August 17, 2004 at the Hale Avenue Resource Recovery Facility (HARRF). These alleged violations resulted in discharges to Escondido Creek exceeding effluent flow limitations prescribed in the City's NPDES permits. This SEP application is a result of settlement negotiations with the City of Escondido, The Escondido Creek Conservancy, San Diego Coastkeeper and the San Diego Regional Water Quality Control Board.

### 2. PROPOSAL DESCRIPTION

This is a 2-parcel project in Harmony Grove involving a 3.46 acre parcel owned by Mr. and Mrs. Barnett and approximately 10 acre parcel owned by Mr. and Mrs. Lish. Both parcels have upland, mixed-chaparral habitat.

The Escondido Creek runs through the Barnett parcel and has oak-riparian, riparian and a small amount of upland habitat. It is bordered on three sides by privately owned parcels and on the fourth side by a 10 acre open-space parcel owned by TECC. A moderate amount of restoration on the Barnett property may be necessary to restore grading activities and remove invasive trees and plants in the riparian areas. The Barnett parcel has ongoing Arrundo (invasive bamboo) and other invasives common to San Diego County riparian habitat. Adjacent to a 10 acre TECC preserved parcel is the Lish parcel. Wart-Stemmed Ceanothus (lilac) has been found to be present on the Lish property, a California native plant and listed species.



*Barnett Oak Woodland*



*Lish Parcel with Escondido Creek visible at center*

MSCP maps indicate the following species that are of concern, threatened, or endangered, are expected to occur on these parcels. Orcutt's Brodiaea, Summer Holly, Wart-stemmed Lilac, San Diego black-tailed jackrabbit, Pallid Bat, Mountain Lion, Hermes Copper, Coast Horned Lizard, Red Diamondback Rattlesnake, Cooper's Hawk, and the Golden Eagle.

### 3. HOW WILL THE PROJECT BENEFIT WATER QUALITY AND BENEFICIAL USES?

The San Elijo Lagoon Conservancy conducts on-going water quality testing and has determined that as much as 70% of the water quality impacts to the Escondido Creek are attributed to impervious lands and the resultant urban, suburban, rural, and agricultural run-off. The Lish and Barnett parcels are zoned for single-family residential development, and although sloped, with aggressive grading they are developable. Proportionate to the size of these parcels, this type of development would be extremely impactful to the water quality of the adjacent creek.

Currently, the parcel above the Lish property is being prepared for a single family residence. That parcel has already been denuded of native vegetation due to misguided attempts to resolve development and fire safety issues. The Lish parcel, if properly managed and maintained, will mitigate to some degree, the destruction of the native chaparral on the adjacent parcel as it relates to water quality. Without such mitigation measures, a significant amount of silt from the parcel above Lish will enter the creek during rain events. Siltation specifically impacts the Beneficial Uses of Preservation of Biological Habitats of Special Significance, Warm Freshwater, Cold Freshwater and Wildlife Habitats.



*Escondido Creek flowing through the Barnett property*

The Barnett property contains 300 feet of the Escondido Creek and its riparian habitat. The preservation of this area will improve and prevent degradation to the water quality of the Escondido Creek and the natural plant and animal communities as well as the residential communities which are alongside and dependent upon the Creek. The improved health of the Creek also directly benefits the health of our local beaches and ocean. Preservation of the Barnett-Lish properties will ensure protection of the current beneficial uses of the Escondido Creek and prevent future development on these sites which could potentially affect water quality. Approval of this SEP will therefore protect this site and its riparian and upland habitat which will in turn protect the creek and the natural community which depend on the creek for survival.

Beneficial Uses identified in the Basin Plan for the Escondido Watershed are: Municipal and Domestic Supply, Agricultural Supply, potential for Industrial Service Supply, Hydropower Generation, Preservation of Biological Habitats of Special Significance, Contact Water Recreation, Non-Contact Water Recreation, Warm Freshwater Habitat, Cold Freshwater Habitat, and Wildlife Habitat. Approval of the project would also provide habitat for threatened and sensitive species.

### 4. HOW WILL THE SUCCESS OF THIS PROJECT BE MEASURED?

Success of this project will be measured by the acquisition of the property and completion of restoration efforts to remove invasive species, fill dirt, and grading scars. The project will also be successful in bringing the long term benefits of open space preservation to the Escondido Creek Watershed, the natural community, and the surrounding residential community.

## 5. DETAILED WORK PLAN

SEP funds would provide for the purchase of the Barnett and Lish parcels and would create an additional 13.5 acres of open space adjacent to an existing TECC managed 10-acre open space. These properties serve to protect a small portion of the creek and would potentially prevent construction/development of creek-side homes as the properties are currently listed for sale as single-family residences.



*Barnett fill area around oaks cut, moved off of the property, or a combination of both.*

A moderate amount of restoration would occur on the Barnett parcel. There has been a small road cut into the steep embankment to the south of the creek that switches back up the hillside above the creek creating ongoing siltation problems. The road is approximately 300 yards in length and needs to be re-vegetated or topographically refurbished. It appears the earth from this cut was dumped on the south side of the creek adjacent to the bridge at the property line between Mr. Barnett's two parcels. It is among several oak trees which are highly sensitive to change in earth elevations around their roots and several of these trees appear to be stressed from this condition. This material could be used to repair the above described

There are approximately 16 large Eucalyptus trees on the north side of the creek between the creek and Harmony Grove Rd. These are considered an invasive species that shade out natives, especially oaks in the riparian area. These trees should be removed and native oaks re-planted.

There are five or six moderate to large palm trees, also invasive, in the riparian area that need to be removed along with some large pieces of broken concrete which appear to be debris from an old Arizona crossing that was washed out on the property several years ago.




*Invasive species including palm trees and Arrundo (left) and Eucalyptus trees (right) would be removed during restoration.*

Any lands will be acquired to be preserved as open space in perpetuity. If acquisition of the Barnett and Lish properties is not possible, funds allotted for the SEP in the settlement agreement would then be turned over to the state cleanup and abatement account.

This SEP is not anticipated to impact SDRWQCB staff time or effort. Nonetheless, a \$7,500 administrative oversight amount has been included in the SEP to offset any costs incurred by staff. TECC will coordinate the acquisition(s) and long-term management of the project.

I certify that the information provided in this application is an accurate and complete report of the costs, scope of work and expectations of this proposed project I am submitting to the SDRWQCB.

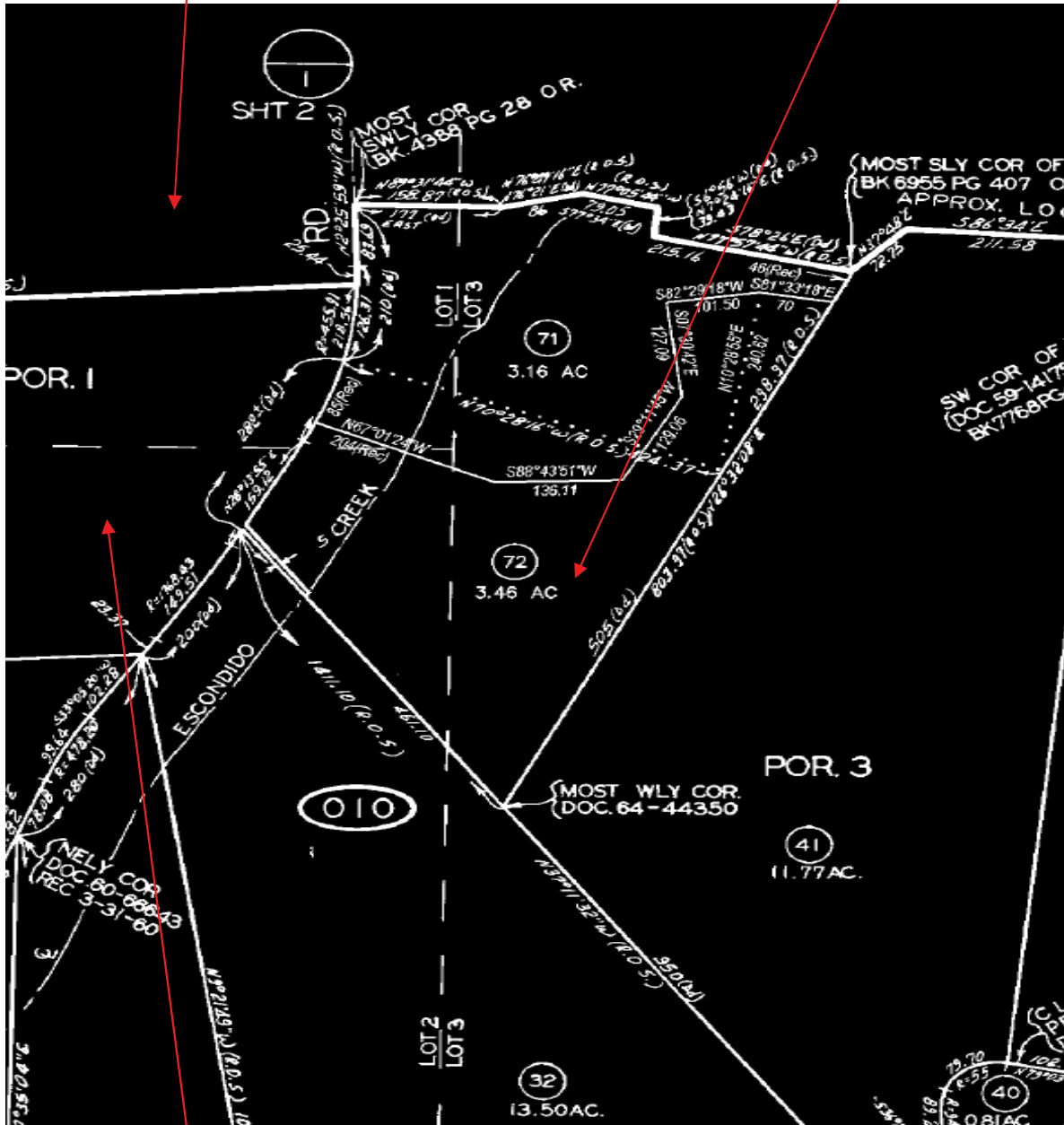
  
\_\_\_\_\_  
Kevin Barnard

10-24-2008  
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Date

# Site Maps

Lish (10 acres)

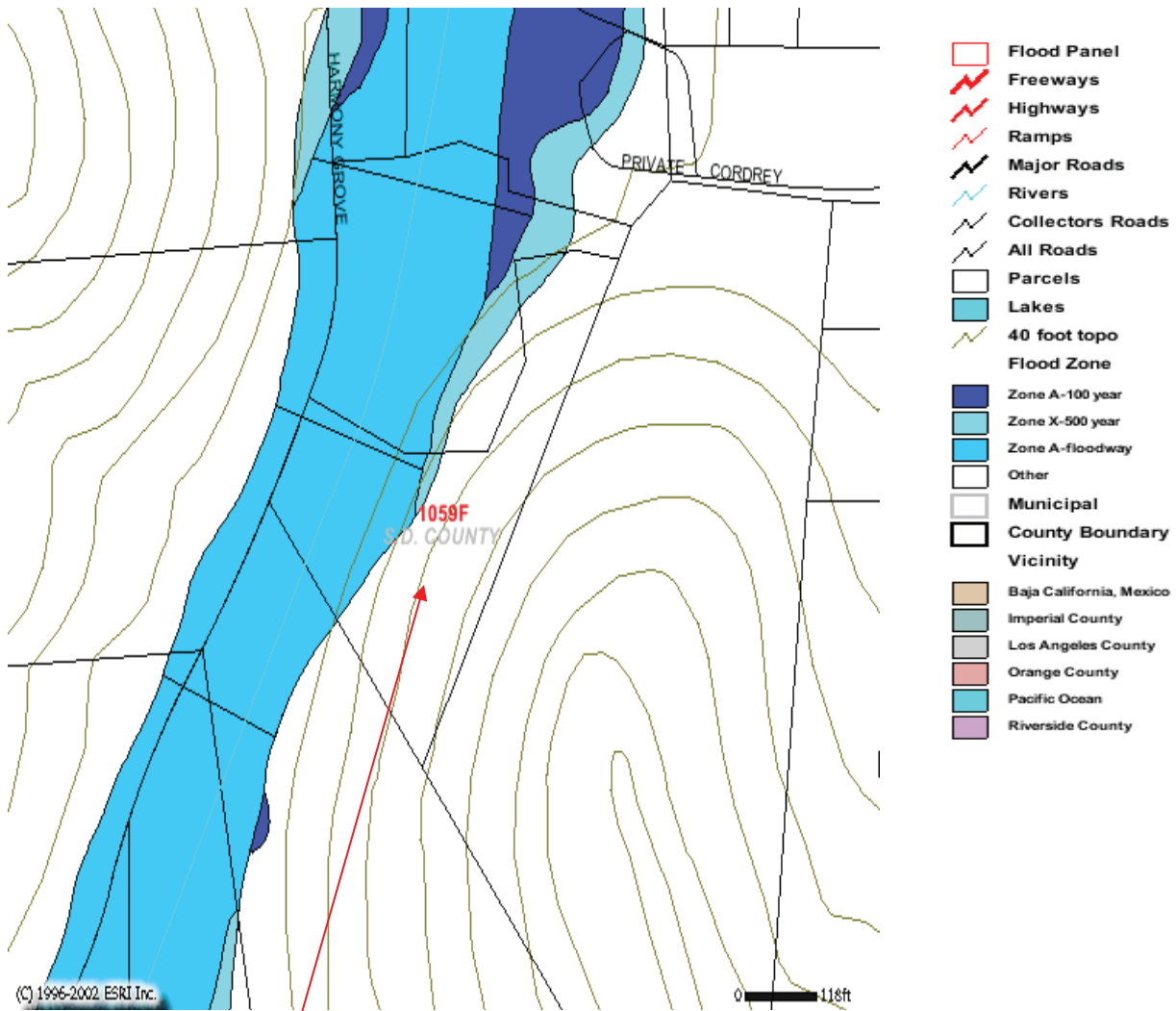
Barnett (3.46 acres)



TECC-Owned (10 acres)

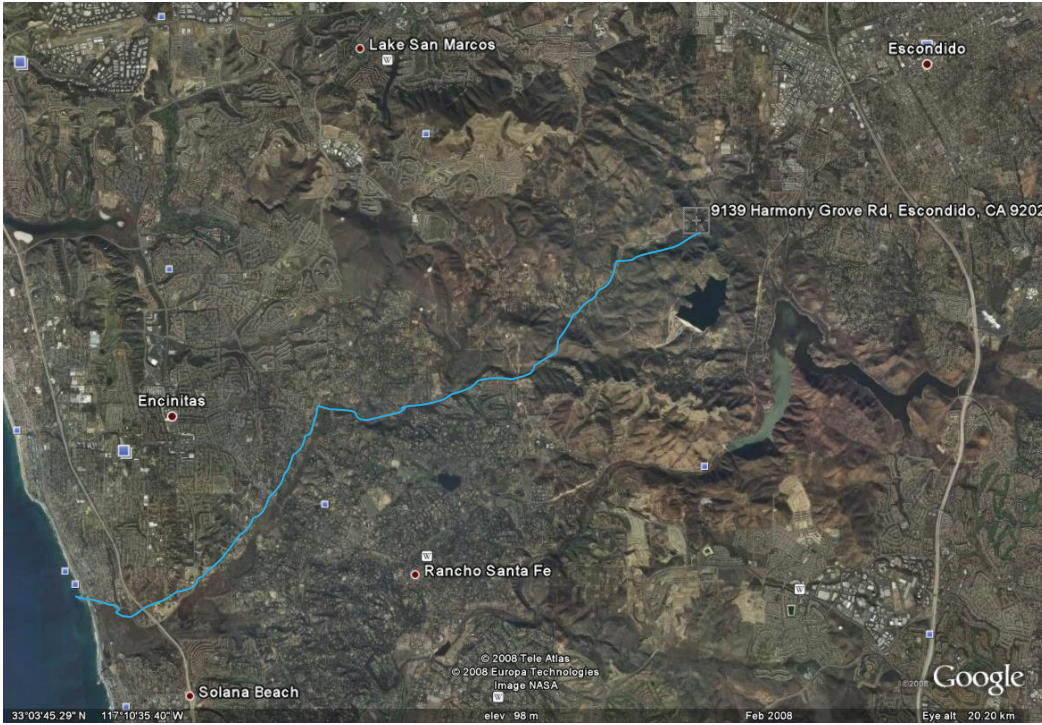


# Site Maps - Barnett

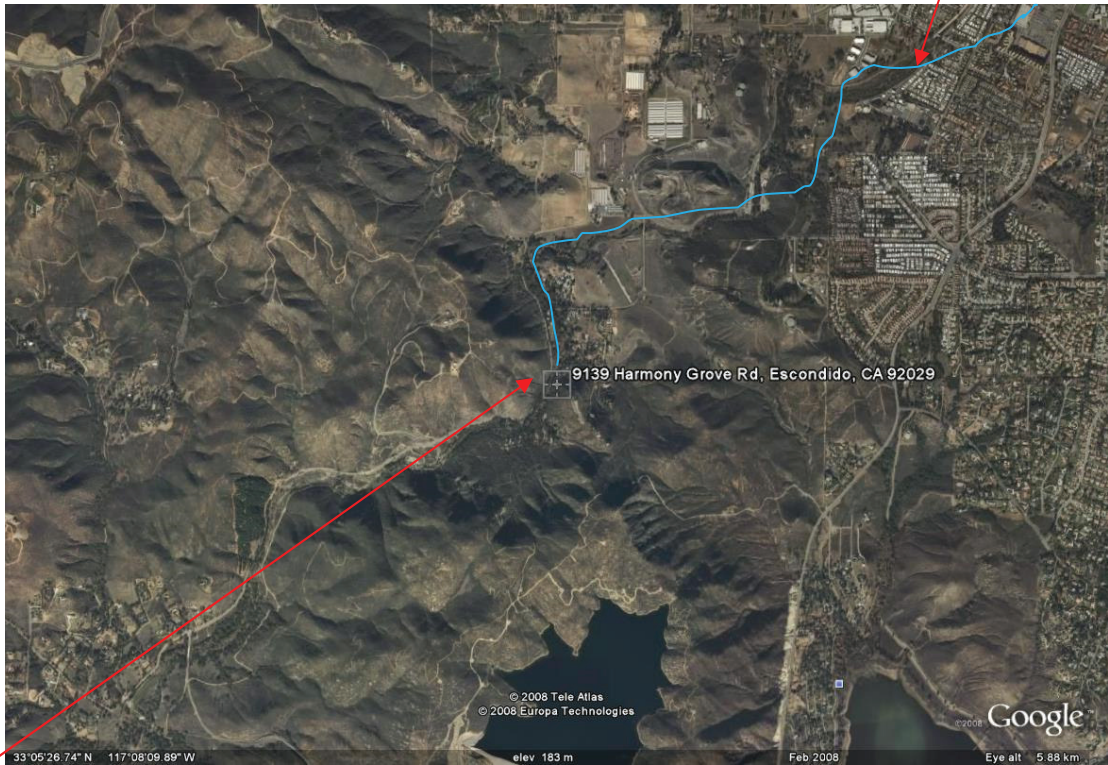


*Barnett parcel*

# Barnett Google Images

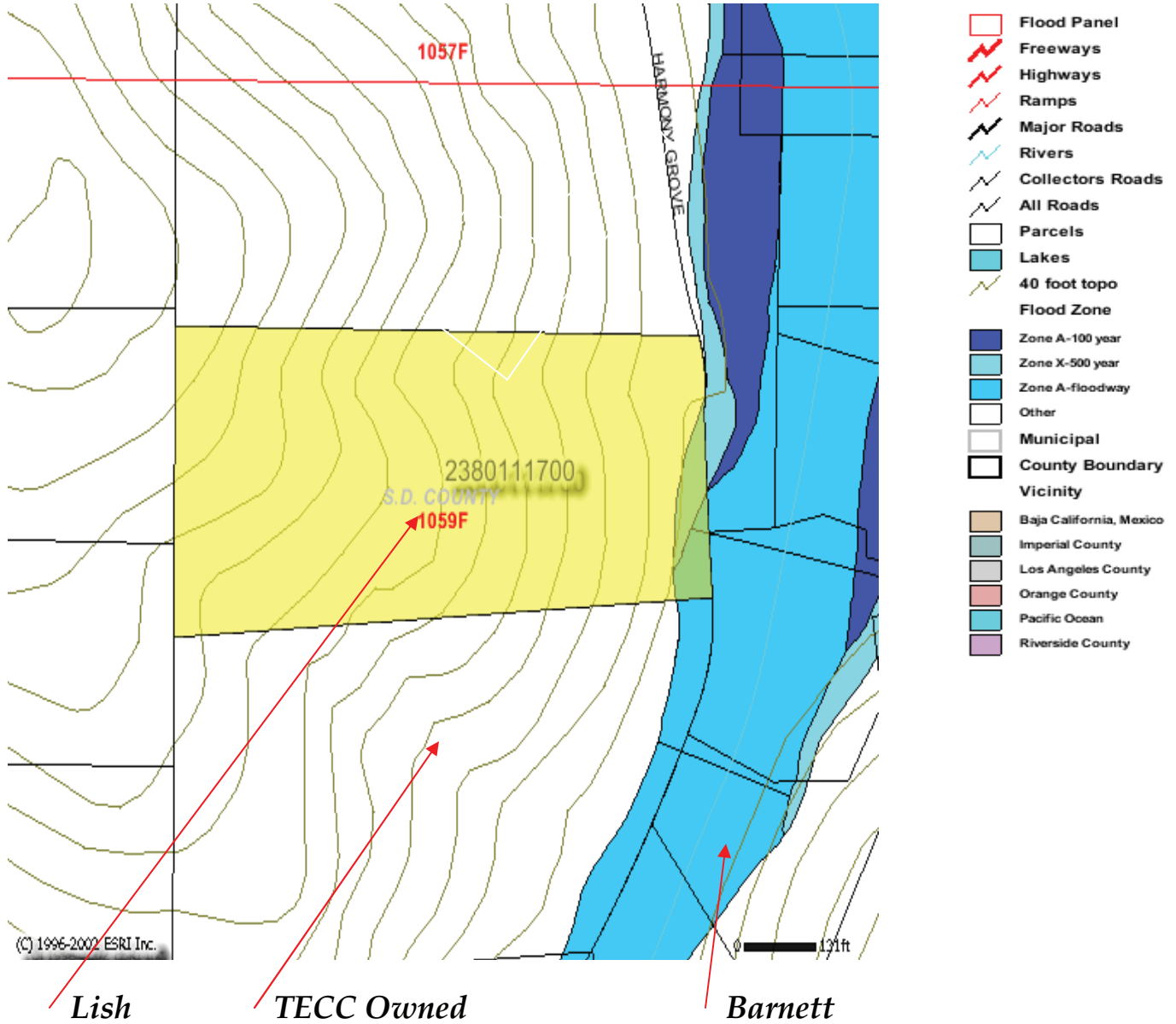


**HARRF**



**Barnett**

### Site Maps-Lish



*Lish Google Image*

