

**EXECUTIVE SUMMARY SHEET  
CITY OF SAN DIEGO**

DATE ISSUED: July 25, 2012

ATTENTION: Natural Resources & Culture Committee

ORIGINATING DEPARTMENT: Transportation & Storm Water Department, Storm Water Division

SUBJECT: Los Peñasquitos Lagoon Inlet Maintenance Memorandum of Agreement with the Los Peñasquitos Lagoon Foundation and California Department of Parks and Recreation.

COUNCIL DISTRICT(S): 1

CONTACT/PHONE NUMBER: Gus Brown, (858) 527-7506, MS 44

**REQUESTED ACTION:** Authorize the Mayor, or his designee, to execute a Memorandum of Agreement with the Los Peñasquitos Lagoon Foundation and California Department of Parks and Recreation for Los Peñasquitos Lagoon Inlet Maintenance.

**STAFF RECOMMENDATION:** Approve the Requested Action.

**EXECUTIVE SUMMARY:** This proposed Memorandum of Agreement (MOA) between the City, Los Peñasquitos Lagoon Foundation (LPLF), and California Department of Parks & Recreation (State Parks) will facilitate the use of City forces to reopen the mouth of the Lagoon to the ocean to restore the natural tidal movement of water between the Pacific Ocean and the Lagoon. Founded in 1983, the LPLF is a non-profit organization dedicated to the restoration of the Los Peñasquitos Lagoon, its associated uplands and the preservation of land for scenic, historic, educational, recreational, agricultural, scenic and open space opportunities.

The City is subject to a Total Maximum Daily Load (TMDL) regulation adopted by the San Diego Regional Water Quality Control Board (Regional Board), which requires the reduction of indicator bacteria in the Los Peñasquitos watershed, including Los Peñasquitos Lagoon (Lagoon). In addition, on June 13, 2012, the Regional Board adopted a Sediment TMDL for Los Peñasquitos Lagoon requiring the reduction of sediment discharges into the Lagoon from the watershed, as well as an increase in saltwater-dependent habitat in the Lagoon.

Restoration of the Lagoon's natural tidal movement would further the City's effort in meeting the requirements of the bacteria and sediment TMDLs by increasing salt water flow into the Lagoon. Increased salinity in the lagoon reduces indicator bacteria, and is necessary to support an increase in saltwater-dependent habitat in the Lagoon.

This Agreement allows City forces to work in conjunction with the LPLF and State Parks to remove the sediment blocking the mouth of the Lagoon from the open ocean. This operation will involve the excavation of accumulated sediment and beach sand within the Lagoon inlet by excavating and

staging the sediment adjacent to the inlet opening. The material will then be transported south of the Lagoon opening to Torrey Pines State Beach and stockpiled. Later the sediment will be used as beach nourishment material and will be re-contoured to mimic the natural beach profile. The City will perform the removal and trucking of this material, and forces under the control of State Parks will spread the excavated material on the beach. Current estimates are that 10,000 cubic yards of sediment will be removed from the Lagoon mouth during this operation.

In past years, LPLF has undertaken similar Lagoon opening efforts in conjunction with State Parks; however, these parties currently do not have funding to do this work. LPLF and State Parks have all of the necessary permits from the regulatory and resource agencies to perform this work. LPLF and State Parks retain their responsibility for complying with all permit requirements, including biological and water quality monitoring and reporting activities during the project.

Work is scheduled to begin mid-September 2012, and is estimated to be completed within 6 working days. It should be noted that the project area lies outside of the City's jurisdiction, but the benefit of performing it will help the City comply with the requirements of the bacteria and sediment TMDLs.

FISCAL CONSIDERATIONS: In Fiscal Year 2013, City Force Work expenses have been budgeted within the Transportation & Storm Water Department Operating Budget, Fund 100000, General Fund. City Force Work (labor and equipment) is not to exceed \$80,000, contingent upon adoption of the Fiscal Year 2013 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit in the City Treasury.

EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE): This Agreement is subject to the City's Equal Opportunity Contracting Ordinance (San Diego Ordinance No. 18173, Section 22.2701 through 22.2708) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Section 22.3501 through 22.3517).

PREVIOUS COUNCIL and/or COMMITTEE ACTION: None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: The Transportation & Storm Water Department has been in direct contact with the parties to this agreement, as well as other community organizations. The Department continues to update them through formal meetings and informal discussions on current plans.

KEY STAKEHOLDERS AND PROJECTED IMPACTS: Key stakeholders are the Los Peñasquitos Lagoon Foundation, California Department of Parks & Recreation, and the users of Torrey Pines State Beach.



Garth K. Sturdevan  
Director  
Transportation & Storm Water Department