

## **SECTION 3**

### **Watershed Issues, Concerns, Goals, And Objectives**

## **3.0 WATERSHED ISSUES, CONCERNS, GOALS, and OBJECTIVES**

### **3.1 Stakeholder Coordination**

The City of Oceanside Water Utilities Department coordinated the development of the Watershed Management Plan with a variety of stakeholders. Coordination included the formation of a Technical Advisory Committee (TAC), two TAC/public meetings, and five focused workshops with staff from the Planning, Public Works, and Water Utilities Departments of the City of Oceanside.

The TAC was formed when the 205(j) grant was awarded, and their first meeting (July 2001) addressed the proposed study approach and goals for the plan. Two combined meetings with the TAC and general public were held in December 2001 and June 2002. Focused workshops with City staff were held in June, July, and August.

The purpose of the TAC/public meetings and the focused workshops was to review and solicit comments on the following topics:

- Study approach,
- How the Loma Alta Creek Watershed Management Plan fits within the framework of the Carlsbad Watershed Management Plan,
- Identification of issues and concern,
- Development of goals and objectives,
- Locations and types of potential restoration opportunities and management actions,
- Intended uses of the Watershed Management Plan, and
- Priority actions for the watershed.

#### **3.1.1 Outreach Methods**

Stakeholders were invited to the two TAC/public meetings using a variety of notification strategies. Agencies, schools, special interest groups, and individuals expressing interest were notified by a letter of invitation from the Director of the Water Utilities Department and/or by a newsletter invitation. In addition, the meetings were publicly noticed in two local newspapers (North County Times, San Diego Union Tribune), and announced on Oceanside's local television station (KCOT).

Additionally, the City of Oceanside hosted two clean up days (September 2001; April 2002) of Loma Alta Creek to increase awareness and stewardship for the watershed. Over 1,000 volunteers removed over 30 tons of trash, including mechanical equipment, steel, old furniture, shopping carts, tires, and miscellaneous items (L. Isakson, personal communication 2002).



### **3.1.2 Stakeholder Involvement**

Stakeholders played an important role in the development of the WMP and will continue to be instrumental during the implementation phase of the WMP. Stakeholders include representatives from local government; state, federal, and regional agencies; special interest and citizen groups; schools; and residents.

Table 3.1-1 lists the stakeholders invited to the TAC/public meetings. Many of the invited stakeholders participated in the meetings, and some stakeholders participated through review and comment of the draft WMP. Stakeholders involved in the plan development process are so indicated in the table. It is recommended that stakeholders identified in Table 3.1.1 who did not actively participate in the WMP development process continue to be notified by the City of substantive issues and or changes to the watershed management plan in the future.

## **3.2 Issues and Concerns**

Issues and concerns for the watershed were identified from three sources of information:

- RWQCB San Diego Basin Plan
- Stakeholder outreach, and
- Results of the watershed study.

### **3.2.1 San Diego Basin Plan**

Loma Alta Creek is a waterbody of concern with constituents of potential concern being eutrophication and benthic community degradation (SWRCB 2002). Loma Alta Slough is a 303(d) listed waterbody with bacteria and eutrophic indicators. The adjacent Pacific Ocean also is tested with impairment from bacteria indicators.

**Table 3.1-1. List of invited stakeholders and participants in the Loma Alta Creek WMP development process.**

<b>Stakeholders Invited to TAC/Public Meetings</b>	<b>Stakeholders Attending TAC/Public Meetings and/or Commenting on the Draft WMP</b>
<b>Local Government</b>	
City of Oceanside Parks and Recreation	x
City of Oceanside Planning Department	x
City of Oceanside Public Works Department	x
City of Oceanside Solid Waste, Recycling Programs	x
City of Oceanside Water Utilities Department	x
City of Vista	x
Oceanside City Council	x
Oceanside Planning Commission	x
<b>Local and Regional Agencies</b>	
Carlsbad Watershed Network	x
Integrated Waste Commission	x
North County Transit District	x
Resource Conservation District (RCD) of Greater San Diego	x
San Diego Association of Governments	x
<b>State and Federal Agencies</b>	
California Coastal Commission	
California Coastal Conservancy	
California Department of Fish and Game	
Caltrans	x
San Diego Regional Water Quality Control Board	x
U.S. Department of Agriculture, Natural Resource Conservation Service	x
U.S. Environmental Protection Agency	
U.S. Fish and Wildlife Service	
U.S. Army Corps of Engineers	
<b>Schools</b>	
Oceanside Unified School District	
Vista Unified School District	
<b>Special Interest Groups</b>	
San Diego Surfrider Foundation	
The Audubon Society	
The Sierra Club	
<b>Watershed Residents</b>	
City of Oceanside residents	x
City of Vista residents	x
<b>Consultants</b>	
KTU+A	x
MEC Analytical Systems, Inc.	x
Rick Engineering	x

### 3.2.2 Public Identified Issues and Concerns

Several issues and concerns for the watershed were expressed by participants of the December 2001 and June 2002 TAC/public meetings (Tables 3.2-1). Members of the public also made several requests and suggestions regarding the WMP (Table 3.2-2). The issues and recommendations fell into twelve categories related to:

- Water quality,
- Flooding problems,
- Habitat preservation, enhancement, restoration,
- Invasive and exotic species,
- Wildlife corridors,
- Land use policies,
- Development impacts,
- Homeless use areas,
- Multi-use benefits and actions,
- Balance between human uses and environmental benefits,
- Coordination with other planning efforts,
- Watershed education.



Figure 3.2-1. Locations of areas of concern and/or potential projects identified during public outreach in December 2001 and June 2002.

In addition to comments, meeting participants identified locations of concern and/or potential project locations on an aerial photograph board of the watershed (Figure 3.2-1). The map locations were cross-referenced to a written description of the issue and/or concern, as follows:

1. Underground creek with potential for daylighting. Request that the creek be daylighted and named Alicia's Creek after Alicia Marquez Bidwell.
2. Flooding near railroad with consequent erosion.
3. Flooding near Crouch Street and Skyline Drive. Flooding extends into parking lots.



4. Potential native plant garden along with trail. Homeless and skateboarders. currently use area.
5. Homeless encampments near Interstate-5 (I-5) overpass next to northbound I-5 on ramp. Also in canyon between I-5 and golf course off Brooks Street.
6. Sewage pipe break near I-5, City will be restoring area.
7. Property along channel may be for sale, potential to restore.
8. Potential restoration opportunity.

**Table 3.2-1. Public Expressed Issues and Concerns.**

<b><i>December 11, 2001</i></b>	
1.	Impacts from development at El Corazon/Manchester Resorts, east of Oceanside Boulevard, IDEC, etc.
2.	Vegetation in channel adversely affects flood control.
3.	Flooding problem, particularly in lower watershed.
4.	Potential impacts associated with elevation increase from rail line improvements.
5.	Water impairment (TMDL data needs).
<b><i>June 25, 2002</i></b>	
1.	Enforcement of land use policies (e.g., buffering, filtering, containment).
2.	Potential multi-use areas such as El Corazon (park, commercial) should properly manage fertilizer and water use so as not to adversely impact natural open space.
3.	Potential impacts to creek from planned bike/pedestrian trail in combination with planned passenger railroad line.
4.	Homeless area behind social services building (east of Canyon, south of creek).
5.	Airborne particulates ("fluff") blowing into creek west of Garrison Street.
6.	Area southwest of Rancho Del Oro remains suspiciously a perpetual green.
7.	Potential for the train to transport pieces of invasive species that could deposit and establish elsewhere, as well as, impacts to wildlife from ground vibration and double tracking.

**Table 3.2-2. Public Expressed Requests and Suggestions for the Watershed Management Plan.**

***December 11, 2001***

1. Watershed Management Plan should coordinate with stormwater flood control and engineering.
2. Consider that El Corazon may not be developed as Manchester Resorts since there is some community opposition to that development.
3. The plan should address exotic plant removal (e.g., giant reed, pampas grass).
4. The plan should address the potential to daylight creeks covered by pavement in the lower watershed.
5. Public education/outreach portion of the plan should include native versus non-native vegetation and feral cats and other exotic animals.
6. Stormwater pollution calculations should consider land use according to subbasins, if possible.

***June 25, 2002***

1. The plan should consider a balance between human use benefits and habitat and wildlife.
2. Enhancement should also consider visual benefits. Planting of sycamores and/or oaks along the south side of Oceanside Boulevard is suggested to improve aesthetics with native trees.
3. In the future, when the Vons shopping center near I-5 is demolished, include improvements to channel width and restoration of wetlands adjacent to the channel as part of any re-development project.
4. Recreation and human uses should be considered important beneficial uses.
5. The plan should include linkage with other planning efforts such as MHCP.
6. The plan should address multi-use benefits with management actions.

**Table 3.2-2 (Continued)**

***June 25, 2002 (Continued)***

7. NCTD passenger rail project should ensure preservation of wildlife corridors and runoff control. Request that watershed education be included into the design of each transit station along creek.
8. Watershed education should be considered a high priority in the plan.
9. If land is acquired to restore channel widths, then its intended use should be enforced.
10. The parcel west of Crouch Street may represent a potential wetland and coastal sage scrub area in combination with affordable housing.
11. Incorporate water quality/runoff treatment with new development on Hoover Street.
12. Vacant land west of Melrose may provide an opportunity to involve the City of Vista in watershed management plan.
13. Loma Alta Creek should serve as a demonstration for successful watershed management.
14. Restoration should consider the successional stage of the habitat.
15. Plant native plants along Oceanside Boulevard to advertise watershed management in the City.

### **3.2.3 Results of Watershed Study**

#### **Land Use**

Approximately 70 percent of the watershed is developed, and most of the undeveloped land is planned for development in the near future. Planned development that will increase disturbance along Loma Alta Creek include conversion and expansion of the railroad and construction of a Class I bike trail. Extension of Rancho Del Oro Road, and construction of the Ocean Ranch Corporate Centre and other smaller industrial facilities will bisect and develop a large part of the middle of the watershed.

Some sections in the Land Use Element have conflicting policies. For example, policy B of Section 3.12 allows property owners to develop land within the floodplain provided they make channel improvements or contribute to a fund for future improvement of the channel, and policy C from Section 3.12 specifies that the entire length of Loma Alta Creek will be channelized to contain the 100-year flood flows. Other policies (Section 3.11) promote protection of unique vegetation or wildlife habitats, and endangered and threatened species. However, there is no acknowledgement that many of the sensitive species are associated with habitats that occur within the floodplain.

The draft Oceanside Subarea HCP/NCCP provides more protective guidance for protection of sensitive habitats and wildlife through conservation and buffer requirements along tributaries and creeks. That plan, which has not yet been formally adopted, specifies that riparian habitat and other wetlands shall be designated as biological open space, and a minimum total of 100 feet shall be used to buffer riparian vegetation from development (except passive recreational uses, which shall be allowed outside a 50 foot minimum buffer from riparian vegetation).

Land use issues and concern include the following:

- Development impacts on water quality from an increase in impervious surfaces and discharges of urban runoff to Loma Alta Creek;
- Development impacts on habitats, sensitive wildlife, and wildlife corridors; and
- Land use policies that conflict between objectives to protect sensitive habitats, wildlife resources, and properties within the floodplain, while allowing development within the floodplain.

## **Water Resources**

Land use policies allow development adjacent to the creek, and substantial development occurs within the 100-year floodplain. Concrete-channelization of the creek has occurred in portions of the upper and lower watershed to protect properties from flooding. Erosion of creek banks and sedimentation occur in several non-channelized reaches of the creek. Storm drains that discharge directly into the creek may contribute to bank erosion. Planned detention basins will reduce, but not eliminate flood risk.

Storm drains discharge directly into Loma Alta Creek and its tributaries. High priority constituents of concern (COC) with 50 percent or more of the measured values exceeding water quality objectives (benchmarks) include bacteria, insecticides (chlorpyrifos, diazinon), chloride, and sulfate. Some of these (insecticides) clearly originate from urban runoff. Others (bacteria, chloride, sulfate) require additional investigation to determine their sources. Total copper and oil and grease, associated with urban runoff, were considered secondary COC because they exceeded benchmarks 20 to < 50 percent of the time. Waters within the creek and slough also exhibit eutrophication. The City mechanically blocks the ocean inlet to Loma Alta Slough to protect beach goers from exposure to waters from the slough and creek from late spring through fall high use periods.

Water resource issues of concern include the following:

- Flooding;
- Creek bank erosion and sedimentation;
- Primary COC include bacteria, chlorpyrifos, diazinon, chloride, and sulfate;
- Secondary COC include copper, and oil and grease;
- Eutrophication; and
- Benthic community degradation.

### **Habitat and Biological Resources**

Native habitats total approximately five percent of the watershed. Urban development and bank erosion contribute to narrow buffers along the creek, and vegetation is sparse or lacking along some reaches of the creek banks. Lack of vegetated canopy contributes to eutrophication within the creek. Habitat fragmentation also results from road crossings, the railroad, and development.

Sedimentation contributes to habitat succession in some reaches of the creek and tributaries, and contributes to benthic community degradation. Non-native bullfrogs, crayfish, and mosquitofish occur within the creek. Riparian and upland habitats are invaded by non-native exotic and invasive plants. The brown-headed cowbird occurs in the watershed and it is likely that the narrow bands of habitat with their open edges promote the occurrence of this nest parasite on other birds.

Small homeless encampments occur in localized areas near the freeway and in riparian areas. These contribute trash, waste, and debris to the habitat and waters. Trash and debris also are conveyed through storm drains into the creek.

The Loma Alta Creek watershed supports over 100 species of wildlife. Five endangered and/or threatened species have been observed in the watershed, including nesting by least Bell's vireo and California gnatcatcher. Sixteen California Species of Special Concern occur within the watershed.

Issues of concern for biological resources are, as follows:

- Exotic, invasive plant species and non-native animals,
- Narrow buffers to urban development,
- Habitat fragmentation,
- Habitat disturbance from development and planned development,
- Protection of sensitive species and wildlife corridors,
- Sedimentation contributing to habitat succession,
- Sedimentation and eutrophication contributing to benthic community degradation, and
- Trash and debris.

### 3.2.4 Summary of Issues and Concerns

Results of review of 303(d) listed impairments, public outreach, and the watershed study identified several issues and concerns for the Loma Alta Creek watershed (Table 3.2-3).

**Table 3.2-3. Summary of watershed issues and concerns**

Issue/Concern	SWRCB	TAC/Public Comments	Watershed Study Results
Water impairment	√	√	√
Development impacts on water quality		√	√
Benthic community degradation within the creek	√		√
Homeless use areas		√	√
Flooding		√	√
Erosion and sedimentation			√
Vegetation in creek and tributary channels		√	√
Development impacts on wildlife		√	√
Protection of habitats	√	√	√
Protection of sensitive wildlife and corridors	√	√	
Exotic, invasive plants and non-native animals		√	√
Habitat fragmentation			√
Land use policies		√	√
Narrow development buffers		√	
Trash and debris			√

Most of the reasons for the identified issues and concerns were consistent among these different sources of input. However, for a couple of issues, there were different perspectives regarding the concerns.

For example, vegetation in creek channels was of concern to residents because of a perception that it contributes to flood risk. On the other hand, the watershed study made a distinction between the type of vegetation in the channel relative to concern. Non-woody vegetation (e.g., cattail, bulrush) was considered beneficial in channels for reducing contaminant concentrations, but could be of concern if substantial sedimentation speeded succession of the habitat. Woody vegetation in channels was considered of concern because the substantial sedimentation required to support that type of vegetation reduces hydraulic channel capacity and increases flood risk.

Residents expressed concern for lack of enforcement of land use policies as contributing to watershed problems. However, review of the policies suggest that problems have arisen not so much from lack of enforcement, but rather from some policies being in conflict with each other. This is particularly so with regard to development in the floodplain. Existing land use policies allow development within the floodplain provided that property owners make reasonable channel improvements to protect their property. Other policies designed to protect sensitive habitats and wildlife, many of which reside within floodplain riparian corridors, have been allowed with mitigation and/or

compensatory measures. Incremental development within the floodplain apparently has led to an exacerbation of flooding problems and reduction in wildlife habitat and functions.

### **3.3 Goals and Objectives**

#### **3.3.1 Goal Consistency with Regional Watershed Management**

The goals for the Loma Alta Creek WMP were developed based on consideration of the regional goals specified in the San Diego Basin Plan and the Carlsbad Watershed Management Plan. The San Diego Basin Plan specifies four primary goals for watershed management (Table 3.3-1). The Carlsbad Watershed Management Plan has four goals similar to those of the Basin Plan, and one additional goal related to coordination amongst municipalities, agencies, and environmental organizations within the Carlsbad Hydrologic Unit. The wording of the four similar goals in the Basin Plan and Carlsbad Watershed Management Plan was compared, and language adapted and/or simplified for the Loma Alta Creek WMP.

The goals of the Loma Alta Creek Watershed Management Plan, are as follows:

- (1) Protect Public Health and Wildlife by Preventing/Minimizing Risks Associated with Loma Alta Creek waters;
- (2) Protect, Enhance, Restore Native Habitats and Biological Resources;
- (3) Balance Environmental Benefits with Economic Impacts; and
- (4) Increase Public Awareness and Involvement in Watershed Management.

#### **3.3.2 Objectives**

Objectives were developed to address the issues and concern identified for the watershed as a result of the public outreach process and the watershed study. In addition, the recommendations and suggestions made by the TAC/public during the workshop meetings also were considered. Table 3.3-4 lists the objectives developed for the Loma Alta Creek WMP relative to the four goals of the plan. As can be seen from the table, most of the objectives contribute to the fulfillment of more than one goal.

**Table 3.3-1. Loma Alta Creek Watershed Management Plan Goals in Comparison with other Regional Goals**

<b>Preliminary RWQCB Water Quality/Beneficial Use Goals</b>	<b>Carlsbad Watershed Management Plan Goals</b>	<b>Loma Alta Creek Watershed Management Plan Goals</b>
(1) Protect public health by preventing or minimizing health risks to users of local waters.	(2) Protect public health by preventing or minimizing health risks to users (human and wildlife) of local water resources. Establish a monitoring program to assure continued protection and a method of ranking severity of problems. Determine a process for making this data publicly accessible through an internet database. Recognize that public health includes flood protection as well.	(1) Protect public health and wildlife by preventing/minimizing risks associated with Loma Alta Creek waters.
(2) Preserve, protect and restore natural resources, including viable populations of native plant and animal species.	(1) Protect, restore and expand undeveloped open space that will provide self sustaining hydrologic and habitat connections along the established water courses of the Carlsbad Hydrologic Unit. Purchase or transfer into public ownership as many of these resources as possible, including functional buffers needed for protection.	(2) Protect, enhance, and restore native habitat and biological resources.
(3) Protect, restore, and enhance beneficial uses while balancing economic and environmental impacts.	(3) Protect, restore and enhance beneficial water uses and environmental health. Strive for a balance between human uses, planned development and resource protection.	(3) Balance environmental benefits with economic impacts.
(4) Increase the public's knowledge, understanding, and appreciation of local watersheds and waters. Develop and maintain a sense of individual and organizational responsibility for protecting local watersheds and the quality and beneficial uses of local waters.	(5) Through an educational program, increase the public's knowledge, understanding and appreciation of local watersheds and associated water resources. This program should explain how to help protect areas that are set aside for open space, while providing controlled public access to these areas to help in the education process. Develop and maintain a sense of individual and organizational stewardship and financial responsibility for protecting local watersheds and the quality and beneficial uses of local waters. This responsibility includes monitoring, maintenance and protection.	(4) Increase public awareness and involvement in watershed management.

**Table 3.3-2. Relationship of objectives to watershed management goals.**

<b>Objectives</b>	<b>Goal 1 Protect Public Health and Wildlife by Preventing/ Minimizing Risks Associated with Loma Alta Creek Waters</b>	<b>Goal 2 Protect, Enhance, and Restore Native Habitats and Biological Resources</b>	<b>Goal 3 Balance Environmental Benefits with Economic Impacts</b>	<b>Goal 4 Increase Public Involvement in Watershed Management</b>
1. Protect and improve water quality.	√	√	√	√
2. Remove and control sedimentation.	√	√	√	√
3. Reduce flood risk.	√		√	
4. Protect, enhance, and restore coastal and wetland resources.	√	√	√	√
5. Protect and integrate creek, habitat, and upland corridors.		√	√	√
6. Reduce exotic species impacts.		√	√	√
7. Coordinate with other planning efforts.	√	√	√	√
8. Obtain grant funds to implement watershed improvement projects.			√	
9. Increase awareness and stewardship of watershed.			√	√
10. Involve public in watershed management.			√	√
11. Document effectiveness of WMP Actions.			√	√

Meeting participants provided input on draft objectives and potential management actions, which were provided as a handout at the June 2002 TAC/public meeting. All objectives and actions were considered important by the meeting participants, who collectively recommended that they all be incorporated into the WMP. The top ranked objectives by meeting participants included:

1. Flood control
2. Protect and integrate creek, habitat, and upland corridors.
3. Integrate various planning efforts.
4. Implement comprehensive invasive plant removal program.

The language of the draft objectives and actions presented at the June 2002 workshop differ somewhat from those presented in this WMP. Further consideration was given to what distinguishes an objective from an action, and additional objectives and actions were developed as a result of completion of the watershed study, which was still in progress when the June 2002 TAC/public meeting was held.

All input received during the TAC/public workshop meetings have been incorporated into the objectives and actions in this plan. Watershed management actions are described in Section 5 of this WMP.

## **SECTION 4**

# **Overview Of Regulatory And Jurisdictional Environment**

## **4.0 OVERVIEW OF REGULATORY AND JURISDICTIONAL ENVIRONMENT**

This section provides an overview of the regulatory and jurisdictional environment within which the Loma Alta Creek Action Plan is to be implemented. It provides a general overview of the regulations and policies that may need to be addressed in implementing the plan. Specifically, this section discusses the more common State regulatory programs, such as the 401 Water Quality Standards Certification and Streambed Alterations Agreements, and local jurisdictional policies, such as the General Plan, Land Use Element, the Jurisdictional Urban Runoff Management Program, and the Local Coastal Program. The policies and regulations discussed are not intended to all inclusive, but rather to provide a general overview of the more common programs that may need to be considered depending on the project or action being implemented.

Water quality issues are currently receiving much attention and new regulations and programs have been developed aimed at improving water quality, particularly in the area of urban runoff and non-point source pollution. However, existing, longstanding regulatory policies must be adhered to during implementation and these existing policies are not always conducive to implementation of watershed typed projects. For instance, there are conflicting regulations that were established for single-benefit purposes that complicate implementation of the type of multidisciplinary projects that are recommended in the watershed. Recognition of these regulations or policies is necessary and inclusion of the appropriate regulatory stakeholders early in the process should smooth the process, establish a common ground, and develop a consensus within which the projects can be implemented. Following is a description of the more common regulatory and jurisdictional programs that may need to be considered depending on the type of project being implemented.

### **4.1 Federal and State Regulations**

#### **Regional Water Quality Control Board - 401 Water Quality Standards Certification**

Under Section 401 of the Clean Water Act (CWA) any project that includes the construction or operation of facilities that may result in any discharge into navigable waters, shall provide the federal licensing or permitting agency a certification from the State. This certification by the Regional Water Quality Control Board certifies that the project will comply with water quality standards of the Clean Water Act, including beneficial uses, water quality objectives, and antidegradation policies applicable the water body. Projects that may require 401 Certification include, but are not limited to, navigational dredging; flood control channelization; levee construction; channel clearing; or fill of wetlands for land development.

#### **US Corps of Engineers – 404 Permit**

Section 404 of the Clean Water Act establishes a program to regulate the discharge of dredged and fill material into waters of the United States, including wetlands. Activities in waters of the United States that are regulated under this program include fills for development, water resource

projects (such as dams and levees), infrastructure development (such as highways and airports), and conversion of wetlands to uplands for farming and forestry.

The basic premise of the program is that no discharge of dredged or fill material can be permitted if a practicable alternative exists that is less damaging to the aquatic environment or if the nation's waters would be significantly degraded. In other words, when you apply for a permit, you must show that you have:

- taken steps to avoid wetland impacts where practicable
- minimized potential impacts to wetlands
- provided compensation for any remaining, unavoidable impacts through activities to restore or create wetlands.

### **California Environmental Quality Act (CEQA)**

The California Environmental Quality Act (CEQA) was enacted in 1970 as a system of checks and balances for land-use development and management decisions in California. The City of Oceanside utilizes the requirements of CEQA to assure that potential impacts to the environment are properly evaluated. The CEQA environmental review process is conducted by the City's Planning Department. CEQA generally applies to projects undertaken by a public agency or a private activity which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment. The CEQA review process applies to any project that must receive some discretionary approval, such as a development permit. Depending on the potential project effects, a further, and more substantial, review may be conducted in the form of an environmental impact report (EIR).

### **California Department of Fish and Game – Streambed Alteration Agreement**

The Department of Fish and Game (DFG) is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. To meet this responsibility, the Fish and Game Code requires notifying DFG of any proposed project that may impact a river, stream, or lake. If DFG determines that the project may adversely affect existing fish or wildlife resources, a Lake or Streambed Alteration Agreement is required. A Streambed Alteration Agreement is required for any project that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake or use materials from a streambed.

## 4.2 Jurisdictional Policies and Regulations

### City of Oceanside - Land Use Element

The Land Use Element of the City's General Plan directs decisions for the protection of the natural environment and requires implementation of measures to protect the environment for development projects. For instance, Chapter Three – Natural Resource Management, indicates the following goal:

*Continual evaluation of the state of the environment and formation of a program of planned management, wise utilization, and preservation of natural resources to ensure the health, safety and welfare of present and future generations.*

However, Section 3.12 - Floodplain establishes a policy to channelize all of Loma Alta Creek. This policy will need to be addressed in order to implement many of the actions in this plan. This and other noteworthy policies within the Land Use Element that relate to the implementation of this watershed plan are listed below (presented in order of occurrence):

- Section 1.3212. Sensitive Habitats (Policy): The City shall protect, maintain, and enhance existing sensitive habitats.
- Section 1.3213. Water Quality (Policy): The City shall maintain, enhance, and where feasible, restore water resources.
- Section 3.11. Vegetation and Wildlife Habitats (Objective): Recognition and preservation of significant areas with regard to vegetation and wildlife habitats.
- Section 3.12. Floodplain (Policy): The entire length of Loma Alta Creek will be channelized due to the intensity of land use in the area. Improvements shall be based on containing the 100-year flood flows.

### SANDAG - The Multiple Habitat Conservation Plan (MHCP)

MHCP is a comprehensive habitat conservation planning process that addresses multiple species' needs and the preservation of native vegetation communities for the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. SANDAG coordinates the MHCP for the North County cities. The program represents a collaborative effort by local government and landowners which will result in regional plans to protect and preserve biological habitat and wildlife areas, while clarifying and assuring development allowances. Through the MHCP, the City is obligated to monitor development, to assure that adequate biological assessments are performed with development applications, and to forward this information to State and regional agencies.

## **City of Oceanside – Subarea Habitat Conservation Plan/Natural Communities Conservation Plan**

The City of Oceanside has prepared the Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP), which represents the City’s contribution to the MHCP and to regional NCCP goals. The plan comprehensively addresses how the City of Oceanside will conserve natural biotic communities and sensitive plant and wildlife species pursuant to the California NCCP Act of 1991 and Section 10(a) of the California and U.S. Endangered Species Act (CESA and ESA). The plan includes design strategy for a biological preserve, and guidance on mitigation and buffers associated with new development.

## **City of Oceanside – Development Through Various City Departments**

In an effort to obtain adequate and efficient staff review of proposed projects, the City has established the Application Review Committee (ARC) and the Project Specific Review Committee (PSRC). The ARC serves as a staff “plan-checking” body, ensuring that all plans which are being submitted contain all of the information as required by the Subdivision Map Act, the City Zoning and Subdivision Ordinances, and the instructions with this application form. The PSRC serves as the project conditioning meeting with the applicant to discuss issues and to review final recommendations and conditions prior to scheduling the project for public hearing.

The City now requires water quality management plans consistent with the JURMP for all new development and substantial redevelopment sites. In accordance with this requirement and the Standard Urban Storm Water Mitigation Plan (SUSMP), water will need to be treated (or infiltrated) before discharge into the storm drain system.

## **City of Oceanside/ California Coastal Commission – Local Coastal Program**

The primary mission of the Coastal Commission is to plan for and regulate land and water uses in the coastal zone consistent with the policies of the Coastal Act. The Coastal Act was created to manage the conservation and development of coastal resources. The program is shared by the Coastal Commission and local jurisdictions through the Local Coastal Program (LCP) where the local government assumes most permitting and planning responsibilities. The Commission retains some jurisdiction over development in the coastal zone. The City of Oceanside implements this program through the issuance of Coastal Development Permits. During the permitting process, the City reviews the project plans to assure that they are consistent with the Coastal Act. The State Coastal Commission is responsible for issuing permits for any projects which affect the Loma Alta Creek Channel and Slough west of I-5, as well as projects on the beach at the north of the creek

## **City of Oceanside - Clean Water Program**

**Jurisdictional Urban Runoff Management Program (JURMP)** - This program was prepared by the City's Clean Water Program to meet the requirements of the Municipal NPDES Storm Water Permit issued to the City, the County of San Diego (County), all other incorporated Cities in the County, and the San Diego Unified Port District, by the California Regional Water Quality Control Board, San Diego Region (RWQCB). This permit, Order No. 2001-01, requires the permittees to develop comprehensive programs to reduce and eliminate the pollutants entering and discharging from their storm drain systems, which includes Loma Alta Creek. As required by the RWQCB, the JURMP consists of several focused programs developed to reduce water pollution including programs for existing development, land-use planning for new development and redevelopment, construction, illicit discharges detection and elimination, education, public participation, assessment of JURMP effectiveness, and fiscal analysis of the program. The Clean Water Program also includes the implementation of SUSMP that requires most new development to reduce pollutants and runoff flows through permanent storm water treatment best management practices (BMPs).

**Watershed Urban Runoff Management Program (WURMP)**— Under the same RWQCB Order, the City is also required to participate with all jurisdictions within the Carlsbad Hydrologic Unit to prepare a Watershed Urban Runoff Management Program. The jurisdictions in the Carlsbad Hydrologic Unit include Solana Beach, Encinitas, Carlsbad, Oceanside, San Marcos, Escondido, Vista, and the County of San Diego. These jurisdictions are currently developing a plan with the primary goal of collaboratively evaluating and addressing the major water quality problems in the watershed (hydrologic unit).