ORANGE COUNTY
OC Community Resources
Our Community. Our Commitment.

MEMORANDUM

STEVE FRANKS
DIRECTOR
OC COMMUNITY RESOURCES

RYAN DRABEK
DIRECTOR
OC ANIMAL CARE

KAREN ROPER
DIRECTOR
OC COMMUNITY SERVICES

STACY BLACKWOOD
DIRECTOR
OC PARKS

HELEN FRIED
COUNTY LIBRARIAN
OC PUBLIC LIBRARIES

DATE: April 4, 2014

TO: Members, Orange County Parks Commission

FROM: RMA for Stacy Blackwood, Director, OC Parks

SUBJECT: Commission Meeting – Saturday, April 12, 2014

The Commission will be taking its April field trip this Saturday.

The itinerary will be as follows:

8:30: Meet at OC Parks Headquarters.

8:45: Depart for Mile Square Regional Park.

9:10: View Western Regional Intercollegiate Archery Championships.

9:30: Depart for Harriett M. Wieder Regional Park.

9:55: View existing park improvements and proposed new location for the Bolsa Chica Conservancy's Interpretive Center [see attached February 19, 2009 Commission Report.]

10:15: Depart for Talbert Regional Park [see attached background information about the park].

10:40: Tour Regional Park, including:

- South Talbert:
  - Victoria Pond
  - Sheep Hills BMX Course
  - Existing/Proposed Mitigation Areas
- North Talbert
  - Park Improvements
  - Existing Mitigation Areas

Noon: Return to OC Parks Headquarters.

Please wear comfortable shoes, as we will be doing some walking.

Should you have any questions, please contact Rich Adler at (949) 923-3752 or at Richard.Adler@ocparks.com.

Agenda Item No. IV.C

ORANGE COUNTY PARKS COMMISSION

STAFF REPORT

FROM: Rich Adler, Chief, Lease Management Section **DATE:** February 19, 2009

SUBJECT: Harriett M. Wieder Regional Park – Bolsa Chica Conservancy Option Agreement/Lease

Since 1994 the Bolsa Chica Conservancy (Conservancy), a non-profit organization, has operated an interpretive center at the western edge of the Bolsa Chica wetlands in Huntington Beach. The center is located in a temporary modular building on land leased from the State of California. The Conservancy's mission is to "advocate for the restoration and preservation of the Bolsa Chica Wetlands through public outreach, participation, education and leadership". The Conservancy, in partnership with the California Department of Fish & Game, works to expand "volunteer programs for clean up, maintenance, information, and visitor services."

Harriett M. Wieder Regional Park (see Regional Location Map) is a County park located at the eastern edge of the Bolsa Chica wetlands overlooking the recently completed wetlands restoration project and the new ocean inlet. The County currently owns 34 acres of the planned 114-acre park that will include trails linking Huntington Beach Central Park and Bolsa Chica State Beach. A four-acre playground and parking lot have been constructed.

The General Development Plan and Resource Management Plan for the park includes a proposed interpretative center on land adjacent to the playground. For the past six months, OC Parks and the Conservancy have been discussing the Conservancy's desire to seek State Proposition 84 bond funding to construct the interpretative center and, after construction, operate it in conjunction with OC Parks.

In order for the Conservancy to apply for and secure bond funds for the interpretive center, it must have a leasehold interest in the property. Consequently, an Option Agreement and Lease have been developed that would give the Conservancy that interest. The Conservancy would lease 5.3 acres to construct the center and the ancillary improvements (e.g., parking lot and landscaping). The building is expected to be approximately 8,000 square feet, and the project is expected to cost approximately $4,000,000 (see attached Preliminary Concept). The lease would be effective upon the Conservancy satisfying the requirements of the Option Agreement, including securing funding and planning, environmental and building approvals.

The lease is structured so that, upon completion of construction, OC Parks would own the improvements and be responsible for their maintenance, and the Conservancy would be responsible for operating the interpretative center. The term of the rent-free lease would be 30 years, which is consistent with other OC Parks' leases with non-profit

organizations that construct the leasehold improvements, e.g., the Boy Scouts' Sea Base and Orange Coast College's Sailing and Rowing Center. A summary of the Option Agreement and the Lease and the documents themselves are attached.

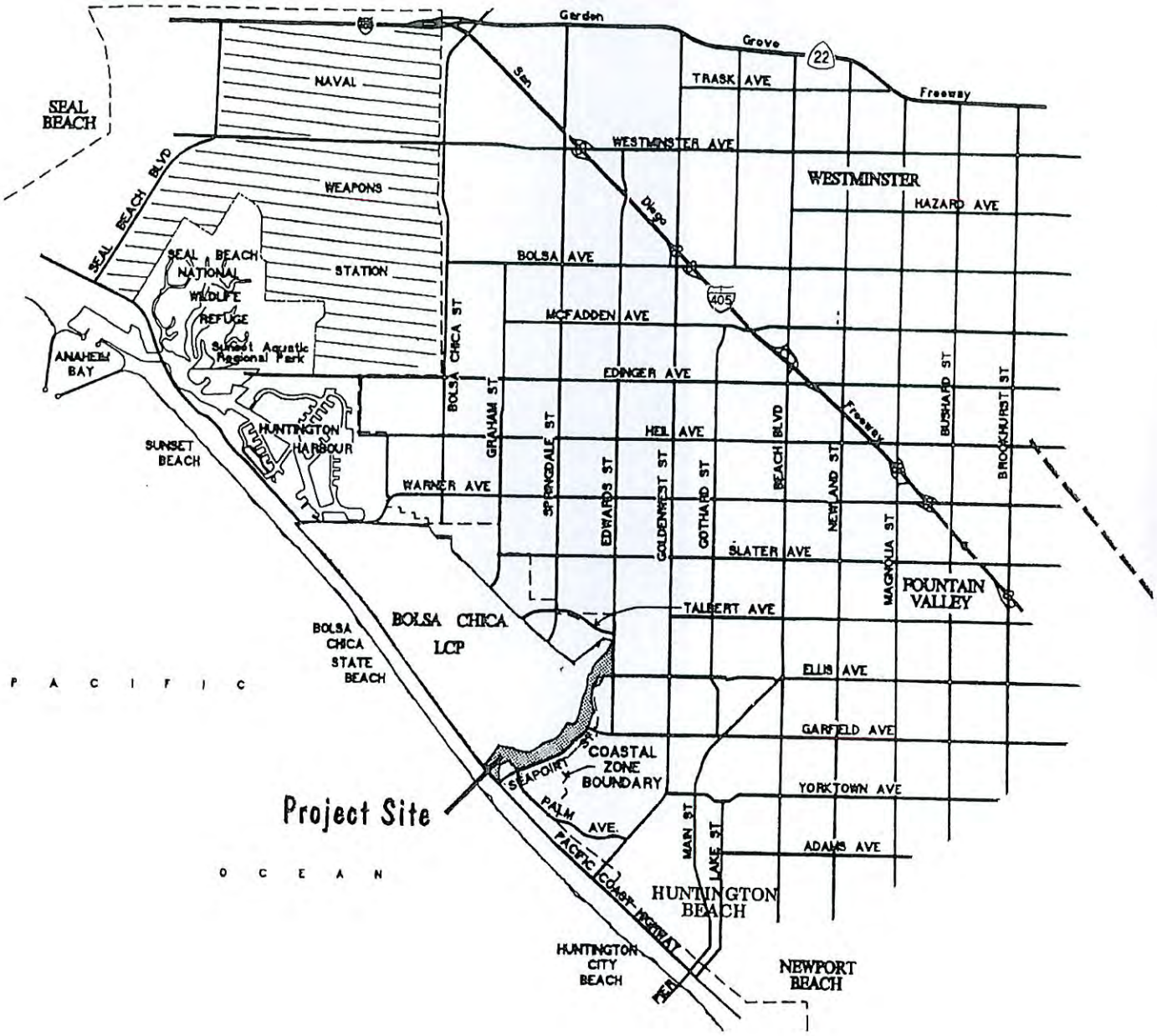
RECOMMENDED ACTION:

Recommend that the Board of Supervisors approve the Option Agreement and Lease with the Bolsa Chica Conservancy to construct and operate an interpretative center in Harriett M. Wieder Regional Park.

Rich Adler

Rich Adler

Attachments: Regional Location Map
Preliminary Concept for Interpretative Center
Option Agreement and Lease Summary
Option Agreement and Lease



REGIONAL LOCATION
HARRIETT M. WIEDER REGIONAL PARK

EXHIBIT 1

0 1 MILE

moffatt & nichol

3780 Kilroy Airport Way, Suite 600
Long Beach, CA 90806

(562) 426-9551 Fax (562) 424-7489
www.moffattnichol.com

March 7, 2014

Susan Brodeur, Senior Coastal Engineer
Orange County Parks
13042 Old Myford Road
Irvine, CA 92602

Subject: Proposal for South Talbert Marsh Restoration Project

Dear Ms. Brodeur:

South Talbert Preserve is a highly-valued component of the Orange Coast River Park. South Talbert is an approximately 88.5 acre portion of Talbert Nature Preserve located near the mouth of the Santa Ana, and adjacent to the eastern boundary of the Santa Ana River and its parallel Greenville-Banning Channel. It is approximately 1-1/2 miles from the coast. The Preserve includes a Corps of Engineers easement covering 11.4 acres at Victoria Pond (a significant wetland habitat resource), and is within the California Coastal Zone. The project area is on the Southern California Wetlands Recovery Project work plan. It is presently a functioning habitat impacted by non-native plant species. Conceptual restoration planning is needed to address removal of exotic plant species, to restore native habitat, and enable public access.

The South Talbert Preserve Enhancement Plan will comprise a planning document that specifies needs and recommended actions. The enhancement project will target those areas most impacted by invasive exotics as identified within the *Fairview & Talbert Regional Park Enhancement Plan* and by field inspection. The Plan specifically identifies areas within the Park for removal of exotic invasive plants. As clearing of the invasive species moves forward, a comprehensive plan is needed to identify opportunities and constraints for enhancement of the Talbert Wetlands. Upon completion, additional projects can move forward toward improving the balance and function of ecosystem services in the area.

The Plan will address non-native plant removal, wetland restoration, and public use of multiple interest areas (Victoria Pond and BMX bicycle area). A large number of stakeholders hold interest in the site, so close coordination with stakeholders is required. The proposed scope of work, fee, and schedule for the South Talbert Preserve Conceptual Restoration Plan is provided below.

SCOPE OF WORK

1. ***Data Gaps Study*** - The Data Gaps Study serves to assess the availability of existing data to understand the site, and to identify any significant gaps in existing data that may need to be filled to comprehensively characterize the site. Significant data gaps are those that could preclude preparation of an effective Enhancement Plan, such as topographic data or hydrographic data. Assumptions can often be used to compensate for certain data gaps, but in some cases they cannot be sufficiently applied to reach reasonable conclusions. A search will be made of the *California Natural Diversity Data Base* and any other pertinent biological information for sensitive species that may occur in the vicinity of Victoria Pond. This Data Gaps Analysis will be completed prior to formulation of the Enhancement Plan.

2. ***Enhancement Plan*** – The larger component of this work is preparing the comprehensive Enhancement Plan. The Plan will serve to fill any significant data gaps, then completely characterize the site and provide information requirements. The Plan will consist of text, graphics and tables of data to communicate the constraints and feasible solutions. The Plan addresses multiple components in an interdisciplinary approach. The subtasks to prepare the plan are identified below.

    a. *Conduct Kick-Off Meeting* – Meet with Orange County (OC) Parks staff and other relevant staff from that agency and any other partners or funding groups. The meeting will focus on clarifying the project objectives, scope of work, schedule, milestones, and meeting dates.
    b. *Conduct Site Visit/Field Reconnaissance* – Inspect the site for its conditions and character, perform field inspection, and gain an understanding of visible opportunities and constraints. Specific biological tasks are listed below.
        i. Biologists will survey Victoria Pond either by snorkeling or SCUBA diving depending on the visibility and depth. A back-up plan will be developed with OC Parks staff prior to the dive if visibility conditions prevent observations.
        ii. A botanist will map the vegetation communities in the area surrounding the pond and will assess the potential of the habitat to support sensitive species.
        iii. Biologists also will make observations of wildlife during their survey. This task does not include focused surveys for sensitive species.
    c. *Describe Existing Conditions* – Existing site conditions will be fully described to include the items listed below. Existing available data will serve as the basis for the description, but field measurement of certain items may be required.
        i. Site Topography and Pond Bathymetry – May require bathymetric survey of the Pond and potentially surveys of other areas;

ii. Biology and Habitat – To include results of the biological survey and assessment of Victoria Pond (diving survey) and its immediate surrounding areas;
iii. Hydrology and Water Quality – To be based on existing data;
iv. Soils – To be based on existing data, and will assess the potential for any compromised soils (contamination) from unauthorized dumping;
v. Access and Site Use – To include documentation required for potential opening of the Victoria Pond area to public visitation; and
vi. Opportunities and Constraints – Presented from all collected data.

d. *Conduct the First Public Stakeholder Meeting* – The meeting is intended to introduce the project and to solicit input on elements of the enhancement plan. It would be conducted at a suitable venue, and facilitated by the consulting team. OC Parks staff will identify and reserve the venue and announce the meeting. The consulting team will conduct the actual meeting.

e. *Develop Draft Enhancement Concepts* – Prepare conceptual enhancement concepts for all areas of the site, in coordination with OC Parks staff and other project partners as specified by OC Parks. Up to three alternative enhancement concepts will be prepared for evaluation. The concepts may include variations on wetland restoration, such as salt marsh habitat and/or riparian habitat restoration. Both types of habitat appear to have existed on-site in the past as evident in aerial photographs. Concepts will also address public access and use of the site, particularly use of Victoria Pond, the BMX bicycle site, and interpretive opportunities. Integration with the Northern Talbert Nature Preserve will be considered. Alternatives will be portrayed graphically with concept grading plans and cross-sections, and tabulated with matrices of quantities, habitat areas and other items.

f. *Evaluate Draft Enhancement Concepts* – Up to three draft enhancement concepts will be analyzed for their feasibility and function. The analyses to be performed will include the following at a minimum:
    i. Hydrology – Tidal wetland function using analytical and/or numerical modeling, and water budget calculations for freshwater areas;
    ii. Habitat – Evaluation will be made based on judgment of habitat needs, function, quality, quantity, diversity and connectivity based on maps and matrices of data;
    iii. Public Access – Based on public input, site opportunities and constraints, and architectural judgment;
    iv. Construction – Evaluation of methods and equipment access;
    v. Maintenance – Identification of on-going maintenance needs; and
    vi. Costs – Estimated for design, permitting, construction and maintenance.

g. *Specific Next Steps* – The subsequent steps for the project will be presented along with their timeframes and likely budget, and may include:

i. Additional site investigation to fill existing data gaps necessary for environmental review, permitting and design;
ii. Selecting a preferred alternative (if desired);
iii. Completing environmental review;
iv. Applying for permits;
v. Designing the project for construction; and
vi. Constructing the project.

h. *Conduct the Second Public Stakeholder Meeting* – The second meeting is intended to present the enhancement plan concepts and the results of their analyses, and to continue soliciting input on elements of the enhancement plan. It will be conducted at a suitable venue, and facilitated by the consulting team. OC Parks staff will identify and reserve the venue and announce the meeting. The consulting team will conduct the actual meeting.

PROPOSED FEE

The proposed work can be completed for a fee of $197,000 to be billed on a fixed fee basis. The fee is negotiable and can be modified by revising the scope.

PROPOSED SCHEDULE

The work can be completed within twelve months from Notice-to-Proceed.

Thank you for the opportunity to submit this proposal and please contact me with any questions or comments.

Sincerely,

MOFFATT & NICHOL

Chris Webb, Supervisory Coastal Scientist

Talbert Nature Preserve, Victoria Pond:
NCCP Status and Preliminary Information Regarding Biological Resources

Irvine Ranch Conservancy
November 29, 2013

History of Victoria Pond (Fig 1)

- In the 1930s it was part of the Santa Ana River floodplain
- Since about the 1940s-50s it has been a permanent water body associated with channelized section of Santa Ana River; perhaps used as a tailwater pond for agriculture.
- There was an accidental drowning about 1974.
- Currently the pond is fenced and no public access is permitted.
- Incorporated into NCCP Reserve when the Coastal and Central Orange County Reserve System was established in 1996; was existing open space owned by the County of Orange. Included in the Reserve not for species coverage, but for "promotion of biodiversity" purposes.
- Appears to get water from Canyon Park, but probably ground water as well.
- The pond was larger prior to 1985 based on aerial photos.
- Based on measurement of recent aerial photos, the pond and immediate riparian vegetation surrounding it consist of 13.45 acres.

Known Biological Resource Information (Fig 2)

- The following species have been documented previously in the vicinity of the pond based on records in the California Natural Diversity Database: Least Bell's Vireo, Yellow Breasted Chat, Southern tarplant, and Davidson's salt scale.
- The area supports willow riparian and mulefat scrub and some emergent wetland plants.
- Robert Fisher, Ph.D. with USGS has surveyed the pond in the past and said that he believes only carp exist in the pond. His opinion is that it could be biologically significant in the region because it holds water throughout the year and is potential habitat for southwestern pond turtle or possibly red legged frog (although none have been documented). It is hydrologically relatively isolated, which may limit colonization by bullfrogs and African clawed frogs. It may be important to confirm that these species don't already occur there or in connected waterways.

Information Regarding Biological and Recreational Components of the NCCP

- Talbert Nature Preserve is part of the NCCP Reserve. This is a system of interconnected reserves designed to: 1) Promote biodiversity and 2) provide persistence of target species, and 3) provide no net loss of habitat value from present (1996).
- The Talbert Preserve is identified in the NCCP for its value in providing "biodiversity" components to the reserve system, rather than for its value to provide "target species habitat, habitat linkage, or restoration opportunity." It was not protected for NCCP covered species.
- Mulefat scrub occurs around the pond's perimeter and has been known to be utilized by California Gnatcatcher (CAGN) in the non-breeding season. CAGN is a target species of the NCCP and is a covered species in the permit; however, IRC is unaware of any recent records of CAGN within the Talbert Preserve.

- The pond supports potential habitat for Least Bell's Vireo but no recent records are identified.
- Because it is part of the NCCP Reserve with no prescribed uses, formal trails and other infrastructure would need to be approved by wildlife agencies prior to being installed, ideally as part of a Resource and Recreation Management Plan under the NCCP.
- General permitted recreational uses for lands in the NCCP Reserve that do not require an amendment to the NCCP/HCP permit are listed in the Implementation Agreement (the IA; the permit document) under section 5.3.3, and 5.8., and do not include fishing. However, fishing is not expressly prohibited in the IA – it was likely simply not contemplated because the NCCP/HCP permit did not include aquatic resources or species.
- Included in the list of permitted general passive recreation activities in the IA is: "other forms of public access and recreation determined by the GDP/RMP to be consistent with the primary species and habitat protection mission of the permanent reserve." Within the list of prohibited activities within the habitat Reserve system: "hunting, except as specifically authorized by CDFG as part of their operation of a state reserve (e.g., Coal Canyon reserve)."
- Permitted uses, subject to policy language in section 5.4 -5.12, also include: Recreation and public access, consistent with the policies contained in the adaptive management program including, "Continued operation of pre-existing park facilities including active recreation within *disturbed areas*, provided that existing active facility expansions must be consistent with NCCP/HCP." (Chapter 5.3, NCCP).
- The NCCP also states that: "Within the Reserve System, the bottom line is that either adequate protection for habitat and "Identified Species" will be provided, or public access and recreation within portions of the reserve will need to be reduced or temporarily restricted for specific problem areas." (Section 5.8)

Recommendations

The NCCP IA does not specifically authorize fishing in the NCCP Reserve, and fishing is not listed as a permitted use for Talbert Nature Preserve. However, neither the IA nor the description of the role of Talbert in the NCCP Reserve appears to explicitly prohibit fishing. It is not likely that fishing itself would be the focus of concern with regard to the Preserve (unless previously-unknown and protected resources were identified there). Instead, the NCCP issue is likely to be the potential impact to upland and riparian/wetland species and habitats due to access for fishing. Developing a Resource and Recreation Management Plan (RRMP) for Talbert according to the process established in the NCCP (if one does not already exist) could be very helpful to identify resources, current activities and proposed future plans for infrastructure or changes in authorized recreation activities such as fishing, and could serve as the entitlement document to enable such activity under NCCP. If the City or the County is contemplating allowing fishing at Victoria Pond, a prudent first step may be a full survey of biological resources (including invasive exotics such as African clawed frogs) prior to initiating planning activities in order to better understand resources that may be impacted and help prepare an RRMP. It is possible that a minor amendment to the NCCP would be required to enable fishing at the pond, but this might also be resolved with an approved RRMP since the IA does not prohibit the activity. The wildlife agencies would decide if this were necessary.

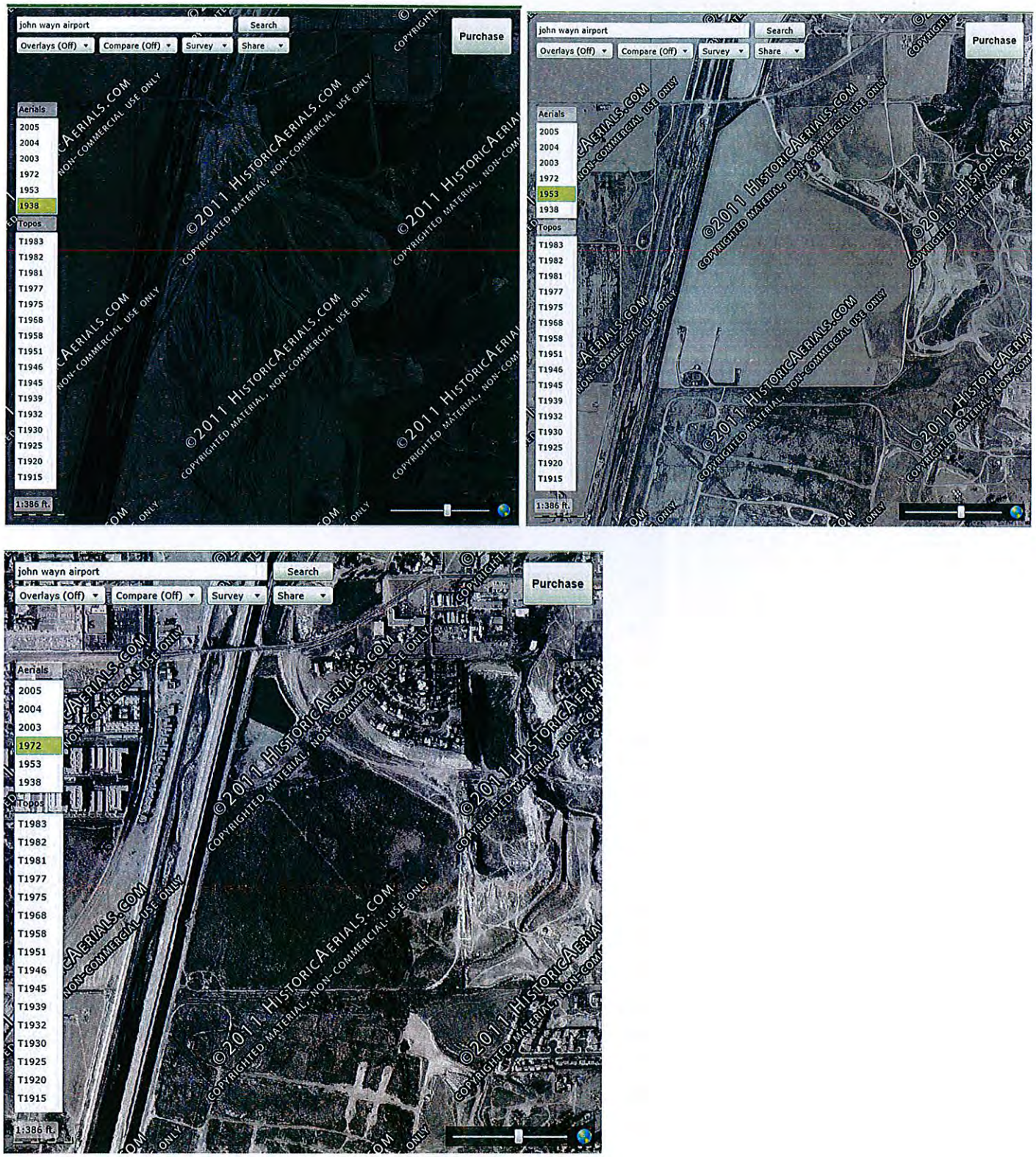


Figure 1. South Talbert Pond 1938, 1953, 1972.

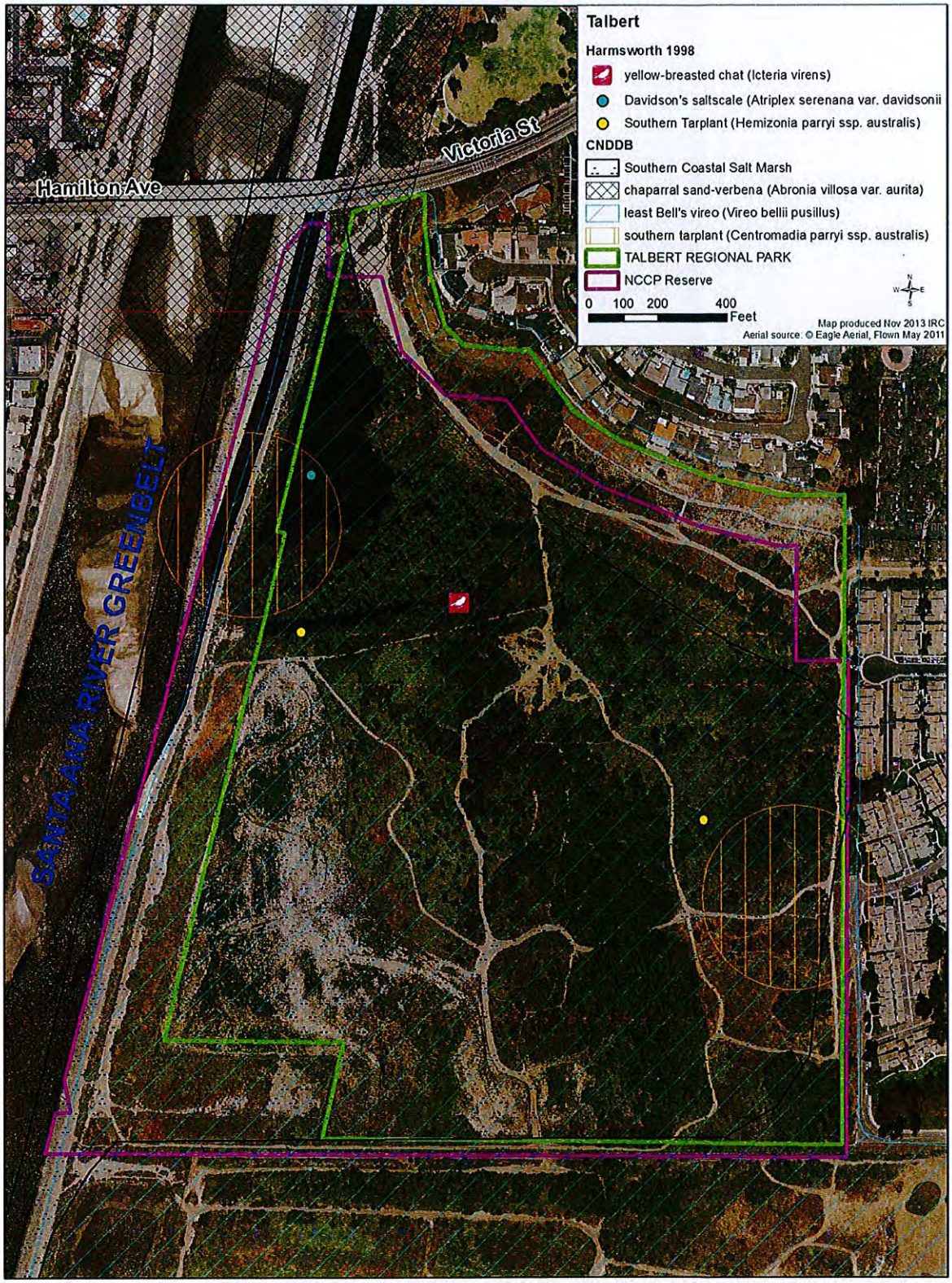

Talbert
Harmsworth 1998
yellow-breasted chat (Icteria virens)
Davidson's saltscale (Atriplex serenana var. davidsonii
Southern Tarplant (Hemizonia parryi ssp. australis)
CNDDB
Southern Coastal Salt Marsh
chaparral sand-verbena (Abronia villosa var. aurita)
least Bell's vireo (Vireo bellii pusillus)
southern tarplant (Centromadia parryi ssp. australis)
TALBERT REGIONAL PARK
NCCP Reserve
0 100 200 400
Feet
Map produced Nov 2013 IRC
Aerial source: © Eagle Aerial, Flown May 2011
Hamilton Ave
Victoria St
SANTA ANA RIVER GREENBELT

Figure 2.

OCRP Vision

Creating a 1000+ acre Orange Coast River Park in the heart of densely urbanized central coastal area of Orange County

Huntington Beach
Costa Mesa
Newport Beach
Orange County
Proposed Greenleaf Wetlands
Fairview Park
Newland Marsh
Wetlands & Wildlife Care Center
Magnolia Marsh
Huntington Beach State Beach
Brookhurst Marsh
Talbert Marsh
Canyon Park
Marina View Park
NBR
Open Space
Vernal Pool Interpretive Area
Newport Banning Ranch
NMUSD
ACOE Marsh Restoration
PACIFIC
OCEAN
California Least Tern Preserve
Newport Beach City Beach
Proposed Pedestrian Bicycle Bridge
Sunset Ridge Park
LEGEND
PROPOSED PARK
CONCEPTUAL HABITAT - (TIDAL, WETLAND, SCRUB COMMUNITIES, GRASSLAND)
PROPOSED DEVELOPMENT
EXISTING TRAIL
PROPOSED TRAIL
EXISTING / PROPOSED TRAIL ACCESS
NBR OIL CONSOLIDATION SITE
EXISTING PARKS
POTENTIAL THIRD PARTY RESTORATION AREA
Jurisdiction
FUSCOE
Aerial Date: 11/14/2009
Plan Date: 3/11/2011
ORANGE COAST RIVER PARK

Huntington Beach
Costa Mesa
State of California
Flood
OC Parks
Beach Wetlands Conservancy
U. S. Army Corps of Engineers
Banning Ranch, LLC
Newport Beach
Ownership
LeBard Park
Little Shell
COSTA MESA FAIRVIEW PARK
TALBERT NATURE PRESERVE
ATLANTA AVENUE
HAMILTON AVENUE
BEACH BOULEVARD
BROOKHURST STREET
19TH STREET
MARINA
NEWPORT BEACH
NBR OPEN SPACE
NEWPORT BANNING RANCH
SANTA ANA RIVER MARSH (Amarin Salt Marsh)
WEST NEWPORT PARK
NMUSD
SUNSET RIDGE
NEWPORT BEACH CITY BEACH
PACIFIC COAST HIGHWAY
PUBLIC & INSTITUTIONAL OWNERSHIP
PRIVATE OWNERSHIP
FUSCOE
Property Ownership
ORANGE COAST RIVER PARK

North OCRP

LeBard Park - Huntington Beach
Fairview Park - Costa Mesa
Talbert Nature Preserve North - OC Parks
Victoria St
Valley Cir
Ridgecrest Cir
Sea Bluff Dr
Westward
Canyon Dr
Glen Eagles Terrace
Aviemore Terrace
Valley Rd
Cove Ln
Meadow View Ln
Sea Terrace Ln
Oak St
State Ave
Linden Pl
Grove Pl
Image County of San Bernardino
Image U.S. Geological Survey
©2011 Google
©2010 Google
851 ft
Imagery Date: Nov 15, 2009
33°39'05.30" N 117°56'32.32" W elev 75 ft
Eye alt 2212 ft

South OCRP

Talbert Nature Preserve South - OC Parks
Banning Ranch Lowlands - Banning Ranch LLC.
Corps Mitigation Project - U.S. Gov
Sunset Ridge - Newport Beach
Neptune Ave
Seashore Dr
52nd St
55th St
West Coast Hwy
Sunset Park Ln
Sunset Ave
Image © 2011 DigitalGlobe
Image U.S. Geological Survey
© 2011 Google
1614 ft
Imagery Date: Nov 15, 2009
33°40'47.90" N 117°55'41.41" W elev 47 ft
Eye alt 4265 ft
Google