MEETING NOTICE
AND AGENDA

SHORELINE PRESERVATION WORKING GROUP
The Shoreline Preservation Working Group may take action on any item appearing on this agenda.

Thursday, April 6, 2006
11:30 a.m. to 1 p.m.

SANDAG, 7th Floor Conference Room
401 B Street, Suite 800
San Diego, CA  92101-4231

Staff Contact: Shelby Tucker
(619) 699-1916
stu@sandag.org

AGENDA HIGHLIGHTS

• POTENTIAL SAND FUNDS IN SOLANA BEACH
• SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM
• CITY OF ENCINITAS FINAL HABITAT STUDY

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To request this document or related reports in an alternative format, please call (619) 699-1900, (619) 699-1904 (TTY), or fax (619) 699-1905.
ITEM # | RECOMMENDATION
--- | ---
1. WELCOME AND INTRODUCTIONS | 
+2. SUMMARY OF THE DECEMBER 1, 2005, MEETING | APPROVE
The December 1, 2005, meeting summary is attached. The SPWG should review and approve.
3. STATEWIDE INFRASTRUCTURE BOND PROPOSALS | INFORMATION
SANDAG staff will provide a brief update of SANDAG’s efforts to develop regional priorities for infrastructure funding and the relationship to statewide infrastructure financing proposals.
+4. POTENTIAL SAND FUNDS IN SOLANA BEACH | INFORMATION/RECOMMENDATION
Steve Apple from the City of Solana Beach will provide information on their efforts to increase the Transient Occupancy Tax in Solana Beach.
5. SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM (SCOUP) | INFORMATION
Chris Webb from Moffatt and Nichol will provide a final status report on the SCOUP project and an update on the status of the second environmental document being prepared for the cities of Coronado, Encinitas, Imperial Beach, and Solana Beach.
6. CITY OF ENCINITAS FINAL HABITAT STUDY | INFORMATION
The final report for the beach habitat study in the City of Encinitas has been completed. The report includes findings and conclusions from three years of beach habitat surveys. Karen Green from SAIC will provide an overview of these findings and conclusions.
7. LEGISLATIVE UPDATE | INFORMATION
Steve Aceti from CalCoast will discuss the status of state and federal legislation and will provide an update on the American Shore and Beach Preservation Association Conference held in March in Washington, D.C.
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<th>ITEM #</th>
<th>RECOMMENDATION</th>
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<td>8.</td>
<td>PUBLIC COMMENTS/COMMUNICATIONS</td>
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<td>Members of the public will have the opportunity to address the SPWG during this time.</td>
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<td>9.</td>
<td>ADJOURNMENT AND NEXT MEETING</td>
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<td>The next SPWG meeting will be held on Thursday, June 1, 2006, from 11:30 a.m. to 1 p.m.</td>
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+next to an item indicates an attachment
San Diego Association of Governments

SHORELINE PRESERVATION
WORKING GROUP

April 6, 2006

AGENDA ITEM NO.: 2

Action Requested: APPROVE

SUMMARY OF THE DECEMBER 1, 2005, MEETING

File Number 3002800

Members in Attendance
- Councilmember Ann Kulchin, City of Carlsbad, Chair
- Councilmember James Bond, City of Encinitas, Vice-Chair
- Councilmember Carrie Downey, City of Coronado
- Councilmember Jim Janney, City of Imperial Beach
- Councilmember Joe Kellejian, City of Solana Beach (alternate)
- Councilmember Shari Mackin, City of Oceanside
- Councilmember Dave Roberts, City of Solana Beach

Advisory Members in Attendance
- Robert Hoffman, NMFS
- Marilyn Fuhlarchy, California Department of Fish and Game
- Dedi Ridenour, Sierra Club

Staff Working Group
- Steven Apple, City of Solana Beach
- Ray Duncan, City of Oceanside
- Steven Jantz, City of Carlsbad
- Jim Nakagawa, City of Imperial Beach
- Ed Kleeman, City of Coronado
- Danny L. Schrotberger, City of San Diego
- Bob Scott, City of Del Mar

Others
- Chris Webb, Moffatt & Nichol
- Dick Erhardt, City of Carlsbad
- Susan Steele, Seacoast Preservation Assn.
- Steve Aceti, CalCoast
- Tyler Huff, AMEC
- Julie Thomas, Scripps Institute of Oceanography
- Josh Schiffer, SANDAG
- Rob Rundle, SANDAG
- Shelby Tucker, SANDAG
- Reinhard Flick, DBW & S10
- Sherilyn Sarb, California Coastal Commission
- Marco Gonzalez, Surfrider Foundation and Coast Law Group
- Walt Crampton, Perracosta
- John Rudolph, Nautilus Environmental
- Scott Ashford, UC San Diego
- Ken Green, observer
- Julie Wang, EDAW, Inc.
- Karen Green, SAIC
- Dan Muslin, TEC
- Teri Fenner, EDAW, Inc.
- Barry J. Snyder, AMEC
- John Metz, Oceanside Beach and Harbor Advisory Committee
- Bud Carroll, City of Carlsbad
- Angela Lockhart, City of Carlsbad
1. Welcome and Introductions

Chair Ann Kulchin welcomed the group, and they provided self-introductions.

Shelby Tucker, SANDAG, introduced Josh Schiffer, SANDAG’s SPWG Intern. Shelby Tucker also announced that staff is transitioning to an electronic agenda effective next year. However, voting members will still receive a paper copy in addition to the electronic agenda.

2. Public Comment

Ken Green, a community member from Rancho Bernardo, is concerned about the several coastal tragedies that have recently occurred throughout the world. He wants to know what lessons we learned relative to Katrina and other hurricanes that have hit the world’s coasts. Furthermore, he wants to know if we are doing anything relevant to those lessons learned in terms of long-term coastal investment.

Chair Ann Kulchin thanked Mr. Green and said that Shelby Tucker, SANDAG, will get back to him with that information.

3. Summary of September 1, 2005, Meeting

There was a motion, which was seconded, to approve the September 1, 2005, meeting summary. The motion passed unanimously.

4. LIDAR Monitoring of the San Diego County Coastline

Dr. Scott Ashford, professor of structural engineering at University of California, San Diego (UCSD), presented his research study, which uses Light Detection and Ranging (LIDAR) technology to measure sea cliff erosion. The LIDAR emits a 3D laser that can scan the coast and bluffs. Dr. Ashford described three efforts underway using the LIDAR technology.

Dr. Robert Guza is leading the first effort, which uses LIDAR to scan the coast from the border to Long Beach. The Army Corps of Engineers is funding him to do biannual LIDAR scans of the entire coast from an airplane and monthly LIDAR beach surveys using all-terrain vehicles and jet skis. These scannings give a 3D elevation model of the coast above and below water.

Dr. Scott Ashford is leading the second effort, which uses ground-based LIDAR to scan the sea cliffs from Encinitas to La Jolla. California Sea Grants is funding him to do semiannual scans and to perform frequent scannings on erosion hot spots.

A third effort underway at Scripps Institute of Oceanography will complement what the other two groups are doing with LIDAR scanning. They are using sonar to get the topography and sediment thickness of the sea floor to depths of up to 100 meters. With this technology, researchers will be able to find where sand deposits are under the sea that agencies can use for sand replenishment projects.
The problem is that there are three completely separate projects funded by different sources with different areas of focus, and it would be more beneficial to combine our efforts into one area. Dr. Ashford would like to request SANDAG’s support on this project because these studies are developing tools that SANDAG could use in future shoreline projects.

Questions:

1. Ann Kulchin asked how much funding the three studies are receiving and how long it will continue. She also asked why the three teams are not working together.

   Dr. Ashford said his project starts March 6, 2006, and will consist of $250,000 over two years. The purchase of the ground-based LIDAR is approximately 60 percent of the $250,000. The two other projects are similar in funding and duration. Dr. Ashford said that the groups are working together, but each of their funding agencies has different targeted objectives that are in different areas.

2. Dedi Ridenour asked if there is a possibility that his work will have any predictive value.

   Dr. Ashford said that he is trying to come up with some tools to predict which bluffs are likely to fail. Data gathering is the key to forming those predictions and validating models.

3. Steve Aceti said that Calcoast is working with staff from Scripps Institute of Oceanography (Scripps) and the California Shore and Beach Preservation Association (CSBPA) to put together a workshop, possibly in January, to compare the new beach data to the old beach data, and it will be at either Scripps or UCSD.

5. Encinitas and Solana Beach Feasibility Study

Robert Blasberg, U.S. Army Corps of Engineers (ACOE), presented an update on the Encinitas and Solana Beach Feasibility Study, which investigates alternatives to reduce the coastal bluff erosion that occurs during the severe winter wave climate along the coastline. The study started in July 2001, and over this summer, the ACOE released their draft report. This study's objectives are to reduce the storm damage potential, while preserving environmental resources and to enhance recreation opportunities within the study area. The ACOE's alternatives are: 1) beach nourishment alone; 2) beach nourishment with basil notch-fill; and 3) sea walls.

Questions:

1. Ann Kulchin asked if the ACOE could use any of the studies from Moffatt & Nichol.

   He said that the ACOE’s footprint is different from the SANDAG plan.

2. Ann Kulchin then asked if the ACOE has talked with the cities of Solana Beach and Encinitas about the extra funding required and if that funding will be in their budget for 2006.

   Mr. Blasberg answered that the ACOE is still working with both cities, but the city councils have yet to approve the additional work.

   Jim Bond said that Encinitas would provide the required additional funding. Mr. Bond added that some groups do not want to see anything that resembles armoring of the coast, which
eliminates the notch-fill alternative. Encinitas is prepared to go with the beach fill only option if necessary.

Mr. Blasberg stated that the ACOE may recommend beach nourishment with the basil notch-fill because it is the most economically beneficial alternative, however, the ACOE is willing to cost share and implement the beach nourishment only option if it is the locally preferred plan.

3. Joe Kellejian asked if the beach fill would harm nearshore habitat.

A SPWG member said that large beach fills in the east coast have been shown to not only cause harm to nearshore habitats, but also kill invertebrates on the beach, affecting bird life. In addition, generally on the north county beaches, you can never maintain a sand beach wide enough to guarantee against bluff erosion, which is why the notch-fill with beach nourishment is the best alternative.

Karen Green, SAIC, said that the initial sand placement would cause full mortality on the beach. However, since the beach is a resilient habitat, beach life will be able to regenerate and recolonize the sand.

Marco Gonzalez, Surfrider Foundation, said that in a recent lawsuit, a judge held that the City of Solana Beach is going to have to review their policy for approving any type of structure on the beach. This was a tentative ruling, but if upheld, it could hinder Solana Beach’s ability to participate in the program if the notch-fill alternative is chosen. He thinks that this should serve as an impetus for Solana Beach to start fixing the policy problems that were identified in that lawsuit before the judge finalizes his opinion.

4. Dedi Ridenour asked if the ACOE was looking at the geology of the bluff to figure out the cause of the notches.

Robert Blasberg, ACOE, stated that when coastal waves fill the notches they hit the toe of the bluff. It affects the weaker geologic areas of the bluff more than stronger ones and although waves are not the only cause of bluff erosion, they are the focus of this study.

5. Dave Roberts asked what the timeline is to get to the conclusion of the study and start the project.

Robert Blasberg said that first, the ACOE needs to reach an agreement with both cities on how we are going to proceed. Then, Mr. Blasberg estimates we can conclude the study and execute the next phase of the project in September.

6. Sand Compatibility and Opportunistic Use Program (SCOUP)

Chris Webb, Moffatt & Nichol, briefly updated the working group on the SCOUP. There are two efforts going on simultaneously. The first effort is the statewide master planning effort to establish parameters for opportunistic beach fill and as a part of that, the Oceanside pilot project’s environmental documentation. The second effort is the preparation of a second California Environmental Quality Act (CEQA) document for similar opportunistic use programs in the region.

Terri Fenner, EDAW, announced that she prepared a draft mitigated negative declaration for the Oceanside pilot project, and public review ended September 29. EDAW has responded to the comments and prepared an internal draft, which will be finalized by the end of the year.
Shelby Tucker updated the working group on the status of an additional environmental documentation being prepared for the cities of Solana Beach, Coronado, Imperial Beach, and Encinitas, similar to the SCOURP. Consultants have met with each of the cities, and the project description is being prepared.

7. Legislative Update

Steve Aceti, CalCoast, updated the working group on recent legislative activities. He briefly reviewed the 2005 Headwaters to Oceans “H2O” Conference. Next year’s H2O Conference will be in Long Beach, and a Web site will be coming soon.

The governor vetoed SB 658, which would have allowed local jurisdictions to assess a motor vehicle fee to raise coastal funds. CalCoast decided not to pursue the bill again until there is a different administration. CalCoast is pursuing another bill that would give Caltrans more money to clean up litter and debris on the highways to prevent storm drain pollution. Mr. Aceti has a meeting next week with two assembly members, one from each side of the aisle, regarding this bill to get co-authorship.

Parks and water bond measure SB 153 was stalled this past session. The legislature is going to try to push it in the first couple of months of this session. In addition, there was a new parks and water bond act filed with the attorney general last week; Mr. Aceti will send out more information on this bill as it becomes available.

If group members think that we should partner up on other bills, then Mr. Aceti would be happy to talk with them. CalCoast’s annual Sacramento event next year will be April 19-20 with the wetlands recovery project. We will use this event to talk with lawmakers. Upcoming 2006 conferences include: American Shore and Beach Preservation Summit on March 1-3 in Washington, D.C.; the Southern California Wetlands Recovery Project Symposium on March 8-10 in Santa Barbara; and the 30th International Conference on Coastal Engineering on September 3-8 in San Diego.

8. Adjournment and Next meeting

Chair Ann Kulchin adjourned the meeting. The next SPWG meeting will be February 2, 2006, from 11:30 a.m. to 1 p.m.
POTENTIAL SAND FUNDS IN SOLANA BEACH

Attachments related to this item include:
1. City of Solana Beach memo to the Shoreline Preservation Working Group regarding “Update on Transient Occupancy Tax Beach Area Benefit June 6, 2006 Solana Beach Ballot Measure;
2. City of Solana Beach City Council Staff Report (dated February 8, 2006); and
3. City of Solana Beach Resolution Number 2006-022.
TO: SANDAG SHORELINE PRESERVATION WORKING GROUP
FROM: COMMUNITY DEVELOPMENT DIRECTOR STEVEN APPLE
SUBJECT: UPDATE ON TRANSIENT OCCUPANCY TAX BEACH AREA BENEFIT JUNE 6, 2006 SOLANA BEACH BALLOT MEASURE
DATE: MARCH 17, 2006

Attached please find additional information concerning the City Council of the City of Solana Beach unanimous approval to place a 3% Transient Occupancy Tax (TOT) on the City of Solana Beach June 6, 2006 local ballot. This ballot measure proposes that 1/3 (1%) of the TOT would be used for coastal area business and visitor assistance, with 2/3 (2%) for sand replenishment/retention and coastal access projects. If approved, Solana Beach would join the City of Encinitas as another city dedicated to providing a permanent funding stream for sand replenishment projects.

No arguments were filed in opposition to the ballot measure and the one argument in favor is supported by local business groups, a large condominium property owners association, environmental entities including members of the Surfrider Foundation and the local Beach & Bluff Conservancy (see attachment).

It is estimated that within Solana Beach, approximately $160,000 annually would be initially generated by the 2%. With the ongoing collection of shoreline related Coastal Commission imposed sand mitigation fees ($403,000 already collected and presently accredited for use in Solana Beach and $200, 000 for Encinitas), along with potential State funds such as through the Department of Boating and Waterway, another project or series of beach sand projects can be more seriously contemplated. In order to take advantage of economies of scale associated with larger and/or regional sand projects, Solana Beach encourages the members of the Shoreline Preservation Working Group to review their ability to fund another regional (or an Oceanside littoral cell?) sand replenishment project.

Cc: City Manager Barry Johnson
STAFF REPORT
CITY OF SOLANA BEACH

TO: HONORABLE MAYOR AND CITY COUNCILMEMBERS
FROM: BARRY JOHNSON, CITY MANAGER
MEETING DATE: FEBRUARY 8, 2006
ORIGINATING DEPT: CITY MANAGER
SUBJECT: BEACH AREA BENEFIT T.O.T. BALLOT ISSUE

BACKGROUND:
This City Council has taken several actions leading to consideration of a Transient Occupancy Tax (T.O.T.) increase earmarked for sand replenishment and for other beach area benefits. This City Council agenda staff report contains an outline ballot procedures, deadlines, and ordinance language relating to consideration of this item on the June Ballot. This report is intended to provide supplemental or clarifying information to the report regarding a special election in June, 2006.

DISCUSSION:
The proposal for the June Ballot is summarized as follows:

A 3% total T.O.T. increase, phased in 1% each year over the next three years, starting June 1, 2007. Two-thirds of the proceeds of this increase will be earmarked for a special protected fund entitled Sand Replenishment/Retention and Costal Access Capital Project Fund. One-third of the proceeds of this increase will go into a protected fund entitled Coastal Area Business/Visitor Assistance and Enhancement Fund.

The expenditures out of the Sand Replenishment/Retention and Coastal Access Capital Project Fund will be limited to sand replenishment, sand retention and coastal access capital projects. Seawalls or regular City operations will not be eligible expenditures.

Expenditures out of the Coastal Area Business/Visitor Assistance and Enhancement Fund can include local visitor and business promotion such as assistance to the Chamber of Commerce, North County Convention and Visitors' Bureau, special events such as the Fiesta Del Sol, public art projects, visitor enhancements to the Highway 101 business corridor or Cedros Design District.

Each percentage point of T.O.T. generates approximately $80,000 per year in Solana Beach.

The City Council is only considering this measure with the provision that there is sufficient evidence of support by community business and environmental groups. Individual letters of support may demonstrate this support. However evidence of support may best be

CITY COUNCIL ACTION: ____________________________

AGENDA ITEM #
demonstrated by various groups jointly signing a ballot argument in favor of the measure. This must be done by February 22, 2006.

We otherwise have until March 10 to decide whether to proceed or not. In the meantime, we need to proceed with certain required actions as enumerated in the campaign staff report on the Special Municipal Election. Staff recommends the City Council authorize at least one City Council member to sign a ballot argument with a sufficient coalition of supporting signatures from area businesses and environmental groups.

**CEQA Compliance Statement:**
Not a project as defined by CEQA.

**FISCAL IMPACT:**
It is estimated that this will generate $80,000 per year.

**DEPARTMENT RECOMMENDATION:**
Receive report.

Barry Johnson, City Manager

ARGUMENT IN FAVOR OF PROPOSITION E

As residents, beachgoers, and business owners, we strongly encourage you to join us in endorsing this measure. It will help restore our beach and protect our bluffs. Our local visitor and resident serving retailers, and our providers of short-term accommodations should all benefit. A “YES” vote on this measure is a vote for visitors to our city to support these important community assets by paying an increase in the transient occupancy tax (TOT).

The proposed 3% TOT increase will be phased in over three years. It is not paid by any Solana Beach resident. When any of us vacations elsewhere, we help subsidize expenditures in the towns we visit through their TOTs. Visitors to our hotels, motels and other short-term rentals will be able to contribute directly to the beaches and businesses they enjoy while here.

Approximately $160,000 per year, or two-thirds of the fully phased in 3% TOT increase, will be earmarked to help restore a wide sandy beach for recreation through environmentally sound sand replenishment and retention programs. This should reduce the need for bluff in-fills and seawalls. Funds will also be available for improved coastal access, but not for construction of seawalls or ongoing city operations.

Approximately $80,000 per year, or one-third of the fully phased in 3% TOT increase, will be used to promote tourism and enhance Highway 101 and Cedros businesses. This direct allocation to local merchants and the indirect benefit of a widened beach should increase revenues for our retailers, motels, hotels and short-term condominium rental units.

A YES VOTE is supported unanimously by the City Council. Members of the Surfrider Foundation also endorse this measure. Please join us.

VOTE YES.

SUPPORT our local BUSINESSES.

HELP put the BEACH back in SOLANA BEACH.

William D. Glockner
Condominium Organization of South Sierra Ave.

Tom Petre
Village Walk 101

Sean M. MacLeod
S. Cedros Property Owners

Ronald Lucker
Beach & Bluff Conservancy

James L. Jaffee, Vice President
CalBeach Advocates
RESOLUTION NO. 2006-022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, JUNE 6, 2006, FOR THE SUBMISSION TO THE QUALIFIED VOTERS A PROPOSITION RELATED TO THE BEACH AREA BENEFIT TRANSIENT OCCUPANCY TAX.

WHEREAS, the City Council of the City of Solana Beach, California desires to submit to the voters at a Special Municipal Election a proposed Ordinance approving a beach area benefit transient occupancy tax and;

WHEREAS, the City Council is authorized and directed by statute to submit the proposed Ordinance to the voters;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The pursuant to the requirements of the State Elections Code, there is called and ordered to be held in the City of Solana Beach, California, on Tuesday, June 6, 2006, a Special Municipal Election for the purpose of submitting the following proposed Ordinance:

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<th>PROPOSITION ___.</th>
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<td>BEACH AREA BENEFIT TRANSIENT OCCUPANCY TAX</td>
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<td>Shall the City increase the transient occupancy tax (TOT) paid by hotel and motel visitors from 10% to 13% over a three-year period, and shall two-thirds of the increased TOT revenue be allocated to Sand Replenishment/Retention and Coastal Access Capital Projects, and shall one-third of the increased TOT revenue be allocated to Coastal Area Business/Visitor Assistance and Enhancements?</td>
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SECTION 2. That the text of the Ordinance submitted to the voters be approved. Exhibit A.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.
SECTION 4. That pursuant to Resolution No. 2006-023 authorizing consolidation of the election, the election department of the County of San Diego is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printer matter and all supplies, equipment and paraphernalia that may be necessary to order to properly and lawfully conduct the election.

SECTION 5. That the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book or original resolutions.

PASSED AND ADOPTED, this 8th day of February, 2006, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers – Heebner, Kellejian, Roberts, Campbell

NOES: Councilmembers - None

ABSENT: Councilmembers - Powell

ABSTAIN: Councilmembers - None

DAVID A. POWELL, Mayor

APPROVED AS TO FORM:

JAMES P. LOUGH, City Attorney

ATTEST:

ANGELA IVEY, City Clerk