



401 B Street, Suite 800  
 San Diego, CA 92101-4231  
 (619) 699-1900  
 Fax (619) 699-1905  
 www.sandag.org

# MEETING NOTICE AND AGENDA

**MEMBER AGENCIES**

Cities of  
 Carlsbad  
 Chula Vista  
 Coronado  
 Del Mar  
 El Cajon  
 Encinitas  
 Escondido  
 Imperial Beach  
 La Mesa  
 Lemon Grove  
 National City  
 Oceanside  
 Poway  
 San Diego  
 San Marcos  
 Santee  
 Solana Beach  
 Vista  
 and  
 County of San Diego

**ADVISORY MEMBERS**

Imperial County  
 California Department  
 of Transportation  
 Metropolitan  
 Transit System  
 North County  
 Transit District  
 United States  
 Department of Defense  
 San Diego  
 Unified Port District  
 San Diego County  
 Water Authority  
 Southern California  
 Tribal Chairmen's Association  
 Mexico

## SHORELINE PRESERVATION WORKING GROUP

The Shoreline Preservation Working Group may take action on any item appearing on this agenda.

Thursday, June 12, 2008

11:30 a.m. to 1 p.m.

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

Staff Contact: Rob Rundle  
 (619) 699-6949  
 rru@sandag.org

Andrea Groves  
 (619) 699-1983  
 agr@sandag.org

### AGENDA HIGHLIGHTS

- SHORELINE MONITORING ANNUAL REPORT
- COASTAL REGIONAL SEDIMENT MANAGEMENT PLAN

*SANDAG offices are accessible by public transit.  
 Phone 1-800-COMMUTE or see www.sdcommute.com for route information.*

*In compliance with the Americans with Disabilities Act (ADA), SANDAG will accommodate persons who require assistance in order to participate in SANDAG meetings. If such assistance is required, please contact SANDAG at (619) 699-1900 at least 72 hours in advance of the meeting.*

*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.*

# SHORELINE PRESERVATION WORKING GROUP

Thursday, June 12, 2008

ITEM #	RECOMMENDATION
1. WELCOME AND INTRODUCTIONS	
2. PUBLIC COMMENTS/COMMUNICATIONS	COMMENTS
Members of the public will have the opportunity to address the Shoreline Preservation Working Group (SPWG) during this time.	
+3. SUMMARY OF THE APRIL 3, 2008, MEETING	APPROVE
The April 3, 2008, meeting summary is attached for Working Group review and approval.	
4. SHORELINE MONITORING ANNUAL REPORT	INFORMATION
Staff from Coastal Frontiers Corporation will provide the Working Group with a presentation on the Regional Shoreline Monitoring Report for 2007. Additionally, Coastal Frontiers will discuss their involvement in the removal of Pratt's Reef in El Segundo.	
+5. UPDATE ON REGIONAL SHORELINE MANAGEMENT EFFORTS	INFORMATION
SANDAG staff will provide the Working Group with an update on the status of efforts to build a regional beach replenishment project similar to the 2001 Regional Beach Sand Project, including efforts to secure Proposition 84 funding and the need for letters of support. Additionally, staff will discuss efforts to secure a regional funding source for beach sand replenishment activities.	
+6. COASTAL REGIONAL SEDIMENT MANAGEMENT PLAN	INFORMATION
Chris Webb from Moffatt & Nichol will provide the Working Group with an update on the Coastal Regional Sediment Management Plan, including an overview of the annotated outline.	
+7. LEGISLATIVE UPDATE	INFORMATION
Steve Aceti from CalCoast will discuss the status of state and federal legislation. Rob Rundle will provide an update on Senate Bill 1685 (Kehoe).	

**ITEM #**

**RECOMMENDATION**

8. ADJOURNMENT AND NEXT MEETING

INFORMATION/  
POSSIBLE ACTION

The next regularly scheduled Working Group meeting is Thursday, August 7, 2008, from 11:30 a.m. to 1 p.m. SANDAG Board, Committees, and Working Groups typically do not meet in August. The Working Group should determine whether to hold the August meeting, reschedule for September, or cancel the meeting and hold the meeting at the next regularly scheduled date of October 2, 2008.

+ next to an item indicates an attachment

**San Diego Association of Governments**  
**SHORELINE PRESERVATION WORKING GROUP**

June 12, 2008

AGENDA ITEM NO.: **3**

**Action Requested: APPROVE**

SUMMARY OF THE APRIL 3, 2008, MEETING

Members in Attendance:

Ann Kulchin, City of Carlsbad, Chair  
Jim Bond, City of Encinitas  
Teresa Barth, City of Encinitas (Alt)  
Dave Druker, City of Del Mar  
Jim Janney, City of Imperial Beach  
Joe Kellejian, City of Solana Beach  
Pam Slater-Price, County of San Diego  
Mitch Purdue, U.S. Navy

Advisory Members in Attendance:

Loni Adams, California Department of Fish and Game  
Bob Hoffman, National Marine Fisheries Service  
Lee McEachern, California Coastal Commission  
Julie Thomas, Scripps Institution of Oceanography  
Heather Schlosser, U.S. Army Corps of Engineers  
Cliff Davenport, California Geological Survey

Staff Subgroups

Ray Duncan, City of Oceanside  
Steven Jantz, City of Carlsbad  
John Swanson, City of Coronado  
Y. Sachiko Kohatsu, County of San Diego  
Leslea Myerhoff, City of Solana Beach

Others:

Lawrence Homna, Merkel  
Teri Fenner, EDAW  
Claudio Fassardi, Noble Consultants  
Dan Muslin, TEC  
Angela O'Hara, City of Carlsbad Beach Committee  
Michele Okihiro, Scripps Institution of Oceanography  
Brian Leslie, Moffatt & Nichol  
Chris Webb, Moffatt & Nichol  
John Dorow, SANDAG  
Andrea Groves, SANDAG  
Rob Rundle, SANDAG  
Shelby Tucker, SANDAG  
Kevin Wood, SANDAG

## **1. Welcome and Introductions**

Chair Ann Kulchin, City of Carlsbad, called the meeting to order at 11:35 a.m. and introductions were made.

## **2. Public Comments/Communications**

Angela O'Hara of the Carlsbad Beach Preservation Committee said they are working with state parks to coordinate an Earth Day event from 10 a.m. to 2 p.m. at Tamarack State Beach. The event will raise awareness about coastal environmental issues and she encouraged everyone to attend.

Shelby Tucker, SANDAG, reminded the Working Group that she would be taking a leave of absence during the summer and that Andrea Groves would be covering her responsibilities.

## **3. Agenda Item #3, Summary of the February 7, 2008, Meeting**

Upon motion from Jim Bond, City of Encinitas, and seconded by Pam Slater-Price, County of San Diego, the Working Group recommended approval of the February 7, 2008, meeting minutes.

## **4. Agenda Item #4, Presentation From the U.S. Army Corps of Engineers on the Use of Offshore Reefs for Sand Retention**

Shelby Tucker, SANDAG, introduced Heather Schlosser of the U.S. Army Corps of Engineers (USACE) Los Angeles District to talk about the offshore reef being planned in Ventura County.

Ms. Schlosser introduced the USACE Section 227 program, which funds innovative erosion control technology. The program was first authorized under Section 227 of the Water Resources Development Act (WRDA) of 1996 and reauthorized in 2007.

The USACE issued a Broad Agency Announcement to solicit ideas for projects on the West Coast and received proposals for the oil piers site in Ventura County, and South Carlsbad, Moonlight, and Fletcher Cove in San Diego County. Oil Piers was selected since it was a highly degraded site with few constraints. After an oil pier was removed in 1998, the site suffered heavy erosion and loss of the surf break.

The design for the offshore reef was completed by ASR, a company who has designed reefs around the world, but has not yet constructed a project in the United States. The reef design is site-specific and based on collected wave data and modeling. The goal of the project is to hold sediment on a pre-filled beach without affecting overall longshore transport. The reef works both by tripping waves and by rotating them to reduce sediment transport from the site. It is designed as a multipurpose reef and will provide surf and habitat benefits, as well as erosion protection. ASR has designed the reef to break at least 160 days per year at low tide and should provide waves for intermediate to competent surfers.

The reef will be made of geotextile bags placed on the seafloor and filled with sand in 11 segments. The original costs were estimated at \$2.3 million, but it is now expected to cost \$3 million, including planning, construction, and monitoring. Since this is a demonstration project, the monitoring program will be quite extensive. It will monitor surf conditions, beach profile, habitat impacts, and grain size. If any negative impacts are found, the reef can be modified or removed. The design and

environmental assessment are complete, but the project still needs to be permitted. There was a delay while the USACE waited for reauthorization and funding for the Section 227 program. The project will need a State Lands Lease and a Coastal Commission permit before construction can proceed.

Mitch Purdue, U.S. Navy, asked if the USACE considered using navigational servitude since, as part of a federal project, they could build on the seafloor without obtaining a state permit. Ms. Schlosser said that the USACE wanted to work as a partner with the state and local agencies, and follow all the steps. They did not expect any problems securing the state permits. The delay in federal funding slowed the project, not waiting for permits. They were asked to look at cumulative effects since the site also was designated as an opportunistic site for the South Central Coast Beach Enhancement Program (SCCBEP). Once the reef is in place, additional SCCBEP sand will not be placed at the site unless erosion has occurred. Keeping all the agencies involved from an early point in the project has helped everything go smoothly.

Bob Hoffman, NMFS, asked if there was any attempt to quantify down coast impacts from the project, since even with the beach fill there still would be some effect on adjacent beaches. Ms. Schlosser said the project was designed to minimize impacts, but that since the project is the first of its kind, she doesn't know what impacts will actually occur. The monitoring program should help identify any impacts, and corrective steps can be taken. The project was designed so that the site would not accrete beyond what was filled.

Jim Bond, City of Encinitas asked if there was data on the Chevron reef or Pratt's Reef project in El Segundo. Mr. Hoffman said the reef was designed for surfing and not to stop erosion. The reef is too small to have a significant effect and only breaks occasionally. Ms. Schlosser said the reef was actually scheduled for removal, but there had been some problems. Although no ASR reef has ever been removed, the geotextile design should ease the removal process.

Joe Kellejian, City of Solana Beach, asked for more information on the project at Fletcher Cove. Ms. Schlosser said the planning was funded through the regional sediment management program and was about to start impacts analysis. The analysis will determine if the project is environmentally feasible before final designs are made.

Claudio Fassardi, Noble Consultants, asked if physical models would be made for the Oil Piers Reef. Ms. Schlosser said that extensive computer modeling was done and the design was approved without the need for physical modeling.

## **5. Agenda Item #5, Status and Next Steps for Potential Regional Beach Sand Replenishment Project**

Ms. Tucker reminded the Working Group that they had discussed allocation methodology for the local share of the regional beach sand project at the last meeting. The group recommended option C, which allocated costs based on 60 percent cubic yards of sand received, 10 percent miles of coastline restored, and 30 percent population. The Regional Planning Committee approved this allocation on March 7 and the Board of Directors will consider it at the April 11, 2008, meeting. Mr. Bond asked if the jurisdictions had individually approved the allocation. Ms. Tucker said that the focus was currently on approving the methodology, but that once the allocation had been approved, SANDAG would take the lead on developing a process of securing funds from each jurisdiction, similar to what was done with the preliminary planning activities.

Ms. Tucker said that SANDAG had released a Request For Qualifications for planning, engineering, and construction management services on the project. This will include the offshore investigation and preliminary engineering, environmental review and monitoring, and construction management for both the replenishment and possible off-shore reefs. The contract will be task-order based to allow for maximum efficiency. Work on the preliminary planning activities will begin in July 2008 with additional work set to begin as soon as funding is available from the state. Construction will likely occur in early 2011.

#### **6. Agenda Item #6, Update on Regional Shoreline Management Efforts**

Ms. Tucker said that the Sand Compatibility and Opportunistic Use Program (SCOUP) with the cities of Coronado, Encinitas, Imperial Beach, and Solana Beach is close to being completed. Terri Fenner, EDAW, said that the public review period for the Mitigated Negative Declaration was now closed and the last few comments were trickling in. Revisions were being made and a draft final would go to the individual jurisdictions by the end of the month, so there should be an approved final in May.

Mr. Bond said that his city hoped to put sand on the beach this summer from a large hotel project, but that the project may be delayed due to the economic downturn.

Mr. Kellejian said that his city is still working on the Cedros Crossing project, although it has been a difficult process trying to accommodate the needs of the transit district, the developer, and the general public. The construction of the parking structure will result in the excavation of large amounts of sediment, but the project needs to be approved as one piece. The city is in danger of losing a grant from the California Transportation Commission if the project does not break ground soon.

Chris Webb, Moffat & Nichol, said that work was continuing on the Coastal Regional Sediment Management Plan. An outline of the plan has been completed and is currently being fleshed out with analysis of existing sediment management in the region. The plan will explore ways to coordinate and optimize the use of sediment in the region to get the greatest benefit. He also is exploring ways to give teeth to the plan to ensure its implementation. There was a public meeting in January, and there will be additional meetings in June to solicit ideas on what should be in the plan and how it could be implemented, as well as information on sediment sources. A draft of the document will be completed in the summer for review by the state Coastal Sediment Management Workgroup in May. A draft schedule for the public meetings was provided to the group.

#### **7. Agenda Item #7, Legislative Update**

Ms. Tucker said Steve Aceti was unable to attend this meeting to update the group on the status of pending legislation. She said that information on the Ocean Day event in Sacramento could be found at [www.oceandaysacramento.org](http://www.oceandaysacramento.org).

#### **8. Agenda Item #8, Adjourn**

Due to a conflict with the League of California Cities meeting the first week of June, the next meeting will be scheduled for June 12, 2008, 11:30 a.m. to 1 p.m.

The meeting was adjourned by Ms. Kulchin at 12:26 p.m.

May15, 2008

Mr. Mike Chrisman  
Secretary  
California Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

Dear Mr. Chrisman:

SUBJECT: Letter in Support of SANDAG's Application for Proposition 84 Funding

This letter is to express the support of [Organization/Agency name] for SANDAG's Proposition 84 funding proposal for the construction of multipurpose submerged reefs offshore of San Diego County. As part of the Regional Beach Sand Replenishment Project 2 (RBSP2), the reefs will help to reduce persistent coastal erosion, provide biological enhancements, and increase recreational opportunities for the residents and visitors of the region.

The region's beaches are a valuable economic resource and key part of the area's positive image and overall quality of life. The region has been highly involved in shoreline management, and the design and planning of offshore reefs will bring this work to a new level. Multipurpose offshore reefs are a relatively new erosion control technology; therefore, this pilot project will be significant to the region, State of California, and the nation.

In 2001, SANDAG spearheaded the highly successful Regional Beach Sand Replenishment Project (RBSP), which placed 2.1 million cubic yards of sand on the region's highly eroded beaches. An extensive monitoring program showed that many beaches widened significantly for several years, while others did not retain sand for extended periods. The project also did not cause significant adverse environmental impacts. This effort was deemed a successful pilot project and paved the way for additional similar future efforts to benefit the region's beaches.

The coastal cities in the San Diego region and SANDAG have now embarked on a second round of replenishments, the RBSP2. The region is committed to the successful planning and construction of the RBSP2 and has provided funding for the preliminary planning activities, which include an investigation of offshore resources and preliminary design/engineering. SANDAG is pursuing funding from the California Department of Boating and Waterways for the engineering, environmental analysis, and construction of the project. Funds from the Coastal Conservancy and Ocean Protection Council will be used for the design and planning of the reef portion of the project, as well as the replenishment activities that occur onshore of the reefs.

SANDAG has been at the forefront of shoreline management issues because of the significant tourism and recreational functions that our beaches provide. In 1993, the Board of Directors approved the *Shoreline Preservation Strategy for the San Diego Region*. The strategy recognized sand retention as one of a number of tactics that can be used to complement the placement of sand on the region's beaches. Retention structures have the potential to increase the cost effectiveness of beach sand replenishment activities and may help to reduce the environmental effects of beach filling.

Additionally, in SANDAG's *Regional Beach Sand Retention Strategy*, offshore reefs were identified as the preferred technology for a number of locations in the region. The proposed project will help retain sand in up to three of the most erosive spots in the region in a cost-effective and environmentally sensitive manner. The continued monitoring program will help verify the effectiveness of the project and will help to expand the understanding of sediment transport in the region and the state, bringing benefits beyond the locations of the reefs.

With the benefits of the original RBSP clear, a similar project that enhances what was done in 2001 by including the planning of offshore reefs will clearly be beneficial to the region, and is in line with the goals of the Ocean Protection Council. The [Organization/Agency name] encourages the Ocean Protection Council to fund the project so that the San Diego region and the coast of California can benefit from that latest erosion control technology and enjoy the recreational and environmental benefits they provide.

Sincerely,

[AUTHOR NAME]

[Author Title]

[Author Initials]/

# Please Join Us! San Diego Regional Sediment Management Workshop

**Where:** Imperial Beach City Hall Community Room 825  
Imperial Beach Blvd.

**When:** Thursday, June 12, 2008, 6:00 – 8:00 pm

**Purpose:** To seek input from stakeholders on the Draft  
Coastal Regional Sediment Management Plan  
(Management Plan)

## ***What is a Coastal Regional Sediment Management Plan?***

The Management Plan is a consensus-driven sediment management guide and policy document, that seeks to: restore and maintain coastal beaches and other critical areas of sediment deficit or excess; reduce the proliferation of protective shoreline structures; sustain recreation and tourism; enhance public safety and access; and, restore coastal sandy habitats.

For more information, contact:  
**Andrea Groves at SANDAG**  
E-mail: [agr@sandag.org](mailto:agr@sandag.org)  
Phone: (619) 699-1983 • Fax: (619) 699-1905

### ***The Management Plan will:***

- (1) build on region-specific coastal processes and economic, environmental, geographic, and societal data;
- (2) use current reports, data, educational, regulatory, and informational tools developed by the State of California through the Coastal Sediment Working Group; and
- (3) reflect the needs of local and regional governments and local stakeholders.

### ***Questions we would like stakeholders to answer at the workshop include:***

- Do you know of sediment sources that were not included in the draft Management Plan that should be included?
- Do you think the Management Plan will help manage sediment in the region? Why or why not?
- Do you think the activities in the Management Plan are economically feasible? Why or why not?
- Are there other activities that should be included in the Management Plan?
- How can we let more people know about the Management Plan?

*A copy of the Draft Coastal Regional Sediment Management Plan can be downloaded from [www.sandag.org/shoreline](http://www.sandag.org/shoreline) under the Coastal Regional Sediment Management Plan.*



401 B Street, Suite 800, San Diego, CA 92101

AMENDED IN SENATE APRIL 22, 2008

AMENDED IN SENATE APRIL 7, 2008

**SENATE BILL**

**No. 1685**

---

**Introduced by Senator Kehoe**

February 22, 2008

---

An act to amend Sections 132304, 132320, 132322, 132324, 132328, 132330, 132332, and 132334 of, to amend the heading of Article 6 (commencing with Section 132320) of Chapter 2 of Division 12.7 of, and to add Sections 132321 and 132360.6 to, the Public Utilities Code, relating to planning.

LEGISLATIVE COUNSEL'S DIGEST

SB 1685, as amended, Kehoe. Regional comprehensive plan: San Diego County.

The San Diego Regional Transportation Consolidation Act provides for the consolidation of certain transportation responsibilities in a single consolidated agency, as specified. Existing law requires the consolidated agency to prepare and adopt a regional comprehensive plan that integrates land uses, transportation systems, infrastructure needs, and public investment strategies within a regional framework and in cooperation with member agencies and the public. Existing law authorizes the consolidated agency, acting as the San Diego County Regional Transportation Commission, to impose up to a 1% retail transactions and use tax, subject to voter approval, for various purposes, and to expand the use of tax revenues to certain transportation, natural habitat and open space, watershed management, and stormwater conveyance systems.

This bill would revise and expand the purposes for which revenues from the tax could be used to provide for implementation of the regional

comprehensive plan, water quality improvement, beach sand replenishment projects, and various other projects and purposes. The bill would authorize the consolidated agency to transfer environmental mitigation or conservation property to a public agency or nonprofit corporation for management and monitoring, and would authorize the awarding of grants in that regard, subject to various auditing, reversion, and other related conditions. The bill would authorize the consolidated agency to increase the tax rate up to the maximum tax rate authorized under existing law, subject to voter approval. The bill would also provide for a transactions and use tax ordinance adopted under these provisions to become operative on the first day of the calendar quarter commencing more than 110 days, rather than 120 days, after adoption of the ordinance. The bill would enact other related provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The regional comprehensive plan proposed by the  
4 consolidated agency pursuant to the San Diego Regional  
5 Transportation Consolidation Act is intended to preserve and  
6 improve the quality of life in the San Diego region, to maximize  
7 mobility and transportation choices, and to conserve and protect  
8 natural resources.

9 (b) Alternative methods of funding and financing proposed  
10 infrastructure areas identified in the regional comprehensive plan  
11 prepared pursuant to Article 6.5 (commencing with Section  
12 132360) of Chapter 3 of Division 12.7 of the Public Utilities Code  
13 are necessary in order to implement the plan, and to increase  
14 economic opportunities, contribute to economic development,  
15 conserve and protect the environment, and promote social equity  
16 within the San Diego region.

17 (c) *Any extension, expansion, or increase of the transactions*  
18 *and use tax as a result of the amendments to Section 132320 of*  
19 *the Public Utilities Code made pursuant to this act shall apply*  
20 *prospectively to transactions and use taxes approved by the voters*  
21 *on or after January 1, 2009.*

1 SEC. 2. Section 132304 of the Public Utilities Code is amended  
2 to read:

3 132304. (a) Any transactions and use tax ordinance adopted  
4 pursuant to this article shall be operative on the first day of the  
5 first calendar quarter commencing more than 110 days after  
6 adoption of the ordinance.

7 (b) Prior to the operative date of the ordinance, the commission  
8 shall contract with the State Board of Equalization to perform all  
9 functions incident to the administration and operation of the  
10 ordinance.

11 SEC. 3. The heading of Article 6 (commencing with Section  
12 132320) of Chapter 2 of Division 12.7 of the Public Utilities Code  
13 is amended to read:

14 Article 6. Extension, Expansion, or Increase of Transactions  
15 and Use Tax  
16  
17

18 SEC. 4. Section 132320 of the Public Utilities Code is amended  
19 to read:

20 132320. For the purposes of this article, the following terms  
21 have the following meanings:

22 (a) To “expand” the transactions and use tax means to expand  
23 the purposes for which the revenue derived from the tax may be  
24 expended to include covering the costs of implementation of the  
25 regional comprehensive plan as referenced in Article 6.5  
26 (commencing with Section 132360). These projects shall be limited  
27 to mitigation of impacts related to growth, maximizing the  
28 efficiency of regional transportation and transit systems, and  
29 funding of regional projects that integrate land uses, transportation  
30 systems, infrastructure needs, and public investment strategies,  
31 within a regional framework. Projects shall be limited to any or  
32 all of the following:

33 (1) Acquisition, management, maintenance, and monitoring of  
34 natural habitat and open space, and other projects that implement  
35 protection and preservation programs consistent with adopted  
36 natural community conservation plans and habitat conservation  
37 plans.

38 (2) Development and implementation of watershed management.

1 (3) Construction, repair, replacement, and maintenance of  
 2 stormwater management and conveyance systems, and water  
 3 quality improvement programs or projects.

4 (4) Construction, acquisition, maintenance, monitoring, and  
 5 operation of beach sand replenishment projects.

6 (5) Funding of operations and maintenance costs for public  
 7 transit projects that maximize mobility and transportation choices.

8 (b) To “extend” the transactions and use tax means to extend  
 9 the imposition of the tax beyond any term stated in the tax  
 10 ordinance originally imposing the tax.

11 (c) To “increase” the transactions and use tax means to increase  
 12 the tax rate or the maximum tax rate authorized in the tax ordinance  
 13 originally imposing the tax to an amount that does not exceed the  
 14 maximum tax rate authorized under Section 132307.

15 (d) The term “property” with regard to real property may include  
 16 severable appurtenant real property rights such as easements,  
 17 permits, and leases.

18 (e) The “purposes” for which revenue derived from the  
 19 transactions and use tax may be expended, in addition to the other  
 20 purposes listed in this article and in Article 5 (commencing with  
 21 Section 132300), include funding one or more grants to provide  
 22 funding mechanisms for purchases of property or long-term  
 23 management and monitoring of projects authorized by this section.  
 24 Recipients of those grants shall be required to meet the applicable  
 25 conditions of Section 132321.

26 SEC. 5. Section 132321 is added to the Public Utilities Code,  
 27 to read:

28 132321. (a) The commission may, upon terms, standards, and  
 29 conditions approved by the commission, transfer environmental  
 30 mitigation or conservation property to a public agency or to a  
 31 nonprofit corporation that is qualified pursuant to Section 501(c)(3)  
 32 of the Internal Revenue Code.

33 (1) As a condition to the transfer of property pursuant to this  
 34 subdivision, the commission may enter into an agreement with the  
 35 transferee to provide funding for the future maintenance and  
 36 monitoring of the property consistent with any permit conditions  
 37 and mitigation requirements imposed by state or federal law or  
 38 conditions imposed by a state or federal agency. In determining  
 39 the amount of the funding provided, the commission shall consider  
 40 the costs of maintaining and monitoring the property and shall

1 offset from the amount of those costs any benefit or value received  
2 by the transferee or the commission as a result of the transfer.

3 (2) The transferee to which the commission transfers the  
4 property shall assume the long-term responsibility for the future  
5 maintenance and monitoring of the property.

6 (3) (A) If the transferee fails to maintain and monitor the  
7 property in the manner required by law, by a permit, or as described  
8 in paragraph (1), or if the transferee is a nonprofit corporation that  
9 ceases to exist, the property shall automatically revert to the  
10 commission.

11 (B) If the property reverts to the commission pursuant to this  
12 paragraph, any remaining funds from the original transfer pursuant  
13 to paragraph (1) shall also revert to the commission.

14 (C) Any costs, including legal costs, associated with reversion  
15 of the property and funds pursuant to this paragraph shall be the  
16 responsibility of the transferee.

17 (4) Any documents conveying property in accordance with this  
18 section shall include a restriction limiting the use of the property  
19 solely for conservation purposes or environmental mitigation  
20 purposes in accordance with the conditions specified in paragraph  
21 (1).

22 (5) Documents conveying property in accordance with this  
23 section and documents related to a transfer or assignment of  
24 property under this section shall be filed with the county recorder's  
25 office in the county in which the property is located.

26 (6) The transferee shall not do any of the following:

27 (A) Transfer or assign the property to another entity without  
28 approval from the commission and compliance with this section.

29 (B) Transfer or use the property for any purpose other than as  
30 required by the agreement described in paragraph (1), and any  
31 relevant permit conditions and mitigation requirements.

32 (C) Subdivide the property.

33 (D) Secure loans or liens against the property.

34 (7) The commission shall conduct, or cause to be conducted,  
35 an audit of the performance of the transferee at least once every  
36 five years to ensure that the transferee is meeting its obligations  
37 pursuant to the terms of the agreement described in paragraph (1).

38 (b) The commission may, upon terms, standards, and conditions  
39 approved by the commission, award one or more grants to provide  
40 a funding mechanism for long-term management and monitoring

1 of projects authorized by Section 132320 to a public agency or to  
2 a nonprofit corporation that is qualified pursuant to Section  
3 501(c)(3) of the Internal Revenue Code. As a condition to the  
4 award of a grant pursuant to this subdivision, the commission may  
5 enter into an agreement with the grantee that contains the following  
6 terms:

7 (1) The grantee shall maintain accurate books, records, and  
8 accounts of all of its dealings, which shall be subject to an annual  
9 financial audit by an independent auditing firm approved by the  
10 commission. The grantee shall pay for the annual audit and provide  
11 a copy of the audit results to the commission. The commission  
12 shall determine whether the grant fund expenditures are consistent  
13 with the terms of the agreement described in this subdivision. In  
14 addition, the commission may conduct or cause to be conducted  
15 a fiscal and compliance audit of the grantee.

16 (2) The commission shall conduct, or cause to be conducted,  
17 an audit of the performance of the grantee at least once every five  
18 years to ensure that the grantee is meeting its obligations pursuant  
19 to the terms of the agreement described in this subdivision.

20 (3) (A) If the grantee fails to perform its management or  
21 monitoring responsibilities in the manner required by law and in  
22 the manner required by the agreement described in this subdivision,  
23 or if a grantee that is a nonprofit corporation ceases to exist, any  
24 remaining funds derived from the grant pursuant to this subdivision  
25 shall revert to the commission.

26 (B) Any costs, including legal costs, associated with reversion  
27 of funds to the commission pursuant to this paragraph shall be the  
28 responsibility of the grantee.

29 SEC. 6. Section 132322 of the Public Utilities Code is amended  
30 to read:

31 132322. (a) An ordinance expanding, extending, or increasing  
32 the retail transactions and use tax imposed under this chapter shall  
33 be imposed by the commission and shall be applicable in the  
34 incorporated and unincorporated territory of the county, if the  
35 constitutionally required percentage of the electors voting on the  
36 measure vote to approve its imposition at a special election called  
37 for that purpose by the commission. The ordinance shall take effect  
38 on the day immediately following the day of the election at which  
39 the proposition is adopted.

1 (b) If at any time the voters do not approve the imposition of  
2 the expansion, extension, or increase of the transactions and use  
3 tax, the commission may, at any time thereafter, submit the same,  
4 or a different, measure to the voters in accordance with this article.

5 SEC. 7. Section 132324 of the Public Utilities Code is amended  
6 to read:

7 132324. (a) In the ordinance, the commission shall state the  
8 nature of the tax to be imposed, the tax rate or the maximum tax  
9 rate, and the purposes for which the revenue derived from the tax  
10 will be used. In connection with the extension or expansion of the  
11 tax, the tax rate or the maximum tax rate may be increased from  
12 the tax rate or the maximum tax rate in effect at that time.

13 (b) If the tax is extended, the ordinance shall set forth the new  
14 term during which the tax will be imposed.

15 (c) If the tax is expanded, the ordinance shall contain an  
16 expenditure plan that includes the allocation of revenues for the  
17 expanded purposes.

18 SEC. 8. Section 132328 of the Public Utilities Code is amended  
19 to read:

20 132328. (a) Any ordinance extending or expanding, or both,  
21 the transactions and use tax shall be operative on the day  
22 immediately following the day of the election at which the  
23 proposition is adopted. Any increase in the tax rate or the maximum  
24 tax rate authorized by the ordinance shall be operative in  
25 accordance with Section 132304.

26 (b) If the ordinance expands, extends, or increases the  
27 transactions and use tax, the commission shall contract with the  
28 State Board of Equalization to perform all functions incident to  
29 the administration and operation of the ordinance.

30 SEC. 9. Section 132330 of the Public Utilities Code is amended  
31 to read:

32 132330. Any action or proceeding wherein the validity of the  
33 adoption of the extension, expansion, or increase of the retail  
34 transactions and use tax, or the issuance of any bonds thereunder,  
35 or any of the proceedings in relation thereto is contested,  
36 questioned, or denied, shall be commenced within 60 days from  
37 the date of the election at which the ordinance is approved;  
38 otherwise, the bonds and all proceedings in relation thereto,  
39 including the adoption and approval of the ordinance and the levy

1 and collection of the retail transactions and use tax, shall be held  
2 to be valid and in every respect legal and incontestable.

3 SEC. 10. Section 132332 of the Public Utilities Code is  
4 amended to read:

5 132332. The commission has no power to extend, expand, or  
6 increase any tax other than the transactions and use tax extended,  
7 expanded, or increased upon approval of the voters in accordance  
8 with this chapter.

9 SEC. 11. Section 132334 of the Public Utilities Code is  
10 amended to read:

11 132334. All provisions of Article 5 (commencing with Section  
12 132300) relating to allocation of revenues, tax rates, and bonds  
13 apply to the expanded, extended, or increased transactions and use  
14 tax, except that the revenues derived from the expanded or  
15 increased tax may be used for the additional purposes described  
16 in subdivision (a) of Section 132320.

17 SEC. 12. Section 132360.6 is added to the Public Utilities  
18 Code, to read:

19 132360.6. The consolidated agency may use the authority for  
20 the retail transactions and use tax provided under Sections 132301  
21 and 132302 to fund and finance infrastructure needs identified in  
22 the regional comprehensive plan developed in accordance with  
23 this article. Development of the proposal and expenditure plan  
24 shall be conducted using a public collaborative planning process  
25 that is consistent with Section 132360.1.

O

[DATE]

The Honorable Christine Kehoe  
State Capitol Building, Room 4038  
Sacramento, CA 95814

Dear Senator Kehoe:

RE: Support for Senate Bill 1685 (Kehoe) - Regional Comprehensive Plan: San Diego County

On behalf of **[ADD YOUR LOCAL AGENCY]**, we are pleased to support Senate Bill 1685 and, thank you for introducing this important legislation. Existing law authorizes SANDAG to impose up to a one-percent sales tax for transportation infrastructure improvements. SB 1685 would provide SANDAG with the flexibility to broaden the eligible uses of sales tax revenues beyond transportation, including habitat conservation, water quality, and shoreline preservation.

As you know, the San Diego region's beaches are one of our most important environmental and economic assets. The beaches provide wonderful recreational opportunities to residents and visitors and are a vital component of the important tourism and recreation sectors of our economy. **[ADD IMPORTANCE OF BEACHES TO YOUR LOCAL AGENCY/COMMUNITY]**

Over the past two decades, the region's shoreline has experienced chronic and continuing erosion. Our region's beaches require periodic sand replenishment, and to accomplish this, a reliable, dedicated source of funding is needed. Funding mechanisms such as local sales tax measures can enable areas to make regional infrastructure improvements during times when federal and state revenues are limited. SB 1685 would allow local voters to decide what kinds of infrastructure investments are needed to maintain the quality of life for our growing San Diego region.

Prior efforts like the Regional Beach Sand Project of 2001 show that SANDAG has experience in creating consensus and effectively using state and local funding to improve and enhance the region's natural resources.

For these reasons, we support SB 1685. If you have any questions, please feel free to contact **[ADD YOUR LOCAL AGENCY CONTACT]**.

Sincerely,

**[ADD LOCAL AGENCY SIGNATURE AND TITLE]**

cc: Deanna Spehn, Policy Director, Senator Christine Kehoe's Office  
Kim Kawada, SANDAG Policy and Legislative Affairs Manager