

BVAS RESPONSE TO STATEMENTS IN FRESHWATER ALTERNATIVE SUPPORTERS FLYER

<p><b>Freshwater Alternative Supporters' Claims</b></p>	<p><b>BVAS Rebuttals</b></p>
<p>BVL naturally freshwater lagoon</p>	<p>BVL “was originally influenced by both tidal and fluvial input: however, during much of the year, the lagoon was closed to the sea”(EIR chap 4). However, this condition of large expanses of dry salt flats in summer and only seasonally inundated was common to the coastal lagoons. The connections to the ocean were dynamic and intermittent. The presence of a sand berm at the mouth of the lagoon would cause closure of the inlet and could be opened by breach of the berm by either ocean waves or heavy rains sending water through the creek. The actual extent of the tidal prism is unknown, but there is historical evidence of a predominantly estuarine system of 75% salt flats and 23% salt marsh habitat at the lagoon. Please refer to: North San Diego County Lagoon Historical Ecology Study: <a href="https://www.sfei.org/HE_San_Diego_Lagoons#sthash.04PY0wnF.dpbs">https://www.sfei.org/HE_San_Diego_Lagoons#sthash.04PY0wnF.dpbs</a> for historical information on the coastal lagoons.</p> <p>In 1940, the lagoon was converted to a freshwater system as a result of installation of a weir across the inlet that precluded saltwater from entering the lagoon. The existing weir was built in 1972, spanning a width of 50 feet. The lagoon has progressively degraded in benefits and value to biological communities, habitats and recreational uses. A 2004 study projected that between 2030 &amp; 2050 the lagoon is expected to become a “vegetated freshwater marsh or riparian woodland-meadow”. Since 2001, numerous fed, state and local agencies and organizations have been engaged in planning for lagoon enhancement. In 2012, SANDAG reinitiated studies to design an enhancement plan for the lagoon at the request of Cities of Carlsbad and Oceanside, and it was therefore included as a component of the North Coast Corridor PWP/TREP.</p>
<p>BVL now supports large number of sea &amp; freshwater birds</p>	<p>“There are no substantial ecological values present now at the lagoon that are not represented elsewhere in the region. Our water storage reservoirs offer more freshwater habitat than ever occurred naturally. Saltwater habitats are limited to and dependent on coastal adjacency, and have experienced historical losses over time.” “The Saltwater Alternative would have the largest benefits for biological resources, healthier benthic community, more foraging opportunities for birds and support for native salt marsh habitat &amp; species. Threatened and endangered species would have larger nesting areas “.</p>

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<p>Eco-harvesting of cattails can maintain lagoon at low cost</p>	<p>For the Freshwater Alternative, the EIR indicates that mosquito breeding sites among the dense cattail stands would be addressed by annually creating 4-5 ft wide channels within these stands. However, this would be a costly ongoing maintenance problem due to rapid cattail regrowth and will have annual impacts on noise, air quality, and resident wildlife. Although cattails are adapted to shallow water depths (up to 2.5 ft.) and the goal is to maintain depths at a min. 4 ft., sedimentation and organic matter buildup will reduce that depth over time in a closed system. Also, cattails when unimpeded can extend their rhizomes out into the pond surface, actually floating above much deeper waters. It is not obvious what “eco-harvesting” is and how it would be a low cost operation.</p>
<p>SW Alternative would have no aesthetic water reflections</p>	<p>The twice daily tides would fill the lagoon with seawater which would provide the aesthetic value of an open water view. These conditions would alternate with the exposure of mudflats when the tides are out, but the deeper channels would continually remain open water. In addition, there are many examples on the California coast where houses with adjacent to tidal lagoons are highly valued for the aesthetics of the lagoon environment.</p>
<p>SW Alternative would require condemnation of 6 acres of private property</p>	<p>The CDFW owns and manages most of the lagoon as a State Ecological Reserve designated as the the first State reserve in 1968. The EIR indicates that portions of the Weir Basin are privately owned by the St. Malo HOA and the weir structure is also privately owned. Implementation of any of the alternatives would require working with land owners to obtain easements, rights-of-way, or property acquisition as necessary. SANDAG indicates that they will try to find agreeable solutions before considering the use of eminent domain. However, SANDAG has the right to “acquire, by eminent domain, any property necessary to carry out any of its powers and functions”. (Pub. Util. Code)</p>
<p>SW Alternative would create dangerous tidal ocean channel</p>	<p>Under the SW alt, the tidal flows through the new 100 ft wide inlet are considered in the EIR to be a public health and safety impact for beach walkers and swimmers as they would not be able to safely cross when water volume and velocities are high in the channel. This is substantially mitigated by a pedestrian bridge that the EIR indicates provides “safe and convenient access” across the beach. The EIR still states that this is a significant impact not fully mitigated. However, beach users at other lagoon and stream outlets along the coast have for a long time been cognizant of the presence of the coastal inlets, have avoided injuries from them, as they have become accustomed to use the walk arounds when necessary.</p>
<p>SW Alternative construction would take 2 yrs. with impacts - lights, noise, dust</p>	<p>The EIR indicates that construction for both at the SW and FW alternatives is expected to take place over 15-30 months. Temporary significant and unavoidable noise, dust and air quality impacts would occur for all enhancement alternatives during construction phase, even with mitigations in place.</p>

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<p>SW Alternative creates source of saltwater mosquitoes - FW Alternative with cattail removal would not be significant breeding area</p>	<p>The Saltwater Alternative is the greatest benefit for vector control; Tides interrupt mosquito population by increased mortality of eggs, larvae &amp; pupae; Salinity reduces ability to reproduce; Prevents stagnant breeding pools along lagoon edges; Cooler water temperatures affect larval survival; Lack of cattails better access for larvicides.(Final EIR, chap 4)</p>
<p>SW Alt would create H2S and rotten egg smell around lagoon</p>	<p>Under existing conditions, odors can result from stagnant water, as well as intermittent fish die-off from anoxic conditions. All alternatives would improve hydraulic conditions and reduce low oxygen events. A mild natural odor could occur for limited times when mudflats are exposed between daily tidal influx in the SW alt. To reduce potential impacts, the SW alt was designed with narrow bands of mudflats located distances of several hundred feet between mudflats and residences or highly populated areas. Because the potential odors are short term and intermittent, only during low tide, SANDAG determined that this did not meet the criterion for a significant impact, i.e., “the creation of objectionable odors affecting a substantial number of people” and determined that the SW alt would not pose a significant impact.</p>
<p>SW Alt has a higher cost</p>	<p>The SW alt project would be approx. 40% more costly than the FW alt due to more dredging and expansion of the Carlsbad Blvd. bridge. However annual cattail maintenance would increase total overall project costs for the Freshwater Alternative. Most importantly, the FW alt is not sustainable over the longterm and is unlikely to function well for the expected 50 yr timeline of the project. Sedimentation and water circulation problems would again arise and would reduce lifetime of the restoration. The result would be the need to repeat lagoon enhancement earlier than the planned project timeline which would result in a high public expense.</p>
<p>There has been little public outreach - no notification of meetings</p>	<p>SANDAG developed and executed a multi-pronged Public Participation Plan for the EIR, including meetings, written notification and also followed CEQA notice requirements.</p>
<p>SANDAG push for SW motivated by need to mitigate transportation projects and to acquire federal stimulus funds</p>	<p>Based on the goal of meeting the project objectives set out at the start of this undertaking, and based on public and resource agency comment, SANDAG identified the SW alt as the proposed project. (EIR App P)</p>

Quotation marks refer to actual statements in the Final EIR for the Buena Vista Lagoon Enhancement Plan.