



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: PAR 24-005

April 16, 2024

Introduced: 4/5/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Preliminary Analysis
Report

Receive a preliminary analysis report in response to **Board Referral No. 2024.04** seeking to 1) analyze and address floodplain issues in the Little Bear Creek area; and 2) To address expedited permit processes for cleaning and long-term maintenance of Little Bear Creek.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Receive a preliminary analysis report in response to **Board Referral No. 2024.04** and:
- b. Direct staff to proceed with completion of its response to the referral based on the proposed project description in this report; or,
- c. Direct that staff:
 - i. Proceed with completion of its response to the referral based on modifications by the Board; or,
 - ii. Return to Board with a more comprehensive analysis of the referral and anticipated effort for completion.
- d. Rescind the referral.
- e. Provide further direction, as appropriate.

PRELIMINARY ANALYSIS:

Background:

On March 12, 2024, the Board added Supervisor Church's Referral No. 2024.04 (Attachment A) to the County Board of Supervisors' referral matrix. The referral seeks to 1) analyze and address floodplain issues in the Little Bear Creek area; and 2) To address expedited permit processes for cleaning and long-term maintenance of Little Bear Creek.

Proposed Project Description:

The community of Bolsa Knolls is located in the North County, immediately north of the City of Salinas. The community has grown along Little Bear Creek (Creek), which runs a length of approximately 12 miles. The Creek runs across multiple properties and is managed by those various entities, including private residents and agricultural landowners. This referral requests research and analysis of the cause of floodplain issues in the Little Bear Creek drainage, including a drainage study, analysis of the impact of upstream area agricultural practices, creek maintenance, potential funding mechanisms to conduct maintenance and a process to expedite permitting for creek maintenance.

Over the course of calendar year 2023, County staff from various departments met to discuss the issue, including Public Works, Facilities and Parks (PWWP), Housing and Community Development

(HCD), Water Resources Agency (WRA), Agricultural Commissioner's Office (AgComm), County Counsel's Office (CC), the County Administrative Office (CAO), and Supervisor Church's office. Several meetings also included the Resource Conservation District of Monterey County (RCD) and the City of Salinas. The research and discussion among the groups further clarified the complexity and breadth of this issue.

The Creek is considered waters of the State and possible waters of the U.S. Therefore there are complicated permitting requirements for cleaning out vegetation and removing upstream debris, including silt running off agricultural fields to the northeast. The entities that currently own property in and near Little Bear Creek have experienced various levels of effect navigating the permit requirements imposed by the various jurisdictional entities with authority over the Creek. To maximize the resiliency of the community of Bolsa Knolls, especially in times of flood risk, it is imperative that all property owners along Little Bear Creek be allowed to perform maintenance in a timely, legal manner. To this end, it is suggested that the County analyze causes of floodplain issues and devise a system of expedited creek maintenance permitting, including potential funding mechanisms, that will save both time and expenses in the long term.

The referral involves completion of the following tasks:

- Define the floodplain issues that are to be addressed and set a goal for the project/plan.
- Identification of the relevant State and Federal Resource Agencies with jurisdiction;
- Meet and cogitate ideas for consideration/trial.
- Engaging with a consultant to perform the drainage study, and other necessary studies.
- Develop the scope of the project including implementation methodologies.
- Prepare the necessary project California Environmental Quality Act (CEQA) documentation to comply with State and local requirements.
- Prepare the necessary project National Environmental Policy Act (NEPA) documentation to comply with Federal requirements.
- Acquire County approvals.
- Apply for approvals from the requisite permitting entities.
- Acquire Funding.
- Implement proposal.
- After trial period, assess the outcomes.

Note, this programmatic approach for development of a comprehensive stream maintenance program for private landowners is similar to the WRA's Salinas River Maintenance Plan which included a pilot program in 2014 and a fully approved program in 2016. The process involved significant outreach to various stakeholders to plan and develop the program as well as comprehensive flood modeling and habitat surveys to balance the level of flood protection with the amount of impacts within the watershed. Ultimately, the program was permitted through Federal and State agencies for a ten-year period. The process to develop and approve the pilot program took approximately four years and was funded through an existing assessment. The work is currently funded and performed by the private landowners but administered by the RCD in partnership with WRA.

Estimated Project Cost:

Costs are not fully-determined at this time, but will consist primarily of staff time, consultant time, and mitigation costs and fees if necessary. Time impacts associated with this request may include staff time from PWWP, HCD, WRA, Ag Comm, CC, CAO, RCD, and perhaps the City of Salinas. The range of costs for the options varies, depending on complexity of scope.

Staffing Level Estimate:

Staffing level estimates are undetermined at this time. Time impacts associated with this request may include staff time from PWWP, HCD, WRA, Ag Comm, CC, CAO, RCD, and perhaps the City of Salinas. The review time by any applicable state, federal or local permitting/regulatory entities is at their discretion.

Departmental Challenges:

Acquiring permits and approvals through State and Federal agencies may be complex due to the numerous entities involved with private property programs of this scale as well as potential State and Federal Endangered Species Act considerations and the limited space available to perform activities within or near the Creek.

Proposed Response Date:

Staff proposes to return to the Board prior to October 1, 2024.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors' Strategic Initiatives for Infrastructure and Public Safety. These services will assist the water flow needs and will improve the quality of life for County residents.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Attachment: Attachment A - Board Referral #2024.04