

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.

Resolution of the Monterey County Board of Supervisors:

- a. Authorizing the Chair of the Board to execute one or more Cooperative Agreements with the Natural Resources Conservation Service for the Emergency Watershed Protection Program treatments relating to the 2016 Soberanes Fire;
- b. Approving the form of and authorizing the Resource Management Agency Director to execute agreements with property owners for the implementation of the Emergency Watershed Protection treatments; and
- c. Authorizing and Directing the County Administrative Officer, Resource Management Agency Director, RMA Deputy Director of Public Works and Facilities, Chief of Planning, Building Official, and County Counsel to take such other and further actions necessary or appropriate, consistent with this action, to implement the Emergency Watershed Protection treatments, including the modification of the form contracts based upon particular circumstances, the execution of emergency professional services or construction contracts; and the identification of grant or other funding sources to supplement the Emergency Watershed Protection Program funding;

(2016 Soberanes Fire, Carmel Highlands/
Big Sur)

RECITALS

WHEREAS, in July and August 2016, the County and its citizens experienced a significant wildfire known as the Soberanes Fire; and,

WHEREAS, as a result of the damage caused by the Soberanes Fire, including to forested and vegetated areas on the hills and slopes in the Carmel Highlands and Big Sur, the County is preparing for potentially significant runoff and debris flow during the 2016 rainy season, and subsequent years, which presents an immediate and future threat to (a) the health, safety and welfare of residents and property owners in the area, (b) public lands, and (c) the economic vitality of the area; and,

WHEREAS, a federally funded program, the Emergency Watershed Protection Program (“EWP”), administered through the Natural Resources Conservation Service, exists to assist the County in providing remedial and protective measures for hazardous conditions created by natural disasters such as the Soberanes Fire; and,

WHEREAS, through EWP, the County must undertake to contract for the implementation of the remedial and protective measures, but the County is reimbursed for up to 75% of the expenses associated with the construction or installation of the protective and remedial measures; and,

WHEREAS, the County desires to utilize the EWP to provide assistance to its citizens who may benefit from the protective and remedial measures under terms and conditions by which the owner of property benefited by the installation of the measures negotiate with the County for reimbursement of a proportionate share of any unreimbursed County expenses associated with the program, and agrees to hold the County harmless from liability associated with the installation and effectiveness of the protective and remedial measures;

DECISION

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors in and for the County of Monterey as follows:

- a. The Chair of the Board is hereby authorized to execute one or more Cooperative Agreements with the Natural Resources Conservation Service for the Emergency Watershed Protection Program treatments relating to the 2016 Soberanes Fire;
- b. The form of agreements with property owners for the implementation of the Emergency Watershed Protection treatments, attached hereto, are hereby approved, and the Resource Management Agency Director is hereby authorized to execute such agreements to implement the treatments; and
- c. The County Administrative Officer, Resource Management Agency Director, RMA Deputy Director of Public Works and Facilities, Chief of Planning, Building Official, and County Counsel are hereby authorized and directed to take such other and further actions necessary or appropriate, consistent with this action, to implement the Emergency Watershed Protection treatments, including the

modification of the form contracts based upon particular circumstances, the execution of emergency professional services or construction contracts; and the identification of grant or other funding sources to supplement the Emergency Watershed Protection Program funding.

PASSED AND ADOPTED upon motion by Supervisor ____ seconded by Supervisor ____ and carried this 23rd day of August 2016 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book ____ for the meeting on August 23, 2016.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy