

**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. Selecting Ecosystem Protective Barrier (EPB)-Alternative 2A with a top of wall elevation at 17.5 feet as the preferred alternative;
- b. Selecting Scenic Road Protection Structure (SRPS)-Alternative 1 as the preferred alternative; and
- c. Directing staff to prepare necessary environmental assessments of the preferred alternatives for pending applications for permits from regulatory agencies with permit authority.

RECITALS

WHEREAS, since at least the early 20th century, when the Carmel River Lagoon has risen to levels that threatened private property, the sand bar has been mechanically managed (breached) in order to lower the lagoon's water level to below flood stage; and

WHEREAS, since 1973, for emergency sand bar management, on average at least one mechanical breach has occurred yearly, with as many as three or four management actions occurring in some years by the County of Monterey, Monterey County Water Resources Agency, and State Parks; and

WHEREAS, in 1992, County prepared an Interim Sand Bar Management Plan and Breaching Criteria and regulatory agencies informed the County that its ongoing sandbar management did not qualify as emergency actions due to the predictability of flooding at Carmel River Lagoon; and

WHEREAS, several local, state and federal agencies, together with several non-governmental organizations have been working together since about 2000 to develop a sustainable, long-term management plan for the Lower Carmel River and Carmel Lagoon; and

WHEREAS, in 2007, a technical advisory committee of public agencies developed a "Study Plan for Long-Term Adaptive Management of the Carmel River State Beach and Lagoon," which outlines multiple additional studies necessary to seek permits for a long-term solution to managing Carmel River; and

WHEREAS, in 2010, Monterey County Water Resources Agency filed an application with US Army Corp of Engineers for a permit to manage the Carmel Lagoon sandbar; and

WHEREAS, a Biological Opinion from National Marine Fisheries Service was expected around May 2011 to help better define a solution; and

WHEREAS, in September 2011, the County Resource Management Agency (RMA) assumed a lead role for the Carmel Lagoon management; and

WHEREAS, in September 2011, the County, US Army Corp of Engineers, National Marine Fisheries Service began drafting a Memorandum of Understanding (MOU) for management of the Carmel River Lagoon; and

WHEREAS, the MOU identifies two long-term solutions as alternatives to performing sandbar management: the Ecosystem Protective Barrier (EPB) and the Scenic Road Protection Structure (SRPS), and establishes a target schedule to complete the projects by 2018; and

WHEREAS, County has submitted permit applications to the regulatory agencies and needs to identify preferred alternatives for purposes of completing the application and preparing the environmental analysis in support of those applications; and

WHEREAS, the Board of Supervisors finds, pursuant to CEQA Guidelines section 15004(b), that County's action is not a decision to approve or carry out a project within the meaning of the California Environmental Quality Act; County's action pertains only to identifying a preferred conceptual project for purposes of evaluation and environmental assessment and is not a decision to authorize such use; and furthermore, the County is not a permitting authority in this matter. County is preparing the environmental assessment in connection with submission of permit applications to regulatory agencies with permitting authority.

DECISION

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

- a. Selecting Ecosystem Protective Barrier (EPB)-Alternative 2A with a top of wall elevation at 17.5 feet as the preferred alternative for purposes of evaluation and environmental assessment;
- b. Selecting Scenic Road Protection Structure (SRPS)-Alternative 1 as the preferred alternative for purposes of evaluation and environmental assessment; and
- c. Directing staff to prepare necessary environmental assessments of the preferred alternatives for pending applications for permits from regulatory agencies with permit authority.

PASSED AND ADOPTED on this 25th day of June, 2013 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 _____.

Dated:

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

By _____
Deputy