



Legislation Details (With Board Report)

**File #:** RES 14-096      **Name:** Mussel Grant Application  
**Type:** BoS Resolution      **Status:** Passed  
**File created:** 9/26/2014      **In control:** Board of Supervisors  
**On agenda:** 10/14/2014      **Final action:** 10/14/2014

**Title:** Adopt Resolution authorizing the Director of the Parks Department, or designee, to apply for Mussel Fee Grant Funds from the California Department of Boating and Waterways and to negotiate and execute a grant agreement with the Department to receive and expend said funds to implement the mussel prevention program at Lakes Nacimiento and San Antonio.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. EXHIBIT A - Resolution, 3. Completed Board Order & Resolution

Date	Ver.	Action By	Action	Result
10/14/2014	1	Board of Supervisors	adopted	Pass

Adopt Resolution authorizing the Director of the Parks Department, or designee, to apply for Mussel Fee Grant Funds from the California Department of Boating and Waterways and to negotiate and execute a grant agreement with the Department to receive and expend said funds to implement the mussel prevention program at Lakes Nacimiento and San Antonio.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors adopt a resolution authorizing the Director of the Parks Department, or designee, to apply for Mussel Fee Grant Funds from the California Department of Boating and Waterways and to negotiate and execute a grant agreement with the Department to receive and expend said funds to implement the mussel prevention program at Lakes Nacimiento and San Antonio.

**SUMMARY:**

On or about September 23, 2012, the Governor of the State of California signed into law key quagga and zebra mussel legislation amending both the Vehicle Code and the Harbors and Navigation Code (the "Amendments") as follows: (1) the Harbors and Navigation Code (Sections 675 - 677) now authorizes the Department of Boating and Waterways ("Department") to establish quagga and zebra mussel infestation prevention fees; and (2) the Vehicle Code (Sections 9853, 9860, and 9863) now authorizes the Department of Motor Vehicles ("DMV") to collect the quagga and zebra mussel infestation prevention fees upon vessel registration or upon issuance of a certificate of number in the amount established by the Department.

Pursuant to these Amendments, all funds derived from the imposition of the quagga and zebra mussel prevention fee under Section 9853 or Section 9860 of the Vehicle Code, must be distributed as specified in Section 676 of the Harbors and Navigation Code, which also allows for such funds to be made available for grants to entities subject to subdivision (a) of Section 2302 of the Fish and Game Code for the reasonable regulatory costs incident to the implementation of a dreissenid mussel infestation prevention plan implemented either before or after January 1, 2013, that is consistent with the requirements of Section 2302 of the Fish and Game Code (the "Mussel Fee Grant Funds").

DISCUSSION:

Quagga and zebra mussels (dreissenids) are invasive aquatic nuisance species that pose serious economic, environmental, recreation, and agricultural risks to Monterey County's waterways. Quagga mussels were discovered in Southern California in January 2007, and zebra mussels were discovered in San Justo Reservoir in San Benito County in January 2008. The mussels can be transported from an infested body of water to an uninfested body of water by watercraft and/or equipment.

In 2009, the Monterey County Water Resources Agency (Agency) and the Monterey County Parks Department (Parks), with assistance from the Monterey County Agriculture Commissioner's office, and in coordination with San Luis Obispo County began implementing a Vessel Inspection Program to prevent the spread of invasive quagga and zebra mussels into Lakes Nacimiento and San Antonio. In March 2010, the Agency and Parks signed a Memorandum of Understanding to participate in the Bay Area Regional Consortium to implement coordinated efforts to prevent introduction of invasive quagga and zebra mussels in the region.

The Parks Department meets the current criteria identified to be eligible for Mussel Fee Grant Funds from the Department. A condition of the grant application is that the applicant attaches to the application an official copy of a Resolution or Order from the governing board or executive officer of the local entity authorizing the application for a grant:

*“(1) In the case of a local government agency within a county, an official copy of the Resolution or Order shall accompany the application for a grant from that local government entity, as well as an official copy of the Resolution or Order from its county board of supervisors, authorizing the local government agency to participate in the program.*

*“(2) The Resolution or Order shall authorize the designated representative(s) to sign the application, contract, and any claims for payment or reimbursement.”*

OTHER AGENCY INVOLVEMENT:

The Monterey County Parks Department, Agriculture Commissioner's Office, County Administrative Office, and Water Resources Agency have provided relevant information in the development of this report. The Department of Boating and Waterways allows for more than one submission for related projects for this grant. The Monterey County Water Resources Agency will submit a separate grant application for \$200,000 for related mussel prevention facilities/activities.

FINANCING:

The development of a grant application is anticipated to incur staff costs only. The County Administrative Office - Intergovernmental and Legislative Affairs Division retains consultants expert in grant development who are assisting in this application. The deadline for submission of this grant application is October 20, 2104. The Division of Boating and Waterways' current schedule calls for final grant award agreements to be in place June 1, 2015 with a grant end date of June 1, 2017. There are no matching funds required for this grant and the maximum grant award allowable is \$200,000.

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Approved by:

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Assistant County Administrative Officer/ Interim Parks Director

Attachments: EXHIBIT A - Resolution