



## Legislation Details (With Board Report)

<b>File #:</b>	RES 20-138	<b>Name:</b>	Adopt a resolution to authorize and direct the Auditor-Controller to: 1) Amend the Fiscal Year 2020-21 Adopted Budget for Capital Projects, Fund 404, Appropriation Unit RMA015, increasing appropriations by \$546,399, financed by an Operating Transfers In
<b>Type:</b>	BoS Resolution	<b>Status:</b>	Passed - RMA Administration
<b>File created:</b>	8/17/2020	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	9/1/2020	<b>Final action:</b>	9/1/2020
<b>Title:</b>	Adopt a resolution to authorize and direct the Auditor-Controller to: 1) Amend the Fiscal Year 2020-21 Adopted Budget for Capital Projects, Fund 404, Appropriation Unit RMA015, increasing appropriations by \$546,399, financed by an Operating Transfers In of \$100,000 from County Service Area 1-Carmel Point, Fund 051, Appropriation Unit RMA047, and \$446,399 from Capital Projects, Fund 404, Unassigned Fund Balance 3101, for additional technical studies for the Carmel Lagoon Ecosystem Protective Barrier (EPB) and Scenic Road Protection Structure (SRPS) Project, and 2) Transfer \$100,000 from County Service Area 1-Carmel Point, Fund 051, Appropriation Unit RMA047, to Capital Projects, Fund 404, Appropriation Unit RMA015 (4/5th vote required).		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A-10-07-19 CSA 1 Meeting Recommendation, 3. Attachment B-Amendment No 8 to A-12442, 4. Attachment C-Board Resolution 19-400, 5. Attachment D-Draft Resolution, 6. Item No. 36 Completed Board Order and Resolution

Date	Ver.	Action By	Action	Result
9/1/2020	1	Board of Supervisors		

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**RECOMMENDATION:**

It is recommended that the Board of Supervisors adopt a resolution to authorize and direct the Auditor-Controller to: 1) Amend the Fiscal Year 2020-21 Adopted Budget for Capital Projects, Fund 404, Appropriation Unit RMA015, increasing appropriations by \$546,399, financed by an Operating Transfers In of \$100,000 from County Service Area 1-Carmel Point, Fund 051, Appropriation Unit RMA047, and \$446,399 from Capital Projects, Fund 404, Unassigned Fund Balance 3101, for additional technical studies for the Carmel Lagoon Ecosystem Protective Barrier (EPB) and Scenic Road Protection Structure (SRPS) Project, and 2) Transfer \$100,000 from County Service Area 1-Carmel Point, Fund 051, Appropriation Unit RMA047, to Capital Projects, Fund 404, Appropriation Unit RMA015 (4/5th vote required).

**SUMMARY/DISCUSSION:**

The County performed emergency mechanical breaching of the sandbar from 1973 to 2009 that would evacuate the Lagoon. In 2010, the County entered into a Memorandum of Understanding (MOU) with the regulatory agencies and started obtaining permits to manage the sandbar to reduce water levels in the Lagoon when necessary ahead of its naturally breaching. This MOU obligated the County to pursue a long-term solution, which requires the preparation of an environmental impact report (EIR).

The Resource Management Agency (RMA) assumed the role of Lead Agency on the Carmel Lagoon Ecosystem Protective Barrier (EPB) and Scenic Road Protection Structure (SRPS) Project (Project) REF12005. To date, the County has invested \$786,700 in preparing an EIR. If it takes too long to complete the EIR, the data can become outdated and need to be revised. Additionally, the County expends between \$200,000 and \$250,000 annually to perform sandbar management, excluding administrative costs.

A Draft Environmental Impact Report (DEIR) for the Project was circulated in early 2017, based on a project description established in 2013. The Project is a multiyear effort to improve habitat for threatened and endangered species in the lower Carmel River area, improve natural floodplain function, and protect public infrastructure while maintaining or improving flood-risk protection to existing developed areas. Historically, the sandbar at Carmel River State Beach was managed to allow the Carmel Lagoon (Lagoon) to breach to afford flood protection to the homes and public lands adjacent to and surrounding it.

Significant comments were received on the DEIR in 2017. Since that time, additional alternatives have been identified based on what the County, regulatory agencies, and stakeholders have learned through active management. Additional technical studies are needed to address comments from regulatory and stakeholder agencies, the public, and Carmel Lagoon and Carmel Point residents. The additional technical studies will include evaluation of the natural stream alignment and breach location, analysis of the impact of coastal armoring on the beach, a sediment transport study, and a 30% preliminary design alternative for the SRPS. Upon completion of the technical studies, the DEIR will be recirculated for public review.

On October 7, 2019, the County Service Area 1-Carmel Point (CSA 1) Advisory Committee supported allocating \$100,000 to the Carmel Lagoon Project Scenic Road Protective Structure (SRPS) technical studies and associated updates to the DEIR for recirculation [Attachment A-10/07/2019 CSA 1 Meeting Recommendation]. The FY 2020-21 Adopted Budget for CSA 1, Fund 051, Appropriation Unit RMA047, includes \$100,000 for the Project.

In March 2020, Amendment No. 8 to Agreement No. A-12442 with Denise Duffy & Associates (DDA) [Attachment B] was approved to complete the technical studies, respond to comments, recirculate the DEIR, and finalize the EIR for the Project. In May 2020, DDA entered subconsultant agreements for completion of the technical studies in the next six months, including 30% design of SRPS. A Technical Advisory Committee (TAC) is being established to provide peer review of these studies.

RMA requests the Board of Supervisors authorize and direct the Auditor-Controller to amend the FY 2020-21 Adopted Budget for Capital Projects, Fund 404, Appropriation Unit RMA015, to increase appropriations by \$546,399 (\$446,399 carryover from FY 2019-20 and \$100,000 from CSA 1) and transfer \$100,000 from CSA 1 Budget to Fund 404. Most of the funds will be used to complete technical studies and recirculate the DEIR.

#### OTHER AGENCY INVOLVEMENT:

This recommendation was presented to the Budget Committee at their meeting on August 29, 2020.

#### FINANCING:

Since 2010, the County has invested \$786,700 in preparing an EIR. On November 19, 2019, the Board

approved transferring \$454,000 from Capital Projects, Fund 402, Unassigned Fund Balance, to Capital Projects, Fund 404, for the Carmel River Lagoon SRPS/EPB Project [Attachment C-Board Resolution 19-400]. In Fiscal Year (FY) 2019-20, \$7,601 was utilized, leaving a balance of \$446,399.

Staff anticipates a shortfall of \$256,892 for FY 2021-22 and will work to identify grant funds for the remaining environmental work. If no grant funding is secured, staff will submit an augmentation request as part of the FY 2021-22 budget process.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

The Project supports the Board of Supervisors' Infrastructure and Public Safety Strategic Initiatives by facilitating the planning and development of sustainable infrastructure that will balance environmental protection with maintaining flood protection for lagoon-area properties and public infrastructure. The technical studies and ongoing environmental review continue to advance the Project toward implementation.

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

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Reviewed by: Melanie Beretti, Property Administration/Special Programs Manager  
Approved by: Shawne E. Ellerbee, Assistant Director of Resource Management Agency  
Approved by: Carl P. Holm, AICP, RMA Director

**Attachments:**

Attachment A-10/07/2019 CSA 1 Meeting Recommendation Supporting \$100,000 Expenditure  
Attachment B-Amendment No. 8 to Agreement No. A-12442  
Attachment C-Board Resolution 19-400  
Attachment D-Draft Resolution  
(Attachments are on file with the Clerk of the Board)