



Legislation Details (With Board Report)

File #: 13-0574 **Name:** Carmel River Lagoon MOU
Type: BoS Resolution **Status:** Passed
File created: 5/28/2013 **In control:** Board of Supervisors
On agenda: 6/11/2013 **Final action:** 6/11/2013

Title: Adopt Resolution to:
a. Approve a Memorandum of Understanding (MOU) by and between Monterey County, the US Army Corp of Engineers and the National Marine Fisheries Service for “Flood Prevention and Habitat Protection at the Carmel Lagoon”; and
b. Authorize the Chair of the Board of Supervisors to sign the Memorandum of Understanding (MOU).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Discussion, 2. Exhibit B - Resolution, 3. Exhibit 1 to Resolution (draft MOU), 4. Completed Board Order and Resolution

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|---------|--------|
| 6/11/2013 | 1 | Board of Supervisors | adopted | Pass |

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b. Authorize the Chair of the Board of Supervisors to sign the Memorandum of Understanding (MOU).

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a Resolution approving an MOU with USACE and NMFS for flood prevention and habitat protection at the Carmel Lagoon (**Exhibit B**).

SUMMARY/DISCUSSION:

For decades, MCWRA, State Parks, RMA-Public Works actively managed the Carmel River/Lagoon to protect homes and infrastructure from flooding impacts. Activity to manage the lagoon requires permits from US Army Corps of Engineers (USACE), California Fish and Wildlife (CF&W), California Coastal Commission (CCC), and Regional Water Quality Control Board (RWQCB). Until October 2011, actions to manage the sandbar barrier were done as a declared emergency without permits.

Beginning 2011, County RMA assumed a lead role to obtain necessary permits and work with agencies on a long-term solution to mechanically managing the sandbar barrier at the Carmel River/Lagoon. Staff has developed a Memorandum of Understanding (MOU) with USACE and National Marine Fisheries Service (NMFS) that identifies two long-term solutions (Ecosystem Protective Barrier and Scenic Road Protection) as alternatives to performing sandbar management. In consultation with these agencies, conceptual plans and draft technical studies are near completion that would help address flood prevention and habitat protection at the Carmel Lagoon. Within a few weeks, staff intends to present alternatives to the BOS in order to establish a preferred option that will be used for (non-emergency) permit applications and environmental assessment. For

further background, please see **Exhibit A**.

OTHER AGENCY INVOLVEMENT:

An MOU was drafted by staff from the signatory agencies, plus US Fish and Wildlife, and reviewed by County Counsel. RMA has assumed a lead role to coordinate with the regulatory agencies (USACE, CF&W, CCC, and RWQCB) regulatory consulting agencies (NMFS, US Fish & Wildlife), land owner (State Parks) and local agencies (MPWMD, MCWRA) to preview alternative plans and explain the rationale behind them. The project area includes Community Service Area (CSA) 1 and CSA-50, so staff presented the proposed projects to these citizen advisory groups relative to their areas.

FINANCING:

Required staff efforts for administrative activities related to developing a MOU for Carmel Lagoon matters are part of the work program included in the approved budget for the RMA Admin Unit 8222, RMA013. Estimated costs associated with a long-term solution identified in the MOU will be included with the future Board report to consider a preferred option. Annual costs to manage (physically) the Lagoon and protect homes from flooding range from \$200,000 to \$500,000 per year. The feasibility study has been funded by two grants: \$145,000 from the Carmel River Watershed Conservancy (through the Wildlife Conservation Board) to Water Resources Agency (MCWRA); and \$54,000 from Monterey Peninsula Water Management District (as part of a larger Integrated Regional Watershed Management Planning (IRWMP) grant they received through the Department of Water Resources) to the Resource Management Agency (RMA).

Prepared by: Carl P. Holm, AICP, Resource Management Agency Deputy Director

Approved by: Benny J. Young, Resource Management Agency Director

Attachments:

Exhibit A Discussion

Exhibit B Resolution

1. draft MOU

cc: Front Counter Copy; County Counsel; Nick Chiulos; RMA-Planning; RMA-Public Works; MCWRA; County Parks; USACE (P. Gill), NMFS (J. Pearson-Meyer); State Parks (S. Bachman)