



Board Report

File #: 19-0784, **Version:** 1

- a. Receive a status update on Carmel Lagoon Sandbar Management;
- b. Receive a status update on the Carmel Lagoon Ecosystem Protective Barrier, Scenic Road Protective Structure, and Interim Sandbar Management Plan Project (Project #: REF120051);
- c. Provide direction to staff, as appropriate.

RECOMMENDATION:

It is recommended that the Capital Improvement Committee:

- a. Receive a status update on Carmel Lagoon Sandbar Management;
- b. Receive a status update on the Carmel Lagoon Ecosystem Protective Barrier, Scenic Road Protective Structure, and Interim Sandbar Management Plan Project; and
- c. Provide direction to staff, as appropriate.

SUMMARY/DISCUSSION:

Since 2011, the Capital Improvement Committee (CIC) has received periodic reports on two projects in the Carmel Lagoon: 1) Carmel Lagoon Sandbar Management and 2) the Ecosystem Protection Barrier/Scenic Road Protective Structure Project (hereafter referred to as “Carmel Lagoon Project” or “Project”).

On March 11, 2019, the CIC expressed support for RMA staff to: Continue sandbar-management activities, Evaluate the Carmel Lagoon Project budget for funding options, and Submit a Fiscal Year (FY) 2019/20 budget augmentation request. Over the past six months, RMA staff has worked to advance the Carmel Lagoon Project. In addition, further sandbar-management activities have been required (i.e., closure action).

Carmel River Lagoon SRPS/EPB Project Update

A Draft Environmental Impact Report (DEIR) for the Project was prepared and released for public comment in FY 2016/17. The Project description is for an Ecosystem Protective Barrier (EPB) located 50 feet into the Lagoon and a Scenic Road Protective Structure (SRPS) located at the toe of the slope. The Board accepted this description predicated on a staff recommendation based on preliminary information. Several alternatives have now been evaluated through the initial feasibility study and in consultation with regulatory agencies.

As technical information developed and RMA staff gained experience managing the Lagoon under varying yearly conditions, alternative concepts have been discussed with regulatory agencies and landowners, who indicated they may be amenable to a mid-slope SRPS and on-going adaptive sandbar management with monitoring to inform management. This approach could provide information to determine if an EPB is needed. Staff has received interest from property owners regarding another potential EPB alternative that could include: a) an EPB along property lines abutting the Lagoon; b) leaving openings at the end of the roadways; and c) the installation of temporary sandbag barriers at the end of roadways leading into the Lagoon during the rainy season with a drain that can be quickly plugged upon imminent threat of flooding (current practice).

To date, the County, at its sole expense, has spent approximately \$780,000 on technical studies and preparing the DEIR. This total does not include the costs for annual sandbar-management activities. The volume and nature of public comments have brought to light technical, legal, and policy challenges that may influence how the County proceeds with the Project. Additional technical studies identified are pending availability of

funding. The DEIR and studies completed to date risk becoming outdated, where completed portions of the DEIR/studies would need to be significantly updated before public circulation, should too much time elapse before the Final EIR (FEIR) is certified and a Project approved.

RMA's recent activities to advance the Carmel Lagoon Project include:

- Submittal of a budget augmentation request for \$454,000 for FY 2019/20 to fund additional technical studies, formation of a technical advisory committee, stakeholder engagement, and further response to comments and refinement of the DEIR. This augmentation request was not approved.
- Attendance at the August 5, 2019 County Service Area 1-Carmel Point (CSA 1) Advisory Committee meeting to request input on potential use of CSA 1 funds for preconstruction costs. The CSA 1 Advisory Committee expressed willingness to support an allocation of \$100,000 toward technical studies for the SPRS mid-slope alternative.
- Preparation to return to the CSA 1 Advisory Committee to request formal support of \$100,000 in appropriations from CSA 1 budgeted funds for Carmel Lagoon Project Technical Studies for the SRPS mid-slope alternative. Staff will also use the meeting as an opportunity to solicit feedback from the Carmel Point community.
- Preparation of a comprehensive report of major capital needs with the CAO/Budget Office which includes the Carmel Lagoon Project. This report will be presented to CIC, Budget Committee, and the Board of Supervisors before year end.
- Continued communications with regulatory agencies; Coordination with State Parks on the SRPS; Active exploration for outside funding sources for the Project.

Attachment A-Detailed Discussion provides additional information on the status of the Project and sandbar-management activities.

Sandbar Management Update

On January 4, 2019, the County initiated management of the Carmel Lagoon sandbar to protect against imminent flooding of properties and facilities in and around the Lagoon. In July 2019, County crews mobilized to re-close the lagoon in compliance with the regulatory permits. RMA crews stockpiled sand, constructed a sandbar "plug," and fortified the plug to prevent lagoon waters from draining to protect sensitive habitat. Attachment B provides Post-Activity Reports submitted to the regulatory agencies. Currently, staff is securing permits for sandbar-management activities for the upcoming rainy season, which begins on October 15, 2019.

Total cost of sandbar management for the 2018-2019 management season was \$115,614. Costs associated with the 2018-19 sandbar management season during FY 2018-19 totaled \$77,274 (Public Works staff time, equipment rental and operations, and vendor services for biological consulting). These costs were not budgeted and were reimbursed for FY 2018-19, as they are not an eligible expense under the Road Fund. Costs associated with the 2018-19 sandbar management season expended in FY 2019-20 for re-closure of the lagoon total \$38,340, and need to be reimbursed.

OTHER AGENCY INVOLVEMENT:

The County entered into an MOU with the USACE in consultation with NOAA Fisheries (aka NMFS). RMA is working with the following regulatory agencies: Regional Water Quality Control Board (RWQCB), California Coastal Commission (CCC), and California Department of Fish and Wildlife (CDFW). The California Department of Parks and Recreation (State Parks) is the underlying landowner of the sandbar/beach areas and provides biological monitoring of protected bird species (western snowy plover) for the Project. The Monterey Peninsula Water Management District (MPWMD) provides lagoon and river condition monitoring.

Under a separate contract with the County, MPWMD provides biological monitoring of protected fish species (steelhead) for sandbar-management activities. Key stakeholders engaged include: State Parks, CAWD, CSA 1 -Carmel Point Advisory Committee, and property owners/residents in the vicinity of the Lagoon.

FINANCING:

There is no financial impact related to receiving the two status reports. Attachment C provides a summary of expenditures for the sandbar-management activities and SRPS/EPB and preliminary cost estimates for proposed Project alternatives.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Carmel Lagoon Project and sandbar-management activities provide flood protection to public infrastructure, private residences, businesses, and riparian habitat. Project benefits support the Board of Supervisors' Strategic Initiatives for Infrastructure and Public Safety.

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

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Attachments:

Attachment A-Detailed Discussion

Attachment B-FY 2018/19 Post-Activity Reports

Attachment C-Project Financing