

# Exhibit E

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**MEMORANDUM**

**To:** Jade Mason (Project Planner)  
Monterey County

**From:** Samantha Terrell, PE  
Teresa Valentine, PE; CA PE #83580  
Valentine Environmental Engineers, LLC

**RE:** PLN250272 BIRP Backwash – Stream Setback

**Date:** April 2, 2026

This memorandum is in response to the application checklist, which states the following.

<b>X</b>	<p><b>Stream Setback Plan / Floodplain Report</b> – a stream setback plan, with cross-sections, prepared by a licensed land surveyor or civil engineer, showing that the proposed development is <b>setback at least 200 feet</b> from the watercourse "top of the bank", as defined in Monterey County Code Chapter 16.16. If the setback requirement cannot be met, the applicant shall submit a report, with supporting data and calculations, prepared by a licensed geologist or civil engineer, certifying that the development is compliant with Monterey County Code Chapter 16.16. If the project is within the Carmel Valley River floodplain, it shall also include information necessary to demonstrate consistency with the regulations for land use in the Carmel Valley Flood Plain, Monterey County Code section 21.64.130. The report shall information necessary to demonstrate:</p> <ul style="list-style-type: none"> <li>•The proposed development will not significantly reduce the capacity of existing rivers or watercourses or otherwise adversely affect any other properties by increasing stream velocities or depths, or diverting the flow;</li> <li>•The proposed new development will be safe from flow related erosion and will not cause flow related erosion hazards or otherwise aggravate flow related erosion hazards; and</li> <li>•If the channel is proposed to be altered, that the flood carrying capacity of the altered or relocated portion of the river or watercourse is maintained</li> </ul> <p><b>Required:</b> within the riparian corridor, within two 200 feet of the river bank, or within a floodplain.</p>
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The “Rivers and Waterbodies” County GIS layer was reviewed, which is assumed to represent approximate top of bank Carmel River limits. As shown within the attached figure, the proposed project is located between 370 and 500 feet from the top of the river bank of the Carmel River, but is located within the 100-year floodplain of the Carmel River. The proposed development consists of the installation of above ground water storage tanks and associated water infrastructure, consistent with existing operations of the proposed project site. The proposed development will not reduce the capacity of existing rivers or watercourses or otherwise adversely affect any other

properties by increasing stream velocities or depths, or diverting flow. Additionally, the proposed development will be safe from flow related erosion and will not cause flow related erosion hazards or otherwise aggravate flow related erosion hazards. The proposed project has been designed so that all structures and utilities shall be located and constructed so as to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into the flood waters.

The proposed project has also been designed to meet the standards of Monterey County Code Title 16 Section 16.16.050.C. More specifically, the design of the proposed infrastructure (including tanks as well as the sludge fluidization and transfer (SFAT) vault) on site is floodproofed so that the structures are watertight with walls substantially impermeable to the passage of water to a minimum of one (1) foot above the base flood elevation. Additionally, the project design includes structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.



Distances from Carmel River  
a > 370 feet  
b > 500 feet

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