



# County of Monterey

## Item No.8

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: WRAG 23-071

May 15, 2023

**Introduced:** 5/5/2023

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** WR General Agenda

Consider receiving an update on the Salinas River Lagoon and Sandbar Management Low Effect Habitat Conservation Plan.

#### RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Board of Directors:

Receive an update on the Salinas River Lagoon and Sandbar Management Low Effect Habitat Conservation Plan.

#### SUMMARY/DISCUSSION:

Like many central California coastal river systems, the Salinas River is not hydrologically connected to the ocean for much of the year. A naturally occurring sandbar forms at the river mouth during periods of low streamflow creating the Salinas River Lagoon (Lagoon). Over the course of the year the sandbar can build up to an elevation that is significantly higher than typical dry season Lagoon stage. When winter storms once again create natural streamflow in the Salinas River, stream discharge becomes trapped behind the sandbar in the Lagoon. Because of the height of the sandbar, the Lagoon has the potential to flood low lying farmland and homes before overtopping the sandbar and flowing to the ocean.

The Agency performs sandbar management on an emergency basis to prevent flooding around the Lagoon. Sandbar management is required in most years including the winter of 2022-23. Sandbar management has the potential to result in take of federally listed species in and around the Lagoon and the Agency does not have a permit to cover incidental take of any listed species.

In 1997 the Agency developed the Salinas River Lagoon Management and Enhancement Plan. In 2018 the Agency developed the Salinas River Lagoon Sandbar Management Plan Project Description (a project description for an updated sandbar management plan that has yet to be developed) and the Salinas River Sandbar Management Monitoring and Reporting Plan to address concerns related to sandbar management activities conducted for flood prevention. The plans define criteria for managing the sandbar elevation for flood prevention and define actions to minimize the impact to sensitive species in and around the Lagoon. The existing plans provide guidance for sandbar management activities but do not constitute a current sandbar management plan or the necessary permits to protect the Agency from incidental take under the Endangered Species Act (ESA).

The proposed Salinas River Habitat Conservation Plan (HCP) will address these issues and serve as the basis for the Agency to apply for an incidental take permit (ITP) from the U.S. Fish and Wildlife Service (USFWS) under the ESA. Because of the multi-year timeline for

development of the HCP, the USFWS strongly encouraged the Agency to pursue a short-term solution to obtain an ITP for sandbar management activities while the HCP is being developed.

To meet the short-term need for an ITP, Agency staff have been working with the USFWS over the past year on the development of a Low Effect HCP (LEHCP) to cover flood prevention sandbar management activities until the full HCP can be completed. Because of significant overlap between the LEHCP and the full HCP as well as reduced regulatory requirements for LEHCPs, the LEHCP was completed on a much shorter timeline and at a much lower cost than development of a full HCP.

A public draft LEHCP was submitted to the USFWS in March 2023 for review. Following their internal review process, the LEHCP will be published in the Federal Register for a 30 day public comment period. Agency staff would like to receive all public and internal comments on the LEHCP during that period. As of May 3, 2023 the LEHCP has not yet been published in the Federal Register, but publication is estimated to occur this month.

Development of the LEHCP for sandbar management supports Strategic Plan Goal D by pursuing a necessary permit for the core function of flood prevention through Salinas River Lagoon sandbar management; Goal B by performing analysis in conjunction with the Salinas River Habitat Conservation Plan; and Goal C by leveraging grant funding to support these actions.

OTHER AGENCY INVOLVEMENT:

Agency staff has worked closely with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service during the development of the LEHCP.

An update on sandbar management activities and the LEHCP was presented to the Planning Committee and the Board of Directors in February 2022. The Planning Committee receives regular updates regarding the development of the LEHCP and the Salinas River HCP. This update was not provided to the Planning Committee because the April and May meetings were canceled.

FINANCING:

Much of the analysis done for the grant funded Salinas River HCP development was used to create the LEHCP. LEHCP specific development tasks that were funded by the Agency include approximately \$37,000 in consultant work and approximately \$23,000 in Agency staff time. Once completed, the LEHCP will incorporate monitoring actions and mitigation measures designed to offset the impact of sandbar management on the covered species. Funds have been identified in the Agency budget for FY 2022-23 and 2023-24 to complete the LEHCP, apply for an ITP, and begin mitigation and monitoring activities. Total LEHCP implementation for the five year permit term is estimated to cost approximately \$317,000. The estimate includes mitigation actions, monitoring, reporting, and plan administration by Agency staff. Funding assurances for the permit term will be required before the ITP can be issued.

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Attachment:

1. Board Order