



RESOLUTION 2018-03

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
CERTIFYING FINDINGS OF ENVIRONMENTAL REVIEW
ADOPTING AN ADDENDUM TO THE
CARMEL RIVER MANAGEMENT PROGRAM
ENVIRONMENTAL IMPACT REPORT AND APPROVING THE
CARMEL RIVER BANK STABILIZATION PROJECT
AT RANCHO SAN CARLOS ROAD**

WHEREAS, the Monterey Peninsula Water Management District (MPWMD) is committed to mitigating the environmental impact of diversions from the Carmel River Basin; and

WHEREAS, the MPWMD certified a Programmatic Environmental Impact Report (PEIR) for the Carmel River Management Plan on October 29, 1984; and

WHEREAS, the MPWMD certified an Addendum on August 18, 1997 (Addendum) to add mitigation measures for potential effects to California red-legged frogs; and

WHEREAS, the above actions constitute the California Environmental Quality Act (CEQA) record for considering approval of projects in the channel of the Carmel River; and

WHEREAS, high flows between 2011 and 2017 destabilized streambanks downstream of the Rancho San Carlos Road Bridge along approximately 400 feet of the Carmel River (RSC Project Site); and

WHEREAS, the MPWMD desires to construct a restoration project (RSC Project) at the Site in conformance with the adopted PEIR and subsequent Addendum; and

WHEREAS, the MPWMD has become aware that Project activities could affect Santa Barbara sedge (*Carex barbarae*) on Assessor Parcel Numbers 157-121-027 and 157-121-028, which has been cultivated at the RSC Project Site by Rumsen Ohlone Native Americans for use in the traditional art of basket weaving; and

WHEREAS, the MPWMD has become aware that the Ohlone/Costanoan/Esselen Nation (OCEN) is a designated Most Likely Descendent group identified by the Native American Heritage Commission of the State of California, and

WHEREAS, the MPWMD has entered into an agreement with a qualified cultural resources consultant to perform a cultural resources study at the Project Site and to provide assistance with compliance with Section 106 of the National Historic Preservation Act, Monterey County General Plan Goal OS-8, and other applicable regulations to protect Native American cultural resources, which agreement is incorporated by reference into the Addendum; and

WHEREAS, the MPWMD staff and its cultural resources consultant met at the Project Site in January 2018 with a Rumsen Ohlone Native American and property owner representatives of Assessor Parcel Numbers 157-121-027 and 157-121-028; and

WHEREAS, the MPWMD staff met with a member of the OCEN to discuss the project site and its importance to Native American traditions; and

WHEREAS, the MPWMD will continue to identify and cooperate with Native American stakeholders and the property owner representatives to design and construct the Project so as to avoid damage to existing Santa Barbara sedge on the Project Site and to salvage portions of the Santa Barbara sedge that may wash away during future high river flows; and

WHEREAS, the MPWMD has completed a preliminary design for the Project, which design is incorporated by reference into the Addendum; and

WHEREAS, the proposed Project techniques and potential impacts are within the scope of the PEIR and no substantial change to the PEIR is required to approve the RSC Project. The locations and technique of using boulders, logs, and revegetation for bank stabilization are similar to those analyzed in the Environmental Impact Report (EIR); and WHEREAS, under CEQA Section 15162, the MPWMD has determined that none of the conditions exist that would require a subsequent EIR or Negative Declaration for the RSC Project Site; and

WHEREAS, under CEQA Section 15164, Addendum to an EIR or Negative Declaration, the MPWMD has determined a technical change is necessary such that an Addendum to the PEIR for the RSC Project is appropriate.

NOW THEREFORE, BE IT RESOLVED:

We, the Board of Directors of the Monterey Peninsula Water Management District, certify the Findings of Environmental Review as a true and accurate statement and adopt an Addendum for the RSC Project based on the facts stated above;

Approve the Project, direct staff file a Notice of Determination for the Project.

On a motion by Director Evans and second by Director Lewis, the foregoing resolution is duly adopted this 22nd day of February 2018 by the following votes.

Ayes: Directors Evans, Lewis, Adams, Brower, Byrne, Clarke and Rubio

Nays: None

Absent: None

MPWMD Resolution No. 2018-03 – Certifying Findings of Environmental Review Adopting an Addendum to the Carmel River Management Program EIR and Approving the Carmel River Bank Stabilization Project at Rancho San Carlos Road – Page 3 of 3

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 22nd day of February 2018.

Witness my hand and seal of the Board of Directors this 29th day of February 2018.



David J. Stoldt,
Secretary to the Board of Directors

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