

Attachment E

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GAVIN NEWSOM, Governor
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
Mailing Address: P.O. Box 944209
Sacramento, California 94244-2090
www.wcb.ca.gov
(916) 445-8448

Date: 10/3/2023

Craig Spencer
Acting Director
Housing and Community Development
County of Monterey
SpencerC@co.monterey.ca.us

CARMEL RIVER FLOODPLAIN RESTORATION AND ENHANCEMENT,
AUGMENTATION
MONTEREY COUNTY
AMENDMENT NO. 1 TO GRANT AGREEMENT WC-1947CA
PROJECT ID: 2017070 AND 2023047

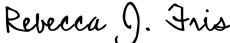
Dear Craig Spencer:

Enclosed for your records is a fully executed Amendment No. 1 to Grant Agreement WC-1947CA. Please keep a copy of the fully executed amendment for your records and forward a copy to each landowner.

Please note that all materials must be ordered and work completed by December 30, 2026 to be eligible for reimbursement. The final invoice for billables completed within the grant term can be submitted up to 30 days past that date.

Thank you for your interest in working with the Wildlife Conservation Board. If you have any questions, please contact Cara Allen at cara.allen@wildlife.ca.gov or (916) 926-9584.

Sincerely,

DocuSigned by:

1EAD9B041E6D476
Rebecca J. Fris
Acting Executive Director

Enclosure(s)

ec: Celina Tran, Accounting Officer Specialist
CDFW, Accounting Services Branch/Claims Unit

Julie Vance, Regional Manager
CDFW, Central Region (4)

**AMENDMENT NO. 1 TO GRANT AGREEMENT WC-1947CA
BETWEEN THE
STATE OF CALIFORNIA/WILDLIFE CONSERVATION BOARD
AND
COUNTY OF MONTEREY
FOR THE
CARMEL RIVER FLOODPLAIN RESTORATION AND ENHANCEMENT,
AUGMENTATION AND TIME EXTENSION,
MONTEREYCOUNTY
Project ID: 2017070 and 2023047**

THIS AMENDMENT TO AGREEMENT is made and entered into this 24th day of August 2023, by and between the State of California, acting by and through the WILDLIFE CONSERVATION BOARD, hereinafter called GRANTOR and COUNTY OF MONTEREY, hereinafter called GRANTEE.

WHEREAS, the parties hereto entered into Grant Agreement WC-1947CA, dated April 3, 2020, and expiring November 30, 2024, to implement the CARMEL RIVER FLOODPLAIN RESTORATION AND ENHNACEMENT project on the Carmel River in Monterey County, and

WHEREAS, due to partner funding delays, work cannot be completed by November 30, 2024, and

WHEREAS, due to circumstances beyond the Grantee's control, work cannot be completed under the budget allocation of \$2,500,000.00 that was approved by the Grantor on February 26, 2020, and an additional \$4,736,000.00 is needed to complete the project as proposed, and

WHEREAS, the Grantor finds an augmentation of \$4,736,000.00 and a grant extension to December 31, 2026 are reasonable and appropriate to complete the project.

NOW THEREFORE, it is mutually agreed between the parties hereto that said Grant Agreement is amended to allow the FUNDING AUGMENTATION, as described in the attached Exhibit B-1 REVISED BUDGET, and

The expiration date of November 30, 2024, on said agreement, as shown on Page i, and Page 4, is hereby changed to December 30, 2026.

Except as amended herein, all terms and conditions of said agreement will remain unchanged and in full force and effect.

COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one, and the same instrument.

ELECTRONIC SIGNATURES

The Parties agree to accept electronic signatures (as defined in Section 1633.2 of the California Civil Code), faxed versions of an original signature, or electronically scanned and transmitted versions (e.g., via pdf) of an original signature.

GRANTOR

**State of California
Wildlife Conservation Board**

By: DocuSigned by:
Rebecca J. Fris
1EAD9B041E6D476... Date: 10/3/2023
Rebecca J. Fris, Acting Executive Director

GRANTEE

County of Monterey

By: DocuSigned by:
Craig Spencer
9A435825BB244EC... Date: 9/6/2023
Craig Spencer
Acting Director, Housing and Community Development

LANDOWNERS

Big Sur Land Trust

By: DocuSigned by:
Jeannette Tuitele-Lewis
E08559056F204FA... Date: 9/6/2023
Jeannette Tuitele-Lewis
President/CEO

California Department of Parks and Recreation

By: DocuSigned by:
Brent Marshall
149638D5E8B9487... Date: 9/11/2023
Brent Marshall
Monterey District Superintendent

Monterey Peninsula Regional Park District

By: _____ Date: _____
Lew Bauman
Interim General Manager

I certify that (a) budgeted funds are available for the extended period stated above; and (b) Grant Funds shall not be disbursed unless and until sufficient proceeds become available to Grantor to disburse.

DocuSigned by:

Stephen Bouthillier

9/6/2023

82474E4CA197466...

Fiscal Officer

Date:

Grant Amount: \$4,736,000.00
Fund Source: General Fund, Section SB170, Sec.54
Appropriation Item: Chapter 43, Statutes of 2022
Line Item: 3640-102-0001
Expenditure Code: 1000122102

**AMENDMENT NO. 1 TO GRANT AGREEMENT WC-1947CA
BETWEEN THE
STATE OF CALIFORNIA/WILDLIFE CONSERVATION BOARD
AND
COUNTY OF MONTEREY
FOR THE
CARMEL RIVER FLOODPLAIN RESTORATION AND ENHANCEMENT,
AUGMENTATION AND TIME EXTENSION,
MONTEREYCOUNTY
Project ID: 2017070 and 2023047**

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WHEREAS, due to circumstances beyond the Grantee's control, work cannot be completed under the budget allocation of \$2,500,000.00 that was approved by the Grantor on February 26, 2020, and an additional \$4,736,000.00 is needed to complete the project as proposed, and

WHEREAS, the Grantor finds an augmentation of \$4,736,000.00 and a grant extension to December 31, 2026 are reasonable and appropriate to complete the project.

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The expiration date of November 30, 2024, on said agreement, as shown on Page i, and Page 4, is hereby changed to December 30, 2026.

Except as amended herein, all terms and conditions of said agreement will remain unchanged and in full force and effect.

*** On September 12, 2023, the signatory for the Monterey Peninsula Regional Park District (MPRPD) was changed from Lew Bauman, Interim General Manager, to Rafael Payan, General Manager, per the direction of MPRPD.

COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one, and the same instrument.

ELECTRONIC SIGNATURES

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GRANTOR

**State of California
Wildlife Conservation Board**

By: _____ Date: _____
Rebecca J. Fris, Acting Executive Director

GRANTEE

County of Monterey

By: _____ Date: _____
Craig Spencer
Acting Director, Housing and Community Development

LANDOWNERS


Big Sur Land Trust

By: _____ Date: _____
Jeannette Tuitele-Lewis
President/CEO

California Department of Parks and Recreation

By: _____ Date: _____
Brent Marshall
Monterey District Superintendent

Monterey Peninsula Regional Park District

By:  _____ Date: 9/12/2023
Rafael Payan, PhD
General Manager

I certify that (a) budgeted funds are available for the extended period stated above; and (b) Grant Funds shall not be disbursed unless and until sufficient proceeds become available to Grantor to disburse.

Fiscal Officer

Date:

Grant Amount: \$4,736,000.00
Fund Source: General Fund, Section SB170, Sec.54
Appropriation Item: Chapter 43, Statutes of 2022
Line Item: 3640-102-0001
Expenditure Code: 1000122102

*Carmel River Floodplain Restoration and Enhancement, Monterey County
Grant Agreement Number – WC-1947CA
Project ID 2017070 and 2023047*

EXHIBIT B-1

BUDGET

Project Task	WCB	Non-WCB Funds*	Augmentation	Total Cost
1. Project Management	---	\$47,491	---	\$47,491
2. Floodplain Designs	\$357,443	---	---	\$357,443
3. Floodplain Construction	\$1,655,507	\$5,525,569	\$2,797,726	\$9,978,802
4. Habitat Restoration	\$487,050	\$899,950	\$1,506,927	\$2,893,927
5. Contingency			\$431,347	\$431,347
TOTAL	\$2,500,000	\$6,473,010	\$4,736,000	\$13,709,010

*Monterey County, Department of Water Resources, and State Coastal Conservancy.

**No indirect charges were requested as a part of this project

***The Carmel River Floodplain Restoration and Environmental Enhancement Project (Project) includes two related construction components: floodplain restoration and a new causeway. WCB is partially funding activities associated with the floodplain restoration, and the causeway will be funded in a separate effort. This budget exhibit only includes costs associated with the floodplain restoration efforts.



Monterey County Board of Supervisors

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1st Floor
Salinas, CA 93901
831.755.5066

www.co.monterey.ca.us

Board Order

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Chris Lopez to:

Agreement No.: A-16526

a. Approve and authorize the Housing and Community Development Director or Interim Director or designee to execute Amendment 1 to Grant Agreement WC-1947CA between the County of Monterey and the Wildlife Conservation Board for the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project (REF 140048) floodplain restoration design and implementation to increase the grant agreement amount of \$2,500,000 by \$4,736,000 for a total grant agreement amount of \$7,236,000.

PRIOR CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ACTION:

Approval of contract amendments and grant agreements is not a Project under CEQA. The Environmental Impact Report (EIR) for the CRFREE Project was certified by the Board of Supervisors on January 20, 2020. The CRFREE Project was approved, and the corresponding Mitigation Monitoring and Reporting Program (MMRP) was adopted by the Board of Supervisors on June 15, 2021.

PASSED AND ADOPTED on this 25th day of July 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams
NOES: None
ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting July 25, 2023.

Dated: August 10, 2023
File ID: 23-605
Agenda Item No.: 62

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California



Emmanuel H. Santos, Deputy

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