



# County of Monterey Planning Commission

Item No.1

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

## Agenda Item No. 1

Legistar File Number: PC 24-023

March 27, 2024

Introduced: 3/6/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

### **REFERRAL 22.7 - PAJARO RIVER LEVEE IMPROVEMENTS AND PRIORITY COMMUNITY PLAN UPDATES**

- a. Consider receiving an update from the Pajaro River Flood Management Agency regarding repair and improvements to the Pajaro River Levee;
- b. Consider receiving an update from staff regarding the Pajaro Long-Term Recovery Planning and status update 2010 General Plan implementation related to Pajaro and Chualar Community Plans development.
- c. Provide direction to staff.

**Project Location:** North County Inland Area (Pajaro); Central Salinas Valley Area (Chualar)

**Proposed CEQA action:** Statutory Exemption pursuant to Section 15262 of the CEQA.

#### RECOMMENDATION:

It is recommended that the Planning Commission:

- a. Receive a status update from the Pajaro River Flood Management Agency regarding repair and improvements to the Pajaro River Levee;
- b. Receive a status update from staff regarding the Pajaro Long-Term Recovery Planning and status update 2010 General Plan implementation related to Pajaro and Chualar Community Plans development; and
- c. Provide direction to staff.

#### SUMMARY/DISCUSSION

On March 29, 2023, the Planning Commission accepted Referral No. 22.7 requesting a presentation on Pajaro River Levee improvement plans and a presentation on the proposed approach for community plans envisioned in the 2010 General Plan (Pajaro and Chualar as first priorities). The Planning Commission referral further requests for continual updates on how the Housing and Community Development Department is making progress toward developing those community plans, that are intended to help address infrastructure problems in these communities and receive updates on the Pajaro River Levee improvement projects that are underway. This report provides updates since the previous quarterly report that was provide to the Planning Commission on December 13, 2023 (PC File # 23-095).

#### *Pajaro River Levee Repairs and Improvements*

Staff received the following updated information from the Pajaro Regional Flood Management Agency (PRFMA) regarding Pajaro River Levee repair and improvements. Ongoing efforts continue to secure the essential federal funding required for the construction of the Pajaro River Flood Risk Management Project. Presently, \$149 million in federal funds has been allocated, yet an additional \$200 million of federal funds is imperative to meet the total \$600 million budget for the levee project. Under the Project's Flood Control Subventions Program agreement

with the State of California, \$47 million has now been committed to PRFMA from state budgetary appropriations. These funds will largely support the Right-of-Way Program for the project in Reach 6, known as LERRDs in federal Army Corps vernacular (Lands, Easements, Rights of Way, Relocations, and Disposals). In later phases of the construction, the Subventions Agreement will be amended or redrawn to include additional state funds, totaling approximately \$210 million in funds to match the federal funds allocated to the project.

Furthermore, the plans and specifications for the Reach 6 Project are expected to be finalized by April 2024. This timeline will enable the US Army Corps of Engineers (USACE) to develop a bid package suitable for internal review and external advertisement for construction phase services on Reach 6, beginning later this calendar year. Remaining levee designs on Reach 5 will continue under contract by an Architecture Engineering firm, with the award expected in April 2024. Meanwhile, the design of Reaches 2, 3, and 4 will be under separate contract to USACE, scheduled to be awarded in February 2025. In support of the construction process set to commence later this year, cultural resources surveys are currently being conducted and will continue until Spring. Simultaneously, tree surveys are being completed to support the selective removal of trees from within the construction footprint, scheduled to begin later this summer. Trees earmarked for removal are predominantly non-native species or young willows that will quickly recolonize the Corralitos Creek corridor in Reach 6. Large heritage sycamores, oaks, and cottonwoods have been specially avoided due to their immense habitat value. Tree removal operations will be carried out by PRFMA under an IKC (In-Kind Credit) contract.

Notably, relief from state regulatory administrative burdens has been realized with the enactment of AB 876 into law by Governor Newsom on October 13, 2023. This legislation, enacted upon signature under an urgency clause, grants state regulatory exemptions for the Pajaro River Project, including exemptions to CEQA and state permitting. Importantly, these exemptions encompass the original 1966 formulation of the project, spanning the federal Pajaro River Flood Risk Management Project implemented by PRFMA and USACE, as well as future components like the Pajaro River Bridge to Bay Project, enhancements to the Highway 1 bridge over Pajaro River, and other improvements to the flood risk reduction system on the Pajaro River and Salsipuedes/Corralitos Creeks. PRFMA staff filed a CEQA Exemption (Notice of Exemption, or NOE) for the Project with the State Clearinghouse and both Santa Cruz and Monterey County Recorder's Offices on December 15, 2023, as required by the CEQA and in accordance with AB 876. The Statute of Limitations period on the NOE expired January 19, 2024, and no comments or legal filings were made in either County. In the coming months, PRFMA staff will engage with State and local agencies to exercise the requirements of AB 876.

Additionally, Monterey County Water Resources Agency (MCWRA) continues to serve the Non-Federal Sponsor role with the Army Corps in the repairs of the three levee breach sites on the Monterey County side of the river, known as Sites 1, 2, and 3. Site 1, the original breach location upstream of the town of Pajaro, was completed in October of this year. Site 3, which is located at the downstream terminus of the levee system near the ocean, is now complete as of early February. Site 2, which is located directly beneath Highway 1, is currently under contract but is subject to weather delays as a result of the protracted rainfall this winter. Work at Site 2 is expected to now be completed in April 2024. PRFMA continues to advise and support the process, as PRFMA staff is acutely familiar with Army Corps programs and staff. PRFMA staff will be leading other lower priority PL84-99 repairs over the coming year on both sides of

the river with the Army Corps as part of the operation, maintenance, repair, replacement and rehabilitation (OMRR&R) transition that will shift operations and maintenance responsibility to PRFMA.

#### *Pajaro Long-Term Recover Planning*

The County, working through the Department of Emergency Management (DEM), launched a Pajaro Long-Term Recovery Planning effort to support the community's needs and vision for a resilient and sustainable recovery. HCD staff continues to participate in the recovery planning Pajaro Revitalization Committee. The Pajaro Revitalization Committee brings together a broad coalition of resident leaders, organizations, and agencies to take a collaborative approach critical to developing a comprehensive and effective recovery plan. During the first three meetings, staff received outstanding and insightful feedback from the community, focusing on identifying projects that the community felt would have the greatest benefit to aid in the recovery phase.

At the fourth meeting on November 30th, hosted at Our Lady of Assumption Church Hall in Pajaro, CA, staff from the Department of Emergency Management presented to the community a draft proposal indicating how the \$20 million allocated to the County for flood relief through AB 102 would be implemented and administered. During the meeting, the community voiced to staff to reconsider the allocation of funds to be directed toward the recovery, well-being, and restructuring of the community. On December 6, 2023, the Board of Supervisors approved a project budget proposal for the implementation and administration of the AB 102 funds ((Board File # RES 23-212). As part of the approved proposal, there was an allocation of \$10,000,000 for the Pajaro Unmet Needs Disaster Assistance Program to be administered by Non-Profit Disaster Case Management Agencies and the Monterey County Workforce Development Board. The Pajaro Unmet Needs Disaster Assistance Program will have two main components: Individual & Household Assistance, budgeted at \$6 million, and Small Business Assistance, budgeted at \$4 million. Individual and Household Assistance are intended to mitigate and address remaining unmet flood needs that have not been met by other sources of available flood assistance. The Pajaro Small Business Disaster Assistance Program will assist small businesses in their recovery from the flooding and prevent the permanent closure of businesses post-disaster.

At the February 27, 2024, Board of Supervisors meeting, the Board approved separate agreements with Catholic Charities of the Diocese of Monterey and Community Bridges, for \$3,000,000 each respectively, to fund the Pajaro Unmet Needs Individual and Household Disaster Assistance Program. The Board also authorized an increase the County Administrative Offices budget by \$3,000,000 for the Pajaro Small Business Disaster Assistance Program, which will be administered by the Monterey County Workforce Development Board (MCWDB). This long-term recovery planning effort and project implementation will continue through FY25.

#### *2010 County General Plan - Community Planning Priorities*

The 2010 Monterey County General Plan designates Community Areas to be actively supported as the County's primary planning priorities, with developing Community Plans for Pajaro and Chualar as the highest priorities (LU-2.23).

*Chualar Community Planning:* In spring 2023, with input from the Planning Commission and Board of Supervisors, the Housing and Community Development Department (HCD) established its Five-Year Long-Range Planning Work Program (LRP Work Program) established planned priority activities Fiscal Years 2023-2024 to 2027-2028. The LRP Work Program anticipated HCD will commence the Chualar Community Plan effort in this current fiscal year (FY23-24) and the Board of Supervisors approved a budget augmentation of \$50,000 for this effort.

On February 1, 2024, staff published a Request for Proposal (RFP) to solicit proposals for consultant firms to assist in the development of the Chualar Community Plan through the County webpage and email distribution list. The County placed a deadline to received written question regarding the project be submitted to County staff by February 16th, 2024. Staff received over 15 questions about the project from interested consulting companies, and the responses were posted as an addendum to the RFP on the County webpage and emailed to County Consultant distribution list. The RFP will close on March 15, 2024, and staff anticipates reviewing applications in March 2024, conducting consultant interviews in April 2024, and negotiating a Professional Services Agreement with a successful firm to be considered by the Board of Supervisors in early summer 2024. Commencement of the Chualar Community Plan process is estimated to begin immediately after an agreement is in place with a consultant.

As the consultant is not anticipated to start work until the new fiscal year, staff has reallocated the \$50,000 augmentation in this FY24 toward General Plan Updates underway. Staff estimates that the completion of the Chualar Community Plan will cost the County approximately \$500,000 based on cost and effort to that has been seen in other community plans. Approximately \$250,000 of the total estimated cost is anticipated to be spent in FY25. Recently, staff received notice that the additional funding allocated to the County as part of Regional Early Action Planning (REAP 2.0) will be utilized to cover the remaining expense of various planning efforts such as the Castroville Community Plan. As a result, County staff estimates that \$100,000 of funds from the Local Early Action Planning (LEAP) grant will be allocated to finance tasks required to begin preparation of the Chualar Community Plan. The remaining \$150,000 for FY25 has been submitted as an augmentation request as a part of the FY25 budget process.

*Pajaro Community Planning:* As plans for levee improvements proceed and the community long-term recovery planning is completed in the coming year, the groundwork will be laid for infrastructure and community vision to guide land use policies to be developed as part of the Pajaro Community Plan. The LRP Work Program anticipates HCD will commence the Pajaro Community Plan effort in Fiscal Year 2025-2026, pending completion of the Long-Term Recovery Plan, completion of other key General/Community Plan updates in process, and community readiness.

#### ENVIRONMENTAL REVIEW

This presentation is Statutorily Exempt pursuant to Section 15262 of the CEQA Guidelines as an early discussion of possible future actions that do not involve a commitment to a project. The Pajaro Long-Term Recovery Plan, Pajaro Community Plan, and Chualar Community Plan will require a CEQA determination prior to adoption.

OTHER AGENCY INVOLVEMENT

Multiple County departments are involved in the long-term recovery planning efforts in Pajaro: Department of Emergency Management is leading these efforts; Health Department's Environmental Health Bureau and its Planning, Evaluation and Policy Unit; Civil Rights Office; County Administrative Office's Sustainability Program and Office of Community Engagement and Strategic Advocacy; and the Public Works, Facilities and Parks Department.

PRFMA is a joint powers authority which includes membership by the County of Monterey and the Monterey County Water Resources Agency. PRFMA was formed in 2021 to plan, finance and implement projects and programs to reduce flood risk from the lower Pajaro River and its tributaries in Santa Cruz and Monterey Counties.

Prepared by: Edgar Sanchez, HCD Assistant Planner, (831)783-7058

Approved by: Melanie Beretti, AICP, Acting Chief of Planning

Cc: Monterey County Department of Emergency Management (Daniel Gonzalez), Monterey County Health Department (Vicente Lara), Pajaro Regional Flood Management Agency (Mark Strudley, PhD), Monterey County Water Resources Agency (Ara Azhderian)