



# Monterey County

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

## Board Report

Legistar File Number: RES 20-004

January 28, 2020

**Introduced:** 1/17/2020

**Current Status:** Scheduled PM

**Version:** 1

**Matter Type:** BoS Resolution

Consider certification of a Final Environmental Impact Report/Environmental Assessment for the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project.

**Project:** REF140048, County of Monterey-Resource Management Agency (Property owners: Big Sur Land Trust, California Department of Parks and Recreation, Monterey Peninsula Regional Parks District, and Clinton Eastwood and Margaret Eastwood).

**Project Location:** Downstream end of the Carmel River Watershed, approximately one-half mile from the river mouth, immediately east and west of State Route 1 [APNs: 243-071-005-000, 243-071-006-000, 243-071-007-000, 243-021-007-000, 157-121-001-000, 243-081-005-000, and 243-071-008-000].

**Proposed CEQA Action:** Certify a Final Environmental Impact Report/Environmental Assessment for the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project (SCH#2011021038).

### RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to certify the Final Environmental Impact Report/Environmental Assessment for the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project.

### SUMMARY:

The County of Monterey, in partnership with the Big Sur Land Trust (BSLT), has cosponsored the proposed Carmel River Floodplain Restoration and Environmental Enhancement Project (Project), also known as the CRFREE project. An Environmental Impact Report/Environmental Assessment (EIR/EA) has been prepared and circulated for the Project, with County serving as lead agency under the California Environmental Quality Act (CEQA). Today's proposed action is to certify the Final EIR/EA (Attachment A).

This landmark Project is a multi-benefit green infrastructure design to reduce flood risks and restore riverine habitat where natural and built environments intersect at the mouth of Carmel Valley. The Project is part of a larger green infrastructure plan to reduce flood risks and improve self-sustaining hydrologic function of the River, its adjoining floodplain, and the Carmel River Lagoon (Lagoon). Key elements of the Project include: removing sections of the south bank levees flanking the river to redirect floodflows into the adjoining floodplain; reconnecting the south bank floodplain with the Lagoon by allowing water to flow beneath a new 360-foot-long causeway along SR 1; and restoring floodplain habitat in former agricultural fields.

Staff recommends that the Board of Supervisors adopt a Resolution certifying the Final EIR/EA

(FEIR/EA) for the Project. Staff will return to the Board for the Board to consider whether to approve the Project, including agreements with Project partners and stakeholders.

DISCUSSION:

In 2010, the County of Monterey (County) entered into a Memorandum of Understanding (MOU) with the Big Sur Land Trust (BSLT), California State Department of Parks and Recreation (State Parks), Monterey Peninsula Water Management District (MPWMD), and Monterey County Water Resources Agency (MCWRA) that provided for the parties to work cooperatively and establish a common framework to conduct planning-level analysis and feasibility of the CRFREE Project. (Attachment B)

Certification of the FEIR/EA is a critical Project milestone. It will allow the County to apply for necessary grant funding to fully fund the proposed Project so that, if the Project is approved, construction could start as scheduled in 2021 to avoid losing grant funding already secured. County staff is working with its Project partners to propose updates to the 2010 MOU to add the Monterey Peninsula Regional Parks District (MPRPD) as a landowner Project partner and to facilitate Project construction. Concurrently, staff is actively working with the Carmel Area Wastewater District (CAWD) and MPRPD to address individual infrastructure concerns, as further described in the Attachment C-Project Background and Status.

The FEIR/EA includes responses to comments received on the Draft EIR/EA. The FEIR/EA includes clarifications and corrections to the DEIR/EA, and the FEIR/EA contains lines in the margins to indicate where text was changed from the DEIR/EA to the FEIR/EA. For informational purposes, a strikethrough version of the FEIR/EA text showing the changes made from the DEIR/EA is provided in Attachment E to this report.

OTHER AGENCY INVOLVEMENT:

Through a cooperative agreement with the California Department of Transportation (Caltrans), the County is acting as the Lead Agency under CEQA for the Project. Through a separate cooperating agreement with Caltrans, the United States Fish and Wildlife Service is acting as the Lead Agency under National Environmental Policy Act (NEPA). Caltrans District 5 is serving as a federal cooperating agency. Cosponsor BSLT will be a co-applicant with the County for all Project permits and authorizations except for Caltrans approvals. BSLT, State Parks, and MPRPD are property owners within the Project area. MCWRA and MPWMD are Project partners and signatory to the 2010 MOU.

County staff has engaged in discussions with MPRPD and CAWD. The CRFREE Project includes measures protective of the Riverfield well of concern to MPRPD, and staff is coordinating with MPRPD on that issue. In addition, staff engaged with CAWD to develop mitigation language that avoids potential impacts to their outfall and sewer force main pipelines over the south arm of the Lagoon. Mitigation includes measures to avoid the potential physical impact of the project on CAWD's existing infrastructure as well as negotiating in good faith for an agreement with CAWD to address funding and implementation of a project to move the pipelines underground to avoid potential impacts from the CRFREE project.

FINANCING:

Total Project cost, including soft costs, is estimated at \$37.5 million. County Project expenditures to date total \$1,199,919, of which \$153,919 was funded by the County General Fund and \$1,046,000 by grant funding. The Resource Management Agency (RMA) Facilities Master Plan Projects Fund, Fund 404, Appropriation Unit RMA015, as part of its FY 2019-20 Adopted Budget included an augmentation of \$21,132 to cover costs associated with Project permitting. RMA staff time for project management and preconstruction activities is funded as part of FY 2019-20 RMA Adopted Budget, Fund 001, Appropriation Unit RMA013.

To date, Project cosponsors, the County and BSLT, have secured over \$14 million in grant funds toward the Project; approximately \$9.25 million remain active and unspent. The County was recently notified of a \$300,000 planning grant award from the National Fish and Wildlife Foundation (NFWF). Currently, the agreement for the NFWF grant funds is being drafted. The County has two grant applications totaling \$25.4 million (toward the \$23.5 million gap) pending award decision: \$2.5 million for Wildlife Conservation Board (WCB) Habitat Enhancement and Restoration Program (HERP) funding and \$22.9 million for FEMA Hazard Mitigation Grant Program (HMGP) funding. Staff included \$4.6 million for undergrounding CAWD's outfall and sewer force main pipelines over the south arm of the Lagoon as part of the HMGP. Funding estimates include all elements of the Project, including protection of the Riverfield well.

Staff plans to return to the Board next month to consider accepting the WCB HERP grant award and executing the required grant agreement documentation. If any additional grants are awarded and agreements prepared, RMA will return to Budget Committee and Board of Supervisors to consider executing the grant agreements and increasing Fiscal Year 2019-20 appropriations.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Certifying the Project FEIR/EA supports the Board of Supervisors' Strategic Initiatives for Infrastructure, Public Safety, and Administration. If approved, the Project will provide for sustainable physical infrastructure and associated flood and habitat benefits to protect the environment and promote the safety of residents and visitors. This action represents the RMA's effective and timely response to the constituents it serves.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Shawne E. Ellerbee, RMA Deputy Director of Administrative Services

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A- FEIR/EA (available on CD or

<https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/current->

[major-projects/carmel-river-free>](#))

Attachment B-2010 MOU between Monterey County/BSLT/State Parks/MPWMD/MCWRA

Attachment C-Project Background and Status

Attachment D-Draft Resolution to Certify FEIR/EA

Attachment E-Informational Document to Show Text Changes from DEIR/EA in Strikethrough

Attachments are on file with the Clerk of the Board

cc: Rachel Saunders/BSLT; Barbara Buikema/CAWD; Rafael Payan/MPRPD; Stephen Bachman/State Parks; CRFREE Public Distribution List; CRFREE Regulatory Agencies Distribution List; Project File REF140048