

Attachment E

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Attachment E: Summary of Ag Land Trust Easement

Two Agricultural and Open Space Conservation Easement Deeds and Agreements encumber the CRFREE Project site on land now owned by BSLT, one recorded in 1997, and another in 1998. The 1998 “Agricultural and Open Space Conservation Easement Deed and Agreement” (Ag Land Trust Easement) was made by and between BSLT as “Grantor” and the Monterey County Agricultural and Historic Land Conservancy, Inc., now, Ag Land Trust, a California nonprofit public benefit corporation as “Grantee” (recorded as Document 9889984 in the Monterey County official records on December 23, 1998 and incorporated by this reference), for the purpose of protecting and preserving in perpetuity for the public benefit the agricultural and open space values of the land as provided by the terms of the Ag Land Trust Easement.

Ag Land Trust has raised concerns with the County and BSLT regarding the reduction in agriculture from 42 acres to 23 acres following the CRFREE Project. The proposed 2024 MOU for the long term management and maintenance of the CRFREE Project has been revised to include a reference to the 1998 Ag Land Trust easement and to state that the 2024 MOU is intended to be consistent with all conditions and mitigation measures in the various permits, easements, and grants identified in Exhibit C of the proposed 2024 MOU. County and BSLT staff have agreed with Ag Land Trust to identify the Ag Land Trust in signage on the CRFREE Project site following construction.

At the time the 1997 BSLT/County Easement and the 1998 Ag Land Trust Easement were entered into, a habitat/wetland restoration project that would connect the lower Carmel River with its historical floodplain was contemplated. During this time, the then contemplated project was previously referred to as the “Phase II Odello Enhancement Plan” which is now commonly known as the CRFREE Project. Following the flooding of the community in 1995, and again in 1998, the California Coastal Conservancy, State Parks, BSLT, and Caltrans began efforts to design a habitat/wetland restoration plan to link the east and west sides of the floodplain. These efforts have resulted in the CRFREE Project which was approved by the Board of Supervisors on June 21, 2021.

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