



# Monterey County

**Item No.**

## Board Report

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

**Legistar File Number: 22-707**

July 19, 2022

**Introduced:** 7/13/2022

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

- a. Approve Amendment No. 7 to Professional Services Agreement No. A-12775 with Denise Duffy & Associates, Inc. (DDA) to increase the not to exceed amount of \$676,448 by \$100,000 for a total amount not to exceed \$776,448 to allow the completion of tasks; and
- b. Authorize the Housing and Community Development Director to execute Amendment No.7 to Professional Services Agreement No. A-13085 with DDA, and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 7 to Professional Services Agreement No. A-12775 with Denise Duffy & Associates, Inc. (DDA) to increase the not to exceed amount of \$676,448 by \$100,000 for a total amount not to exceed \$676,448, and add task and optional task to allow the completion of tasks; and
- b. Authorize the Housing and Community Development Director to execute Amendment No.7 to Professional Services Agreement No. A-13085 with DDA, and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

**SUMMARY/DISCUSSION:**

The Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project (Project) is a comprehensive effort to improve flood control and restore native riparian habitat, floodplain habitat, and hydrologic function to a portion of the lower floodplain along the Carmel River. Key aspects of the project are to: 1) Create notches in the levees along the south bank of the lower Carmel River, 2) Restore the south lower Carmel River floodplain, and 3) Build a causeway under Highway 1, connecting the south lower Carmel River Floodplain with the south arm of the Carmel Lagoon. The CRFREE Project is currently in the final design, permitting, and right of way coordination phase, following the June 2021 Project approval. Initial floodplain grading and restoration construction on the east side of Highway 1 is scheduled to begin at the end of calendar year 2022. The County has determined that final permit coordination is needed with the California Department of Fish and Wildlife (CDFW) to finalize the permit conditions involving tree removal. The California Department of Parks and Recreation (State Parks) has requested the County investigate an alternative mitigation measure to raising historic buildings, requiring further coordination by Denise Duffy and Associates (DD&A).

On July 29, 2014, the Board of Supervisors approved PSA No. A-12775 with Denise Duffy & Associates, Inc. (DD&A) to provide environmental documentation, California Environmental Quality Act (CEQA)/National Environmental Protection Act (NEPA), and regulatory permitting for the

CRFREE Project. Approval of Amendment 7 will increase allocated funds to Task 4.1 for permitting coordination and related data collection in response to comments and conditions received from CDFW. Additionally, due to the complexity and scope of the CRFREE Project and related environmental permitting needs, an optional task 4.2 has been added to the scope of the PSA.

In the process of completing the CRFREE All Party Construction Phase MOU (Board approval June 21, 2022), State Parks notified the County that the approved mitigation measure CUL-9 to raise historic buildings ('Barn Complex') on State Parks property is not consistent with State Parks policies, and the preferred approach is to construct a berm to protect buildings from flood impacts. Approval of this amendment will add task 7 to the PSA and increase funds to DD&A to allow for the evaluation and investigation of a replacement mitigation for the State Parks Barn Complex site. DD&A will conduct an evaluation of potential substitute mitigation measures and provide guidance on potential implications to existing environmental authorizations. Amendment No. 7 will increase PSA No. A-12775 by \$100,000, for a total amount not to exceed \$776,448. Attachment A provides a summary of the PSAs with DD&A.

#### OTHER AGENCY INVOLVEMENT:

Big Sur Land Trust (BSLT) are co-sponsors for the CRFREE Project. BSLT, California Department of State Parks and Recreation (State Parks) and Monterey Peninsula Regional Parks District (MPRPD) are property owners within the Project area. Through a cooperative agreement with Caltrans, the County of Monterey is acting as the Lead Agency under the California Environmental Quality Act for the Project.

#### ENVIRONMENTAL REVIEW

Environmental review is complete for the CRFREE Project. The Project Environmental Impact Report (EIR) was certified by the Monterey County Board of Supervisors in a public hearing on January 20, 2020, and the Project was approved June 15, 2021. Federal environmental review was completed April 23, 2021, when Caltrans, as lead federal agency for the causeway portion of the Project, issued a finding of no significant impact (FONSI), agreeing with the United States Fish and Wildlife Service, as lead federal agency for the floodplain restoration portion of the project, who issued a FONSI on October 30, 2020.

#### FINANCING:

CRFREE is entirely grant funded. Costs associated with DDA will be reimbursed from the Department of Water Resources (DWR) Flood Corridor grant (4600010665), and the DWR Coastal Watershed Flood Risk Reduction Grant (4600014577). Quarterly reimbursement requests will be submitted to minimize cash flow impacts. The DWR Flood Corridor Program Grant has \$100,000 available for permitting and environmental review, and the DWR Coastal Watershed Flood Risk Reduction Grant has \$95,000 available for permitting and environmental review. CRFREE is budgeted in Fund 404, Fund Unit 8546 Appropriation Unit PFP057 under the purview of Public Works Facilities and Parks. There is no impact to the General Fund as a result of this recommendation. Staff time is included in the FY2022-23 HCD Appropriations Unit HCD001, Unit 8542.

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BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

If approved, this action supports the Board of Supervisors' Strategic Initiatives for Administration and Infrastructure. The Project will provide sustainable physical infrastructure and associated flood risk reduction and habitat benefits to promote the safety of area residents and visitors.

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

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Approved by: Melanie Beretti, AICP, Principal Planner

Approved by: Erik V. Lundquist, AICP, HCD Director



The following attachments are on file with the Clerk of the Board:

- Attachment A - Summary of DDA PSAs
- Attachment B - Amendment No. 7 to DDA PSA
- Attachment C - Amendment No. 6 to DDA PSA
- Attachment D - Amendment No. 5 to DDA PSA
- Attachment E - Amendment No. 4 to DDA PSA
- Attachment F - Amendment No. 3 to DDA PSA
- Attachment G - Amendment No. 2 to DDA PSA
- Attachment H - Amendment No. 1 to DDA PSA
- Attachment I - DDA PSA