

Attachment A

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Before the Board of Supervisors in and for the
County of Monterey, State of California

RESOLUTION NO. 24 –

Resolution of the Board of Supervisors of the)
County of Monterey to:)
a. Approve and authorize the Housing and)
Community Development Director to execute)
the Fee Simple Purchase Agreement between)
the County of Monterey and Big Sur Land Trust)
(Purchase Agreement), for the conveyance of a)
Fee Simple interest in 0.85 acres of Assessor's)
Parcel Number (APN) 243-071-007 to the)
County for the purpose of construction and)
maintenance of the Carmel River Floodplain)
Restoration and Environmental Enhancement)
(CRFREE) Project; and)
b. Accept the Grant Deed and authorize the)
HCD Director to Consent to Recordation of the)
Grant Deed for 0.85 acres of APN 243-071-007)
and execute the Certificate of Acceptance and)
Consent to Recordation.

WHEREAS, the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project is a multi-benefit, green infrastructure project that will reduce flood risks and restore riverine habitat where natural and built environments intersect at the mouth of Carmel Valley;

WHEREAS, the Project Environmental Impact Report (EIR) was certified by the Board of Supervisors during a public hearing on January 20, 2020;

WHEREAS, the U.S. Fish and Wildlife Service (USFWS), as lead federal agency for the floodplain restoration portion of the CRRFREE Project issued a finding of no significant impact (FONSI) on October 30, 2020;

WHEREAS, Federal environmental review was completed on April 23, 2021, when Caltrans, as the lead federal agency for the causeway portion of the Project, issued a FONSI consistent with the USFWS;

WHEREAS, the Project was approved, and the corresponding Mitigation Monitoring and Reporting Program (MMRP) was adopted by the Board of Supervisors on June 15, 2021;

WHEREAS, the Federal Emergency Management Agency (FEMA) internal environmental review process, as it relates to FEMA grant funding, is still pending;

WHEREAS, the CRFREE Project is in the pre-construction final design, right of way, and permitting phase;

WHEREAS, a temporary construction easement on 108.02 acres of Big Sur Land Trust (BSLT) owned property (APNs 243-071-007, 243-071-006, and 243-071-005) was recorded with the County Recorders' Office as Document No. 2022034112 on July 5, 2022 for the purpose of construction of the CRFREE Project;

WHEREAS, on April 11, 2023, 0.85 acres of Assessor's Parcel Number (APN) 243-071-007 owned by the BSLT was appraised for \$17,000, for acquisition by the County in fee title with the intent to permanently transfer the subject 0.85 acres to Caltrans parcel No. 1227-1 for State Route 1 right of way following construction of the CRFREE Project;

WHEREAS, BSLT has voluntarily waived the right to compensation for 0.85 acres of APN 243-071-007 via letter dated January 18, 2024 to HCD from BSLT which is on file with HCD-Planning and incorporated by this reference:

WHEREAS, BSLT has voluntarily waived the right to compensation for 0.85 acres of APN 243-071-007 as memorialized in the Fee Simple Purchase Agreement between the County of Monterey and the BSLT which is on file with HCD-Planning and incorporated by this reference;

WHEREAS, the County will acquire the 0.85 acres from BSLT in fee for the CRFREE Project;

WHEREAS, following construction of the CRFREE Project the 0.85 acres will be quitclaimed and transferred to Caltrans for use as a permanent right of way for State Route 1;

WHEREAS, approval of this resolution will allow the Director of Housing and Community Development, or designee, to execute the "Fee Simple Purchase Agreement" between the County of Monterey and BSLT for the conveyance of a Fee Simple interest in 0.85 acres of APN 243-071-007 for the purpose of construction and maintenance of the CRFREE Project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Monterey hereby resolves to:

- a. Approve and authorize the Housing and Community Development Director to execute the Fee Simple Purchase Agreement between the County of Monterey and the Big Sur Land Trust for the conveyance of a Fee Simple interest in 0.85 acres of Assessor's Parcel Number (APN) 243-071-007 for the purpose of the construction and maintenance of the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project; and
- b. Accept the Grant Deed and authorize the HCD Director to Consent to Recordation of the Grant Deed for 0.85 acres of APN 243-071-007 and execute the Certificate of Acceptance and Consent to Recordation.

PASSED AND ADOPTED on this day of , by the following vote, to wit:

AYES:

NOES:

ABSENT:

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 resolution of said Board of Supervisors duly made and entered in the minutes thereof in Minute Book ____ for the meeting on.

Dated:

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

File Number:

By _____
Deputy

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