



## Legislation Details (With Board Report)

<b>File #:</b>	RES 21-214	<b>Name:</b>	Grant Funding for CRFREE
<b>Type:</b>	BoS Resolution	<b>Status:</b>	Passed - Agricultural Commissioner's Office
<b>File created:</b>	11/15/2021	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	1/25/2022	<b>Final action:</b>	1/25/2022

**Title:** Adopt a resolution to:

a. Authorize and direct the Auditor-Controller to increase fiscal year 2021-22 appropriations and revenue in Public Works, Facilities and Parks (PWF), Fund 404, Appropriation Unit PFP057, Unit 8564 for the Carmel River Floodplain Restoration and Environmental Enhancement Project (CRFREE), in the amount of \$937,637 with currently held grant funds from the Department of Water Resources, the National Fish and Wildlife Foundation, and the Wildlife Conservation Board. 4/5ths vote required; and

b. Approve and authorize the Director of Housing and Community Development (HCD), as the successor to the Director of the Resource Management Agency (RMA) to execute grant funding agreements from the Department of Water Resources (DWR) Coastal Watershed Flood Risk Reduction Grant Program for \$5,147,149, and the California State Coastal Conservancy (SCC) grant for \$4.25 million, for the CRFREE Project, with the approval of County Counsel; and

c. Authorize Director of the Housing and Community Development to sign any agreement, amendment, or extensions, and documentation required by the DWR and SCC, after review and approval as to form by County Counsel.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A - Draft Resolution, 3. Attachment B - Resolution 20-72 DWR Grant application, 4. Attachment C - SCC typical grant agreement terms, 5. Attachment D - CRFREE FY22 Grant reimbursement and expenditures estimate, 6. Completed Board Order Item No. 40, 7. Completed Resolution Item No. 40

Date	Ver.	Action By	Action	Result
1/25/2022	1	Board of Supervisors	adopted - agricultural commissioner	

Adopt a resolution to:

a. Authorize and direct the Auditor-Controller to increase fiscal year 2021-22 appropriations and revenue in Public Works, Facilities and Parks (PWF), Fund 404, Appropriation Unit PFP057, Unit 8564 for the Carmel River Floodplain Restoration and Environmental Enhancement Project (CRFREE), in the amount of \$937,637 with currently held grant funds from the Department of Water Resources, the National Fish and Wildlife Foundation, and the Wildlife Conservation Board. 4/5ths vote required; and

b. Approve and authorize the Director of Housing and Community Development (HCD), as the successor to the Director of the Resource Management Agency (RMA) to execute grant funding agreements from the Department of Water Resources (DWR) Coastal Watershed Flood Risk Reduction Grant Program for \$5,147,149, and the California State Coastal Conservancy (SCC) grant for \$4.25 million, for the CRFREE Project, with the approval of County Counsel; and

c. Authorize Director of the Housing and Community Development to sign any agreement, amendment, or extensions, and documentation required by the DWR and SCC, after review and approval as to form by County Counsel.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors adopt a resolution to:

- a) Authorize and direct the Auditor-Controller to increase fiscal year 2021-22 appropriations and revenue in Public Works, Facilities and Parks (PWFP), Fund 404, Appropriation Unit PFP057, Unit 8564 for the Carmel River Floodplain Restoration and Environmental Enhancement Project (CRFREE), in the amount of \$937,637 with currently held grant funds from the Department of Water Resources, the National Fish and Wildlife Foundation, and the Wildlife Conservation Board. 4/5ths vote required; and
- b) Approve and authorize the Director of Housing and Community Development (HCD) , as the successor to the Director of the Resource Management Agency (RMA) to execute grant funding agreements from the Department of Water Resources (DWR) Coastal Watershed Flood Risk Reduction Grant Program for \$5,147,149, and the California State Coastal Conservancy (SCC) grant for \$4.25 million, for the CRFREE Project, with the approval of County Counsel; and
- c) Authorize the Director of Housing and Community Development to sign any agreement, amendment, or extensions, and documentation required by the DWR and SCC, after review and approval as to form by County Counsel.

#### SUMMARY/DISCUSSION:

On November 17, 2020, the Board of Supervisors adopted a resolution approving the Resource Management Agency (RMA) Director and their successor Department to submit a grant application for \$5,147,149 in grant funding from the Department of Water Resources (DWR) Coastal Watershed Flood Risk Reduction Grant Program for the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project. (Attachment B) In August 2021, the DWR notified the County that this grant application has been accepted, and the County will be awarded the funds upon approval of the grant agreement. Furthermore, the Coastal Conservancy intends to award \$4.25 million to the County for execution of the CRFREE Project, upon completion of a grant funding agreement. At this time, Staff are asking for approval for the Director of the HCD, as the successor to the RMA, to execute CRFREE grant funding agreements, and other necessary grant documents, with the review and approval of County Counsel.

The Coastal Conservancy holds \$4.25 million in grant funds from Proposition 84 and Proposition 1 funds in reserve for the CRFREE Project. At this time the Coastal Conservancy wishes to see the earmarked funds for CRFREE encumbered to the County of Monterey, to be used in the pre-construction and construction phase. A list of the Coastal Conservancy's typical grant agreement terms is attached. (Attachment C) Allowing the Director of the HCD to sign the agreement with the Coastal Conservancy with the approval of County Counsel will streamline the grant award process.

The CRFREE Project is moving forward with the final design and pre-construction stage. The \$363,877 funds allocated for Fiscal Year 2022 (FY22) are not enough to complete the scheduled final design and pre-construction activities. Whitson Engineers (PSA A-13085) is contracted to expend an additional \$754,464 to complete final design, right of way, and project management activities, to be reimbursed from the WCB, DWR, and NFWF grants. The Big Sur Land Trust (BSLT) will undertake a floodplain restoration design effort for an amount of \$487,050, to be reimbursed from the Wildlife Conservation Board grant. Denise Duffy and Associates will need an additional \$60,000 for the permitting and environmental coordination, to be reimbursed by DWR. (Attachment D) The Housing and Community Development Department (HCD) on behalf of PWFP asks to increase the CRFREE FY22 budget to \$1,301,514, an increase of \$937,637, to be reimbursed by grant funds. A temporary budget impact occurs, as there is a delay between the County paying a contracted vendor and receiving reimbursement from a grant.

#### OTHER AGENCY INVOLVEMENT:

Big Sur Land Trust (BSLT) are c-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. Through a separate cooperating agreement between USFWS and Caltrans, the USFWS is acting as the Lead Agency under the National Environmental Policy Act. Caltrans District 5 is serving as a federal cooperating agency.

FINANCING:

In FY 2021-22 an estimated \$1,301,514 is anticipated to be spent on CRFREE design and pre-construction phase activities, an increase of \$937,637 over the current budget of \$363,877. Quarterly reimbursement requests will be submitted timely to minimize cash flow impacts. The County has been awarded \$10,077,054 in unexpended grant funds for CRFREE from the Department of Water Resources (DWR) Flood Corridor grant, the National Fish and Wildlife Foundation (NFWF) grant, and the Wildlife Conservation Board (WCB) grant. The DWR Flood Corridor Program Grant has over \$4 million remaining, with \$146,709 allocated for project management, pre-construction and final design activities, and \$60,000 for environmental permitting. The NFWF Grant has \$250,312 remaining for final design activities. The (WCB grant has \$487,000 allocated for BSLT activities, and \$357,443 allocated for Project management and final design activities. (Attachment D) There is no impact to the General Fund as a result of this recommendation.

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 - Draft resolution

Attachment B - Resolution 20-72 DWR Grant application

Attachment C - SCC typical grant agreement terms

Attachment D - CRFREE FY22 Grant reimbursement and expenditures estimate