Introduced: 4/22/2025
Version: 1

Current Status: Agenda Ready
Matter Type: BoS Agreement

a. Approve Project Specific Maintenance Agreement with California State Department of Transportation (Caltrans) for the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project, for a term effective the execution date of the Agreement until mutually terminated; and
b. Authorize the Director of Public Works, Facilities and Parks (PWFP) to execute the Project Specific Maintenance Agreement and submit the fully executed Agreement to the County Recorder for filing.

RECOMMENDATION:
It is recommended that the Board of Supervisors:
a. Approve Project Specific Maintenance Agreement (Agreement) with California State Department of Transportation (Caltrans) for the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project, for a term effective the execution date of the Agreement until mutually terminated; and
b. Authorize the Director of Public Works, Facilities and Parks (PWFP) to execute the Project Specific Maintenance Agreement and submit the fully executed Agreement to the County Recorder for filing.

SUMMARY/DISCUSSION:
The Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) 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 CRFREE Project are to create notches in the levees along the south bank of the lower Carmel River, restore the south lower Carmel River floodplain, and build a causeway, called an overflow bridge by Caltrans, along Highway 1 (causeway component), restoring connectivity between the lower Carmel River Floodplain and the south arm of the Carmel Lagoon. The Environmental Impact Report (EIR) was approved in January 2020, and the Project and Mitigation Monitoring and Reporting Plan (MMRP) was approved in June 2021 by the Board of Supervisors of the County of Monterey.

Cooperative Agreement 05-0234 was executed on May 6, 2014, between Caltrans and the County of Monterey Resource Management Agency (RMA) for the purpose of Project Approval and Environmental Document (PA&ED) of the CRFREE causeway component. As defined by Caltrans, PA&ED was completed for the CRFREE causeway component.

Cooperative Agreement 05-0401 was executed on November 15, 2022 between Caltrans and the County of Monterey (County) for continuing the development of Plans, Specifications, and Estimates

(PS&E) and Right-of-Way coordination leading up to the bid/contract award of a 360-foot overflow bridge south of the Carmel River on State Route 1, from post mile (PM) 71.9 to PM 72.3.

The recommended actions would allow for the approval of the Project Specific Maintenance Agreement (Agreement) between the County and Caltrans (Attachment A), formally outlining the shared maintenance and operational responsibilities of the improvements of the CRFREE Project to be constructed within the State right of way. The County will maintain the area and facilities under the State overflow bridge including but not limited to routine and emergency debris removal, graffiti removal, and weed control to maintain overflow bridge design capacity.

Staff recommends that the Board approve the proposed Agreement to define and establish the respective roles and maintenance responsibilities of the County and Caltrans. The Agreement will take effect upon execution and will remain in place until mutually terminated by both parties, with no immediate cost.

OTHER AGENCY INVOLVEMENT:
Big Sur Land Trust (BSLT) is co-sponsor for the CRFREE Project. 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. Following the dissolution of the RMA in 2021, Housing and Community Development is responsible for CRFREE environmental, permitting, and pre-construction coordination, and PWFP is responsible for the construction phase.
The Office of the County Counsel, including Risk Management, has reviewed and approved the proposed Agreement as to form and liability provisions.

ENVIRONMENTAL REVIEW:
Environmental review is complete for the CRFREE Project. The Project Environmental Impact Report (EIR) was certified by the Board of Supervisors of the County of Monterey (Board) during a public hearing on January 20, 2020. The Project was approved by the Board on 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), consistent with the U.S. Fish and Wildlife Service, as lead federal agency for the floodplain restoration portion of the project, who issued a FONSI on October 30, 2020. However, the Federal Emergency Management Agency (FEMA) internal environmental review process, as it relates to FEMA grant funding, is still pending.

FINANCING:
The Maintenance Agreement will have no immediate financial impact on the County, as construction of the improvements for the CRFREE Project has not yet begun. However, the ongoing long-term maintenance to maintain the flood conveyance of the site, anticipated to be annual mowings, is estimated to begin in Fiscal Year (FY) 2026-27 at the earliest, at an estimated cost of up to $30,000 annually. Costs will be funded by CSA 50 -Rioway Tract No. 2, Fund 77, Appropriation Unit PFP031.

The CRFREE Project is expected to have a total cost of approximately $58 million to complete the final design, construction, and restoration efforts, and will be entirely grant funded. The County has

been awarded approximately $30 million in various grant funds. BSLT holds nearly $1 million in grant funds available for the project. An additional $27 million is pending award from CalOES/FEMA. CRFREE is budgeted in Capital Project Fund 404, Appropriation Unit PFP057, with $14.6 million budgeted in the FY 2024-25 Adopted Budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:
The recommended action supports the Board of Supervisors' Strategic Initiatives of Infrastructure and Public Safety by improving flood control of the Carmel River and hydrologic function of the floodplain.

__ Economic Development
___ Administration
___ Health & Human Services
_X_ Infrastructure
_X_ Public Safety

Prepared by: Patrick Fung, Project Manager II (831) 755-8908
Reviewed by: Florence Kabwasa-Green, Chief of Facilities (831) 755-4805
Reviewed by: Lindsay Lerable, Assistant Director of Public Works, Facilities and Parks
Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities and Parks

The following attachments are on file with the Clerk of the Board:
Attachment A - Project Specific Maintenance Agreement
Attachment B - Location Map Exhibit A