

**MONTEREY PENINSULA REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING**

DATE: April 3, 2024
TO: Board of Directors
FROM: Jake Smith, Planning and Conservation Program Manager
REVIEWED BY: Rafael Payan, General Manager
SUBJECT: Long Term Management Agreement for the Carmel River
Floodplain Restoration and Environmental Enhancement Project

SUMMARY:

Approve and authorize a Carmel River Floodplain Restoration and Environmental Project Long Term Management Agreement (“LTMA”), substantially as to form, between the Monterey Peninsula Regional Park District, the County of Monterey, the Monterey Peninsula Water Management District, the California Department of Parks and Recreation, and Big Sur Land Trust for the management of the CRFREE Project area for a period of 25 years post-construction.

FISCAL IMPACT:

Fiscal impact to MPRPD operations have not been qualified, but are expected to be consistent with MPRPD’s current management obligations for its property. Establishment, maintenance, and monitoring requirements of the CRFREE Project are the responsibility of County and BSLT and are expected to be paid for by outside grant funds. Maintenance of flood conveyance within CRFREE Project areas, is the responsibility of the County, with funds generated from taxes within County Service Area 50, a special taxing area that was created for the purpose of stormwater abatement and flood control efforts that benefit ~470 flood-prone parcels in the vicinity of Rio Road and Highway 1

FUNDING SOURCE:

Not applicable.

FUNDING BALANCE:

Not applicable.

DISCUSSION:

The Carmel River Floodplain Restoration and Environmental Enhancement Project (CRFREE Project) is a comprehensive effort led by the Big Sur land Trust (BSLT) and The County of Monterey (County) 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: 1) Create notches in the levees along the south bank of the lower Carmel River, 2) Restore approximately 102 acres of the south lower Carmel River floodplain, 3) Create a 23 acre agricultural preserve raised out of the 100-year floodway, and 4) Build a causeway along Highway 1, restoring connectivity between the lower Carmel River Floodplain and 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. On November 24th, 2010, the County, the Monterey County Water Resources Agency (WRA), the Monterey Peninsula Water Management District (MPWMD), the California State Department of Parks and Recreation (State Parks), and BSLT entered into a Memorandum of Understanding for the purpose of coordinating planning activities for the CRFREE Project (2010 MOU). An updated and restated MOU was executed in 2022 (2022 MOU) covering final design and construction activities and adding MPRPD as a signatory and owner of 2.84 acres of land within the CRFREE Project area.

The 2022 MOU refers to the development of a “Long Term Management Agreement” outlining parties’ roles and responsibilities in the long-term management and maintenance of the CRFREE Project for a period of 25 years from completion of construction. In August 2023, the County and BSLT circulated a draft LTMA amongst State Parks, MPWMD, and MPRPD for review and approval. All Parties have agreed to the terms included in the draft LTMA, and no further substantive changes are expected (**ATTACHMENT 1**).

The LTMA outlines the following general commitments by MPRPD:

- Participate in a newly formed CRFREE Management Committee that will meet at least annually
- Provide BSLT access to restoration areas on MPRPD property to facilitate implementation and maintenance of restoration plantings during the establishment, monitoring, and reporting period.
- Provide access to BSLT and County to managed flood conveyance areas and work collaboratively with the County by way of funding from County Service Area 50 (CSA-50) on annual or as-needed maintenance activities to maintain onsite flood conveyance capacity, including clearing of vegetation and woody debris and remedial grading.
- Maintain public accessible trails on MPRPD property according to a Public Access management Plan that will be developed by BSLT and the County, in collaboration with State Parks and MPRPD, by December 31, 2025.

RECOMMENDED ACTION:

Staff respectfully recommends that the Board authorize and direct the General Manager to execute the LTMA, substantially as to form, between the Monterey Peninsula Regional Park District, the County of Monterey, the Monterey Peninsula Water Management District, the California Department of Parks and Recreation, and Big Sur Land Trust for the management of the CRFREE Project area for a period of 25 years post-construction.

ATTACHMENTS:

1. [Draft Long Term Management Agreement the Carmel River Floodplain Restoration and Environmental Enhancement Project](#)