

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

DATE: April 5, 2023
TO: Board of Directors
FROM: Jake Smith, Planning & Conservation Program Manager
REVIEWED BY: Rafael Payan, General Manager
SUBJECT: Review and Approval of Resolution 2023-01 finding the Rancho Cañada Floodplain Restoration Consistent with the State Water Resources Control Board Restoration Projects Statewide Order Programmatic Environmental Impact Report and adopting the project-specific Mitigation Monitoring and Reporting Program and Findings

SUMMARY:

The proposed Rancho Cañada Floodplain Restoration seeks to restore 40 acres of riparian habitat along a 1-mile-long stretch of the Carmel River. Project Staff are requesting that the Board approve the Rancho Cañada Floodplain Restoration Project as within the scope of the State Water Resources Control Board Restoration Projects Statewide Order Programmatic Environmental Impact Report and adopt the project-specific Mitigation Monitoring and Reporting Program and findings.

FISCAL IMPACT:

\$3889.25 Filing fee for a Notice of Determination

FUNDING SOURCE:

6549- Professional Services-PCM

FUNDING BALANCE:

\$54,945 as of writing this report.

BACKGROUND:

On April 1, 2018, the Monterey Peninsula Regional Park District (MPRPD) acquired the 185-acre Rancho Cañada Property from the Trust for Public Land, adding it as a unit of Palo Corona Regional Park, and opening it for public use shortly thereafter. MPRPD acquired this former golf course property, located in Carmel Valley, with grant funding from the State Coastal Conservancy, California Natural Resources Agency, California Department of Fish and Wildlife, and Wildlife Conservation Board to provide a point of public access to other units of Palo Corona Regional Park, protect and restore habitat around the Carmel River, dedicate a portion of the property's water rights to support instream flows, and to provide compatible public and private uses including recreation, environmental education, and general park purposes. In August 2018, MPRPD completed the Palo Corona Regional Park General Development Plan (GDP) to guide MPRPD's planning, development, and management of PCRPD. The GDP established zones within the Rancho Cañada Unit that generally concentrated community amenities within re-use and

transition zones around the parking lot and former golf course clubhouse, leaving the remainder of the property primarily for natural open space, recreational trails, and future watershed restoration projects (Figure 1).



Figure 1: Rancho Cañada Unit Restoration and re-use diagram from the Palo Corona Regional Park General Development Plan, identifying the Carmel River Floodplain as a “Priority Restoration Zone”.

MPPRD began working with Trout Unlimited, the Santa Lucia Conservancy, Monterey Peninsula Water Management District and the State Coastal Conservancy in summer 2018 to form a technical advisory committee (TAC) comprised of stream and aquatic habitat restoration, other subject matter experts, and grant funders primarily from local, state, and federal resource agencies to advise on the development of a restoration plan that also supported MPPRD public access goals for the property. An initial restoration project concept was presented during the March 4, 2020 Board meeting which outlined a ‘process-based’ restoration design concept that would excavate areas surrounding the incised river channel, enabling the river to once again fan out over the surrounding landscape, restoring cycles of inundation and disturbance that support the recovery of resilient riparian habitat types that were lost from historic ranching and golf course uses.

In March 2020, MPPRD granted the State Coastal Conservancy \$617,610, originally granted to MPPRD by TPL, tasking the Coastal Conservancy with oversight and development of the Rancho Cañada Floodplain Restoration project design, environmental review, project permitting, and seeking implementation funding (Project). The Coastal

Conservancy matched this funding with an additional \$382,390 from the Carmel River Settlement fund, providing a total of \$1 million dollars for the Project. MPRPD and the Coastal Conservancy formed a core Project team in April 2021 consisting of Trout Unlimited, Alnus Ecological, McBain and Associates, and SWCA Consulting LLC to advance the restoration from conceptual design. The Project team conducted extensive outreach to inform the restoration design since May 2021, consisting of six TAC meetings, numerous focused meetings with subsets of the TAC, landowners, community groups, local tribes, and held a public workshop for the Project on March 9, 2022. A preferred 65% Project design alternative was then presented during MPRPD’s Board Meeting on December 7, 2022. That Project design is now the basis of project-related environmental review and permitting efforts that are underway and is expected to be advanced to 100% design in fall 2023 and implemented summer 2024 through 2025, pending implementation funding.

The Project will result in the restoration of a 1-mile long section of the Carmel River, lowering approximately 40 acres of surrounding land to be inundated by the river each year, restoring resilient aquatic and riparian habitat for rare, threatened, and endangered species like South-Central California Coast steelhead (*Oncorhynchus mykiss*) and California red-legged frog (*Rana draytonii*), and migratory bird species. Excavated soils will be placed onsite in uplands areas to support other park uses and overlook viewing opportunities, smother invasive grasses, and act as sound and visual barriers to help buffer uses within the park (i.e., dogs and wildlife) (Figure 2).

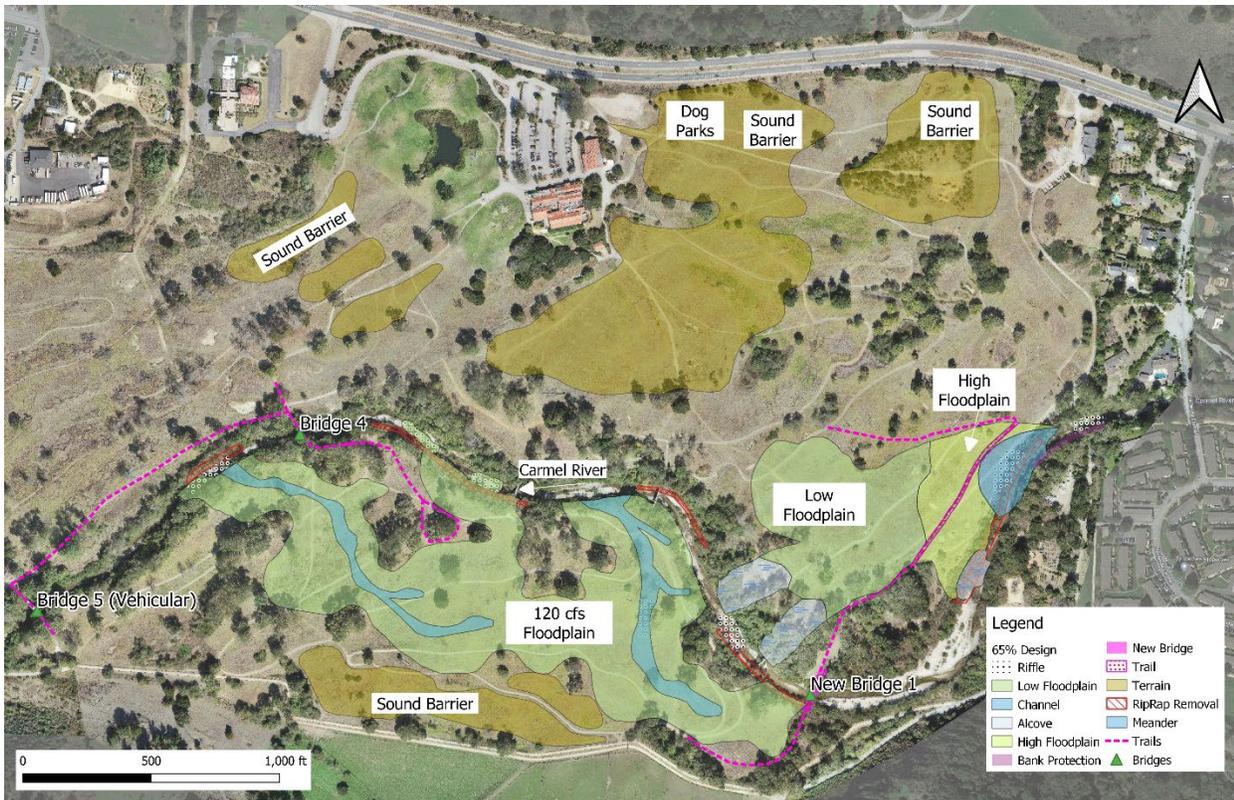


Figure 2: Project 65% design map illustrating areas of restoration with the floodplain (green and blue zones) and areas where excavated soils will be deposited onsite (brown zones).

The Project will also maintain two points of public access across the river, constructing a ~300-foot long free span bridge and a consolidated trail network to replace deteriorating former golf course bridges and cart paths within the floodplain zone, providing the public with an enhanced nature-based experience when accessing the park (Figures 3 & 4).



Figure 4. Trail Design Option A: Trail crossings of the Channel Migration Zone if Bridge 5 is not acquired from adjacent property owner.



Figure 5. Trail Design Option B: Trail crossings of the Channel Migration Zone if Bridge 5 is acquired from adjacent property owner.

The Project is utilizing new environmental review and permit streamlining programs recently developed by state and federal agencies to increase the pace and scale of voluntary large-scale restoration efforts that restore habitats and sensitive resources, support species recovery efforts, and increase landscape resilience to the effects of climate change. Multiple entities operating within California, including both state and federal resources agencies, issue permits and authorizations for restoration projects. By developing new tools that protect and streamline permitting and regulatory processes, agencies operating within California can now help expedite approvals for critical

environmental projects. The State of California has monikered this initiative as “Cutting Green Tape” and continues to spearhead multiple statewide initiatives that reduce barriers and build momentum for critically needed environmental restoration efforts.

DISCUSSION:

As an eligible restoration project under “Cutting Green Tape”, the Project is using the suite of new and improved permitting pathways for restoration projects associated with this initiative. Specifically, the Project is applying for programmatic permits with the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration’s National Marine Fisheries Service Programmatic Biological Opinions for Restoration Projects, and State Water Resources Control Board (State Water Board)/Regional Water Quality Control Board (RWQCB) Statewide General Order for Restoration Projects. These programmatic permit pathways offer a win-win for regulators and project proponents, where each permit contains a series of pre-approved avoidance and minimization measures that are generally consistent across resource agencies, reducing the time, cost, and confusion related to identifying and implementing permit requirements for restoration projects. Finally, because the measures are pre-approved in the programmatic permits, they can be integrated into the project early in project development – again saving time and money related to costly changes during the permit process. The attached Appendix C document describes these permits, the activities covered, and the benefits of using the permits (**ATTACHMENT 1**).

The State Water Board also prepared a Programmatic Environmental Impact Report (PEIR) for the new General Order providing significant guidance for developing sound projects as substantial cost- and time-savings for project proponents. This California Environmental Quality Act (CEQA) document is available for use by multiple state agencies that fund and implement aquatic restoration projects as described and analyzed in the PEIR which generally states the following:

An eligible project type that would result in a net increase in aquatic or riparian resource functions and/or services through implementation of relevant protection measures listed in Section 2.6, Categories of Restoration Projects in the Order, and Section 2.8, Programmatic Sideboards, General Protection Measures, and Other Requirements. The project must also be included in the list of eligible project types (Section 1.2, Categories of Eligible Project Types). A restoration project permitted by the Order may include multiple benefits, such as groundwater recharge, recreation, flood management, water quality improvement, and/or adaptation to climate change. Restoration projects permitted by the Order may also contribute to the protection of existing and potential beneficial uses identified in each of the nine Regional Boards water quality control plans (basin plans). Species protection measures (Appendix F) are avoidance and/or minimization measures developed specifically to address individual covered species or covered species guilds, based upon unique life history and habitat requirements. Applicable species protection measures are to be implemented in addition to applicable general protection measures, described above, when suitable habitat exists within the currently occupied range of the species and/or a species is determined to be present.

The Project team met with the State Water Board and Regional Board in November and December of 2022 and obtained concurrence that the project is an eligible project under the Statewide Order and PEIR. Therefore, the Project is using this PEIR to comply with CEQA. The Project team has conducted a project-specific analysis, as directed in the PEIR, to ensure that the project would not result in new impacts that were not covered in the PEIR (**ATTACHMENT 2**). The Project will incorporate all applicable sideboards, general protection measures, and other requirements of the Order. Measures that will be implemented as part of the proposed project are provided in Appendix A of the Analysis.

The Monterey Peninsula Regional Parks District as lead agency now needs to review these findings, approve the project, adopt the Mitigation Monitoring and Reporting Program and file the Notice of Determination in order to complete the CEQA process. The Project is consistent with the goals of the GDP and MPRPD's 2021-2025 Strategic Plan.

ACTION:

Staff respectfully recommends that the Board approve the Rancho Cañada Floodplain Restoration Project as within the scope of the State Water Resources Control Board Restoration Projects Statewide Order Programmatic Environmental Impact Report and adopts the project-specific Mitigation Monitoring and Reporting Program and findings (**ATTACHMENT 3**).

ATTACHMENTS:

1. [Appendix C: Existing Programmatic Permits and Processes for Restoration Activities](#)
2. [Rancho Cañada Floodplain Restoration Project CEQA Memorandum](#)
3. [Resolution #2023-01 Finding the Rancho Cañada Floodplain Restoration Project Consistent with the State Water Resources Control Board Restoration Projects Statewide Order PEIR and Adopting Project-specific Mitigation Monitoring and Reporting Program](#)