

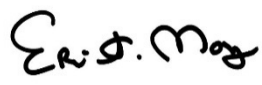
AGENDA ITEM NO. 6-D

MONTEREY PENINSULA REGIONAL PARK DISTRICT BOARD REPORT

DATE: May 6, 2026

TO: Board of Directors

FROM: Jake Smith, Planning & Conservation Program Manager;
Tucker Wisdom-Stack, District Counsel;
Christian Marsh, Special Counsel

REVIEWED BY: Eric Morgan, General Manager 

SUBJECT: Approval of Resolution #2026-06, Approving First Amendment to the Comprehensive Real Estate and Soil Sharing Agreement Between District and Carmel Grand Avenue Partners 54, LLC; Easement Agreement Between District and Carmel Area Wastewater District; and Tree Planting Easement Agreement Between District and Carmel Grand Avenue Partners 54, LLC

SUMMARY

Monterey Peninsula Regional Park District (District) proposes to approve and enter three agreements that further its coordination with Rancho Cañada Venture, LLC (RCV/Carmel Partners) regarding RCV's Rancho Cañada Village Housing Project (RCV Project) and the District's Rancho Cañada Floodplain Restoration Project (Restoration Project). Staff recommend that the Board of Directors adopt a resolution approving and authorizing the General Manager to finalize and execute the following documents, in substantially the forms presented, and to take all actions necessary to implement them:

- 1) First Amendment to Real Property Agreement: Amendment to the previously approved Comprehensive Real Estate and Soil Sharing Agreement.
- 2) CAWD Easement: Easement deed from the District to the Carmel Area Wastewater District (CAWD) for installation, operation, maintenance, repair, and replacement of an underground sewer pipeline.
- 3) Tree Planting Easement: Easement deed from Carmel Grand Avenue Partners 54, LLC (Carmel Partners), successor in interest to RCV, to the District for planting, growing, and maintaining trees.

FISCAL IMPACT

NA

FUNDING SOURCE

NA

FUNDING BALANCE

NA

DISCUSSION

Background

In February 2025, the District entered into a Real Property Agreement with Rancho Cañada Ventures LLC (RCV) to facilitate conveyance of parkland, soil reuse, coordinated construction, and utility easement realignments (**ATTACHMENT 1**). Since that time, District staff, Carmel Area Wastewater District (CAWD), California American Water (Cal Am), and RCV/Carmel Partners have worked collaboratively to refine utility alignments and supporting easements in order to reduce impacts, avoid unnecessary re-engineering costs, and ensure long-term compatibility with park operations.

First Amendment to Real Property Agreement

The First Amendment to the Real Property Agreement (**ATTACHMENT 2**) updates technical, financial, and procedural provisions of the February 2025 agreement to reflect refinements achieved through coordination with RCV/Carmel Partners. The Amendment confirms the final alignment of the CAWD pipeline and eliminates a previously contemplated RCV reimbursement arrangement because re-engineering is no longer required. It also authorizes recordation of the CAWD Pipeline Easement and related construction license agreements, addresses a Cal Am pipeline easement and construction license, establishes procedures to clear or perfect remnant easements identified on the Final Map, and adds a requirement for the Tree Planting Easement benefiting the District. These revisions are necessary to ensure coordination of the RCV Project and the Restoration Project. The Board is considering the CAWD Pipeline Easement and Tree Planting Easement concurrent with the First Amendment to the Real Property Agreement. The remaining instruments contemplated by the First Amendment to the Real Property Agreement will be forthcoming. The Board's subsequent approval of the form of the remaining instruments is necessary before each may be instituted consistent with this First Amendment to Real Property Agreement.

CAWD Pipeline Easement

The CAWD Pipeline Easement (**ATTACHMENT 2- Exhibit B**) provides CAWD with a non-exclusive, permanent easement across District property to construct, operate, maintain, and replace a wastewater collection pipeline and related facilities. The easement reflects a revised pipeline alignment agreed upon by the District, CAWD, and

Carmel Partners that replaces a portion of a previously existing easement. Key protections for the District include requirements that CAWD restore disturbed areas to pre-construction conditions, maintain appropriate insurance naming the District as an additional insured, indemnify the District, and allow continued District use of the easement area so long as such use does not materially interfere with pipeline operations.

Tree Planting Easement

The Tree Planting Easement (**ATTACHMENT 2- Exhibit C**) grants the District a perpetual easement on adjacent property owned by RCV/Carmel Partners to plant, establish, and maintain native riparian trees and shrubs. The primary purpose of the easement is to provide a long-term visual buffer between private residential development associated with the RCV Project and public parkland while remaining compatible with existing utilities and drainage patterns. The agreement authorizes planting, irrigation during the establishment period, monitoring, and maintenance by the District.

Environmental Review and CEQA Compliance

CEQA Determination

The District determined that the First Amendment to the Real Property Agreement (and activities contemplated therein), CAWD Easement, and Tree Planting Easement are exempt from the requirements of the California Environmental Quality Act (CEQA) under the Class 4 categorical exemption, which applies to minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees. (14 C.C.R. § 15304.) The CAWD Pipeline Easement involves installation of a sewer pipeline on District property under existing entitlements and in coordination with the Restoration Project. Construction and installation will involve only minor alterations in the condition of land and following construction, CAWD is responsible for CAWD restoring disturbed areas to pre-construction conditions. The Tree Planting Easement will also only involve minor alterations to land akin to the example provided in the text of categorical exemption for “new gardening or landscaping.” (14 C.C.R. § 15304, subd. (b).) The First Amendment to the Real Property Agreement encompasses the agreements already discussed and likewise involves only minor alterations in the condition of land. No healthy, mature, scenic trees will be removed as part of any of the agreements. Additionally, none of the exceptions set forth under CEQA Guidelines section 15300.2 apply. (See 14 C.C.R. § 15300.2.) The District therefore determined that the First Amendment to the Real Property Agreement (and activities contemplated therein), CAWD Easement, and Tree Planting Easement are exempt from CEQA under the Class 4 categorical exemption.

Relationship to Prior Environmental Review

The First Amendment to the Real Property Agreement, CAWD Easement, and Tree

Planting Easement are also related to previous CEQA analysis that covered the proposed activities in the agreements.

The County of Monterey, as the lead agency, certified a Second Final Environmental Impact Report (SFEIR) for the Rancho Cañada Village Project on July 27, 2021. Prior to approving the Real Property Agreement, MPRPD prepared an addendum to the SFEIR, pursuant to CEQA Guidelines section 15164, to analyze minor modifications to the RCV Project. MPRPD also determined that the Real Property Agreement was exempt from CEQA under the Class 4 exemption for minor alterations to land (SCH # 2006081150). (CEQA Guidelines, § 15304.)

Separately, MPRPD has complied with CEQA for the Rancho Cañada Floodplain Restoration Project. MPRPD utilized the analysis completed and information contained in the Programmatic Environmental Impact Report (PEIR) for the State Water Resources Control Board's Statewide Restoration Projects General Order. The Order establishes a streamlined authorization process for eligible environmentally beneficial restoration projects and eligible projects can utilize the PEIR for CEQA compliance for individual restoration projects. When MPRPD approved the Restoration Project, it found that all of the effects of the Restoration Project were covered in the PEIR and approved the Project as within the scope of the PEIR (SCH #: 2019100230). MPRPD also adopted all applicable general protection measures, best management practices, and mitigation measures identified in the PEIR.

RECOMMENDED ACTION

Staff recommends the Board of Directors adopt Resolution #26-06 (**ATTACHMENT 2**), which:

1. Approves the First Amendment to the Real Property Agreement [ATTACHMENT 2- Exhibit A](#), CAWD Easement ([ATTACHMENT 2- Exhibit B](#)), and Tree Planting Easement ([ATTACHMENT 2- Exhibit C](#)); and
2. Authorizes the General Manager, or his or her designees, to finalize and enter the First Amendment to the Real Property Agreement, CAWD Easement, and Tree Planting Easement, substantially as to form, and to take all actions necessary to implement them.

ATTACHMENT(S)

1. [Real Property Agreement with Rancho Cañada Ventures LLC](#)
2. [Proposed Draft Resolution #2026-06](#)