

Exhibit D-1

Draft Resolution allocating 92.7 acre feet of
the Monterey County, Fort Ord Water
Allocation

The Redevelopment Agency of
Monterey County
The Monterey-Salinas Bus
Maintenance and
Administrative Facility and
Whispering Oaks Business Park
PLN090071

Appeal PLN110231
Board of Supervisors
June 14, 2011

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**RESOLUTION ALLOCATING 92.7 ACRE-FEET PER YEAR
OF POTABLE WATER TO THE MST/WHISPERING OAKS
COMBINED DEVELOPMENT PERMIT**

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____)
Resolution of the Monterey County)
Board of Supervisors allocating 92.7 acre-)
feet per year for the MST/Whispering Oaks)
Combined Development Permit)
(PLN110231))

The MST/Whispering Oaks Combined Development Permit and related actions came on for public hearing on June 14, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors allocates 92.7 acre-feet per year to the MST/Whispering Oaks Combined Development Permit, as required by actual construction, with reference to the following facts:

I. RECITALS

1. MST/Monterey County Redevelopment Agency applied on November 24, 2009 for approval of a Combined Development Permit and Rezone to create a 16 lot business park including lot 1, consisting of 24 acres for development of a Maintenance and Operations facility for MST (PLN090071) and to set aside 58 acres of open space on land designated Planned Development for Mixed Use in the Fort Ord Reuse Plan ("Reuse Plan") and Monterey County General Plan ("General Plan").
2. The Project is located within the former Fort Ord and is governed by the Fort Ord Reuse Plan as well as the Monterey County General Plan.
3. The Fort Ord Reuse Plan, as adopted by the Fort Ord Reuse Authority on June 13, 1997, contains development policies and standards for the redevelopment of the former Fort Ord.
5. The Reuse Plan limits development through its Development and Resource Management Plan, Section 3.11.5, due to infrastructure and resource constraints. One of the constraints is water supply.
6. The Fort Ord Reuse Authority has allocated available water to various land use jurisdictions. Monterey County has been allocated 710 acre-feet per year of

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potable water to serve property within the unincorporated area that is also within the Fort Ord Reuse Plan planning area.

7. The MST/Whispering Oaks area is served by the Marina Coast Water District ("MCWD").
8. Monterey County has complied with California Environmental Quality Act requirements (California Public Resources Code section 21000 et seq.) by preparing and certifying a Final Subsequent Environmental Impact Report (SCH2009121049) ("FEIR") for the Project.
9. The FEIR prepared for the MST/Whispering Oaks Project included and analyzed the project's water use, determined whether potentially significant environmental effects would result from development of the Project.
10. As part of the preparation of the EIR, the County retained Carollo Engineers to prepare a Water Supply Assessment for the Marina Coast Water District in compliance with Water Code Sections 10910 and 10912 and Government Code Sections 65867.5 and 66473.7, to evaluate and determine whether sufficient potable water will be available to serve Project water demand.
11. MCWD, in response to the County's request, prepared the WSA, dated November 2010 attached hereto as Attachment A, which document was approved by the MCWD's governing body in accordance with Water Code Section 10910(g)(1) following a public hearing held on November 9, 2010 (MCWD Resolution No. 2010-743).
12. On April 27, 2011 the Monterey County Planning Commission held duly noticed public hearings to consider certification of the FEIR, the proposed MST/Whispering Oaks Combined Development Permit and Rezone. At least 10 days before the public hearing, notices of the hearing before the Planning Commission were published in both the Monterey County Herald and the Salinas Californian and were also posted on and near the property and mailed to property owners within 300 feet of the subject property as well as interested parties.
13. On June 14, 2011 the Monterey County Board of Supervisors held a duly noticed public hearing to consider certification of the FEIR, the proposed MST/Whispering Oaks Combined Development. At least 10 days before the public hearing, notices of the hearing before the Board of Supervisors were published in both the Monterey County Herald and the Salinas Californian. The notice was also posted on and near the property and mailed to property owners within 300 feet of the subject property as well as interested parties.
14. Prior to allocating water for the Combined Development Permit, the Board of Supervisors certified the FEIR.

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II. DECISION

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby allocates 92.7 acre-feet per year to the approved MST/Whispering Oaks Combined Development Permit and makes the following findings:

FINDING: Projected water supplies will be sufficient to satisfy the demands of the Water District, including the MST/Whispering Oaks Project, in addition to existing and planned future uses, for normal, single dry, and multiple dry water years.

EVIDENCE: *Water Supply Assessment, MST/Whispering Oaks Development (WSA)*, prepared by Corollo Engineers, dated November 2010.

EVIDENCE: Marina Coast Water District Resolution No. 2010-74 adopting the WSA.

EVIDENCE: *MST/Whispering Oaks, Draft Environmental Impact Report*, Section 2.10.

PASSED AND ADOPTED on this ____ day of June, 2011, by the following vote:

AYES: Supervisors

NOES:

ABSENT:

ABSTAIN:

Jane Parker, Chair
Monterey County Board of Supervisors

A T T E S T:

GAIL T. BORKOWSKI
Clerk of the Board

By: _____
Deputy