

ATTACHMENT A

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Proposed Amendments to Monterey County 2010 General Plan shown as changes from 2010 General Plan policies as adopted October 26, 2010

1. PS-3.1

PS-3.1 Except as specifically set forth below, new development for which a discretionary permit is required, and that will use or require the use of water, shall be prohibited without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity to serve the development.

This requirement shall not apply to:

- a. the first single family dwelling and non-habitable accessory uses on an existing lot of record; or
- b. specified development (a list to be developed by ordinance) designed to provide: a) public infrastructure or b) private infrastructure that provides critical or necessary services to the public, and that will have a minor or insubstantial net use of water (e.g. water facilities, wastewater treatment facilities, road construction projects, recycling or solid waste transfer facilities); or
- c. development ~~related to agricultural land uses within Zone 2C of the Salinas Valley groundwater basin, provided the County prepares or causes to be prepared a study report to for the Board of Supervisors regarding Zone 2C, to be completed no earlier than October 31, 2017 and no later than March 31, 2018 that does the following every five (5) years for Zone 2C examining the degree to which:~~
 - 1) evaluates existing data for seawater intrusion and groundwater levels collected by Monterey County Water Resources Agency as of the date the study is commenced;
 - 2) evaluates the total water demand for all existing uses and future uses ~~predicted~~ designated in the General Plan EIR for the year 2030 ~~will be reached;~~
 - 3) assesses and provides conclusions regarding the degree to which the total water demand for all uses designated in the General Plan for the year 2030 are likely to be reached or exceeded;
 - 2) 4) evaluates on an annual basis during the study period groundwater elevations and the seawater intrusion boundary ~~have changed since the prior reporting period; and~~
 - 5) based on historical data and the data produced by the study, evaluates and provides conclusions regarding future trends and any expected movement of groundwater elevations and the seawater intrusion boundary;

- 6) should the study conclude that i) total water demand for all uses designated in the General Plan for the year 2030 is likely to be exceeded; or ii) groundwater elevations are likely to decline by the year 2030 and iii) the seawater intrusion boundary is likely to advance inland by the year 2030, the study shall make recommendations on measures the County could take to address any or all of those conditions; and
- 7) addresses such other matters and the Board of Supervisors determines are appropriate.
- 2) ~~other sources of water supply are available.~~

If, following the periodic report, the Board finds, based upon substantial evidence in the record, that:

Within two months following the completion of the study, the Board of Supervisors shall hold an open and noticed public hearing on the results of the study. If the study reaches the conclusions for Zone 2C identified in subsection 6) i or 6) ii and 6) iii, the Board of Supervisors shall adopt one or more measures identified in the study, or other appropriate measures, to address the identified conditions. This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan.

Following completion of the study described herein, and the adoption of measures as may be recommended in the study, if any, the County shall prepare a report to the Board of Supervisors every five (5) years for Zone 2C that examines the degree to which ~~Thea~~ total water demand for all uses in Zone 2C in 2030 as predicted in the General Plan EIR for year 2030 will be reached; is likely to be exceeded; or it is reasonably foreseeable that the total water demand for all uses in Zone 2C in 2030 would result in one or more of the following in Zone 2C in 2030: b) declining groundwater elevations, further the seawater intrusion boundary have changed since the prior reporting period; and c) other sources of water supply are available, increased substantial adverse impacts on aquatic species, or interference with existing wells, then the County shall initiate a General Plan amendment process to consider removing this agricultural exception in Zone 2C. Development under this agricultural exception shall be subject to all other policies of the General Plan and applicable Area Plan; or

- d. ~~development in Zone 2C for which the decision maker makes a finding, supported by substantial evidence in the record, that the:~~
 - 1) ~~development is in a Community Area or Rural Center and is otherwise consistent with the policies applicable thereto;~~

- ~~2) relevant groundwater basin has sufficient fresh water in storage to meet all projected demand in the basin for a period of 75 years; and,~~
- ~~3) benefits of the proposed development clearly outweigh any adverse impact to the groundwater basin.~~

2. PS-3.3

PS-3.3 Specific criteria shall be developed by ordinance for use in the evaluation and approval of adequacy of all domestic wells. The following factors shall be used in developing ~~Criteria shall assess both~~ water quality and quantity including, but not limited to:

- a. Water quality.
- b. Production capability.
- c. Recovery rates.
- d. Effect on wells in the immediate vicinity as required by the Monterey County Water Resources Agency or Environmental Health Bureau.
- e. Existing groundwater conditions.
- f. Technical, managerial, and financial capability of the water purveyor of a water system.
- g. Effects of additional extractions or diversion of water on in-stream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead, for the purpose of minimizing impacts to those resources and species.

This policy is not intended to apply to replacement wells

3. PS-3.4

PS-3.4 The County shall request an assessment of impacts on adjacent wells and instream flows for new high-capacity wells, including high-capacity urban and agricultural production wells, where there may be a potential to affect existing adjacent domestic or water system wells adversely or in-stream flows, as determined by the Monterey County Water Resources Agency. In the case of new high-capacity wells for which an assessment shows the potential for significant adverse well interference, the County shall require that the proposed well site be relocated or otherwise mitigated to avoid significant interference. ~~Specific criteria shall be developed~~ The following factors shall be used in developing criteria by ordinance for use in the evaluation and approval of adequacy of all such high-capacity wells, including not limited to:

- a. Effect on wells in the immediate vicinity as required by the Monterey County Water Resources Agency or Environmental Health Bureau.
- b. Effects of additional extractions or diversion of water on in-stream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead, for the purpose of minimizing impacts to those resources and species.

This policy is not intended to apply to replacement wells.