



Monterey County

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Board Order

Upon motion of Supervisor Potter, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

Held a Public Hearing to consider:

- a. Addendum No 3 to the Final Environmental Impact Report for the 2010 Monterey County General Plan together with (#7-01, SCH #20071212001)("FEIR"); and
- b. Adopted Resolution of Intent 15-102 to reject the proposed amendments to the 2010 Monterey County General Plan; directed staff to contact the interested parties to see if further compromise can be reached and return to the Board on May 12, 2015 with a status report.

(REF150010/General Plan Amendment No. 3)

PASSED AND ADOPTED on this 28th day of April 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas and Potter

NOES: Supervisor Parker

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on April 28, 2015.

Dated: April 29, 2015
File ID: 15-0409

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

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

RESOLUTION OF INTENT TO DISAPPROVE GENERAL PLAN AMENDMENTS

Resolution No. 15-102

Resolution of Intent to not certify)
Addendum No. 3 to FEIR #07-01, SCH)
#2007121001, and disapprove amendments)
to Policies PS 3.1; OS 3.1, 3.5, 3.9, 5.16)
and 5.24; AWCP Sections 3.1, 3.2, 3.4 and)
3.5; and the Glossary, of the 2010)
Monterey County General Plan relating)
generally to long term sustainable water)
supply in the Salinas Valley, new)
agriculture on steep slopes, wildlife)
corridors, and uses in the Agricultural and)
Winery Corridor)
Plan.....)

RECITALS

WHEREAS, section 65300 et seq. of the California Government Code requires each county to adopt a comprehensive, long-term General Plan for the physical development of each county; and

WHEREAS, on October 26, 2010, the Board of Supervisors adopted the 2010 Monterey County General Plan (“General Plan”), which included the Agricultural and Winery Corridor Plan (“AWCP”), and certified its accompanying Final Environmental Impact Report (#07-01, SCH #2007121001) (“FEIR”); and

WHEREAS, subsequent to the adoption of the General Plan and certification of the FEIR, four lawsuits were commenced challenging those actions on a variety of grounds; and

WHEREAS, two of those lawsuits was filed in the name of The Open Monterey Project (“TOMP”) and LandWatch Monterey County (“LandWatch”); and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (“CEQA”), settlement negotiations were begun with all litigant groups; and

WHEREAS, following extended negotiations, agreements were reached with both TOMP and LandWatch which require the County to consider amendments to the General Plan, and the Board of Supervisors approved the settlement; and

WHEREAS, pursuant to Government Code sections 65350 et seq., the County may amend the adopted General Plan provided the County follows certain procedures, including that the Planning Commission hold a noticed public hearing and make a written recommendation to the Board of Supervisors on the proposed amendment of the General Plan and that the Board of Supervisors hold a noticed public hearing; and

WHEREAS, proposed amendments to the General Plan came on regularly for public hearing before the Monterey County Planning Commission on February 25, 2015 and March 25, 2015; and

WHEREAS, the proposed amendments to the General Plan affect Policies PS 3.1; OS 3.1, 3.5, 3.9, 5.16 and 5.24; AWCP Sections 3.1, 3.2, 3.4 and 3.5; and the Glossary; and

WHEREAS, an Addendum to the certified FEIR (“Addendum No. 3”) has been prepared pursuant to Section 15164 of the CEQA Guidelines because substantial evidence in the record shows that the conditions requiring a Subsequent Environmental Impact Report (“EIR”) or Supplement to an EIR do not exist; and

WHEREAS, the Planning Commission considered the Addendum No. 3 and voted 9-0-1 to recommend that the Board of Supervisors not adopt the proposed amendments while recognizing that the balancing of litigation risk against the proposed amendments was the role of the Board of Supervisors; and

WHEREAS, on March 26, 2015, the Agricultural Advisory Committee voted unanimously to recommend that the Board of Supervisors not adopt the proposed amendments; and

WHEREAS, the proposed amendments and Addendum 3 came on regularly for public hearing before the Board of Supervisors on April 28, 2015, at 1:30 p.m., and at least 10 days before the public hearing, notice of the hearing before the Board of Supervisors was published in the Monterey County Weekly and mailed to interested parties; and

WHEREAS, the Board of Supervisors has considered all the written and documentary evidence, the staff report and its attachments, oral testimony, and other evidence presented; and

WHEREAS, the Board of Supervisors has considered the Addendum No. 3, attached hereto as Exhibit 1; NOW, THEREFORE,

BE IT RESOLVED, by the Board of Supervisors in and for the County of Monterey as follows:

- A. The above recitals are true and correct.
- B. The Board of Supervisors intends to adopt a resolution not certifying Addendum No. 3 to 2010 General Plan FEIR #07-01, SCH #2007121001, and disapproving the amendments to the 2010 Monterey County General Plan as set forth in Exhibit 2, attached hereto.
- C. The hearing is continued to May 12, 2015, at 1:30 p.m.
- D. Staff is directed to meet with TOMP, LandWatch and other interested parties to ascertain whether changes to the proposed amendments may be acceptable and recommended to the Board of Supervisors for adoption.

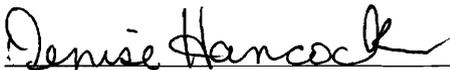
PASSED AND ADOPTED upon motion of Supervisor Potter, seconded by Supervisor Armenta carried this 28th day of April 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on April 28, 2015.

Dated: May 13, 2015
File Number: 15-0409

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By: 
Deputy