



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 15-0447, **Version:** 1

Public Hearing to consider further action on:

- 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. Amendments to the 2010 Monterey County General Plan to implement litigation settlement agreements with LandWatch Monterey County and The Open Monterey Project.
(REF150010/General Plan Amendment No. 3)

RECOMMENDATION:

It is recommended that the Board of Supervisors consider further action on the proposed amendments to the 2010 Monterey County General Plan (“General Plan”) that would implement a settlement of litigation regarding the General Plan.

SUMMARY:

On April 28, 2015 the Board of Supervisor’s considered proposed amendments to the 2010 General Plan the adoption of which would implement settlement agreements concerning the two remaining lawsuits challenging the 2010 General Plan, certification of its Environmental Impact Report, and certain amendments to the General Plan approved in 2013. The settlement agreements require the County to consider amendments to the 2010 General Plan, generally as follows:

- Long Term Sustainable Water Supply in the Salinas Valley - Policy PS-3.1;
- Agricultural Slope - Conversion of Previously Uncultivated Lands on steep slopes - Policies OS-3.5, OS-3.1, OS-3.9;
- Wildlife Corridors - Policies OS-5.15, OS-5.24;
- Agricultural Winery Corridor Plan (AWCP) - Policies 3.1, 3.2, 3.4, 3.5; and
- Glossary

The Board considered the proposed amendments, adopted a Resolution of Intent to disapprove the amendments and not certify the Addendum No. 4 by a 4-1 vote, directed staff to meet with the litigants and other interested parties to discuss possible modifications to the proposed amendments, and continued the hearing to May 12, 2015. Staff will report the outcome of the discussion with the litigants and interested parties at the May 12, 2015 Board hearing.

The Board Report, proposed amendments, and summary of the amendments presented at the Board meeting on April 28, 2015, are enclosed for the Board’s review.

OTHER AGENCY INVOLVEMENT:

The County Counsel’s Office and the Resource Management Agency will meet with the litigants and interested parties and report to the Board at the May 12, 2015 meeting.

FINANCING:

Funding for staff time related to processing these amendments is included in the FY 14-15 Adopted Budgets for the Office of County Counsel and the Resource Management Agency. The settlement agreements provide for

the payment of attorney's fees if the agreements are implemented; those fees would be paid out of the General Liability ISF.

Prepared by: Jacqueline R. Onciano, RMA Services Manager, ext. 5193

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192
Carl P. Holm, AICP, Acting Director, Resource Management Agency
Leslie J. Girard, Chief Assistant County Counsel

cc: Front Counter Copy; Board of Supervisors; Wendy Strimling, County Counsel ; RMA-Public Works; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; Les Girard, Chief Assistant County Counsel; Carl Holm, Acting RMA Director; Mike Novo, Director of RMA Planning; Jacqueline R. Onciano, RMA Services Manager; Melanie Beretti, RMA Services Manager; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); John H. Farrow; Janet Brennan; George Brehmer; Nancy Isakson; Pam Silkwood; Norm Groot; Darlene Din; Abby Taylor - Silva; Kevin Pearcey; Christine Kemp; Dale Ellis; Dick Cameron; Sasha Gennet; Rachel Saunders; Tanya Diamond; Planning File REF150010

The following attachment is on file with the Clerk of the Board:

Attachment A April 28, 2015 Board Report and Attachments A & B thereto