

**EXHIBIT N
RECOMMENDED RESOLUTION
WATER ALLOCATION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

Resolution No. _____)
Resolution of the Monterey County)
Planning Commission recommending that)
the Monterey County Board of Supervisors)
allocate 470 acre-feet per year for the)
East Garrison Project and its related)
Entitlements (PLN030204))

The East Garrison Specific Plan and related actions came on for public hearing on November 17, 2004 and July 13, 2005. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission forwards the following recommendations to the Board of Supervisors with reference to the following facts:

I. RECITALS

1. East Garrison Partners I, LLC, applied on August 14, 2003 for approval of a Specific Plan and related entitlements to develop 244 acres of the East Garrison area as a mixed use community (PLN030204, East Garrison Partners), as described in the Fort Ord Reuse Plan (“Reuse Plan”) and Monterey County General Plan (“General Plan”). The application proposed legislative and discretionary approvals including adoption of a Specific Plan, General Plan amendments, Zoning Ordinance Amendments, a Vesting Tentative Map, Use Permits for development on slopes over 30% and tree removal, water allocation, and a Development Agreement (“Project”).
2. The County analyzed the application for a Specific Plan and related entitlements for East Garrison on the former Fort Ord. A Specific Plan was prepared and circulated for public review on September 15, 2004.
3. 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.
4. 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 560 acre-feet per year of potable water to serve property within the unincorporated area that is also within the Fort Ord Reuse Plan planning area.
7. The East Garrison 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 (EIR No. 04-04, SCH2003081086) (“FEIR”) for the Project.
9. The FEIR prepared for the East Garrison Specific Plan Project included and analyzed the project’s water use and determined whether potentially significant environmental effects would result from development of the Project.
10. In connection with preparation of the FEIR, on May 16, 2003, the County requested that the Marina Coast Water District prepare a Water Supply Assessment and Written Verification of Supply (“WSA”) for normal, single dry, and multiple dry water years, 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 June 3, 2004, 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 July 14, 2004 (MCWD Resolution No. 2004-33).
12. On November 17, 2004 and July 13, 2005, the Monterey County Planning Commission held duly noticed public hearings to consider and make recommendations to the Board of Supervisors regarding certification of the FEIR, the proposed General Plan amendments, the proposed East Garrison Specific Plan, proposed related amendments to the County’s zoning ordinance, the proposed Combined Development Permit, water allocation, and a proposed ordinance approving a development agreement. 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. Prior to making the recommendation on the water allocation, the Planning Commission recommended certification of the FEIR.

II. DECISION

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends that the Board of Supervisors allocate 470 acre-feet per year to the approved East Garrison Specific Plan Project and make the following findings:

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

EVIDENCE: *Water Supply Assessment and Written Verification of Supply, Proposed East Garrison Specific Plan Development (WSA)*, prepared by Byron Buck & Associates, dated June 3, 2004.

EVIDENCE: Marina Coast Water District Resolution No. 2004-33 adopting the WSA.

EVIDENCE: *East Garrison Specific Plan, Draft Subsequent Environmental Impact Report*, Section 4.11.6.

Passed and adopted on this 13th day of July, 2005, upon motion of Commissioner _____, seconded by Commissioner _____, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

By _____
DALE ELLIS, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON: