

# APPENDIX H

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## Land Use, Agriculture, and Recreation

This appendix includes the State and local regulatory framework for managing land use, agricultural resources, and recreational resources within the proposed project area. This section introduces the applicable plans, including General Plans, Local Coastal Plans, and Area Plans, as well as other policies and regulatory constraints that apply to the CWP.

### A. State

#### California Coastal Act

The California Coastal Act was enacted by the State Legislature in 1976 to provide long-term protection of the state's 1,100-mile coastline for the benefit of current and future generations. The Coastal Act created a unique partnership between the State (acting through the California Coastal Commission [CCC]) and local government entities (15 coastal counties and 58 cities) to manage the conservation and development of coastal resources through a comprehensive planning and regulatory program. Coastal Act policies, the heart of the coastal protection program, are the standards used by the CCC in its coastal development permit decisions and review of LCPs prepared by local governments and submitted to the Commission for approval (CCP, 2008)

The majority of Monterey County is within the Coastal Zone. Within the Project area, several jurisdictions have adopted Local Coastal Programs to implement the Coastal Act: Monterey County and the cities of Marina, Seaside, Sand City and Monterey. By adopting a LCP, the local jurisdiction assumes the responsibility and authority to implement the California Coastal Act.

#### Coastal Dependency

One of the primary determinations for projects proposed to be sited on or next to the ocean is whether the project is "coastal-dependent" or "coastal-related." Section 30101 of the Coastal Act defines a coastal-dependent development or use as "any development or use which requires a site on, or adjacent to, the sea to be able to function at all." Section 30101.3 defines a coastal-related development as "any use that is dependent on a coastal-dependent development or use." The Coastal Water Project may not necessarily be considered a coastal-dependent development or use for all facilities. Even for facilities using seawater (as opposed to brackish water, groundwater, reclaimed water, etc.), the processing of that water does not depend on being on or adjacent to the ocean. However, even if some facilities might not be considered coastal-dependent, the intake

pipelines, and the outfall used for brine disposal may be considered coastal development (CCC, Seawater Desalination and the California Coastal Act, March 2004).

## Priority Uses

The Coastal Act recognizes that there is a limited amount of coastal land in the State and prioritizes coastal-dependent development of coastal areas. These types of priority uses and development include:

- Lower-cost visitor and recreation facilities (Section 30213),
- Visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation (Section 30222),
- Aquaculture facilities (Section 30222.5),
- Upland areas for coastal recreation (Section 30223),
- Recreational boating and associated facilities (Section 30224),
- Commercial fishing and recreational boating facilities (Section 30234),
- Prime agricultural land (Section 30241), and
- Coastal-dependent development (Section 30255).

## Public Access

A primary focus of the Coastal Act is to provide public access to the coast. The Act includes several policies related to public access and recreation, most of which provide strong support for the public's ability to use and enjoy coastal areas. The primary public access policies are:

- Access, recreational opportunities, and posting (Section 30210),
- Development not to interfere with access (Section 30211),
- Requirements for new development projects (Section 30212),
- Distribution of public facilities (Section 30212.5),
- Lower-cost visitor and recreation facilities (Section 30213), and
- Implementation of public access policies (Section 30214).

## Local Coastal Programs

In addition, pursuant to the state Coastal Act (Public Resources Code section 30000 et seq.), each local government within the state coastal zone must prepare a Local Coastal Program (LCP) for the portion of the coastal zone within its jurisdiction. The LCP must be certified by the California Coastal Commission. The LCP includes a land use plan and implementing ordinances and actions. The land use plan that is part of the LCP indicates the kinds, location, and intensity of land uses and applicable resource protection and development policies in the coastal zone.

## **Monterey County Local Coastal Program**

The County of Monterey prepared its Local Coastal Program (LCP) in the early 1980s.

### **Segmented Land Use Plan**

The County decided to segment its LCP Land Use Plan (LUP) to cover four separate areas, which resulted in four LUP documents:

- North County Land Use Plan,
- Carmel Area Land Use Plan,
- Del Monte Forest Land Use Plan, and
- Big Sur Coast Land Use Plan.

The four LUPs were approved by the County and by the California Coastal Commission (CCC), and certified in June 1982 (North County), April 1983 (Carmel Area), September 1984 (Del Monte Forest), and April 1986 (Big Sur Coast).

### **Coastal Implementation Plan**

Monterey County's Coastal Implementation Plan was issued in the mid-1980s, in six parts:

- Part I consists of Coastal Zone regulations in Title 20 of the Monterey County Code;
- Parts II—V are County Code regulations for development of the four area segments (Chapter 20.144—North County, Chapter 20.146—Carmel Area, Chapter 20.145—Big Sur, and Chapter 20.147—Del Monte Forest; and
- Part VI consists of Other Applicable County Ordinances, the Zoning District Maps, and a series of other appendices.

The Project would be within the North County LCP, which contains the proposed desalination plant site and pipeline alignments from Moss Landing south to the City of Marina. The Carmel Area Land Use Plan is discussed below. The Del Monte Forest, also known as Pebble Beach, is within the CalAm service area between the cities of Pacific Grove and Carmel on the Monterey Peninsula. However, as discussed below under the Greater Monterey Peninsula Area Plan, this planning area neither affects nor is affected by the proposed project facilities. The Big Sur Coast Land Use Plan is outside of the Proposed Project area.

### **City of Marina Local Coastal Land Use Plan**

The City of Marina's Coastal Zone includes Highway 1 and all lands west of Highway 1 within the incorporated city limits. In addition, the Coastal Zone includes those vacant lands west of Del Monte Boulevard, between Reservation Road and the City's southern boundary, including coastal dunes, cultivated acreage, some vernal ponds with associated wetlands, and a narrow strip about two miles long west of Highway 1 within the boundaries of the former Fort Ord, including the coastal bikeway and the Southern Pacific Railroad tracks.

The Marina LCLUP is a part of the City’s General Plan. Like the General Plan, it establishes appropriate land uses by type and density, as well as establishes a policy framework for plan implementation. The policy framework of the LCLUP includes the policy statements, the plan guidelines, the land use map, verbal description of the land use map, and the recreational access component.

**Sand City Local Coastal Plan**

Sand City’s LCP was incorporated into the General Plan by reference and was re-adopted through the 2002 General Plan Update. In addition to the LCP, in 1996, a memorandum of understanding (MOU) was agreed upon (by the California Department of Parks and Recreation, the Monterey Peninsula Regional Park District, the City of Sand City, and the Sand City Redevelopment Agency) that places much of Sand City’s coastline in open space and/or public recreation uses. The City’s planned desalination facility is recognized by the General Plan as an appropriate use in the Sand City Coastal Zone as prescribed by the LCP Element.

**B. Local**

**County and City General Plans, Ordinances, and Regulations**

California state law requires each county and city to adopt “a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning” (Government Code section 65300). State Planning and Zoning Law (Government Code Section 65302(a)) establishes the requirements for elements to be included in the general plan. Table H-1 summarizes the general plan elements that govern land uses, agricultural resources, and environmental planning.

**TABLE H-1  
 SUMMARY OF APPLICABLE GENERAL PLAN ELEMENTS**

| Resource Topic         | Summary Description   |
|------------------------|---|
| Land Use               | In county and city general plans, the Land Use Element governs how land is used and guides development patterns. The Land Use Element established policies that designate the general distribution and intensity of residential, commercial, industrial, agricultural, public facilities, and open space.   |
| Agricultural Resources | Some counties and cities elect to include an Agricultural Element as part of the General Plan. The Agricultural Element establishes policies directed at enhancing and supporting long-term productivity and commercial viability of the agricultural industry. The purpose of the Agricultural Element is to identify ways in which agricultural uses are addressed differently than other land use policies and include measures designed to protect agricultural operations. |
| Resource Conservation  | The conservation element addresses the conservation, development, and use of natural resources, including water, forests, soils, rivers, and mineral deposits.  |
| Open Space             | The open space element details plans and measures for the long-range preservation and conservation of open space lands, including open space for the preservation of natural resources, the managed production of resources (including agricultural lands), outdoor recreation, and public health and safety.   |

## **Monterey County Project Planning Region**

### ***Monterey County General Plan***

The Monterey County General Plan is a 20-year planning document guiding the growth and development of the unincorporated portions of Monterey County. Monterey County has been in the process of updating its General Plan since 1999 and has circulated several drafts; a fourth draft is under preparation and is not yet available. Therefore, this analysis is based on the adopted 1982 County of Monterey General Plan and its component Area Plans and Local Coastal Program policies that apply to the Project facilities in that unincorporated area. Further analysis would be required if an updated General Plan is adopted prior to permit applications to the County for project approvals.

The *Monterey County General Plan* consists of policies that apply countywide and policies unique to specific regions. Countywide policies are applicable to the entire unincorporated area and are included in the Land Use Element. More focused policies that address specific regional or local issues are found in Area Plans (Monterey County, 1982). The 1982 General Plan Land Use Element establishes numerous policies that are intended to ensure consistency with adopted local land use plans and reduce inconsistencies with such plans. The Land Use Element, Agricultural Resource Element, and the Open Space Element identify goals and policies that are relevant to the Moss Landing and North Marina Projects.

The *1982 Monterey County General Plan* includes Area Plans for twelve regional planning areas, including the four Land Use Plans for the Local Coastal Program in the Coastal Zone and eight Area Plans for the inland county areas. Under the Project, facilities would be located in several unincorporated planning areas: North County Coastal, Greater Monterey Peninsula, and Carmel Valley. The North County Coastal Land Use Plan, which includes the Moss Landing Community Plan, is part of the County's Local Coastal Program (described above).

### ***Monterey County Zoning Ordinance***

The Zoning Ordinance is the primary implementation tool for the Land Use Element of the Monterey County General Plan. Land uses within the project area will be subject to the requirements of the Inland Zoning Ordinance (Title 21) and the Coastal Zoning Ordinance (Title 20). The Zoning Ordinance implements the goals and policies of the General Plan by identifying specific types of land uses, intensity of uses and development standards to be used in guiding the development and use of land within unincorporated areas of the County. Title 21 provides for zoning districts to accommodate development where adequate services and facilities exist to support such development.

### ***Monterey County Municipal Health and Safety Code (Title 10) Section 10.72***

Monterey County has adopted an ordinance that relates to desalination treatment facilities. Sections 10.72.010 et seq. relate to desalination treatment facilities. Section 10.72.010 provides:

*No person, firm, water utility, association, corporation, organization, or partnership, or any city, county, district, or any department or agency of the State shall commence*

*construction of or operate any Desalination Treatment Facility (which is defined as a facility which removes or reduces salts from water to a level that meets drinking water standards and/or irrigation purposes) without first securing a permit to construct and a permit to operate said facility. Such permits shall be obtained from the Director of Environmental Health of the County of Monterey, or his designee, prior to securing any building permit.*

Section 10.72.030 lists requirements for an operation permit. In 1989, Monterey County adopted an ordinance that requires public ownership of desalination plants and requires that each plant have a dual system, where one side is held in reserve in the event of a breakdown on the other side. The amendment, Subsection B, requires an applicant to: “B. Provide assurances that each facility would be owned and operated by a public entity.” This is not restricted to Monterey Bay and seawater desalination, but applies to the entire County and therefore to desalination of groundwater, surface water, and wastewater as well. It is CalAm’s position that this County legislation conflicts with State law in a number of ways. It is therefore preempted by State law and is unenforceable. In January, 1991, the County Code was amended to allow for privately run desalination plants as long as the product water is only used onsite.

CalAm is a private utility regulated by the Public Utilities Commission (CPUC). Approval of a new water supply facility for a CPUC-regulated utility is within the CPUC’s exclusive jurisdiction. Monterey County Code Section 10.72-030B also is in conflict with California Government Code Section 5956 (the Infrastructure Financing Act), which specifically authorizes private operation and ownership of water supply infrastructure.

### ***Monterey Bay National Marine Sanctuary Management Plan***

A sanctuary management plan is a site-specific planning and management document that describes the objectives, policies, and activities for a sanctuary. Management plans generally outline regulatory goals; describe boundaries; identify staffing and budget needs; set priorities and performance measures for resource protection, research, and education programs; and guide the development of future management activities. The National Marine Sanctuary Program (NMSP) is required by law to periodically review sanctuary management plans to ensure that sanctuary sites continue to best conserve, protect, and enhance their nationally significant living and cultural resources.

The NMSP is in the process of preparing updated Draft Management Plans and Environmental Impact Statements for Cordell Bank, Gulf of the Farallones, and Monterey Bay National Marine Sanctuaries after nearly three years of public input, issue prioritization, and recommendations from each site’s Sanctuary Advisory Councils. Revised Plans and the Draft Environmental Impact Statement are scheduled to be released to the public in the summer of 2005.

There has been a significant increase in both private and public desalination proposals along the California Coast; see Section 7 (Cumulative Impacts). The Monterey Bay National Marine Sanctuary Advisory Council (MBNMS) has recognized that desalination may become a trend in water supply projects due to population growth in the Monterey Bay area, continuing shortages and degradation of conventional water supplies, and advances in desalination technology.

MBNMS has been coordinating a joint effort with the CCC and the Central Coast RWQCB, to develop regional guidelines and recommendations for a comprehensive approach to seawater desalination. In March 2004, the CCC and the MBNMS Advisory Council released an updated and expanded report that was originally published by the Coastal Commission in 1993, titled *Seawater Desalination in California*.

As part of the Joint Management Plan Review, a working group has drafted for the MBNMS Advisory Council a long-term strategy to address the issue of desalination within the MBNMS. The Draft MBNMS strategies and activities have not been adopted, but it is likely that many of the strategies and concepts in the current draft will be adopted. The Draft strategies that would apply to desalination facilities such as the Project are summarized as follows:

- To develop and implement a regional planning program to address desalination facility development and operation in the MBNMS;
- To develop and implement a set of desalination facility siting guidelines and recommendations to minimize impacts on Sanctuary resources;
- To define and implement environmental standards for desalination facilities operating in the MBNMS;
- To determine predicted properties of brine plume, and measure short and long term, and cumulative impacts; and
- To conduct extensive outreach on the guidelines and recommendations developed by this working group.

## **North County Project Planning Region**

### ***North County Land Use Plan***

The area known as North County is currently governed by the North County Area Plan and the North County Land Use Plan (LUP) of the Local Coastal Program (LCP). Land use activities within the coastal zone, which encompasses about half of the North County Planning Area, are covered by the North County LUP/LCP, while the North County Area Plan has jurisdiction over the rest of the Planning Area. The North County LUP/LCP, which includes a community plan for Moss Landing and vicinity, was certified by the California Coastal Commission in 1982. The North County Area Plan was adopted in 1983 and has been amended by the Board of Supervisors 21 times. Applicable policies of the *North County Land Use Plan* are listed in **Table H-2**.

### ***Moss Landing Community Plan***

The *Moss Landing Community Plan* is included in the *North County Land Use Plan* and contains specific policies that guide development in the Moss Landing community.

### ***Castroville Community Plan***

The *Castroville Community Plan* (for the non-coastal zone areas) was adopted by the Board of Supervisors in 2007 as an amendment to the County's General Plan. The Castroville Community Area is located in the North County Area Plan (coastal and non-coastal) of the 1982 *Monterey*

*County General Plan.* The *Castroville Community Plan* will be adopted into the *Monterey County General Plan* as an Amendment and is intended to implement the *Monterey County General Plan* vision, goals, policies, strategies, and land use plan described in the *North County Area Plan* and *North County Land Use Plan Local Coastal Program* (as amended), and act as a further refinement of those plans.

## **Seaside Basin Project Planning Region**

### ***Greater Monterey Peninsula Plan***

Extending from the Salinas River mouth in the north to Malpaso Creek to the south, and from the coast, as far inland as Highway 68 at Reservation Road, Carmel Valley, and Los Padres National Forest, the Greater Monterey Peninsula planning area encompasses 140,222 acres. It includes more cities than any other area in the County. Its seven cities, clustered around the Peninsula, are Carmel-by-the-Sea, Del Rey Oaks, Marina, Monterey, Pacific Grove, Sand City and Seaside. The visitor-serving industry on the Monterey Peninsula is the second-largest industry countywide. The Monterey County Greater Monterey Peninsula Area Plan (GMPAP) applies only to the unincorporated area, although, in some of the Greater Monterey Peninsula area, the cities' spheres of influence may also impact planning activities.

The Greater Monterey Peninsula Area Plan was approved by the Board of Supervisors in 1984. The Greater Monterey Peninsula also includes the Fort Ord Reuse Area, comprising 27,954 acres, and which is discussed separately under the Fort Ord Reuse Plan. Within the Greater Monterey Peninsula Area, two additional components of the County General Plan and Local Coastal Program apply: the Del Monte Forest Land Use Plan and the Carmel Valley Master Plan.

CAW's service area provides water supplies to the cities and to the Greater Monterey Peninsula unincorporated residential and business park developments along the Highway 68 corridor in Laguna Seca, to Bay Ridge and Aguajito, as well as to the Carmel Valley. Other developments in the Planning Area are served by other water systems and purveyors, or by private wells.

### ***City of Marina General Plan***

The two major purposes of the Marina General Plan are to guide daily and long-term planning and development decisions by the City in a manner consistent with stated City goals and to provide clear documentation of the City's goals and commitments for private developers, homeowners, businesses, investors, and public entities that may want to carry on planning and development activities that will affect Marina. The planning area encompassed by the Marina General Plan includes the existing incorporated City and adjoining land in the preparation of the General Plan. Included are unincorporated lands in Monterey County lying to the north and east of the City's Sphere of Influence.

The City of Marina General Plan was adopted on October 31, 2000. On the November 7, 2000 the Urban Growth Boundary (UGB) Initiative (Measure E) was passed by the Marina voters. Among other stated objectives, the UGB encouraged infill development within the existing urban areas of

the City and discouraged urban sprawl outside such areas by establishing the UGB on the northern side of the City. The UGB Edition of the Marina General Plan (2000) includes a long-term policy framework, and it provides an indication of the type and breadth of changes to bring the prior General Plan into conformity with the UGB Initiative.

The City of Marina Land Use Element Map identifies right-of-ways required for roadways and rail, power, wastewater, water, and storm drainage lines. The Community Infrastructure chapter of the Marina General Plan outlines water supply and management provisions for meeting the existing and future users and managing and conserving resources. The Marina Coast Water District (MCWD) is the water purveyor for the incorporated portion of the Marina Planning Area. The Water Supply section of the Community Infrastructure chapter includes statements and policies on water sources and allocations, estimated demand, and water resources management. It states that water conservation and water reclamation and reuse must constitute a major component of future water management efforts. Water demands identified in this document are discussed further in Section 8 (Indirect Effects) in regards to growth considerations under the Regional Alternative.

### ***City of Seaside General Plan***

Recent annexation of land in the former Fort Ord area has given the City new opportunities for residential and nonresidential development in northern and eastern Seaside. New development, redevelopment, and revitalization opportunities also exist in the central core of the City. The City of Seaside General Plan was adopted by City Council Resolution 04-59, on August 5, 2004. The recently adopted *City of Seaside General Plan* provides goals, policies, and action provides a framework for decision-making and coordinated planning.

In regards to water supply, treatment, and distribution, the City of Seaside General Plan states that historical use of the area's groundwater resources has exceeded safe yield and resulted in lowering of water levels and in saltwater intrusion. The Seaside Municipal System and CAW provide water services to the central core of the City, and existing lots in Seaside proper are allocated a fixed number of water credits, limiting the type and density of development on each lot. In the former Fort Ord lands under the City of Seaside and Marina Coast Water District jurisdiction, the City has an allocation of 748 acre-feet per year under the Fort Ord Reuse Plan (PEA, July 2005).

The overall General Plan policy statement on water supplies, Policy LU-5.2, states, "Work cooperatively with local and regional water suppliers to ensure adequate water reserves" (page LU-40), including new supplies, to meet existing CAW production levels such as aquifer storage and recovery (ASR) and desalination, as identified by the Project. Further, in the Conservation and Open Space Element, a commitment is stated to continuing to require new public and private development and redevelopment projects to install and utilize water conservation measures in accordance with the Seaside Municipal Code. Policy COS-2.1 states, "Work with regional and local water providers to ensure that adequate supplies of water are available to meet existing development and future growth." (Page COS-21).

Planning for the conveyance pipeline, ASR Facilities, Terminal Reservoir, and Terminal Pump Station study area on former Fort Ord lands to be transferred to the City of Seaside is also governed by the Fort Ord Reuse Plan and the Fort Ord Reuse Authority (FORA) Capital Improvement Program (CIP), which identifies planned improvements on General Jim Moore Boulevard and roadway right-of-ways. The City of Seaside General Plan does not indicate the residentially designated area east of General Jim Moore Boulevard as being a high priority for new development under the Fort Ord Reuse Plan (FORP) water allocation.

Areas designated for military uses would remain under U.S. Army ownership and are primarily existing military housing areas or areas being planned for military housing through the Residential Communities Initiatives programs. ASR facilities are intended to be sited within the General Jim Moore Boulevard public right-of-way or areas to be transferred to the City of Seaside and private ownership.

### ***Sand City General Plan***

The Sand City General Plan is organized into seven chapters covering all of the elements required by state law and optional issues of concern to the community. The Plan identifies several themes to achieve the community vision, including economic diversification, active redevelopment, enhanced community appearance and image, organized and well-planned growth, elimination of land use conflicts, and cohesive residential neighborhoods. The Sand City General Plan was updated in 2002 with the purpose of incorporating new information and data, generating new technical data, and incorporating a Land Use Diagram and text changes designed to reflect community issues, trends, values, and desires.

The Sand City General Plan identifies a desalination water supply project that the City approved in early 2005. Pending adequate financing, the Sand City Redevelopment Agency may develop a 300-acre-foot-per-year water desalination in Sand City to provide the City with a water supply to meet its present and long-term redevelopment needs. It is described in detail in the Circulation and Public Facilities Element. The City General Plan identifies the need for a water desalination plant that would reduce regional dependence on pumping from the State-restricted Carmel River Aquifer. To increase water supplies for planned future development, the City has initiated a program to investigate ways to augment its limited water supply beyond existing water supplies allocated by the Monterey Peninsula Water Management District.

### ***Fort Ord Reuse Plan***

Adopted in 1997, the Fort Ord Reuse Plan provides a framework for the reuse of more than 45 square miles of the former Fort Ord base. The reuse plan identifies land uses, goals, and policies to transform the former U.S. Army base into an integrated community, which includes property located in the following jurisdictions: the cities of Seaside, Marina, Monterey, and Del Rey Oaks; the County of Monterey; the University of California; California State University; and the Presidio of Monterey Annex. The plan anticipates the creation of more than 18,000 jobs, 16,000 housing units, and a total population of more than 37,000 people within the Fort Ord Reuse Authority (FORA) jurisdiction.

## **Carmel Valley Project Planning Region**

The Carmel Valley Project Planning Region includes Carmel Valley and unincorporated areas in Monterey County. The development and implementation of land uses is directed by a set of policies laid out in the major planning documents that apply to these areas: the *Carmel Area Land Use Plan* and the *Carmel Valley Master Plan*, which focus primarily on aesthetics and scenic values. Land use policies define techniques to preserve existing agricultural land uses. The area is served by CalAm and the principal source of water is provided by reservoirs on the Carmel River. The Carmel River Mutual Water Company serves over one hundred connections. Key principles for water supply and availability also govern land use patterns in the area.

### ***Carmel Area Land Use Plan***

The Carmel Area extends from Pescadero Canyon in the north to Malpaso Creek in the south, and between Pescadero Canyon and the Carmel River, including the unincorporated area west of Highway 1 and south of the Carmel River. The Carmel Area falls within the Coastal Zone defined by the California Coastal Act, so land use planning and development are guided by both the Area Plan (1983) and the Local Coastal Plan. The major land use designations, which are consistent with the Coastal Act designations, include watershed and scenic conservation, agriculture, recreation, visitor-serving commercial, and medium density residential (Carmel Area Plan, 1983). Public recreation and private residential development are the predominant land use trends. The majority of the land is open or undeveloped either as private land for grazing cultivation, low intensity rural uses, or public land for low intensity recreation or resource conservation. Public uses, like State reserves and beaches are administered by the State Department of Parks and Recreation. Places like Point Lobos Ecological Reserve and the Carmel Bay Ecological Reserve are part of the 2,280 acres that are classified as ecological reserves, administered by the Department of Parks and Recreation and California Department of Fish and Game, respectively. Five hundred acres are privately owned and maintained as “scenic reserves”. Another 110 acres are under an agricultural preserve contract. The development and implementation of these land uses is directed by a set of policies laid out in the Carmel Area Land Use Plan, which focus primarily on aesthetics and scenic values. The area is characterized by cypress lined ridges and cliffs, open grazing fields, and cultivated fields. The Carmel Area has been maintained as open space, and has low intensity rural uses, and high value is placed on the scenic vistas and visual qualities of the area. The area is served by CalAm and the principal source of water is provided by reservoirs on the Carmel River. The Carmel River Mutual Water Company serves over one hundred connections. Key principles for water supply and availability also govern land use patterns in the area.

### ***Carmel Valley Master Plan***

Outside of the Monterey Peninsula cities, the highest concentration of residential population is in the Carmel Valley, with approximately 4,241 residences. Land use in the Carmel Valley is governed by the Carmel Valley Master Plan. Existing land use in the 28,000-acre Carmel Valley Master Plan area consists primarily of a combination of rural residential development and small-scale agricultural pursuits. In a few areas, more concentrated residential development such as condominiums or visitor accommodation facilities occur. Residential development in the Carmel

Valley, while relatively dispersed, tends to be concentrated in three areas where commercial services are also available: (1) the lower valley near Highway 1, (2) midvalley in the vicinity of Robinson Canyon Road, and (3) the vicinity of Carmel Valley Village. Recreational land uses, including the Garland Regional Plan, golf courses, and tennis facilities, are also located at various places throughout the valley.

## **Monterey Peninsula Project Planning Region**

### ***City of Del Rey Oaks General Plan***

The Del Rey Oaks General Plan, adopted in January 1997, provides a framework for the orderly growth and development of the City over a 20-year planning horizon. The proposed conveyance pipeline would pass through a segment of the former Fort Ord to be transferred to the City of Del Rey Oaks that is planned for Visitor Serving, Habitat Management, and Business Park/Light Industrial/Office/R&D land uses. The proposed conveyance pipeline would utilize the South Boundary Road ROW, which is not open to the public at this time because of public safety service limitations in the area.

### ***City of Monterey General Plan***

The 2005 City of Monterey General Plan is a statement of the community's vision for the future. It is a long-range, comprehensive plan that coordinates all major components of the community's physical development for the next 20 years. The Land Use and Open Space Elements contain goals, policies, and programs for land use designations, infrastructure and public services, and open space conservation.

### ***City of Pacific Grove General Plan***

The 1994 *City of Pacific Grove General Plan* provides long-term planning goals and objectives that apply to the future development of the city over the next fifteen years. The General Plan serves as a comprehensive decision-making guide for land use planning, economic development, roadway improvements, public health and safety, and natural resources conservation. The Land Use, Parks and Recreation, Natural Resources, and Public Facilities Elements contain objectives and policies that are relevant to the proposed project. Land use is a major focus in the General Plan. Pacific Grove's land use pattern is well established and unlikely to change. Development patterns have shifted to infill and intensification, which will depend on availability of water, land values, rent levels, and other City policies.

## **C. Consistency with Plans and Policies**

### **California Coastal Act**

#### **Priority Uses**

Determination of Consistency: Consistent

The proposed project constitutes a coastal dependent land use.

## **Public Access**

Determination of Consistency: Inconsistent

The California Coastal Act requires public access to recreational opportunities within the coastal zone. A desalination facility located near the coast may have short-term effects on public access, such as those related to construction, and long-term effects related to the facility's ongoing operations. Coastal Act conformity review may include consideration of a range of issues, including the following (California Coastal Commission, Seawater Desalination and the California Coastal Act, March 2004):

- Changes in parking and traffic,
- Temporary beach closures due to construction,
- Project timing (e.g., whether there would be closures or traffic and parking restrictions during the peak times of visitor use), and
- Effects of facility location on access.

### ***Moss Landing to North Marina Corridor***

The Transmission Main North would temporarily impact the bike route along the TAMC ROW during the short-term construction period, which would restrict access along the bike path. The pipeline is anticipated to be constructed at a rate of 150 feet per day, therefore construction activities will move along the TAMC ROW from north to south and affect only small portions of the bike path at a time. Since this is a linear progression of pipeline along the TAMC ROW, regular users, like cyclist, joggers, and pedestrians would be affected for a longer period of time. During construction, access along the bike path would be maintained by implementing alternative access paths to allow contiguous recreational movement along the TAMC corridor (**Mitigation Measure 4.9-4a**).

### ***North Marina Desalination Plant, Sourcewater and Outfall Pipelines***

The North Marina Project would require excavation and drilling for installation of the slant wells. The proposed location is behind the coastal dunes at Marina State Beach. Impacts typically associated with construction include increased noise, dust and traffic, which are discussed in detail in their respective sections. The ambient noise level is relatively high, due to wind and ocean noise, and the proposed site would not impact the beach parking area; therefore the project is consistent with access requirements under the California Coastal Act.

### ***All Other Facilities***

The remaining project components under both the Moss Landing and North Marina Projects would have a less than significant impact to parking, beach closure, traffic, or access.

## Mitigation Measures

**Mitigation Measure 4.9.4a:** During construction of the CWP, CalAm shall implement detours adjacent to the existing bike paths, sidewalks, and hiking trails that will be affected by construction in order to maintain access to and along paths.

The evaluation of plan consistency is based on the applicability of relevant land use plans and policies to the siting, construction, and operation of the proposed project facilities. Because the policy language found in a land use plan is susceptible to varying interpretations, it is often difficult to determine whether a proposed project is consistent or inconsistent with such policies. Further, because land use plans often contain numerous policies emphasizing different legislative goals, the proposed project may appear to be consistent with a general plan, taken as a whole, even though they may appear to be inconsistent with specific policies within the plan. The board or commission that enacted the plan or policy generally determines the meaning of such policies; these interpretations prevail if they are “reasonable”, even though other reasonable interpretations are also possible.

## Consistency with General Plans and Policies

Determination of Consistency: Consistent

For the county and cities that are served by CalAm and that have jurisdiction over the project areas, the proposed project would generally be consistent with goals and policies identified in each general plan related to community development, resource conservation, and agriculture. Both the city and county general plans encourage long-term, sustainable solutions for augmenting the water supply. The proposed project involves installation of conveyance pipeline and construction of new and the modification of existing pump stations, wells, and reservoirs. Although the construction of some of these facilities would result in impacts on air quality and natural resources, on the whole, the proposed project would provide a net beneficial effect by augmenting water supplies, improving local and regional water supply reliability, and promoting sustainable practices.

The significance criteria used in this EIR reflect the intent of general plan goals and policies related to protecting the environment. As detailed throughout the other sections of Chapter 4, most of the environmental impacts attributable to the proposed project are associated with construction, and would be mitigated to less than significant levels by proposed measures.

Review of the applicable general plans was conducted to determine project consistency. **Table A-1** contains a list of plans, relevant policies, and a determination of project consistency. The proposed project, on the whole, would be generally consistent with identified policies in affected County and City General Plans.

## Consistency with Zoning Designations

Determination of Consistency: Consistent

The proposed project facilities will not conflict with existing zoning designation. Proposed facilities are consistent with local land uses and are generally compatible with adjacent land uses.

## **Consistency with Monterey County Municipal Code**

Determination of Consistency: Inconsistent

The Coastal Water Project is inconsistent with this ordinance because the system would be privately owned by CalAm and the product water would be distributed to different water service areas.

CalAm hopes that Monterey County will realize that Section 10.72.030B is not enforceable. CAW has found Monterey County to be generally in support of a desalination facility. CalAm's Project would produce sufficient water (11,730 acre-feet per year) to satisfy the mandates of State Water Resources Control Board Order 95-10 and to address the overdraft of the Seaside Basin. Order 95-10 found that CalAm's diversions from the Carmel Valley Aquifer has had adverse effects on the instream beneficial uses of the Carmel River, such as habitat for aquatic and riparian species. Because the Project would allow CalAm to reduce its pumping from the Carmel Valley Aquifer, it would also substantially reduce the impacts on the riparian habitat and surface water flow in the Carmel River, thus improving conditions for steelhead trout and the California red legged frog, both of which are listed as threatened under the Federal Endangered Species Act.

**TABLE H-2  
APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| <b>Project Planning Region</b> | <b>Applicable Plan</b>       | <b>Resource Category or General Plan Element</b> | <b>Specific Goal, Policy, or Program</b>   | <b>Project Consistency with Goals, Policies, and Programs</b>  |
|--------------------------------|------------------------------|--|--|--|
| Monterey County                | Monterey County General Plan | Land Use   | <i>Policy 26.1.4:</i> The County shall designate growth areas only where there is provision for an adequate level of services and facilities, such as water, sewerage, fire and police protection, transportation, and schools. Phasing of development shall be required as necessary in growth areas in order to provide a basis for long range services and facilities planning.   | <u>Consistent</u> The purpose of the proposed project is to address water supply, and therefore it supports the County's policy for future growth.   |
|                                |                              |  | <i>Policy 26.1.5</i> The County shall designate future land uses in a manner which will achieve compatibility with adjacent uses.  | <u>Consistent</u> In general, proposed project components are consistent with existing land use. At certain sites, permanent conversion of existing land uses will be required.  |
|                                |                              |  | <i>Policy 29.1.1</i> Industrial development which is compatible with Monterey County's environment shall be encouraged.  | <u>Consistent</u> In general, the proposed project is compatible with the environment. The majority of impacts are temporary and mitigable.  |
|                                |                              |  | <i>Policy 29.3.1</i> Industrially designated areas shall be compatible with surrounding land uses.   | <u>Consistent</u> The project components are consistent with surrounding land uses. For example,   |
|                                |                              | Agriculture                                      | <i>Policy 25.1.1</i> The County shall establish the preservation, enhancement, and expansion of viable or potentially viable prime farmlands, farmlands of statewide importance, unique farmlands, and farmlands of local importance as the top land use priority for guiding further economic development unless there is a satisfactory showing that such farmlands are not viable or potentially viable.                    | <u>Consistent</u> The proposed project will not permanently convert Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as designated by the California Department of Conservation. Existing farmland will remain viable during all phases of the project. The North Marina Desalination site will permanently convert grazing land to a public water facility land use. |
| North County                   | North County Land Use Plan   | Agriculture                                      | <i>Key Policy 2.6.1:</i> The County shall support the permanent preservation of prime agricultural soils exclusively for agricultural use. The County shall also protect productive farmland not on prime soils if it meets the State productivity criteria and does not contribute to degradation of water quality. Development adjacent to prime and productive farmland shall be planned to be compatible with agriculture. | <u>Consistent</u> No project components in the North County region will permanently convert prime agricultural land or soils. Facilities that are proposed adjacent to agricultural land will be installed in existing ROWs, and pipelines will be buried underground, and will not permanently impact existing land uses.   |
|                                |                              |  | <i>General Policy 2.6.2.1:</i> Prime and productive farmland designated for Agricultural Preservation or Agricultural Conservation land shall be preserved for agricultural use to the fullest extent possible as consistent with the protection of environmentally sensitive habitats and the concentration of development.   | <u>Consistent</u> Transmission Main North will traverse areas designated as Agricultural Preservation and Agricultural Conservation. Physical installation of the pipeline will occur within the existing TAMC ROW, therefore will not conflict with the policy protecting agricultural land.  |

**TABLE H-1 (Continued)**  
**APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| Project Planning Region | Applicable Plan                    | Resource Category or General Plan Element | Specific Goal, Policy, or Program   | Project Consistency with Goals, Policies, and Programs  |
|-------------------------|------------------------------------|---|---|---|
| North County (cont.)    | North County Land Use Plan (cont.) | Agriculture (cont.)                       | <i>General Policy 2.6.2.2:</i> Divisions of prime and productive farmland, designated as Agricultural Preservation or Agricultural Conservation shall be permitted only when such a division does not adversely affect the land's long-term agricultural viability. All subdivided agricultural parcels must be of a size that does not diminish agricultural use.  | <u>Consistent</u> The proposed project will not subdivide existing agricultural land.   |
|                         |                                    |   | <i>General Policy 2.6.2.4:</i> The County should continue its agricultural preserve (Williamson Act) program and promote the inclusion of prime and productive land.  | <u>Consistent</u> The proposed project will not permanently affect agricultural lands under Williamson Act contract.  |
|                         |                                    |   | <i>Specific Policy 2.6.3.1a:</i> An agricultural land use designation for prime and productive agricultural lands, Agricultural Preservation, shall be applied to all parcels containing prime and productive agricultural soils, and other lands in cultivated agriculture of less than 10 percent average slope. Emphasis is placed on including large contiguous areas in this designation in order to restrict encroachment of land uses that may threaten the agricultural viability of these lands. | <u>Consistent</u> The proposed project will not affect prime agricultural soils.  |
|                         |                                    |   | <i>Specific Policy 2.6.3.5:</i> Conversion of Agricultural Conversion lands to non-agricultural uses shall be allowed only if such conversion is necessary to establish boundary between agriculture and adjacent urban uses or sensitive habitats, or to accommodate agriculture-related or other permitted uses which would economically enable continuation of farming on the parcel and adjacent lands.   | <u>Consistent</u> No project components in the North County region will permanently convert prime agricultural land or soils.   |
|                         |                                    | Land Use                                  | <i>Key Policy 4.3.4:</i> All future development within the North County coastal segment must be clearly consistent with the protection of the area's significant and human resources, agriculture, natural resources, and water quality.  | <u>Consistent</u> On the whole, the proposed project is consistent with the protection of natural resources and enhancement of water supplies. It maintains public health and safety, and promotes sustainable practices. |
|                         |                                    |   | <i>General Policy 4.3.5.1:</i> The rural character of the coastal area of the North County with its predominant agricultural, low-density residential and open space land uses shall be retained. Prime and productive agricultural soils shall be protected for agricultural use.  | <u>Consistent</u> Implementation of the proposed project in the North County will not directly affect the rural character of the area. The proposed project will not affect prime agricultural soils.                     |
|                         |                                    |   | <i>General Policy 4.3.5.3:</i> The provision of recreational opportunities and facilities shall be compatible with the preservation of the natural resources of the coast. Low to moderate intensity outdoor recreational use shall be emphasized within the State beaches and wildlife refuges. Higher intensity uses shall be emphasized in Moss Landing and inland recreational areas.   | <u>Consistent</u> The proposed project will not affect recreational uses in the North County area.  |

**TABLE H-1 (Continued)  
APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| Project Planning Region | Applicable Plan                    | Resource Category or General Plan Element | Specific Goal, Policy, or Program   | Project Consistency with Goals, Policies, and Programs  |
|-------------------------|------------------------------------|---|---|---|
| North County (cont.)    | North County Land Use Plan (cont.) | Land Use (cont.)                          | <p><i>General Policy 4.3.5.4:</i> Where there is limited land, water, or public facilities to support development, coastal dependent agriculture, recreation, commercial and industrial uses shall have priority over residential and other non-coastal dependent uses.</p>   | <p><u>Consistent</u> The desalination facilities proposed at Moss Landing constitute a coastal-dependent land use. The proposed project will provide additional public water facilities.</p>  |
|                         |                                    |   | <p><i>General Policy 2.3.5.6:</i> Industrial uses shall be located near major transportation facilities and population centers. The only industrial facilities appropriate for the area are coastal or agriculture-dependent industries which do not demand large quantities of fresh water and contribute low levels of air and water pollution. Industries not compatible with the high air quality needed for the protection of agriculture shall be restricted.</p> | <p><u>Consistent</u> The desalination facilities proposed at Moss Landing constitute a coastal-dependent land use.</p> <p>Regarding air quality, the proposed desalination plant is consistent with the policy because long term emissions associated with the project would be very low, since it's assumed that the pumps would be powered from electricity obtained from the electrical grid (i.e., there would be no onsite power generation).</p>                  |
|                         |                                    |   | <p><i>General Policy 4.3.5.7:</i> New subdivision and development dependent upon groundwater shall be limited and phased over time until an adequate supply of water to meet long-term needs can be assured</p>   | <p><u>Consistent</u> The proposed project would provide an additional water supply in the North County.</p>   |
|                         |                                    |   | <p><i>General Policy 4.3.5.8:</i> Development within the North County coastal zone shall be consistent with the land uses shown on the plan map and as described in the text of this plan.</p>  | <p><u>Consistent</u> The proposed sites for project components are consistent with existing land uses, and land use designation defined in the plan.</p>  |
|                         |                                    |   | <p><i>Specific Policy 4.3.6 F1:</i> Lands designated for Heavy and Light industrial use in the North County Coastal Zone shall be reserved for coastal dependent industry as defined in Sections 4.3.1 L and M, and in the glossary of this plan. New heavy or light Industrial manufacturing or energy related facilities shall be located only in areas designated for the uses of this plan.</p>   | <p><u>Consistent</u> Coastal dependent development or use is defined in the North County Land Use Plan and the California Coastal Act to mean "any development or use which requires a site on or adjacent to the sea to be able to function at all. The proposed sites for project components are consistent with existing Heavy and Light Industrial land uses, and the desalination facilities proposed at Moss Landing constitute a coastal-dependent land use.</p> |
|                         |                                    |   | <p><i>Specific Policy 23.6 F2:</i> Existing industrial use outside the designated industrial areas, are non-conforming uses under the plan. Expansion of such uses shall not be permitted. The County's general policy is to encourage these uses to relocate to appropriate industrial areas. Remaining vacant parcels within the Dolan Industrial Park shall be reserved for coastal dependent industries.</p>  | <p><u>Consistent</u> The proposed sites for project components are consistent with existing Heavy and Light Industrial land uses, and the desalination facilities proposed at Moss Landing constitute a coastal-dependent land use.</p>   |

**TABLE H-1 (Continued)**  
**APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| Project Planning Region | Applicable Plan                    | Resource Category or General Plan Element    | Specific Goal, Policy, or Program   | Project Consistency with Goals, Policies, and Programs  |
|-------------------------|------------------------------------|--|---|---|
| North County (cont.)    | North County Land Use Plan (cont.) | Land Use (cont.)                             | <i>Specific Policy 4.3.6 F4:</i> A basic standard for all new or expanded industrial uses is the protection of North County's natural resources. Only those industries determined to be compatible with the limited availability of freshwater and the high air quality required by agriculture shall be allowed. New or expanded industrial facilities shall be sited to avoid impacts to agriculture of environmentally sensitive habitats. | <u>Consistent</u> The proposed project will supplement water supply. The proposed sites for project components are consistent with existing Heavy and Light Industrial land uses, and the desalination facilities proposed at Moss Landing constitute a coastal-dependent land use. Regarding air quality, the proposed desalination plant is consistent with the policy because long term emissions associated with the project would be very low, since it's assumed that the pumps would be powered from electricity obtained from the electrical grid (i.e., there would be no onsite power generation). The proposed site will enable the desalination plant to utilize existing facilities at the MLPP. |
|                         | Moss Landing Community Plan        | Energy Facilities and Industrial Development | <i>Key Policy 5.5.1:</i> Existing coastal dependent industries in Moss Landing have local, regional, statewide, and in some case, national significance. Accordingly, the county shall encourage maximum use and efficiency of these facilities, and to allow for their reasonable long term growth consistent with maintaining environmental quality and character of the Moss Landing Community and its natural resources.                  | <u>Consistent</u> Implementation of this project will have local significance, and statewide significance due to historic and potential future drought conditions.  |
|                         |                                    |  | <i>General Policy 5.5.2.10:</i> All new heavy industry shall be coastal dependent.  | <u>Consistent</u> The proposed sites for project components are consistent with existing Heavy and Light Industrial land uses, and the desalination facilities proposed at Moss Landing constitute a coastal-dependent land use.  |
|                         |                                    |  | <i>Goal 3:</i> Assure new development can be served by adequate public services and facilities.   | <u>Consistent:</u> The project will provide a means of assurance for services for new development   |
|                         |                                    |  | <i>Goal 5:</i> Provide water and maintain a water management policy that will provide a sufficient quantity of appropriate quality water to meet needs of existing and planned communities.   | <u>Consistent:</u> The proposed project objectives support the goal defined by the City of Del Rey Oaks. The project will augment water supplies that will serve existing and future development defined in the General Plan  |
|                         |                                    |  | <i>Program 30c:</i> The City shall condition approval of development plans on verification of available services for the project.   | <u>Consistent:</u> The project will provide a means of verification of available water services.  |
|                         |                                    |  | <i>General Policy 5.5.2.11:</i> Due to sensitive agricultural, fishing, recreational, and environmental resources in the proximity of Moss Landing, additional development of polluting heavy industry shall not be permitted unless all adverse effects on these resources area fully mitigated.   | <u>Consistent</u> Mitigation measures related to each environmental resource are described in the respective sections of the EIR. Regarding air quality, the proposed desalination plant is consistent with the policy because long term emissions associated with the project would be very low, since it's assumed that the pumps would be powered from electricity obtained from the electrical grid (i.e., there would be no onsite power generation).  |

**TABLE H-1 (Continued)  
APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| Project Planning Region | Applicable Plan              | Resource Category or General Plan Element | Specific Goal, Policy, or Program  | Project Consistency with Goals, Policies, and Programs   |
|-------------------------|------------------------------|---|--|--|
| North County (cont.)    | Castroville Community Plan   | See Monterey County General Plan          |  |  |
| Seaside Basin           | City of Marina General Plan  | Community Land Use                        | Primary Policy 2.4.13. The City will provide adequate urban services, including water, only to areas within its designated Urban Growth Boundary. The costs of providing the public facilities and services needed for new development shall be borne by new development unless the City chooses to help assume such costs in order to obtain identified community-wide benefits. <b>(2005-82)</b> | <u>Consistent</u> The proposed project would provide additional water supply that could be used within the City of Marina. Costs of the proposed project will be addressed by CalAm. |
|                         |                              | Community Infrastructure                  | Primary Policy 3.3.14. Support water resource programs, including desalinization and reclamation efforts, to provide an adequate water supply to accommodate General Plan permitted growth.  | <u>Consistent</u> A desalination plant is consistent with the City's water resource program.   |
|                         |                              |   | Policy 4.112 The policies of the Community Land Use Element are designed to protect areas with significant agricultural or natural-habitat value from being displaced by development, and they are designed to protect and conserve air, water and energy resources.   | <u>Consistent</u> The proposed project would have less than significant impacts to agriculture and environmental resources, with mitigation.   |
|                         |                              |   | Policy 2. The City shall support continued agricultural uses on prime agricultural soils and other agriculture outside the Urban Growth Boundary, i.e., lands designated as "Agriculture" by this plan. The City should oppose any proposed subdivision or use of land which might result in conversion of such lands.   | <u>Consistent</u> The proposed project does not directly affected agricultural uses, prime agricultural soils. It will not cause permanent conversion of agricultural lands.         |
|                         | City of Seaside General Plan | Land Use                                  | Policy LU-3.1: Guarantee that all residential areas have needed infrastructure improvements.   | <u>Consistent</u> The proposed project would enable the City to fulfill policy requirements to provide infrastructure.   |
|                         |                              |   | Goal LU-4: Ensure that new development complements existing land uses and enhances the character of the community and its neighborhoods.   | <u>Consistent</u> Project facilities would be consistent with existing land uses and generally compatible with adjacent land uses.   |
|                         |                              |   | Goal LU-5: Collaborate with local and regional water suppliers to continue to provide quality water supply and treatment capacity to meet community needs.   | <u>Consistent</u> The proposed project supports the City's goal to provide water supply to meet community needs.   |
|                         |                              |   | Policy LU-5.1: Review development proposals to ensure that adequate water supply, treatment, and distribution capacity is available to meet the needs of the proposed development without negatively impacting the existing community.   | <u>Consistent</u> The proposed project will provide water supply that can support future development allowed under the General Plan.   |

**TABLE H-1 (Continued)**  
**APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| <b>Project Planning Region</b> | <b>Applicable Plan</b>         | <b>Resource Category or General Plan Element</b>   | <b>Specific Goal, Policy, or Program</b>   | <b>Project Consistency with Goals, Policies, and Programs</b>  |
|--------------------------------|--------------------------------|--|--|--|
| Seaside Basin (cont.)          | City of Sand City General Plan | Land Use (cont.)   | <i>Goal 3.10</i> Improve and maintain public utility systems to adequately serve existing and future development.  | <u>Consistent</u> The proposed project will provide water supply that can support future development allowed under the General Plan.   |
|                                |                                |  | <i>Policy 3.10.1</i> Pursue development of a water desalination plan or other systems capable of enhancing the City's water supply. The City will coordinate its efforts for any desalination plant planning with the Coastal Commission staff.  | <u>Consistent</u> The proposed desalination plant is encouraged under the City's General Plan.   |
|                                |                                |  | <i>Policy 3.10.2</i> Require that construction of roadway, water, sewer, and storm drainage improvements be staged in areas where major new development is anticipated to minimize disruption to new road surfaces.  | <u>Consistent</u> The General Plan anticipates future development, so construction and staging locations are consistent with this policy.  |
|                                |                                |  | <i>Policy 3.10.3</i> Develop a program to monitor, repair, and upgrade the City's water, storm drain and sewer lines. All improvements to the existing lines necessitated by new development shall have committed financing before the project may proceed.  | <u>Consistent</u> The proposed project involves additional conveyance pipeline. CalAm is a private company that will be responsible for acquiring funding.   |
|                                |                                |  | <i>Policy 3.10.4</i> The City will cooperate with CAW and the Monterey Peninsula Water Management District to develop a regional solution to the long-term water needs of the Monterey Peninsula by participating in any Seaside Groundwater Basin Management Strategy that may be pursued.  | <u>Consistent</u> The proposed project addresses regional water supply issues.   |
| Fort Ord Reuse Plan            | Land Use                       | <i>Objective D:</i> Provide public facilities and services that will support revitalization of existing Army housing and new housing construction on the former Fort Ord.  | <u>Consistent</u> The purpose of the proposed project is to provide water supply in Monterey County to support development anticipated under local general plans.  |  |
|                                |                                | <i>Program D-1.1:</i> The City of Marina shall cooperate with FORA and provide adequate public facilities and services that will support residential revitalization and new housing construction at the former Fort Ord. | <u>Consistent</u> The purpose of the proposed project is to provide water supply in Monterey County to support development anticipated under local general plans.  |  |
| Carmel Valley                  | Carmel Area Plan               | Land Use   | <i>General Policy 2.2.3-7:</i> Structures shall be located and designed to minimize tree removal and grading for building sites and access roads. Where earth movement would exist in extensive slope disturbance or scarring visible from public viewing points and corridors, such activities will not be allowed. Extensive landform alteration is not permitted. | <u>Consistent</u> The facilities in this area are primarily existing structures (reservoirs). Additional pipeline will be buried underground and will not significantly alter existing land forms. |

**TABLE H-1 (Continued)  
APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| Project Planning Region | Applicable Plan          | Resource Category or General Plan Element | Specific Goal, Policy, or Program   | Project Consistency with Goals, Policies, and Programs   |
|-------------------------|--------------------------|---|---|--|
| Carmel Valley (cont.)   | Carmel Area Plan (cont.) | Land Use (cont.)                          | <i>Specific Policy 2.2.4-11:</i> Water lines and drainage pipes should be buried or otherwise obscured by vegetation.   | <u>Consistent</u> All pipelines will be buried underground, except where they must be suspended under a bridge. Additional above-grade facilities will incorporate vegetative screening so they will not be visually obtrusive |
|                         |                          |   | <i>Specific Policy 2.3.5-2:</i> The County should work with the Monterey Peninsula Water Management District in drafting a management plan for the Carmel River.  | <u>Consistent</u> The project supports the recommendation to develop a water management plan.  |
|                         |                          | Public Services                           | <i>Specific Policy 2.4.4-A1:</i> New development shall be approved only where it can be demonstrated by the applicant that adequate water is available from a water utility or community system or an acceptable surface water diversion. At the County's discretion, applicants may be required to submit a hydrologic report certifying the sustained yield of water sources to serve new development outside the existing water service areas. | <u>Consistent</u> The project will augment water supplies.   |
|                         |                          |   | <i>Specific Policy 2.4.4-2:</i> As a part of the permit process, the applicant must also demonstrate that the proposed new water use or use intensification will not adversely affect both the natural supply necessary to maintain the environment, including wildlife, fish, and plant communities, and the supply of water available to meet the minimum needs of existing users during the driest year  | <u>Consistent</u> Implementation of the project would reduce stress on surface water sources.  |
|                         |                          |   | <i>Key Policy 2.6.2</i> The County shall support the preservation of prime agricultural land for agricultural use. Development adjacent to prime farmland shall be planned to be compatible with the continued agricultural use of the land. Ranching activities should also be encouraged as a desirable pursuit as the traditional use of upland land.  | <u>Consistent</u> Project development adjacent to valuable agricultural land will occur in existing ROW and would allow continued use of existing agricultural land  |
|                         |                          |   | <i>General Policy 4.4.2-4:</i> Because there is limited suitable land and water to support new development and because the capacity of public facilities is limited, coastal-dependent recreation and visitor-serving uses have priority over residential and non-coastal dependent uses.   | <u>Consistent</u> The project constitutes a coastal dependent use under the California Coastal Act.  |
|                         |                          |   | <i>General Policy 4.4.2.2:</i> Agricultural activities, passive and low-intensity recreation and rural residential use of the Carmel area's large private landholdings are the most appropriate and uses for those areas.   | <u>Consistent</u> The proposed project facilities are not sited on any large privately owned areas, or areas designated for agricultural production.   |

**TABLE H-1 (Continued)**  
**APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| Project Planning Region | Applicable Plan                 | Resource Category or General Plan Element         | Specific Goal, Policy, or Program   | Project Consistency with Goals, Policies, and Programs  |
|-------------------------|---------------------------------|---|---|---|
| Carmel Valley (cont.)   | Carmel Valley Master Plan       | Land Use  | <p><i>Policy 54.1.7 (CV)</i> The County of Monterey supports the new San Clemente dam project or some other water project as a means of assuring an adequate supply of water for future growth in the Carmel Valley. Without additional supplies, development will be limited to vacant lots on record and already approved projects. All development which requires a water supply shall be subject to County adopted water allocation and/ or ordinances applicable to lands in the Carmel Valley Master Plan area.</p>   | <p><u>Consistent</u> The proposed water project would provide additional water supplies that would support development allowed under the general plan.</p>                              |
|                         |                                 |   | <p><i>Policy 54.1.8</i> The County shall encourage and support reclamation projects as a source of additional water supply. Such projects must show conclusively that they do not contribute to groundwater degradation. If additional water is generated by this method, it may be used to replace domestic water supply in landscape irrigation and other approved uses to free domestic water for planned growth.</p>  | <p><u>Consistent</u> The proposed water project would be a source of water supply.</p>  |
| Monterey Peninsula      | Greater Monterey Peninsula Plan | Area Development – Land Use                       | <p><i>Policy 26.1.4.3:</i> A standard tentative subdivision map and/or vesting tentative and or Preliminary Project Review Subdivision map application for either a standard or minor subdivision shall not be approved until:</p> <ol style="list-style-type: none"> <li>1) an applicant provides evidence of an assured long-term water supply in terms of yield and quality for all lots which are to be created through subdivision. A recommendation on the water supply shall be made to the decision making body by the County Health Officer and the General Manager of the Water Resources Agency.</li> <li>2) The applicant provides proof that the water supply to serve the lots meets both the water quality and quantity standards as set forth in the Title 22 of the California Code of Regulations, and Chapters 15.04 and 15.08 of the Monterey County Code subject to the review and recommendation by the County's Health Officer to the decision making body.</li> </ol> | <p><u>Consistent:</u> The proposed project will provide water supplies for development that is consistent with future growth projections and that conform to General Plan policies.</p> |
|                         |                                 | Area Development – Public Services and Facilities | <p><i>Policy 53.1.3.1:</i> At the County's discretion, applicants may be required to submit a hydrologic report certifying sustained yield of the water source to serve new development outside of existing water utility service areas.</p>  | <p><u>Consistent:</u> The proposed project will provide water supplies for development that is consistent with future growth projections and that conform to General Plan policies.</p> |

**TABLE H-1 (Continued)  
APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| Project Planning Region    | Applicable Plan                         | Resource Category or General Plan Element               | Specific Goal, Policy, or Program  | Project Consistency with Goals, Policies, and Programs  |
|----------------------------|---|---|--|---|
| Monterey Peninsula (cont.) | Greater Monterey Peninsula Plan (cont.) | Area Development-Public Services and Facilities (cont.) | <i>Policy 53.1.6.</i> The County shall, to the maximum extent possible, coordinate with the Monterey Peninsula Water Management District when reviewing development proposals for properties located outside the Water Management District boundaries but within the watershed of tributary streams and aquifers which recharge the Carmel Valley Aquifer. | <u>Consistent</u> The proposed project supports this policy by providing a potential water supply source that would improve local and regional reliability and incorporated individual water agency cooperation.  |
|                            | City of Monterey General Plan           | Recreation  | <i>Policy a.7.</i> Protect the rugged coastline and open up the view to the water and rocky shore as much as possible while also respecting historic resources and building footprints over the water, as noted in the Cannery Row Local Coastal Program.  | <u>Consistent</u> : The proposed project will not disrupt the coastal or historic land uses.  |
|                            |   | Land Use Element  | <i>Policy b.1.</i> Create design concepts, development guidelines, and capital improvement programs for mixed use neighborhoods. Emphasize attractive pedestrian, bicycle and transit access, which may require improved sidewalks, crosswalks, and various public way improvements.   | <u>Inconsistent, but short-term</u> : The proposed project will temporarily obstruct vehicular, pedestrian, or bicycle access during the short-term construction period. Construction will occur primarily in exiting ROWs, but would encroach on the shoulder of existing roadways or bicycle lanes. Inconsistency would be temporary during the short-term construction period, and disrupted areas would be restored to original conditions (see mitigation identified in <b>Section 4.8, Air Quality; Section 4.9, Noise; and Section 4.11, Traffic</b> ). Long-term operation would not conflict with this policy; therefore, inconsistency with policies is less than significant after mitigation. |
|                            |   | Open Space Element                                      | <i>Policy b.1.</i> Maintain the City shoreline and beaches for recreation use and support facilities.  | <u>Consistent</u> : The proposed project will not disrupt the recreational use of beaches in the City of Monterey. The conveyance pipeline will run parallel to the shoreline, but will not impact parking facilities or beaches.   |
|                            |   |   | <i>Policy b.2.</i> Preserve the City's active use areas adjacent to the Monterey Bay, including, but not limited to, the wharves, boat access facilities, and piers.   | <u>Consistent</u> : The proposed project will not disrupt recreational resource use in the City of Monterey.  |
|                            |   | Public Facilities Element                               | <i>Goal a.</i> Phase future development in accordance with the City's ability to service it.   | <u>Consistent</u> : The proposed project will provide water supplies for development that is consistent with future growth projections and that conform to General Plan policies.   |
|                            |   |   | <i>Policy m.1.</i> Develop alternatives for long-term water supply both within and outside the framework of the Water Management District and the CWA  | <u>Consistent</u> : The proposed project provides an alternative source of water.   |

**TABLE H-1 (Continued)**  
**APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| Project Planning Region    | Applicable Plan                       | Resource Category or General Plan Element | Specific Goal, Policy, or Program   | Project Consistency with Goals, Policies, and Programs  |
|----------------------------|---------------------------------------|---|---|---|
| Monterey Peninsula (cont.) | City of Monterey General Plan (cont.) | Public Facilities Element (cont.)         | <i>Goal m.2. Encourage CAW to maintain the City's water supply system in a good state of repair to prevent leakage and other water loss.</i>  | <u>Consistent:</u> The proposed project would require the construction of new facilities and modification and improvement of existing facilities to provide a reliable water supply.  |
|                            |                                       |   | <i>Policy m.2. Encourage continued development of the City's water supply system to meet established fire flow standards (including reservoirs, mains, and hydrants).</i>                   | <u>Consistent:</u> The proposed project would require the construction of new facilities and modification and improvement of existing facilities to provide a water supply that could be used to fulfill fire flow standards. |
|                            |                                       |   | <i>Goal m.3. Establish goals, standards and priorities for water allocation.</i>  | <u>Consistent:</u> The proposed project will potentially enable the City of Monterey to achieve their future water allocation goal.   |
|                            | City of Del Rey Oaks General Plan     | Land Use                                  | <i>Goal 6:</i> Annex the properties of Fort Ord to provide additional sites for economic development.   | <u>Consistent:</u> The proposed project anticipates the annexation of the former Fort Ord and considers the project's impact on land uses under the Fort Ord Reuse Plan as well as the City of Del Rey Oaks General Plan.     |
|                            |                                       |   | <i>Goal 8:</i> Plan intensification of existing development and expansion of City limits to include areas identified in the Fort Ord Reuse Plan.  | <u>Consistent:</u> The proposed project anticipates the annexation of the former Fort Ord and considers the project's impact on land uses under the Fort Ord Reuse Plan as well as the City of Del Rey Oaks General Plan.     |
|                            |                                       |   | <i>Policy L-7:</i> Undergrounding of utilities and other forms of enhancement shall be pursued as practicable on public and private property.   | <u>Consistent:</u> The conveyance pipelines will be buried underground and will not be visually obtrusive.  |
|                            |                                       | Public Services                           | <i>Goal 1:</i> Maintain or increase current availability of public services and facilities consistent with projected usage levels.  | <u>Consistent:</u> The proposed project objectives support the goal defined by the City of Del Rey Oaks. The project will increase water availability in the area.  |
|                            |                                       |   | <i>Goal 2:</i> Provide public services to available sites located within the City and in areas to be annexed by the City.   | <u>Consistent:</u> the proposed project will augment water supplies in the City and proposed annexed areas.   |
|                            |                                       |   | <i>Goal 3:</i> Assure new development can be served by adequate public services and facilities.   | <u>Consistent:</u> The project will provide a means of assurance for services for new development   |
|                            |                                       |   | <i>Goal 5:</i> Provide water and maintain a water management policy that will provide a sufficient quantity of appropriate quality water to meet needs of existing and planned communities. | <u>Consistent:</u> The proposed project objectives support the goal defined by the City of Del Rey Oaks. The project will augment water supplies that will serve existing and future development defined in the General Plan  |
|                            |                                       |   | <i>Program 30c:</i> The City shall condition approval of development plans on verification of available services for the project.   | <u>Consistent:</u> The project will provide a means of verification of available water services.  |

**TABLE H-1 (Continued)**  
**APPLICABLE PLANS AND POLICIES RELEVANT TO LAND USE IN THE PROJECT AREA**

| Project Planning Region    | Applicable Plan                    | Resource Category or General Plan Element | Specific Goal, Policy, or Program   | Project Consistency with Goals, Policies, and Programs   |
|----------------------------|------------------------------------|---|---|--|
| Monterey Peninsula (cont.) | City of Pacific Grove General Plan | Public Services                           | <i>Goal 1:</i> Maintain an adequate level of service in the City's water system to meet the needs of existing and future development.   | <u>Consistent:</u> The project would help the City maintain an adequate level of service by providing additional water supply.           |
|                            |                                    |   | <i>Policy 1:</i> Endeavor to ensure an adequate water supply for the city's future needs.   | <u>Consistent:</u> The project addresses water supply issues in the region.  |
|                            |                                    |   | <i>Policy 2:</i> Prioritize available water allocations to best serve the city's needs and to accommodate coastal priority use designated in the Local Coastal Plan Land Use Plan | <u>Consistent:</u> The proposed project will potentially enable the City of Pacific Grove to achieve their future water allocation goal. |
|                            |                                    |   | <i>Policy 27:</i> Promote the joint use of public facilities and agreement for sharing costs and operating responsibility among public service providers.                         | <u>Consistent:</u> The project involves local government, water suppliers, and water districts.  |
|                            |                                    |   | <i>Policy 28:</i> Plan for facilities needed to meet the service requirements of the City.  | <u>Consistent:</u> The project provides an option for the city to meet water needs.  |