

November 10, 2025

Planning Commission Chair Ernesto Gonzalez
Monterey County Planning Commission
168 West Alisal St., 1st Floor
Salinas, CA 93901
pchearingcomments@co.monterey.ca.us

RE: Water Allocation Policy; Legistar File Number: PC 25-090; Agenda Item 5

Dear Chair Gonzalez and Members of the Planning Commission,

I write on behalf of LandWatch Monterey County to comment on the proposed water allocation program to be discussed at the November 12 Planning Commission meeting.

We appreciate that staff have systematically identified four Policy Topics and several options to address each Policy Topic. We address Policy Topics 1 and 3 because these Topics are critical to an effective allocation process that honors the Legislature's mandate to prioritize water for affordable housing and because they will ensure that the County actually meets its plans for affordable housing.

1. Policy Topic 1 - Water Allocation - Process and Procedures – Recommend Option A to create an enforceable process that will enable allocation priorities, including the mandated priority allocation for affordable housing, which would not be met through a first come first serve process.

With regard to Policy Topic 1 - Water Allocation - Process and Procedures, LandWatch urges the Commission to recommend Option A - Creation of a Water Allocation Ordinance and Water Allocation Board Policy, for two reasons.

First, Options A and B, but not Option C, would enable the County to adopt allocations by use category, as discussed below in connection with Policy Topic 3 – Water Allocation by Use Category.

Allocating water by use category is essential to ensuring that the County's development priorities are met, including the Legislature's mandate to prioritize water for affordable housing. (Gov. Code, § 65589.7(a).) We urge you to reject Option C, which would continue to allocate water on a first come first served basis without prioritizing water by use category. This approach might exhaust available supplies on market rate housing and other uses without supporting the needed development of affordable units. A first come first served approach would not be consistent with the Legislature's mandate that "each public agency or private entity providing water or sewer services shall grant a priority for the provision of these services to proposed developments that include housing units affordable to lower income households." (Gov. Code, § 65589.7(a).)

Second, although both Options A and B would enable prioritization by use category, including prioritization for affordable housing, Option A is preferable because it would enact an enforceable ordinance whereas Option B would merely adopt a resolution of policy. The County should enact an ordinance to establish the needed "process by which the Board would establish water resources available for increased use to enforce the policy it adopts." (Staff Report.) Merely adopting a resolution without an allocation ordinance does not get the job done.

2. Policy Topic 3 - Water Allocation by Use Category – Recommend Option A, Water Allocation by use Category, to prioritize infill, affordable, and relatively dense housing.

With regard to Policy Topic 3 - Water Allocation by Use Category, we urge the Commission to recommend Option A - Water Allocation Ratios. The staff proposed ratios would allocate 80% to "planned housing growth." "Planned housing growth" is defined as a housing project that meets three important criteria. LandWatch urges the Commission to recommend that 80% of water be allocated to planned housing growth where that is defined by these three proposed criteria.

First, we support the proposed criterion that the housing must be in a Community Area, Rural Center, Affordable Housing Overlay, or a Housing Element Opportunity Site. These are the areas where the County has determined that housing belongs, and adopting this criterion would prevent allocation of water for sprawl development.¹

Second, we support the proposed criterion that the project must provide inclusionary units as required by the County Inclusionary Housing Ordinance, the Density Bonus Law, or the Builder's Remedy. This provision is essential to meeting the County's goals for affordable units and to comply

¹ There are no Rural Centers or Community Areas in the MPWMD service area, which is the area that would be affected by the proposed allocation program. Staff should clarify if the program is intended eventually to apply County-wide.

with the Legislature's mandate to prioritize affordable housing in allocating water. (Gov. Code, § 65589.7(a).)

Third, we support the proposed criterion that the project must meet a minimum density of 8 units per acre. This criterion is essential to avoid using up available land and water on low density projects that waste water and encourage sprawl.

For all of the reasons outlined in this letter, we urge the Planning Commission to recommend Option A under Policy Topic 1, and Option A under Policy Topic 3. Thank you for the opportunity to comment.

Regards,

A handwritten signature in black ink, appearing to read "Michael DeLapa", with a stylized flourish at the end.

Michael DeLapa
Executive Director