

DRAFT INITIAL STUDY/NEGATIVE DECLARATION
for the
**ORD COMMUNITY SPHERE OF INFLUENCE AMENDMENT
AND SERVICE AREA ANNEXATION**

Prepared for:



Marina Coast Water District
11 Reservation Road
Marina, CA 93933-2099

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October 31, 2011

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I. Project Data

1. **Project Title:** Marina Coast Water District Ord Community Sphere of Influence Amendment and Service Area Annexation
2. **Lead Agency Name and Address:** Marina Coast Water District, 11 Reservation Road, Marina, CA 93933
3. **Contact Person and Phone Number:** Carl Niizawa, (831) 883-5925
4. **Project Proponent:** Marina Coast Water District (MCWD or the District)
5. **Project Location:** The project location includes MCWD's Central Marina and Ord Community service areas in Monterey County, California (totaling 3.2 and 44 square miles, respectively). The area includes portions of the Cities of Del Rey Oaks, Marina, Monterey, and Seaside, and unincorporated Monterey County. In addition, other major land owners include the U.S. Department of the Interior - Bureau of Land Management, the U.S. Department of Defense, California Department of Parks and Recreation, the University of California, and California State University.
6. **Project Description:** The proposed project is the Marina Coast Water District's (MCWD or the District) Ord Community¹ Sphere of Influence (SOI) amendment and Service Area (SA) annexation in accordance with relevant codes and ordinances of the District and local jurisdictions, and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. MCWD proposes to amend their SOI and expand their SA to include all of the former Fort Ord, the development of which is guided by the Fort Ord Reuse Authority (FORA) and their Fort Ord Reuse Plan, and the relevant City and County and General Plans, and Master Plans for California State University Monterey Bay (CSUMB), Fort Ord Dunes State Park, and University of California Monterey Bay Education, Science and Technology Center. The District currently provides service to this area as outlined in the Water/Wastewater Facilities Agreement between FORA and MCWD (1998). The end of FORA's legal existence is scheduled for 2014. The proposed project will allow water and wastewater service to continue beyond the FORA expiration, and will provide customers the ability to vote for the MCWD Board of Directors. In addition, a small area containing a school and a church that presently receive water from MCWD and are within MCWD's Central Marina customer area² will be added to MCWD's SA to eliminate islands within the District that were inadvertently created during the last SA annexation of property north of Marina.

¹ Ord Community as used herein refers to all parcels within the boundary of former Fort Ord Army Base, including open space, and parks and recreation. [Note: Ord Community is sometimes used to refer to lands on the former Fort Ord not within the continuing jurisdiction of the U.S. Army for military purposes. This proposed annexation includes lands within the jurisdiction of the U.S. Army.]

² MCWD has two cost centers, Central Marina and Ord Community, so that rate payers from one area do not have to pay for infrastructure/capital improvements required for to serve the other area. This division of costs/rates would not be affected by the proposed project.

II. Introduction

This document has been prepared by the Marina Coast Water District (MCWD) as the lead agency, pursuant to the California Environmental Quality Act (CEQA). This document describes the annexation of the former Fort Ord Army Base in Monterey County into the District's SA and the associated SOI amendment. The action of changing the District's Local Agency Formation Commission of Monterey County (LAFCO) boundaries, by itself, will not result in physical impacts on the environment, as described herein. The annexation involves no direct changes to the existing water and wastewater system or the associated system permits. Existing operations and future plans for additional infrastructure and water service to the District's service areas, including the proposed service area expansion areas, are described and considered in the following documents areas:

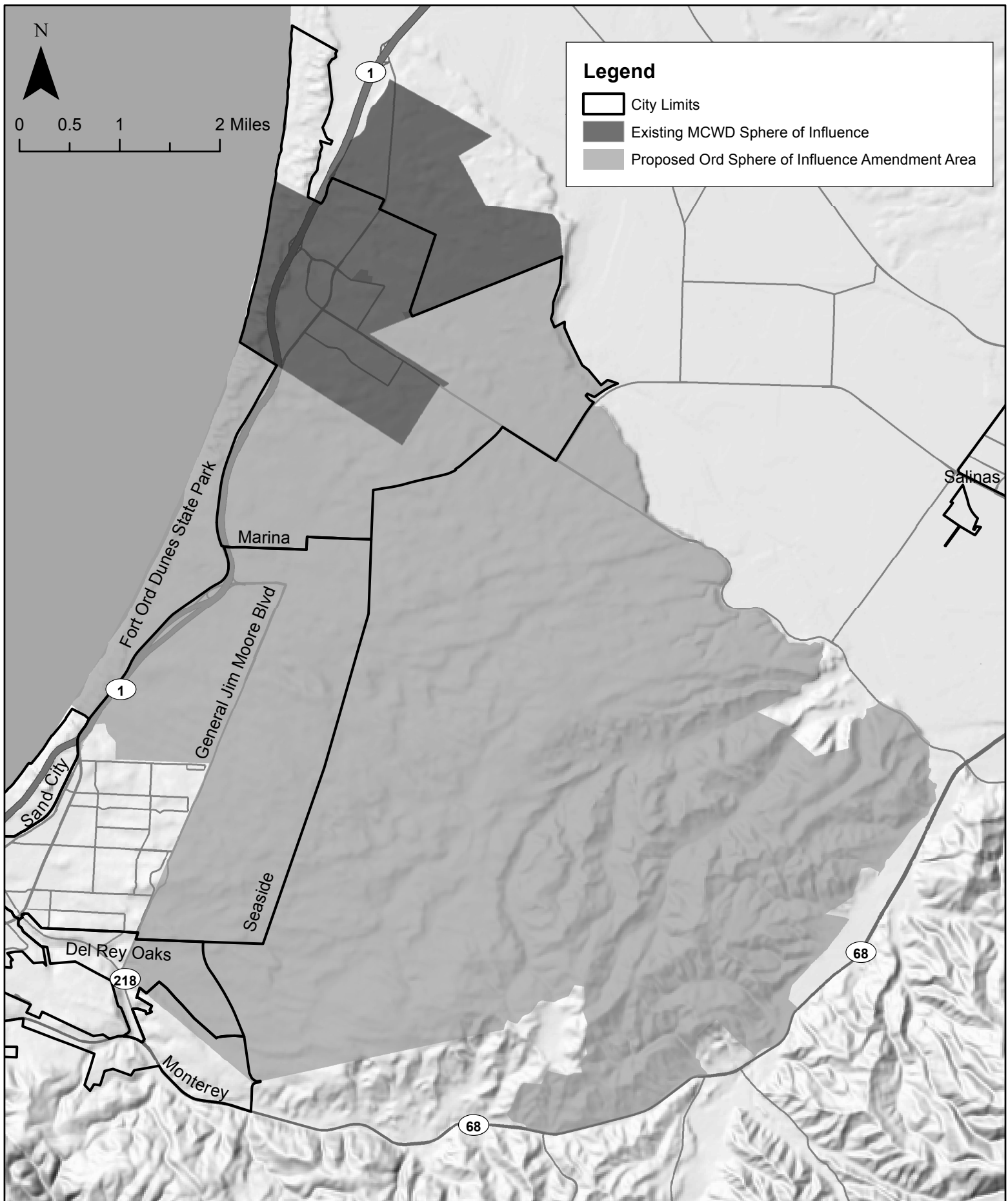
- Fort Ord Reuse Plan (Reuse Plan) Environmental Impact Report (EIR) (FORA, 1997),
- Wastewater System Master Plan – Ord Community Service Area (RBF Consulting, June 2004),
- Marina Water Systems Master Plan (Carollo Engineers, February 2007),
- Regional Urban Water Augmentation Project EIR (MCWD, 2004, as amended in 2006 and 2007),
- Coastal Water Project EIR (CPUC, 2010), and
- 2010 Urban Water Management Plan (UWMP) (MCWD, June 2011),

In addition, each relevant local jurisdiction has adopted their own General Plan amendments/updates, redevelopment/specific plans, and/or project EIRs that are consistent with the Reuse Plan EIR. MCWD's SOI Amendment and SA Annexation would not increase development potential beyond that envisioned in the adopted planning documents, and more importantly, impacts related to such development would be anticipated to occur with or without the proposed project.

In addition to development projects described in all adopted Water Supply Assessments (WSAs) and EIRs at the former Fort Ord, any future development within the former Fort Ord planning area must comply with CEQA Statute and Guidelines. This applies to all development even if it such development is consistent with the Reuse Plan and relevant local General and Redevelopment Plans adopted for the former Fort Ord. During the review, the lead agency must assess the proposed development to ensure that no new significant impacts would occur and/or no worsening in impacts would occur due to the development, compared to the overarching programmatic, planning-level environmental documents. In addition, that review must analyze whether the proposed development will comply with and implement feasible mitigation measures from the planning-level environmental documents that would reduce the significant impacts. In this way, there is an additional level of assurance that impacts will be reduced to a less-than-significant level if feasible, or alternatively, that findings of overriding consideration are adopted for any development-related impacts that remain significant and unavoidable.

III. Project Background

The District's existing SOI and proposed SOI Amendment area are shown on **Figure 1**. The District's existing SA and proposed SA Expansion are shown in **Figure 2**. The District currently provides water, wastewater, and recycled water service to the former Fort Ord (Ord Community) under the Water/Wastewater Facilities Agreement with the Fort Ord Reuse Authority (FORA), dated March 13, 1998, and under contracts with the U.S. Army. The term of the FORA agreement is coincident with the legal existence of FORA. FORA is a public corporation of the State of California established by the FORA Act, and will cease to exist in 2014 unless the FORA act is amended by the California State Legislature. To continue providing service to the Ord Community following the expiration of FORA, an organizational, governance and service structure will be required to replace the existing agreement. The proposed project responds to this need by attempting to process a LAFCO application.



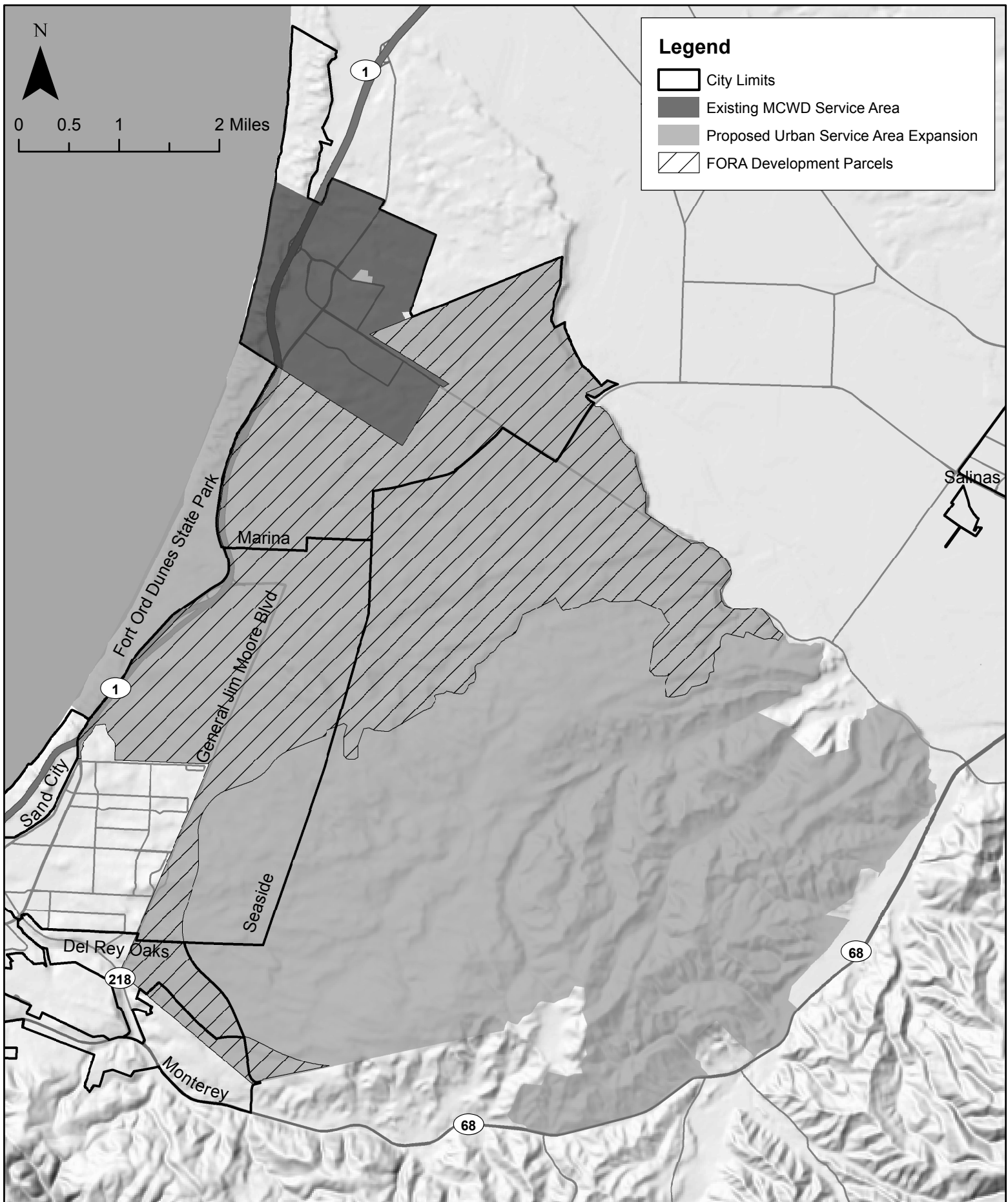
Title:
**Proposed Ord Community
Sphere of Influence
Amendment**

Date: 10-17-2011
 Scale: 1 inch = 1.24 miles
 Project: 2010-13



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Figure
1



Title: **Proposed MCWD Urban Service Area Expansion**

Date: 10-17-2011
 Scale: 1 inch = 1.24 miles
 Project: 2010-13



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Figure
2

MCWD is a County Water District organized and operating under the County Water District Law, Water Code Sections 30000 and following. The District was formed in 1960 by a vote of the registered voters within the original service area. Under the County Water District Law, MCWD provides water and sewer services and has the latent power to provide fire protection, recreational, and sanitation (garbage) services.

The latent powers are not exercised because the City of Marina provides these services. MCWD has authority for the cogeneration of electric power in conjunction with facilities for removing dissolved solids and impurities from seawater. The District is funded only by rates and fees. MCWD has taxing authority, but that authority is not currently being exercised. The District is governed by a five-member Board of Directors who are elected at large from within the District's urban service area. Water and sewer service are provided to several properties within the SOI but outside the service area, as well as to the Ord Community which is outside the SOI.

LAFCO must approve any change to the District's SA and SOI. LAFCO defines an *Urban Service Area* as: "Urban developed areas within an urban service district or city Sphere of Influence, which is now served by existing urban facilities, utilities, and services or is proposed to be served by urban facilities, utilities and services within the next five years." LAFCO defines a *SOI* as: "A plan for the probable physical boundaries and Service Area of a local agency. The area around a local agency eligible for annexation and extension of urban service within a twenty-year period."

Water supply for the Ord Community comes from the Salinas Valley Groundwater Basin (SVGB), specifically from wells located along Reservation Road in unincorporated Monterey County. When the US Army conveyed the water and wastewater infrastructure through FORA to MCWD, they also conveyed the right to provide up to 6,600 acre-feet per year (AFY) of water from the SVGB, authorized under a previous agreement between the US Army and the Monterey County Water Resources Agency (MCWRA). The US Army retained 1,729 AFY of the 6,600 AFY for its use in the Ord Military Community, and the balance has been sub-allocated by FORA to the various jurisdictions within the Ord Community. The SVGB aquifer only extends into the northern and eastern portions of the Ord Community, so MCWD wells cannot be relocated into the cities of Seaside, Del Rey Oaks, or Monterey. However, under the agreement with MCWRA, the entirety of the former Fort Ord was annexed into Zones 2/2A of the SVGB and may receive groundwater from that source. The Monterey Peninsula Water Management District manages groundwater and surface water resources, but exempts the portions of Del Rey Oaks, Monterey and Seaside that are on the former Fort Ord from MPWMD water supply regulation. The U.S. Army had also contracted for 3.30 million gallons per day (MGD) of average dry-weather wastewater treatment capacity with the Monterey Regional Water Pollution Control Agency (MRWPCA). Of that, 1.08 MGD of treatment capacity was retained for the Ord Military Community, and the remaining 2.22 MGD was conveyed to MCWD.

Additional water supply is being developed to meet the future demands of the Ord Community. Under the Regional Urban Water Augmentation Program (RUWAP), 2,400 AFY was to be developed for the Ord Community, a portion being potable supply from seawater desalination and a portion from recycled water. In addition, the District has been an active participant in the pursuit of a Regional Desalination Project. The Regional Desalination Project proposes to produce desalinated supply on a larger scale, thus reducing the per-unit costs. The RUWAP Recycled Water Project would use recycled water from the existing Salinas Valley Reclamation Plant and deliver it to the urban landscaped areas within the Ord Community (currently planned for up to 1,000 AFY based upon the certified Coastal Water Project EIR³ or up to 1727 AFY pursuant to the RUWAP project). That project also anticipated providing up to 300 AFY to areas south of the Ord Community. The District has constructed some of the pipelines required to convey this new supply into the Ord Community, and has planned and budgeted constructing the remaining portions. Regardless of the governance model selected, current and future water supply for the

³ California Public Utilities Commission/ESA Consultants, Coastal Water Project Final EIR, certified 2009.

Ord Community will originate on the northern boundary of the former Fort Ord and the governance structure proposed herein would not affect planning, permitting, or design for those projects.

The MCWD Board of Directors has taken a series of actions accepting responsibility for the provision of water, wastewater, and recycled water service to the Ord Community. Key actions have included the following:

- Entering into Water/Wastewater Facilities Agreement with FORA, March 13, 1998
- Submitting a Public Benefit Conveyance Application for the Fort Ord Water and Sewer Facilities, 1999, which was later approved by the U.S. Army as an Economic Development Conveyance
- Accepting the title to and easements for the Water and Sewer infrastructure on the former Fort Ord, Resolution 2001-52, October 24, 2001
- Certifying the Final EIR for the Regional Urban Water Augmentation Project and Filing a Notice of Determination for the Project, under Resolution 2004-56, October 27, 2004
- Approving MCWD Resolution No. 2006-64, Authorizing the Issuance and Sale of Water and Sewer Revenue Certificates in the Principal Amount of Not to Exceed \$50,000,000 to Finance Enterprise Improvements and Refinance Prior Obligations and Approving Related Documents and Actions (actual bond issue was \$41,000,000)
- Combining the Central Marina and Ord Community water systems into a single California Department of Public Health permit in 2007
- Forming the Ord Community Ad Hoc Committee to make recommendations to the Board regarding annexation of the Ord Community to the District Service Area
- Constructing potable and recycled water pipelines in General Jim Moore Blvd, Phases IV and V, to serve the development parcels in the Cities of Seaside, Del Rey Oaks and Monterey, 2008-2009
- Approving a Revised Memorandum of Understanding between Marina Coast Water District, Monterey County Water Resources Agency and the Monterey Regional Water Pollution Control Agency Regarding Cooperative Planning and Joint Analysis for a Monterey Regional Water Supply Program, Resolution 2009-44, July 1, 2009
- Approving MCWD Resolution No. 2010-20, Approving Participation in the Regional Project (April 5, 2010) and authorizing the President and the General Manager and Secretary to execute the Settlement Agreement, Water Purchase Agreement, and Outfall Agreement⁴
- Approving MCWD Resolution No. 2010-18, Approving the Acquisition of 224-acres (+/-) of Armstrong Ranch Land and Appurtenant Easements (this property is proposed to be used for the regional desalination plant)
- Approving MCWD Resolution No. 2010-77, Authorizing the Issuance and Sale of Refunding Bonds in the Principal Amount of Not-to-Exceed \$9,000,000 to Refund Outstanding Promissory Note Relating to Land Acquisition (including that described in the previous bullet)

IV. Project Objectives

The annexation of the Ord Community into the Districts' LAFCO Service Area and amendment of the SOI is proposed to allow for uninterrupted provision of water and wastewater collection service for the Ord Community Service Area. The annexation is proposed to meet the demands of future development, as designated in the Fort Ord Reuse Plan and local jurisdictions' General Plans, Specific Plans, state educational, and recreational Master Plans; and to provide an acceptable and fair governance structure for those receiving water and wastewater service from the District.

⁴ MCWD's April 5, 2010 action adopting Resolution 2010-20 and approving MCWD's participation in the Regional Desalination Project based upon the Coastal Water Project EIR (CPUC, 2009) was conditioned on approval of the project by the CPUC. Thus, when the CPUC adopted Decision No. 10-12-016 on December 3, 2010 (see below), MCWD's approval became unconditional and final. MCWD filed a Notice of Determination on its action on December 13, 2010.

V. Project Description

The District is proposing to request LAFCO approval of a SOI amendment and SA annexation for all of the former Fort Ord (also known as the Ord Community) consistent with the Fort Ord Base Reuse Plan, as depicted in Figures 1 and 2, respectively. This would include all areas currently served by MCWD under contract with FORA; specifically, MCWD is committed and contractually obligated by the Water/Wastewater Facilities Agreement (1998) to provide potable and recycled water supply for all of this area. The proposed District SOI includes all of the areas which will rely upon it for water, including land owned by the US Bureau of Land Management (BLM), California State Parks, the Fort Ord Natural Reserve (FONR), and the Landfill Parcel habitat management areas. Those parcels currently are, or will be, subject to deed restrictions restricting urban development based upon agreements between FORA, regulatory agencies, and land use jurisdictions/owners. Also, those areas are outside city limits and associated urban service areas limiting the potential for development. MCWD currently provides water service to several entities within the BLM land, including offices and training facilities, and is anticipated to potentially provide additional service to support recreational, fire support, and temporary habitat needs.

Both MCWD and Seaside County Sanitation District (SCSD) operate wastewater collections systems that are tributary to the Monterey Regional Water Pollution Control Agency and are regulated under the MRWPCA NPDES permit. If MCWD is to provide wastewater service to the undeveloped area south of Eucalyptus Road, the two Districts have discussed utilizing gravity flow of wastewater into the existing SCSD system to optimize the system's energy efficiency and to avoid unnecessary lift station construction and operation. The difference to customers if MCWD provides wastewater service instead of SCSD would be receiving a single water and sewer bill instead of separate bills. For the cities and developers of those areas, the two Districts have different sewer capacity (connection) fees, and MCWD offers access to the pre-paid capacity in the regional wastewater treatment plant. Both Districts have representatives on the MRWPCA Board of Directors. The proportional voting weight of those members may increase after these areas are developed.

The proposed SA annexation and SOI amendment would not change the existing water and wastewater system or the associated system permits. Nor would it change plans for future water or wastewater service. One key exception is that future wastewater service to the former Fort Ord portion of Del Rey Oaks and the undeveloped portions of the City of Seaside south of Eucalyptus Road (see Figure 2) will depend upon the decisions of the appropriate wastewater service provider, and no decision is likely to be made until development plans are progressed further.⁵ In either case, MCWD proposes to annex this area into their service area for provision of both water supply and wastewater collection services.

Annexation of land into the District SA will allow customers to directly vote for the District Board of Directors. Under the current service contract with FORA, customers within the Ord Community are represented by their elected city officials through the FORA Board and the FORA Water and Wastewater Oversight Committee.

This proposed project is consistent with the parameters for a SOI as: "A plan for the probable physical boundaries and Service Area of a local agency. The area around a local agency eligible for annexation and extension of urban service within a twenty-year period." The proposed SA annexation includes areas beyond those currently served or projected to require services within the next five years. However, the ability to request and annex the entire Ord Community with a single application process would be administratively more efficient than requesting annexation on a project-by-project basis.

⁵ Seaside County Sanitation District (SCSD) Urban Service Area currently includes the Del Rey Oaks City Limits and extends into the Ord Community. MCWD and SCSD both propose to be the wastewater collection provider to that area. The area has yet to be developed; however, the City of Del Rey Oaks has been pursuing planning for a golf resort project, including residential and commercial property.

In addition to the Ord Community area, a small area containing a school (Ione Olson Elementary School) and a church (United Methodist Church) that presently receive water from MCWD and are within MCWD's Central Marina service area will be added to MCWD's SA to eliminate that area as an island outside of the service area (see Figure 2). This area was inadvertently created during the last SA annexation of property north of Marina.

VI. Alternatives to the Service Area Annexation

In developing the preferred SOI amendment and SA annexation project herein, the following alternatives to the proposed project were developed and evaluated; however, they are currently not being proposed by MCWD. Please see Appendix B for more detailed information.

- Alternative 1. Annexation of Only FORA Development Parcels
- Alternative 2. Five-Year Development Area Annexation
- Alternative 2. Ten-Year Development Area Annexation
- Alternative 3. Annexation to the Marina City Limit
- Alternative 4. The No Project Alternative

VII. Earlier Analyses

The proposed SOI amendment and SA annexation would not have any direct environmental impacts because it would only result in a reorganization of jurisdictional boundaries with no direct physical changes to the environment. The Fort Ord Reuse Plan EIR describes and evaluates redevelopment of the former Fort Ord, including all infrastructure required for provision of service up to the groundwater allocation of 6,600 AFY from the Salinas Valley Groundwater Basin and collection of wastewater from planned land uses. The required CEQA analysis of future infrastructure for water service above the 6,600 AFY and up to 9,000 AFY is provided in other environmental reviews of future redevelopment plans and projects, in addition to the EIRs prepared for those required water and wastewater facilities (such as MCWD RUWAP EIR) as needed; therefore, no additional analysis is presented or required herein. Specifically, whether or not the District amends its SOI and expands its SA to include the Ord Community, these projects may be built. For this reason, these future redevelopment, development, and infrastructure projects may independently cause direct significant impacts; however, they would occur with or without implementation of the proposed project or alternatives described above.

Regardless of the ultimate decision for LAFCO boundaries, the following summarizes the content and conclusions of previous relevant environmental documents governing development at the Ord Community.

Fort Ord Reuse Plan Environmental Impact Report (FORA, 1997)

In 1991, the closure of the Fort Ord military base was announced. The Fort Ord military base was a part of the Monterey Peninsula since 1917, and closure of the over 28,000-acre facility was significant to Monterey County. In order to minimize the impact on Monterey County of the base closure, the Fort Ord Reuse Authority (FORA) was formed, and a base reuse plan was developed and adopted. Future development planned as part of the FORA's *Fort Ord Reuse Plan* (hereafter "Reuse Plan") adopted in 1997 has undergone environmental review. The Draft EIR (dated May 1996) evaluated impacts of full buildout of Fort Ord as envisioned in the Reuse Plan, which is estimated to occur over the next 40-60

years. Portions of the Draft EIR (traffic, noise) evaluated impacts resulting from estimated development to the year 2015. The FEIR was certified by FORA in 1997 with the intent that it would serve as a program EIR and provide a “first-tier” analysis for future development within the former Fort Ord. The Draft EIR text also indicates that it would serve as a program EIR for subsequent redevelopment plans prepared in conformance with the Reuse Plan.

The Reuse Plan EIR identified less-than-significant environmental impacts with implementation of policies and programs included in the Reuse Plan. Potentially significant impacts were identified, and additional mitigation measures were included in the Reuse Plan EIR. There have been no changes in the conditions that would result in additional significant impacts as evidenced in this Initial Study. Reuse Plan policies and programs were incorporated into each local jurisdiction’s General Plan and the District’s water supply and wastewater planning and services have been consistent with those policies and programs.

Significant impacts that were found in the Reuse Plan are outlined below. The following significant impacts that can be mitigated to a less-than-significant level:

- Need for new and upgraded utility systems and services, including wastewater, water distribution, storm drainage, and solid waste
- Need for new local water supplies
- Public health and safety impacts relating to the exposure to hazardous and toxic materials
- Water quality degradation from urban runoff

The following are significant unavoidable impacts for which findings of overriding consideration were adopted:

- Increased traffic on the regional transportation system
- Increased demand for law enforcement, fire protection and emergency response services
- Cumulative impacts due to the Reuse Plan in conjunction with other past, present and reasonably foreseeable future projects, including off-site traffic and circulation, need for local water supplies, increased demand for law enforcement services and the increased demand for fire protection/emergency services, exposure to hazardous materials, and visual resource impacts associated with landscape change along the State Route 1 corridor

The Reuse Plan EIR identified policies and programs contained in the Reuse Plan and other mitigation measures that avoid/reduce these significant impacts. The Reuse Plan EIR also evaluated several alternatives regarding development and land use intensity.

In adopting the Reuse Plan, FORA adopted “Findings of Overriding Consideration” due to identification of significant unavoidable impacts. In approving the Reuse Plan, FORA adopted a “Constrained Development” plan, in which overall land use intensity was reduced from 22,232 total residential units to 10,816 total residential units, and from 45,457 new jobs to 18,342 new jobs based on a limitation on total water use. In addition, in adopting the Reuse Plan, FORA adopted a limitation on water use for each jurisdiction. As part of the proceedings to adopt the Reuse Plan, FORA adopted the “Development and Resource Management Plan” (DRMP) to ensure that reuse of the former Fort Ord will restrain development to available resources and service constraints, including water and transportation. Per FORA Resolution 98-1, local jurisdictions must include policies and programs consistent with the DRMP.

The Reuse Plan EIR was certified with the intent that it would serve as a program EIR and provide a “first-tier” analysis for future development within the former Fort Ord. The Reuse Plan EIR text also indicates that it would serve as a program EIR for subsequent redevelopment plans prepared by the underlying jurisdictions in conformance with the Reuse Plan. Development intensity for the former Fort Ord was reduced with the final adoption of the Reuse Plan, and as currently planned is less than the level

evaluated in the EIR. The environmental documentation and the corresponding records of decisions on FORA's Reuse Plan approvals and implementation are available for review at the FORA website (<http://www.basereuse.org/reuseplan/HomePage/HomePage.htm>) and office at 100 12th St, Marina, CA 93933-6006 (831) 883-3672.

Local General Plans and Redevelopment Environmental Reviews

In addition to the above EIR, each jurisdiction and government land owner with land at the former Fort Ord has updated their General Plan or prepared a Master Plan to plan for development of their land. Table 1 summarizes the planning documents of the Ord Community land use jurisdictions and property owners. As shown in the table, these documents were reviewed to verify that MCWD is recognized as the water and/or wastewater service provider for the Ord Community. In all documents, either MCWD was understood as the service provider or a service provider for the Ord Community was not stated.

TABLE 1 ORD COMMUNITY LAND USE PLANNING DOCUMENTS: WATER AND WASTEWATER SERVICE DISCUSSIONS				
Planning Document	Year	MCWD		Relevant Page Numbers
		H ₂ O	WW	
City of Seaside General Plan	2003	X	NS	H ₂ O-Page LU-42 WW-Page LU-42
City of Del Rey Oaks General Plan Update	1997	NS	NS	H ₂ O-Page 47 WW-Page 48
City of Monterey General Plan	2004	X	NS	H ₂ O-EIR Page 2-134 WW- EIR Page 2-131
City of Marina General Plan	2005	X	X	H ₂ O-Page 72 WW-Page 75
County of Monterey General Plan	2011	X	NS	H ₂ O-EIR Page 4.3-31 WW- EIR Page 4.3-77
University of California Monterey Bay Education, Science and Technology Master Plan	1996	X	NS	H ₂ O-Page 7-2 WW-Page 7-4
California State University Monterey Bay Master Plan	2009 (Ongoing)	X	X	H ₂ O-Page 4-10 WW-Page 4-11
California Department of Parks and Recreation, Fort Ord Dunes State Park General Plan	2004	X	X	H ₂ O and WW - Page 2-59, 2-89, 3-40
Key: <i>X = The water and wastewater service provider for the Ord Community stated to be MCWD.</i> <i>NS = The water and wastewater service provider for the Ord Community Area is not specified.</i>				

The only land areas proposed to be annexed into the MCWD SA that are not included in the planning documents in the above table are the lands owned and maintained by the Bureau of Land Management and the University of California/Natural Reserve System. The Bureau of Land Management owns and manages 15,000 acres at the former Fort Ord to protect rare habitat and to compensate for loss of habitat on portions of Fort Ord that will be (or have been) developed. BLM also provides recreational opportunities and may develop the following on up to 292 acres of their land, several uses of which (indicated with a “*”) may require water and/or wastewater collection services from MCWD:

- Visitor centers/contact stations*
- Roads trails, and utility lines
- Public access locations*
- Administrative support buildings or warehouses*

In addition, MCWD has planned infrastructure to support their water and wastewater services to other areas in the Ord Community, within the BLM areas (including potentially, Wells 33 and 35; E Reservoir and Pipeline; Huffman Tank and Pipeline; Eucalyptus Road East/West Water Transmission Pipeline).

The University of California/Natural Reserve System —Fort Ord Natural Reserve (FONR) site may also develop up to 8 acres on their 605 acre site with buildings for storage and work space, parking areas, accessory structures, access routes, and parking areas. In addition, MCWD possesses a water supply facility (Well 29) at that site. Although no water or wastewater service is presently provided to this site, the workspace buildings may require water or wastewater service in the future.

In addition, the following Redevelopment Plan Initial Studies and project-level EIRs have been prepared, some of which included Water Supply Assessments by MCWD, and all identified MCWD as the water purveyor/supplier for the former Fort Ord:

City of Del Rey Oaks

Redevelopment Plan Initial Study/Negative Declaration (IS/ND) (2005)

Resort at Del Rey Oaks Water Supply Assessment (WSA) (2008)

City of Seaside

Redevelopment Plan IS/ND (2002)

Main Gate WSA and EIR (2007)

City of Marina

Cypress Knolls WSA and EIR (2006)

Dunes on Monterey Bay (University Villages) WSA and EIR (2007)

Marina Heights WSA and EIR (2003)

Monterey County

East Garrison WSA and EIR (2004)

Whispering Oaks Business Park WSA and EIR

Use of Previously Prepared EIR

Pursuant to State CEQA Guidelines Section 15153, a lead agency may use an EIR prepared for an earlier project where the proposed project is essentially the same as the project previously analyzed in the former EIR. The potential for additional development to occur at the former Fort Ord (i.e., within the Ord Community proposed for inclusion in the District's SOI and SA) due to the provision of new water and wastewater systems are consistent with the assumptions of growth and development in the 1997 Reuse Plan EIR, which reviewed the land uses, development intensities and policies contained in the Reuse Plan. In addition, proposed plans to construct and operate new water supply and wastewater facilities are addressed in the RUWAP and Coastal Water Project EIRs, consistent with the descriptions in MCWD's UWMP, the Master Plans for Water and Wastewater, and the Capital Improvement Plan (CIPs) and these projects would occur with or without approval of the currently proposed project.

In using an EIR from an earlier project, CEQA requires that the lead agency shall review the proposed project with an initial study, to determine whether the EIR adequately describes:

- The general environmental setting of the project: The above EIRs adequately describe the environmental setting of the former Fort Ord military base and more specifically, the Ord Community. Except for the construction and operation of various land development and supporting infrastructure projects, there have been no substantial changes in the environmental setting of the proposed area that would warrant new analyses.

- The significant environmental impacts of the project: The Reuse Plan EIR adequately evaluated potential significant impacts of planned growth/development in the former Fort Ord and the region as whole, presented policies, programs, and mitigation measures that reduce impacts to a less-than-significant level. The District's UWMP, Master Plans, and the RUWAP and Coastal Water Project EIRs, including Addenda, described future water and wastewater infrastructure improvements required to serve the Ord Community. The RUWAP and Coastal Water Project EIRs both found that their water supply planning quantities were consistent with and constrained by the Reuse Plan in terms of quantity of water. These EIRs were certified as complying with CEQA requirements and are not discussed further herein because whether or not the District amends its SOI and expands its SA to include the Ord Community, these projects may be built. For this reason, these future redevelopment, development, and infrastructure projects may independently cause direct significant impacts; however, they would occur with or without implementation of the proposed project or alternatives described above.
- Alternatives and mitigation measures related to each significant impact: As stated above, the Reuse Plan infrastructure projects and local redevelopment plans and projects evaluated (or will evaluate in the future) the environmental impacts of both: (1) build-out growth within the Ord Community and the region as a whole (in the cumulative analyses), and (2) the infrastructure required to provide water and wastewater service for the Ord Community. These EIRs also presented (or will present) mitigation to avoid or reduce significant impacts, if adopted in their respective Mitigation Monitoring and Reporting Programs. In addition, for those requiring EIRs, evaluation of alternatives shall be conducted prior to approval of a preferred alternative.

VIII. Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. None of the environmental factors would be potentially affected by this project as discussed within **Section IX. Evaluation of Environmental Impacts**. Sources used for analysis of environmental effects are listed in **Sections VII. Earlier Analyses and XI. References**. No impacts were identified as significant, as evidenced by the explanations, below.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

IX. Determination

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Carl Niizawa

Printed Name

Carl Niizawa

date

October 28, 2011

for

MARINA Coast Water District

X. Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
2. All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

XI. ENVIRONMENTAL CHECKLIST

This Initial Study is based on CEQA's Environmental Checklist Form (Appendix G of the CEQA Guidelines). As discussed in Section VII, each item on the checklist is answered as "no impact."

depending on the anticipated level of impact. The checklist is followed by explanatory comments corresponding to each checklist item. The sources of information can be found in Section XI.

Adding the small area containing a school and a church to MCWD's Central Marina service area will not result directly or indirectly to any physical changes to the environment, nor would it create any indirect or direct significant impacts in the following topical areas. This area already is developed and the annexation will simply eliminate islands within the District service area that were inadvertently created during the last service area annexation of property north of Marina.

1. AESTHETICS

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Prominent visual resources in the project vicinity include the Monterey Peninsula, Monterey Bay, the ridgelines and canyons of the Santa Lucia Range, BLM and California State Park lands and agricultural fields of the Salinas Valley. Expansive views of the coastline adjacent to the former Fort Ord can be seen from Monterey Bay and the Monterey Peninsula. The undeveloped areas of the former Fort Ord area are predominantly hilly and covered by grassy and forested landscape.

Future development in the Ord Community will be subject to review under guidelines to protect scenic vistas that may be impacted by future development within each jurisdiction. The Reuse Plan EIR identifies potential changes to the existing visual character within the former Fort Ord. Additionally, the Reuse Plan EIR also indicates that future development will enhance some areas of the former Fort Ord, considering existing deteriorating buildings and conditions.

Future implementation of redevelopment plans and projects, and water supply and wastewater facilities may occur regardless of the implementation of the proposed project; therefore, these projects are not evaluated herein. All future projects would be subject to CEQA and will evaluate, and if feasible, mitigate significant impacts to visual resources.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

2. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: As a former military base, there are no existing agricultural uses or operations within the project boundaries. Neither the Reuse Plan EIR nor other redevelopment plan and project environmental documents identified any agricultural resources or impacts to agricultural resources. No designated forest land or timberland is located within the project boundaries.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The former Fort Ord is located within the North Central Coast Air Basin (NCCAB) of the Monterey Bay Unified Air Pollution Control District (MBUAPCD) which is comprised of Santa Cruz, San Benito, and Monterey Counties. The basin is currently in attainment for the federal PM₁₀ (particulate less than 10 microns in diameter) standards and state and federal nitrogen dioxide, sulfur dioxide, and carbon monoxide standards. The basin is classified as a non-attainment area for the state ozone and PM₁₀ standards.

The MBUAPCD shares responsibility with the Air Resources Board (ARB) for ensuring that state and national air quality standards are achieved and maintained within the NCCAB. State law assigns local air districts the primary responsibility for control of air pollution from stationary sources while reserving oversight functions to the ARB. The MBUAPCD also is responsible for developing regulations governing emissions of air pollution, permitting and inspecting stationary sources of air pollution, monitoring of ambient air quality, and air quality planning activities, which include implementation of transportation control measures.

The Reuse Plan EIR identified potential violations to ambient air quality standards as being a less-than-significant impact with implementation of measures to control land uses and transportation links and minimize future air quality impacts. These policies are contained in the Reuse Plan, have been incorporated into local jurisdiction planning documents, and include preparation and implementation of design guidelines and best management practice standards.

The MBUAPCD has adopted an updated Air Quality Management Plan that accounts for future development at the former Fort Ord based on the amount of development in the plan adopted by FORA. Local jurisdiction planning documents incorporate policies and programs that avoid/minimize air emissions and air quality impacts as analyzed in the Reuse Plan EIR. Implementation of Best Management Practices (as identified in MBUAPCD plans) during construction of future development projects will ensure that ozone and PM₁₀ air quality standards are not exceeded. Such measures would be incorporated as part of future site-specific environmental review for development projects.

Greenhouse gas and climate change are addressed in **7. GREENHOUSE GASES**, below.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The Reuse Plan EIR identified potential impacts to special status species and sensitive habitat areas with future development at the former Fort Ord. Numerous policies are included in the Reuse Plan, which protect and manage sensitive species and habitat areas. Implementation of these policies were found to result in less-than-significant impacts.

The *Final Installation-Wide Multispecies Habitat Management Plan for Former Fort Ord* (U.S. Army Corps of Engineers, April 1997), known as the HMP was prepared to comply with U.S. Fish and Wildlife Service (USFWS) requirements for the disposal and reuse of former Fort Ord lands. The *Fort Ord Reuse Plan EIR* states that the HMP was developed as a mitigation measure in the EIS prepared by the U.S. Army regarding closure and reuse of the former Fort Ord (DEIR, page 3-8). The HMP addresses impacts to biological resources associated with reuse of the former Fort Ord and establishes guidelines for the conservation and management of species and habitats on former Fort Ord lands. The HMP identifies lands that are available for development, lands that have some restrictions with development, and habitat reserve areas. The intent of the plan is to establish large, contiguous habitat conservation areas and corridors to compensate for future development in other areas of the former base. The HMP identifies

what type of activities can occur on each parcel at former Fort Ord and parcels are designated either for development with no restrictions, for habitat reserves with management guidelines, or for habitat reserves with some development allowed.

On March 30, 1999, the U.S. Fish and Wildlife Service issued a non-jeopardy biological and conference opinion to the Department of the Army addressing the effects that the closure and reuse of the former Fort Ord would have on federally listed plant and animal species based on the HMP. The HMP establishes specific conservation areas and habitat corridors to protect and preserve a broad range of sensitive species and habitats throughout the former Fort Ord and assigns management responsibilities for these areas as well as for parcels designated for partial or conditional development. The HMP sets the standards to assure the long-term viability of former Fort Ord's biological resources in the context of base reuse so that no further mitigation for impacts to species and habitats considered in the HMP should be necessary.

The HMP anticipates some losses to special-status species and sensitive habitats as a result of redevelopment of the former Fort Ord. With the designated reserves and corridors and habitat management requirements in place, the losses of individuals of species and sensitive habitats considered in the HMP are not expected to jeopardize the long-term viability of those species, their populations, or sensitive habitats on former Fort Ord. Recipients of disposed land with restrictions or management guidelines designated by the HMP will be obligated to implement those specific measures through the HMP and through deed covenants.

However, the HMP does not provide specific authorization for incidental take of federal or State Listed species to existing or future non-federal land recipients under the ESA or CESA. In compliance with the ESA and CESA, the Fort Ord Reuse Authority (FORA) is currently in the process of obtaining a Section 10(a)(1)(B) Incidental Take Permit from the Service and Section 2081 Incidental Take Permit from the DFG, which will provide base-wide coverage for take of federal and State listed wildlife and plant species to all non-federal entities receiving land on the former Fort Ord. This process involves the preparation of a Habitat Conservation Plan (HCP) and Implementing Agreement (IA). The HCP and IA are currently in draft form and being reviewed by the resource agencies. The base-wide Incidental Take Permits are expected to be issued by the USFWS and DFG in 2012.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011; U.S. Fish and Wildlife Service, 2005.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The former Fort Ord is located within lands historically occupied by a group of Native Americans known as the Rumsen, a branch of the Costanoan family. European

settlement of the area occurred in the 1700s, and a number of ranchos and missions were established in the Monterey area. Urban development of the Monterey Peninsula occurred after World War II.

Several studies investigating the archaeological and historical resources of former Fort Ord have been completed, including *A Cultural Resources Survey of 783 Hectares, Fort Ord* (Waite, March 1995) and information in the *Final Environmental Impact Report for the Fort Ord Reuse Plan* (FORA, June 1997). Based on this data, the areas of greatest archaeological sensitivity at former Fort Ord include the terraces and benches adjacent to the Salinas River and El Toro Creek, the areas surrounding the wet cycle lakes, and areas adjacent to streams and coastal beaches.

The Reuse Plan EIR identified impacts to cultural and historical resources as being a less-than-significant impact with implementation of policies and programs contained in the Reuse Plan. These policies have been incorporated into local jurisdiction planning documents and include requirements to protect cultural resources, pre-construction survey requirements, and measures to implement with future site development.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The entire Monterey Bay area is located in a seismically active region and is subject to strong ground shaking during an earthquake on any of the regional fault systems. Three fault zones are located in the vicinity of the former Fort Ord which are considered active. The San Andreas fault is located within 25 miles of former Fort Ord; the Palo Colorado-San Gregorio fault is located 14 miles southwest; and the Monterey Bay fault zone is located directly offshore from former Fort Ord. The maximum credible earthquake magnitude is greater than 6.0 for the Monterey Bay fault zone, greater than 7.0 for the Palo Colorado-San Gregorio fault, and greater than 8.0 for the San Andreas fault. There are several inferred or concealed earthquake faults (i.e., Reliz or Gabilan, Chupines, Ord Terrace, and Seaside faults) that either cross or are adjacent to the former Fort Ord. Due to their lack of geologically recent activity, it is highly unlikely that inferred or concealed faults will produce a damaging earthquake.

The potential for earthquake damage from ground shaking is moderate to high in the project vicinity; liquefaction potential in the area is generally considered low. The Reuse Plan EIR identified exposure to seismic and geological hazards as being a less-than-significant impact with implementation of the policies and programs contained in the Reuse Plan. These policies outline measures and standards for review and siting of future developments to minimize exposure to seismic and geological hazards. All of the Reuse Plan policies and programs have been incorporated into local jurisdiction planning documents and would also serve to avoid/reduce potential impacts.

Soils at the former Fort Ord are susceptible to erosion, and the Reuse Plan EIR identified soil constraints and increased erosion/sedimentation as being a less-than-significant impact with implementation of the policies and programs contained in the Reuse Plan. These policies outline measures and standards to avoid or minimize potential increased erosion or site development in areas with significant soils constraints. All of the Reuse Plan policies and programs have been incorporated into local jurisdiction planning documents and would serve to avoid/reduce potential impacts.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

7. GREENHOUSE GASES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Because the project would not directly result in any construction or operation, and thus no emissions of greenhouse gases, and because indirect effects are addressed through the independently-required CEQA review of other redevelopment plans/projects, and future infrastructure improvements/facilities, the proposed project would have no impact due to greenhouse gas emissions.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The entire former Fort Ord installation was placed on the National Priorities List of Hazardous Waste Sites (i.e., Superfund List) in 1990. Since then, numerous contaminated properties have been remediated and approved for transfer by the EPA. Due to its former uses, ordnance and explosives (OE) may still exist at locations throughout the former military base. Extensive surveys have been and continue to be conducted by the Army to investigate suspect areas of OE, and removal activities are ongoing.

The Reuse Plan, its EIR, and FORA Resolution 98-1 contain policies and measures to ensure cooperative efforts with the Army in remediation efforts to ensure compliance with all applicable regulations for hazardous materials. Local jurisdiction planning documents also incorporate policies contained in the Reuse Plan, mitigation measures included in the Reuse Plan EIR, and other required measures as set forth in FORA's Resolution 98-1 that avoid/minimize hazardous materials impacts as analyzed in the Reuse Plan EIR.

The demolition of buildings containing asbestos was not addressed in the Reuse Plan EIR. According to the U.S. Occupational Safety and Health Administration, the removal of asbestos associated with

demolition of buildings is a regulated health hazard with the greatest exposure and risk to workers during the removal-demolition process (see website at <http://www.osha.slc.gov/SLTC/asbestos>). The future demolition of buildings containing asbestos and lead paint would be required to comply with the Monterey Bay Unified Air Pollution Control District's Rule 306 that requires reporting and investigation of certain buildings with asbestos as established under federal law. The National Emissions Standards for Hazardous Air Pollutants (NESHAPS) as set forth in the Code of Federal Regulations—40CFR61—is designed to prevent “visible emissions” of asbestos when buildings are renovated or demolished. Under federal law, a building must be inspected for asbestos prior to demolition or renovation, and federal and state agencies must be notified prior to demolition. According to the State Air Resources Control board, removal and disposal of asbestos procedures and controls must be specified in the notification form (<http://www.arb.ca.gov/cd/asbestosform.htm>). Compliance with these procedures will avoid significant impacts related to demolition of buildings containing asbestos.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

9. HYDROLOGY AND WATER QUALITY

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
as a result of the failure of a levee or dam?				
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The Reuse Plan EIR identified potential impacts related to increased runoff, drainage, and water quality impacts. However, with implementation of the policies contained in the Reuse Plan, impacts were found to be less than significant. Reuse Plan policies have been incorporated in local jurisdiction planning documents.

Flood hazards within the former Fort Ord area are localized north along the Salinas River Bluff within unincorporated Monterey County. This area is considered to be susceptible to 100-year floods and storms in 1995 flooded portions of these areas impacting both agricultural land and some residential properties. Flood danger from reservoir ruptures within the Salinas Valley watershed (San Antonio or Nacimiento Reservoirs) could cause swelling of the Salinas River and could create a flood condition in the area described above.

In adopting the Reuse Plan, FORA also adopted a reduced development scenario and water allocation program to restrict water use and development in accordance with available water supplies (See discussion below under subsection 17). The Reuse Plan EIR includes mitigation for implementing stormwater detention systems to aid groundwater recharge, and Reuse Plan EIR mitigation measures have been incorporated into local jurisdiction planning documents.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The proposed project is located within the boundaries of the adopted *Fort Ord Reuse Plan* (Reuse Plan). The Reuse Plan EIR identified potential significant impacts related to incompatible land uses and/or potential land use conflicts. However, with implementation of the policies contained in the adopted “resource constrained” Reuse Plan, land use and planning impacts were found to be less than significant. The Reuse Plan sets forth land use designations and development intensity for ultimate buildout at the former Fort Ord. Each land use jurisdiction within FORA’s

boundaries prepared and adopted appropriate amendments to their general plans to ensure consistency with the adopted Reuse Plan. Furthermore, each land use agency must submit all land use decisions affecting lands within FORA's boundaries to FORA for a determination of consistency with the Reuse Plan. Table 1 in Section VII contains a list of the local plans and state land planning documents governing development within the Ord Community. MCWD does not possess land use authority. As shown in Table 1, the provision of water and wastewater service to the Ord Community was assumed to be the responsibility of MCWD, with the exception of Del Rey Oaks, since their General Plan was prepared prior to the Water/Wastewater Facilities Agreement between FORA and MCWD in 1998; and the MCWD SOI amendment and SA annexation does not change those conclusions; therefore, no land use impacts would occur due to the proposed project.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

11. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: No significant mineral resources have been identified in the annexation area, according to the Reuse Plan, its EIR, and the other EIRs and IS/NDs prepared for projects within the former Fort Ord, and there are no large mines or mining operation currently occurring in the project area.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The Reuse Plan EIR identified noise impacts on future development related to exposure to noise, including airport and construction noise. However, with implementation of the policies contained in the Reuse Plan, impacts were found to be less than significant. Reuse Plan policies have been incorporated in local jurisdiction planning documents and the MCWD SOI amendment and SA annexation does not change those conclusions; therefore, no noise impacts would occur due to the proposed project

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: With or without LAFCO approval of the SOI amendment and SA annexation, the former Fort Ord is planned for accommodating new development consistent with the land uses, intensities, and constraints adopted in the *Fort Ord Reuse Plan*. The Reuse Plan EIR reviews growth inducement resulting from the Plan for both the year 2015 and ultimate buildout. The Year 2015 development scenario was found to be consistent with regional population projections for the former Fort Ord, and population and employment numbers were used in developing the constrained development scenario that was a part of the adopted Reuse Plan. In approving the Reuse Plan, FORA adopted “Constrained Development” plan in which overall land use intensity was reduced from 22,232 total residential units to 10,816 total residential units, and from 45,457 new jobs to 18,342 new jobs. **Table 2**

compares ultimate buildout at Fort Ord under the Reuse Plan, estimated development in the year 2015, and the level of development adopted by FORA as part of the Reuse Plan.

The Bureau of Land Management lands (BLM) and Fort Ord Dunes State Park are included in the Service Area (SA) annexation. As with the development parcels, MCWD currently serves recreational and educational uses within these areas under contract with FORA, including the BLM field offices and the Monterey Peninsula College Training Center. Fort Ord Dunes State Park is anticipated to similarly require water service as its recreational facilities are further developed. Both the BLM lands and Fort Ord Dunes State Park are intended for open space and recreational purposes only. Because of the geographic proximity to MCWD infrastructure and the Water and Wastewater Facilities Agreement between FORA and MCWD (1998), MCWD proposes to annex these areas into their SA. Even though the expansion of water and wastewater service will typically promote growth inducement, the Fort Ord Dunes State Park is bound by their General Plan and restrictions in the relevant conveyance documents, eliminating the potential for population growth inducement or even urban development. Proposed development of the BLM and FONR land areas is described in Section VII. Development that induces population growth will not occur on BLM or California State Park lands within the proposed SOI amendment and SA annexation area.

Additionally, FORA adopted a limitation on water use for each jurisdiction. As part of the proceedings to adopt the Reuse Plan, FORA adopted the “Development and Resource Management Plan” (DRMP) to ensure that reuse of the former Fort Ord will restrain development to available resources and service constraints, including water and transportation. Per FORA Resolution 98-1, local jurisdictions must include policies and programs consistent with the DRMP.

TABLE 2			
FORT ORD BUILDOUT SCENARIOS			
Scenario	Projections		
	Population	Number of Housing Units	Number of Jobs
Reuse Plan Ultimate Buildout [1]	51,773 + 20,000 CSUMB on-campus students	22,232 dwelling units (including 5,100 on the CSUMB campus)	45,457 new jobs
Reuse Plan to the Year 2015 [2]	38,859 (including 10,000 CSUMB students)	13,366 units (including 2,500 dorm units)	18,342 new jobs
“Constrained Development” Scenario adopted as part of Reuse Plan [3]	37,340	10,816 units	18,342 jobs
MCWD 2010 UWMP, Year 2020 [4]	33,995	11,418 units	Not evaluated
SOURCES: [1] <i>Fort Ord Reuse Plan Draft</i> EIR, May 1996 [2] <i>Fort Ord Reuse Plan Draft</i> EIR, May 1996, Table 5.2-1, page 5-11. [3] FORA Board Report, Agenda Item 3a, June 13, 1997 Meeting, Exhibit 3—“Summary of Reuse Plan” [4] MCWD /Schaaf and Wheeler, 2011. 2010 UWMP, June 14.			

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

14. PUBLIC SERVICES

Would the project result in:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The Reuse Plan EIR identifies public service impacts related to fire protection and law enforcement, which were identified as potentially significant unavoidable impacts. Significant unavoidable impacts were evaluated in the Reuse Plan EIR and FORA adopted “Findings of Overriding Consideration” in relation to these issues. Local jurisdiction planning documents incorporate land uses, land use intensities, and policies, consistent with the Reuse Plan. Mitigation measures included in the Reuse Plan EIR address public service impacts, including working with FORA and local law enforcement and fire protection agencies to develop a regional program and funding for these services. Additionally, in approving the Reuse Plan, FORA adopted a “Constrained Development” Scenario that significantly reduced development potential from what was identified in the 1996 “Public Draft” Reuse Plan, thus further reducing these impacts.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

15. RECREATION

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Regional and community park and open space uses are included in the Reuse Plan; however, the Reuse Plan EIR, and other environmental documents for redevelopment of the Ord Community did not identify any significant impacts related to recreational uses. The inclusion of Fort Ord Dunes State Park, the BLM land, and other parks in the proposed project areas would not result in any change to the facilities beyond the anticipated changes for those areas envisioned in relevant planning documents.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measure, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The Reuse Plan EIR identifies potential significant impacts related to increased traffic on the regional road system, and future needed improvements. Local jurisdiction planning documents incorporate policies contained in the Reuse Plan to insure timely implementation of traffic improvements and coordination between land use development and transportation improvements.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: The Reuse Plan identified potentially significant impacts related to water systems and supplies, wastewater generation, storm drainage, and solid waste disposal. With implementation of the policies contained in the Reuse Plan and additional mitigation measures outlined in the Reuse Plan EIR, impacts were found to be less-than-significant, except for cumulative impacts to water systems and supplies. Reuse Plan policies and mitigation measures have been incorporated into local jurisdiction planning documents.

In approving the Reuse Plan, FORA adopted a “Constrained Development” Scenario that significantly reduced development potential from what was identified in the 1996 “Public Draft” Reuse Plan, and which includes utilization of a maximum of 6,600 acre-feet of water per year throughout the entire former Fort Ord base, including all jurisdictions as established per Agreement No. A-06404 between the U.S. Army and the Monterey County Water Resources Agency. The Reuse Plan adopted by FORA limits development throughout Fort Ord to a total of 10,816 housing units, 18,342 jobs, and 37,340 people, as discussed further below. This total was not distributed among the various jurisdictions, but each jurisdiction was allocated a water supply that could be used for development and that cannot be exceeded. In adopting this limitation, FORA included a water allocation to the member jurisdictions. FORA Resolution 98-1 also requires jurisdictions to include policies consistent with this “constrained scenario” as outlined in the DRMP. Future development within the Ord Community area of the former Fort Ord military base will be constrained by this existing water allocation.

Future development within the Ord Community area will be constrained by its existing water allocation. The Reuse Plan EIR indicates that the former Fort Ord purchased 3.3 million gallons per day (mgd) of capacity from the regional wastewater treatment plant, of which it consumed an average of approximately 2.4 mgd. The regional plant has a design capacity of 29.6 mgd, a permitted capacity of 27 mgd, and existing flows of

19-21 mgd. The Reuse Plan EIR reported average existing flows of 20 mgd, which have fluctuated only slightly.

The Reuse Plan EIR also indicates that with implementation of policies included in the Reuse Plan, that are also included in local jurisdiction planning documents, wastewater generation and treatment capacity would be reviewed as part of subsequent development plans, and all development would be conditioned on verification of adequate wastewater treatment capacity at the time development plans are being processed. Thus, wastewater treatment capacity would be reviewed as part of the environmental review process when specific projects are proposed.

As discussed above, Seaside County Sanitation District (SCSD) LAFCO Service Area includes all land within the Del Rey Oaks City Limits and extends into the Ord Community. The two districts must enter an agreement regarding wastewater collection to that area. The area has yet to be developed; however, the City of Seaside has been pursuing planning for a golf resort project, including residential and commercial property.

The adopted FORA Reuse Plan EIR also contemplates use of recycled water to offset potable water demand given existing regional water supply constraints. The Reuse Plan EIR estimated that the reuse plan development would result in a demand of 6,600 acre-feet per year of potable water and 2,400 acre-feet per year of recycled water for irrigation. The feasibility of use and delivery of recycled water to the Monterey Peninsula has and continues to be evaluated by regional agencies, including the Monterey Regional Water Pollution Control Agency and the Marina Coast Water District. According to the UWMP, MCWD has the right to obtain treated wastewater from MRWPCA's regional treatment plant equal in volume to the volume of MCWD wastewater treated by MRWPCA and additional quantities not otherwise committed to other users. As a result, the Ord Community areas that are contributing wastewater through MCWD's collection system have a right to recycled water return flow.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

18. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

18. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: As discussed in the preceding sections, with the incorporation of the Reuse Plan policies, mitigation measures and other FORA-implementation documents into local jurisdiction planning documents, impacts to biological and cultural resources are less than significant, and the annexation will not result in substantial adverse effects on human beings.

The Reuse Plan EIR identified significant unavoidable cumulative impacts associated with traffic and circulation; need for local water supplies; regional transportation system demand; increased demand for law enforcement services and the increased demand for fire protection/emergency services; exposure to hazardous materials; public health and safety transit services demand; and visual resource impacts associated with landscape change along the State Route 1 corridor. Significant unavoidable cumulative impacts were evaluated in the Reuse Plan EIR and FORA adopted “Findings of Overriding Consideration” in relation to these issues. Local jurisdiction planning documents incorporate land uses, land use intensities, and policies, consistent with the Reuse Plan. Mitigation measures address cumulative impacts, including development and enforcement of stormwater detention plan, working with FORA and local law enforcement and fire protection agencies to develop a regional program and funding for these services, and implementation of design guidelines for development along the Highway 1 corridor.

As discussed in the preceding sections, in adopting the Reuse Plan, FORA adopted a “Constrained Development” scenario in which overall land use intensity was significantly reduced from what was evaluated in the Reuse Plan EIR to ensure that the reuse of the former Fort Ord will restrain development to available resources and services. This also serves to minimize cumulative impacts identified in the Reuse Plan EIR. Future proposed development activities and projects will be required to be consistent with the local jurisdiction General Plans and Zoning Ordinances in order to be consistent with the land uses and policies contained in the adopted *Fort Ord Reuse Plan*. The proposed annexation does not change land uses or policies as previously analyzed in the Reuse Plan EIR. The adoption of the proposed annexation will not result in direct development. Additionally, future development projects will be subject to site-specific environmental review as discussed in each section above.

Sources: CSUMB, 2009; City of Del Rey Oaks, 1997; City of Marina, 2006; City of Monterey, 2010; City of Seaside, 2003; FORA, 1997; Monterey County, 2010; UCMBEST; 2011.

XII. DOCUMENT PREPARATION/REFERENCES

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REFERENCE

California Public Utilities Commission (CPUC), December 17, 2009, California American Water Company Coastal Water Project. Final Environmental Impact Report – Volumes 1 through 5, CPUC Decision No. 09-12-017.

CPUC, 2010a. California American Water Company, Coastal Water Project. Final Environmental Impact Report – CPUC 2010 Addendum, March 24.

CPUC, 2010b. Decision 10-12-016 Approving Regional Project, Adopting Settlement Agreement, and Issuing a Certificate of Public Convenience and Necessity for California-American Water Facilities on Application 04-09-019 December 2.

California Department of Parks and Recreation, 2004. Final General Plan and Environmental Impact Report for Fort Ord Dunes State Park, September.

California State University Monterey Bay, 2009. Master Plan, (at: <http://fmp.csumb.edu/campus-master-plan>), December 2007 as updated through April 2009.

City of Del Rey Oaks, 1997. General Plan (at: http://www.delreyoaks.org/index.cfm/general_plan.htm, accessed July 2011

City of Del Rey Oaks, 2005. Redevelopment Plan Initial Study/Negative Declaration (IS/ND)

City of Del Rey Oaks, 2008. Resort at Del Rey Oaks Water Supply Assessment (WSA)

City of Marina, 2003. Marina Heights WSA and EIR

City of Marina, 2006. Cypress Knolls WSA and EIR

City of Marina, 2006. General Plan, (at: <http://www.ci.marina.ca.us/index.aspx?nid=164>, accessed July 2011), with updates through December 31 2006.

City of Marina, 2007. Dunes on Monterey Bay (University Villages) WSA and EIR

City of Monterey, 2010. General Plan, (at: <http://www.monterey.org/en-us/departments/planspublicworks/planning/developmentregulations/generalplan.aspx>, accessed July 2011), adopted January 2005 with amendments through November.

City of Seaside, 2002. Redevelopment Plan IS/ND

City of Seaside, General Plan, <http://www.ci.seaside.ca.us/index.aspx?page=191#General%20Plan>, accessed July 2011), August 2003.

City of Seaside, 2007. Main Gate WSA and EIR

Fort Ord Reuse Authority, 1997. Fort Ord Reuse Plan and EIR.

Marina Coast Water District (MCWD)/RBF Consulting, 2004. Ord Community Water Distribution System Master Plan, June.

MCWD /RBF Consulting, 2005. Ord Community Wastewater System Master Plan, July 19.

MCWD ,2006. Regional Urban Water Augmentation Project - Environmental Impact Report, certified (2004), amended 2005 and 2006.

MCWD/Carollo Engineers, 2007. Marina Water Systems Master Plan, February.

MCWD, Resolution No. 2010-20, Conditionally Approving Participation in the Regional Project, April 5, 2010 (which became final December 3, 2010 upon issuance of CPUC Decision 10-12-016).

MCWD, Coastal Water Project. Final Environmental Impact Report – MCWD Tie-in Addendum, March 2011.

MCWD /Schaaf and Wheeler, 2011. 2010 Urban Water Management Plan, June 14.

Monterey County, 2004. East Garrison WSA and EIR

Monterey County, 2010. Whispering Oaks Business Park WSA and EIR

Monterey County General Plan, November 2010. (at: http://www.co.monterey.ca.us/planning/gpu/GPU_2007/2010_Mo_Co_General_Plan_Adopted_102610/2010_Mo_Co_General_Plan_Adopted_102610.htm, accessed July 2011)

University of California (U.C.) Monterey Bay Education, Science, and Technology Center. 1996. Master Plan, <http://www.ucmbest.org/Development/MasterPlan/Master.htm>, accessed July 2011.

U.C. Natural Reserve System – Fort Ord Natural Reserve, 2011. Website http://nrs.ucop.edu/reserves/fort_ord/fort_ord.htm, accessed October 17, 2011

United States (U.S.) Bureau of Land Management, 2011. website http://www.blm.gov/ca/st/en/fo/hollister/fort_ord/habitat_management_fo.html, accessed October 17, 2011

U.S. Fish and Wildlife Service, December 30, 2005. Ventura Fish and Wildlife Office, Memorandum – Biological Opinion for Bureau of Land Management Ongoing Activities on Fort Ord Public Lands, Monterey County, California, (1-8-04F/C-22). Prepared by the Ventura Fish and Wildlife Office, Ventura, California.

APPENDICES

**Appendix A - Cortese-Knox-Hertzberg and LAFCO of
Monterey County Consistency Analysis**

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Cortese-Knox-Hertzberg Act Policies

The following presents the relevant sections of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 as amended, codified in the California Government Code, which reflect the duties and powers of LAFCO regarding MCWD's proposed Service Area (SA) annexation and Sphere of Influence (SOI) amendment, and describes the project's consistency with such requirements.

Table A-1 Cortese-Knox-Hertzberg Local Government Reorganization Act Consistency		
Gov't Code	Criteria	Analysis
56375	The commission shall have all of the following powers and duties subject to any limitations upon its jurisdiction set forth in this part: (a) To review and approve or disapprove with or without amendment, wholly, partially, or conditionally, proposals for changes of organization or reorganization, consistent with written policies, procedures, and guidelines adopted by the commission. (b) ...to determine if the territory is inhabited or uninhabited. (g) To adopt written procedures for the evaluation of proposals. The commission may adopt standards for any of the factors enumerated in Section 56668, Any standards adopted by the commission shall be written.	<i>Consistent.</i> MCWD proposes to seek LAFCO approval to annex the Ord Community ¹ into MCWD's LAFCO SA and to amend its SOI to allow for uninterrupted provision of water and wastewater collection service for the Ord Community. Pursuant to 56425(h), the Ord Community is partially inhabited, and proposed and planned for additional development to increase the use of the area. LAFCO of Monterey County adopted "Policies and Procedures Relating to Sphere of Influence and Changes of Organization and Reorganization" on April 25, 2011 (per 56375 (g) and it adopted its Municipal Services Review of the Monterey Peninsula (MSR) in January 2007. That document, in addition to MCWD's 2010 UWMP, Water and Wastewater Master Plans, and CIP establish the nature location and extent of the functions and classes of services provided by existing districts.
56425	(a) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each local governmental agency within the county and enact policies designed to promote the logical and orderly development of areas within the sphere. (h) When adopting, amending, or updating a sphere of influence for a special district, the commission shall do all of the following: (1) Require existing districts to file written statements with the commission specifying the functions or classes of services provided by those districts. (2) Establish the nature, location, and extent of any functions or classes of services provided by existing districts. (3) Determine that, except as otherwise authorized by the regulations, no new or different function or class of service shall be provided by any existing district, except upon approval by the commission.	
56668	Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following: Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to	<i>Consistent.</i> In reviewing the proposed annexation, LAFCO would consider the items required to be reviewed by the government code, including evaluation of the

¹ Ord Community as used herein refers to all parcels within the former Fort Ord that are redeveloped with urban land uses or that are planned or proposed to be redeveloped with urban uses. Areas proposed to be dedicated open space and California State Parks land are excluded. [Note: Ord Community is sometimes used to refer to lands on the former Fort Ord not within the continuing jurisdiction of the U.S. Army for military purposes. This proposed annexation includes lands within the jurisdiction of the U.S. Army.]

	<p>other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.</p> <p>(b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.</p> <p>"Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.</p> <p>(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.</p> <p>(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.</p> <p>(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.</p> <p>(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.</p> <p>(g) Consistency with city or county general and specific plans.</p> <p>(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.</p> <p>(i) The comments of any affected local agency.</p> <p>(j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.</p> <p>(k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.</p> <p>(l) The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the appropriate council of governments.</p> <p>(m) Any information or comments from the landowner or owners.</p> <p>(n) Any information relating to existing land use designations.</p>	<p>financial and physical ability of MCWD to provide services to the Ord Community as proposed. The changes to MCWD boundaries are consistent with the FORA Reuse Plan, Monterey County, City of Marina, City of Seaside, City of Del Rey Oaks, and City of Monterey General Plan land use designations and policies, in addition to UCMBEST and CSUMB, Master Plans, and the California Department of Parks and Recreation, Fort Ord Dunes State Park General Plan. The annexation area has been assumed, and accounted for, in the MCWD 2010 UWMP, Water and Wastewater Master Plans, and FORA CIPs, thus securing the physical and financial mechanisms for providing improvements required to meet future water supply demand.</p>
56668.3	<p>District annexation; factors to consider and adoption of resolution.</p> <p>(a) If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following:</p> <p>(1) In the case of district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.</p> <p>(2) In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to</p>	

	<p>be detached from the city.</p> <p>(3) Any factors which may be considered by the commission as provided in Section 56668.</p> <p>(4) Any resolution raising objections to the action that may be filed by an affected agency.</p> <p>(5) Any other matters which the commission deems material.</p> <p>(b) The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning.</p>	
56377	<p>In reviewing and approving or disapproving proposals that could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:</p> <p>(a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.</p> <p>(b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency.</p>	<p><i>Consistent.</i> MCWD currently serves the Ord Community under contracts with FORA and the United States Department of the Army (U.S. Army). The proposed annexation is intended to add the Ord Community to MCWD's jurisdictional area to enable MCWD to continue to supply water to the Ord Community after FORA's legal existence expires. The Ord Community has no prime agricultural land or other special, sensitive or protected farmland. To compensate for development of the Ord Community, dedicated open spaces/habitat management areas have been, or will be, set aside by the Fort Ord HMP and pending HCP process in compliance with the Fort Ord Reuse Plan and Implementing Agreements signed by the jurisdictions with authority over redevelopment of the Ord Community.</p>
56064	<p>"Prime agricultural land" means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:</p> <p>(a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.</p> <p>(b) Land that qualifies for rating 80 through 100 Stories Index Rating.</p> <p>(c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935.</p> <p>(d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.</p> <p>(e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five</p>	<p><i>Consistent.</i> No prime (or other) agricultural land is located at the Ord Community area; therefore, this policy is not applicable.</p>

	calendar years.	
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LAFCO of Monterey County Standards

Monterey County LAFCO has adopted guidelines for annexation review in its *Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization (April 25, 2011)*. An analysis of the project's conformance with the LAFCO standards, consistent with the policies of the Cortese-Knox-Hertzberg Act, is provided in Table A-2 below.

Table A-2 LAFCO Policy Analysis for MCWD's Proposed Sphere of Influence Amendment SPHERE OF INFLUENCE POLICIES AND CRITERIA	
Criteria	Analysis
II. POLICY GUIDELINES FOR SPHERES OF INFLUENCE	
1. LAFCO intends that its Sphere of Influence determination will serve as a master plan for the future organization of local government within the County. The spheres shall be used to discourage urban sprawl; limit proliferation of local governmental agencies; encourage efficiency, economy and orderly changes in local government; promote compact, community centered urban development; and minimize adverse impacts on lands classified as prime agriculture.	<i>Consistent.</i> MCWD proposes to seek LAFCO approval to amend its SOI and annex the Ord Community into MCWD's LAFCO SA to allow for uninterrupted provision of water and wastewater collection service for the Ord Community SA. These factors are addressed within the other policy analyses herein.
2. The Sphere of Influence lines shall be a declaration of policy which shall be a primary guide to LAFCO in the decision on any proposal under its jurisdiction. Every determination made by LAFCO shall be consistent with the Spheres of Influence of the agencies affected by those determinations.	<i>Consistent.</i> Pursuant to Cortese-Knox-Hertzberg, Section 56668h, an annexation application for land outside an adopted Sphere of Influence may be considered concurrently with a request for an amendment to the Sphere of Influence.
3. Any proposal which is inconsistent with an agency's adopted Sphere of Influence shall not be approved until LAFCO, at a noticed public hearing, has considered an amendment or revision to that agency's Sphere of Influence.	
4. Inclusion within an agency's Sphere of Influence does not assure annexation to that agency. LAFCO shall evaluate boundary change proposals as they relate to all of the relevant factors listed in the Act.	
5. When possible, a single larger general purpose agency, rather than a number of adjacent smaller ones, established for a given service in the same general area will be preferred. Where an area could be assigned to the Sphere of Influence of more than one agency providing a particular needed service, the following hierarchy shall apply dependent upon ability to serve: a. Inclusion within a city Sphere of Influence. b. Inclusion within a multi-purpose district Sphere of Influence. c. Inclusion within a single-purpose district Sphere of Influence. In deciding which of two or more equally ranked agencies shall include an area within its Sphere of Influence, LAFCO shall consider the agencies' service and financial capabilities, social and economic interdependence, topographic factors, and the effect that eventual service extension will have on adjacent agencies.	<i>Consistent.</i> The proposed SOI amendment and annexation includes all areas within the Fort Ord Reuse Plan in Monterey County, California. This would include areas currently served by MCWD under contract with the Fort Ord Reuse Authority (FORA) and the U.S. Army, including all areas with projected redevelopment, habitat management areas, and open spaces. The area includes portions of the Cities of Del Rey Oaks, Marina, Monterey, and Seaside, unincorporated Monterey County, University of California (including Monterey Bay Education, Science and Technology Center and Fort Ord Natural Reserve), California State University Monterey Bay, Bureau of Land Management Lands, and California State Park Fort Ord Dunes. There are several other agencies that provide water and wastewater services in areas adjacent to the Ord Community and the Seaside County Sanitation District's (SCSD) SOI and SA boundaries includes the City of Del Rey Oaks, including their former Fort Ord land. SCSD provides wastewater collection services to Seaside, Del Rey Oaks, and Sand City. The Ord Community portion of Del Rey Oaks does not presently contain any wastewater generating land uses; however, Del Rey Oaks is in the planning stages for a golf resort and mixed use development. The City and developer but are not activity pursuing project entitlements at this time.

	Overall, the proposed project will consolidate water and waste water services in the Ord Community into the MCWD SA. Depending upon the agreements reached between the agencies, MCWD and/or SCSD may provide on-site or off-site wastewater collection/conveyance services to portions of Seaside's Ord Community (east of General Jim Moore Boulevard and south of Eucalyptus Road) and/or Del Rey Oaks' Ord Community area.
6. Duplication of authority to perform similar functions in the same territory will be avoided. Sphere of Influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.	<i>Consistent.</i> Duplication of authority to water and waste water service will not occur in the Ord Community. Regarding wastewater service to the Ord Community area of Seaside that is east of GJM, south of Eucalyptus and/or Del Rey Oaks, agreements between the Cities, SCSD, MCWD, and potentially the developer may be required to identify the entity that will provide wastewater service onsite. The proposed project does not create islands or corridors, in fact, the proposal to include all of the Ord Community in MCWD's Sphere of Influence is being pursued to comply with this policy.
7. The adopted Sphere of Influence shall reflect city and County General Plans, plans of regional agencies, growth management policies, annexation policies, resource management policies, and any other policies related to ultimate boundary or service area of an affected agency unless those plans or policies conflict with the legislative intent of the Act. Where inconsistencies between plans exist, LAFCO shall rely upon that plan which most closely follows the Legislature's directive to discourage urban sprawl, direct development away from prime agricultural land and open-space lands, and encourage the orderly formation and development of local governmental agencies based upon local conditions and circumstances.	<i>Consistent.</i> The <i>Fort Ord Reuse Plan</i> and relevant City and County general plans and educational facility Master Plans set forth land use designations and development intensity for ultimate buildout at the former Fort Ord. Each land use jurisdiction within FORA's boundaries have prepared and adopted appropriate amendments to their general plans to ensure consistency with the adopted Reuse Plan all of which FORA has vetted as consistent with the <i>Fort Ord Reuse Plan</i> . See also Section VII of the Initial Study.
8. Extension of urban type services promotes urban development and such development belongs in cities or areas of development concentration in the unincorporated area of Monterey County. In evaluating proposals involving urban development requiring an urban level of governmental services, LAFCO will discourage the formation of new special districts or premature annexation of territory within existing city Spheres of Influence or logical expansion area. LAFCO will discourage boundary change proposals involving urban development outside adopted city Spheres of Influence that have the potential to negatively impact prime agriculture or open space lands, public service capacity, existing local agencies, or generally represents illogical growth patterns.	<i>Consistent.</i> As discussed previously, the proposed project areas that may be subject to new or expanded development do not contain any prime agricultural land. Open space land is included in the proposed project but will not be impacted because existing planning and conveyance documents restrict development. Capacities of existing utilities and services have been assessed in plan- and project-level CEQA environmental review processes.
9. LAFCO, in recognition of the mandated requirements for considering impacts on open space lands and agricultural lands, will develop and determine Spheres of Influence for Cities and urban service districts in such a manner as to promote the long-term preservation and protection of this County's "Resources." LAFCO believes the public interest will be best served by considering "Resources" in a broad sense to include open space, recreational opportunities, wildlife, and agricultural land. Sphere of Influence determinations must conform with LAFCO's Policy on Preservation of Open-Space and Agricultural Lands adopted on January 25, 2010 (Section E of LAFCO's Policy Document).	<i>Consistent.</i> The proposed project areas do not include any prime agricultural land and based upon the planning documents, including Fort Ord Habitat Management Plans, U.S. Fish and Wildlife Service and California Department Fish and Game agreements, and permits, adequate mitigation exists to comply with wildlife protection policies. Open space and existing recreational land will not be impacted due to existing planning documents and land use restrictions in conveyance documents.
10. LAFCO recognizes the many inter-relationships and impacts which one agency's land use, planning, and governmental	<i>Consistent.</i> This policy relates to Spheres of Influence for cities, and is therefore, not applicable to this proposed project.

<p>decisions may have on other agencies even though they may be outside of the Sphere of Influence of the secondary agency. Consequently, LAFCO, when necessary, will seek to establish and identify Areas of Planning Concern for each city within the County. The "Planning Concern Area" will seek to identify those areas which in a broad sense affect the city in terms of planning and land use decisions. Such "Planning Concern Areas" will be established with the assistance and guidance of the affected cities and the County. The "Planning Concern Area" normally will extend beyond the adopted Sphere of Influence of the city. Once established, LAFCO will solicit the cooperation and involvement of the affected cities and the County to jointly involve one another in planning decisions for these areas.</p>	
III. PROCEDURAL GUIDELINES	
<p>2. LAFCO may establish an urban service area within an adopted Sphere of Influence to discourage urban sprawl and to promote compact growth patterns. Urban service areas consist of territory now served by urban facilities, utilities and services or proposed to be served within the next five years, and may include the following:</p> <p>a. Urbanized Areas. This includes all existing areas, either incorporated or unincorporated, developed to urban densities.</p> <p>b. Urban Expansion Areas. This consists of vacant land, either incorporated or unincorporated, which is capable of holding urban growth expected within the next five years. The territory included within urban service areas will be considered by LAFCO to be eligible for annexation within five years.</p> <p>Consideration will be given to the capability of a city and special district to provide needed services with related time schedules for planned expansion of services. Cities and special districts are encouraged to develop Capital Improvement Programs and other plans for the phased extension of services to assist LAFCO in determining logical urban service area boundaries.</p>	<p><i>Consistent.</i> Since the project area is categorized as a reuse community and is entirely within either City limits or areas designated for urban land uses within the Fort Ord Reuse Plan, Monterey County's adopted General Plan, and East Garrison Development Specific Plan, adoption or extension of a City urban service area is not necessary for the proposed project. MCWD intends to submit the identified information, including the following documents:</p> <ul style="list-style-type: none"> • FORA/MCWD, Water/Wastewater Facilities Agreement (March 13, 1998), • MCWD Ord Community Wastewater System Master Plan (Final Draft July 19, 2005), • Marina Water Systems Master Plan (Carollo Engineers, February 2007), • FORA CIP 2010-2011 (adopted July 9, 2010), • MCWD 2010 UWMP (adopted June 14, 2011), and • Ord Community Water/Wastewater Systems Budgets and Compensation Plan for FY2011-2012 (adopted by MCWD and FORA on July 8, 2011). <p>These documents demonstrate MCWD capability and ongoing successful provision of water and wastewater service to the Ord Community. No adverse service or financial impacts have been identified in those documents</p>
<p>3. LAFCO may establish urban transition areas within adopted Spheres of Influence to discourage premature pressure for development. Transition areas consist of the residual lands between designated urban service areas and the ultimate Sphere of Influence boundary. This land will most likely be used for urban expansion within approximately five (5) to twenty (20) years. Territory included within urban transition areas, but not within urban service areas, generally will not be considered eligible for annexation to receive urban services within five years.</p>	<p><i>Consistent.</i> MCWD currently provides services to various areas that are not contingent to its existing SA boundary due to its contract with FORA. There are no LAFCO designated Urban Service Area or Transition Area boundaries at the Ord Community because, development areas are all within existing City limits or areas within Monterey County designated for urban land uses by multiple planning documents, as discussed above. Annexing all of Ord Community implements policies related to orderly development and is considered administratively more efficient than requesting annexation on a project-by-project basis.</p>
<p>4. LAFCO may adopt a zero Sphere of Influence encompassing no territory for an agency. This occurs where LAFCO determines that the public service functions of the agency are either non-existent, no longer needed, or should be reallocated to some other agency of government. The local agency which has been assigned a zero Sphere of Influence should ultimately be dissolved. Special districts that lie substantially within the</p>	<p><i>Consistent.</i> Not applicable as MCWD currently serves the City of Marina (central) and the Ord Community and has a Sphere of Influence that includes land to the north of the City of Marina.</p>

boundary or Sphere of Influence of a general purpose government which is capable of assuming the public service responsibilities and functions of that special district may be allocated a zero Sphere of Influence designation.	
5. Territory not in need of urban services, including open space, agriculture, recreational, rural lands or residential rural areas, shall not be assigned to an agency's Sphere of Influence unless the area's exclusion would impede the planned, orderly and efficient development of an area.	<i>Consistent.</i> The proposed annexation is intended to provide for improved governance mechanisms needed by MCWD to continue to supply water to the Ord Community. No agricultural lands are included in the proposed sphere of influence or annexation areas. Some areas designated as open space, rural residential, rural areas and recreational in the Fort Ord Reuse Plan and General, Master and Specific Plans in the area are included to comply with the mandate to prevent formation of islands and corridors within the Sphere of Influence and annexation areas. In particular, MCWD is proposing to annex the U.S. Army, BLM, UC.NRS, and State Parks lands because the sites are within their currently contracted services area (per the 1998 Water/Wastewater Facilities Agreement) and because some uses within those areas currently, and/or will in the future, require water and wastewater service to support the recreational and educational use of the open space areas.
6. LAFCO may adopt a Sphere of Influence that excludes territory currently within that agency's boundaries. This occurs where LAFCO determines that the territory consists of agricultural lands, open space lands or agricultural preserves whose preservation would be jeopardized by inclusion within the agency's Sphere of Influence.	<i>Consistent.</i> Agricultural land/preserves are not located in the project area; however, several areas of dedicated open space are proposed to be included in MCWD's SOI and SA. These areas of open space will not be jeopardized by the proposed SOI amendment as they are outside city urban service areas and City limits, are bound by deed restriction, and are planned for habitat management, open space conservation, education, and recreational purposes by the State and federal government agencies.
7. Two or more local agencies providing the same service(s) may be allocated a consolidated Sphere of Influence to include the areas served by both agencies. This would be the case where LAFCO determines that the particular service(s) should be provided to the entire area by a single local agency.	<i>Consistent.</i> No consolidation of SOI is proposed herein as there is only one local agency currently providing water and wastewater service within the area proposed for SOI amendment and annexation to MCWD. SCSD's SOI includes the Del Rey Oaks portion of the Ord Community for wastewater; however, no wastewater generating land uses are presently located at the site. A consolidated SOI is not appropriate for this case.
8. LAFCO may establish future study areas outside of adopted Spheres of Influence. These areas indicate territory which may ultimately be appropriate for inclusion within an agency's sphere upon future study or modified conditions.	<i>Consistent.</i> The proposed annexation would not involve consideration of establishing future study areas.
IV. SPHERE OF INFLUENCE UPDATE, AMENDMENT AND SERVICE REVIEW	
2. LAFCO shall review Sphere of Influence determinations not less than every five years. If a local agency or the County desires amendment or revision of an adopted Sphere of Influence, the local agency by resolution may file such a request with the Executive Officer. The request shall state the nature of the proposed amendment and the reasons for the request, include a map of the proposed amendment, and contain additional data and information as may be required by the Executive Officer.	<i>Consistent.</i> The proposed project is for MCWD to request a SOI amendment and annexation to their SA of the Ord Community to change the governance structure of the MCWD. MCWD intends to adopt a resolution to file the request. The request will contain the required information.
5. When adopting, amending, or updating a Sphere of Influence for a special district, LAFCO shall do all of the following: a. Require existing districts to file written statements with LAFCO specifying the functions or classes of services provided by those districts. b. Establish the nature, location, and extent of any functions or	<i>Consistent.</i> Please see previous discussion above Item IV(2).

classes of services provided by existing districts. (Section 56425 i.)	
8. LAFCO shall conduct a service review before, or in conjunction with, but no later than, the time it is considering an action to establish a Sphere of Influence in accordance with Section 56425 or Section 56426.5 or to update a Sphere of Influence pursuant to Section 56425.	<i>Consistent.</i> Please see discussion for Sphere of Influence Update, Amendment, and Service Review Policy IV.2.
9. Individuals desiring LAFCO to initiate revision or amendment of an existing sphere of influence shall file a written request with the Executive Officer. The request shall state the nature of the proposed amendment and the reasons for the request, include a map of the proposed amendment area, and contain additional data and information as may be required by the Executive Officer.	<i>Consistent.</i> Please see previous discussion above (Policy IV.2).
14. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the proposal mitigates its regional traffic impacts by, for example, monetary contribution to a regional transportation improvement fund as established by the Transportation Agency of Monterey County or otherwise.	<i>Consistent.</i> As identified in the proposed annexation's Initial Study, the Fort Ord Reuse Plan EIR identifies potential significant impacts related to increased traffic on the regional road system, and future needed improvements. Local jurisdiction planning documents incorporate policies contained in the Reuse Plan to insure timely implementation of traffic improvements and coordination between land use development and transportation improvements. The FORA CIP includes payment of fees by each development at the former Fort Ord to fund identified mitigative traffic and transit improvements within and outside the project area.
15. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the city in which the annexation or Sphere of Influence amendment is proposed has included certain goals, policies, and objectives into its General Plan that encourage mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use, and that encourages and provides planned, well-ordered, efficient urban development patterns.	<i>Consistent.</i> The proposed annexation is located within the boundaries of the Fort Ord Reuse Authority (FORA), and includes areas within the jurisdiction of the U.S. Army. The <i>Fort Ord Reuse Plan</i> (1997) sets forth land use designations and development intensity for ultimate buildout at the former Fort Ord. Each land use jurisdiction within FORA's boundaries has prepared and adopted appropriate amendments to their general plans that were found to be consistent with the adopted Reuse Plan.
16. Except as allowed in Section VI (below) for Minor Sphere of Influence Amendments, as part of the package of LAFCO forms and procedures given to every applicant, LAFCO will screen each application for an annexation change to ensure that there is a current Sphere of Influence (within the last five years), or that the application includes a concurrent Sphere update for affirmation by LAFCO. If the screening process identifies that a Sphere update is needed, the application package already identifies the information needed for the four standard determinations by LAFCO, and informs the applicant of the City-County consultation process required by State law. This administrative procedure will result in a current Sphere of Influence for every annexation change. This procedure does not change or affect other LAFCO procedures and policies that encourage comprehensive Sphere updates with 20-year horizons, and the staggering of Sphere and annexation proposals.	<i>Consistent.</i> The proposed annexation is concurrent with a SOI amendment.

Table 3
LAFCO Policy Analysis for MCWD Annexation of the Ord Community
STANDARDS FOR THE EVALUATION OF PROPOSALS FOR A CHANGE
OF ORGANIZATION OR REORGANIZATION

Criteria	Analysis
IV. CONFORMANCE WITH CITY OR COUNTY GENERAL AND SPECIFIC PLANS	
1. Each proposal should be consistent with the appropriate city or county general and specific plans. Where the proposal does not abide by these plans, the proponent shall specify the reasons for plan non-conformance. (Section 56668 g.)	<i>Consistent.</i> No changes to land uses are proposed, in fact MCWD has no authority over land uses, and all the relevant general, specific, and master planning documents identify MCWD as the water supply agency and wastewater collection service provider. Therefore, MCWD’s proposed annexation is consistent with these general, specific and master planning documents.
V. CONFORMANCE WITH SPHERES OF INFLUENCE	
1. Proposals shall be consistent with the Spheres of Influence for the local agencies affected by those determinations. (Sections 56375.5 and 56668 h.)	<i>Consistent.</i> The proposed annexation is concurrent with a SOI amendment.
3. With the exception of city incorporations and agency formations, LAFCO shall adopt a sphere for affected agencies prior to consideration of related boundary change proposals. (Section 56668 h.)	
4. When a proposal is inconsistent with the adopted Sphere of Influence, the applicant shall justify reasons for amending the Sphere of Influence. An annexation application for land outside an adopted Sphere of Influence may be considered concurrently with a request for amendment to the Sphere of Influence. (Section 56668 h.)	
VI. ENVIRONMENTAL IMPACT ASSESSMENT	
1. LAFCOs are subject to the terms of the California Environmental Quality Act (CEQA) and the regulations of the California Resources Agency, which establishes the guidelines for its implementation. All environmental factors introduced by the proposal shall be considered as outlined in the Act and the State Guidelines. 2. The potential environmental impacts of proposals involving changes of organization or reorganization shall be reviewed by LAFCO environmental staff and the appropriate environmental determination shall be considered by LAFCO in accordance with state law and the State’s “Guidelines for Implementation of the California Environmental Quality Act.11	<i>Consistent.</i> A draft Initial Study (IS) has been prepared by the MCWD as the lead agency, pursuant to the California Environmental Quality Act (CEQA). The purpose of the Initial Study is to determine whether the proposed annexation and SOI amendment could significantly affect the environment, requiring the preparation and distribution of an Environmental Impact Report for public review. Based on the analysis provided in the Initial Study, no significant environmental impacts were found, making the project eligible for a Negative Declaration.
VII. ECONOMICS, SERVICE DELIVERY AND DEVELOPMENT PATTERNS	
1. LAFCO shall discourage proposals that would have adverse financial impacts on the provision of governmental services or would create a relatively low revenue base in relationship to the cost of affected services. Applications shall describe related service and financial impacts (including revenues and expenditures) on the County, cities, and/or special districts and provide feasible measures which would mitigate such adverse impacts. (Section 56668 a, b and c.)	<i>Consistent.</i> MCWD intends to submit the identified information, including the following documents: <ul style="list-style-type: none">• FORA/MCWD, Water/Wastewater Facilities Agreement (March 13, 1998),• MCWD Ord Community Wastewater System Master Plan (Final Draft July 19, 2005),• Marina Water Systems Master Plan (Carollo Engineers, February 2007),• FORA CIP 2010-2011 (adopted July 9, 2010),• MCWD 2010 UWMP (adopted June 14, 2011), and• Ord Community Water/Wastewater Systems Budgets and Compensation Plan for FY2011-2012 (adopted by MCWD and FORA on July 8, 2011). These documents demonstrate MCWD capability and ongoing

	successful provision of water and wastewater service to the Ord Community. No adverse service or financial impacts have been identified in those documents
2. Applications must address current and ultimate needs for governmental services and facilities as established by the appropriate land use plans and rezoning. Proposals shall not be approved unless a demonstrated need for additional service exists or will soon exist. In reviewing boundary change proposals, LAFCO shall consider alternative government structure options which may be more appropriate in light of the demonstrated need for service. The formation of, or annexation to, a single governmental agency, rather than several limited purpose agencies, shall be encouraged when possible. (Section 56668 a and b.)	<i>Consistent.</i> The proposed annexation by MCWD would adhere to LAFCO processing requirements. The land use agencies, including Cities of Monterey, Del Rey Oaks, Seaside, and Marina, have already incorporated their portions of Ord (i.e., expanded their City limits to include Ord) and have thus adopted zoning designations for the land. In addition, the County of Monterey's recent General Plan update included their portions of the Ord Community as development parcels, consistent with the East Garrison Specific Plan. MCWD has been identified as the water supply and wastewater collection entity for these areas.
3. Applications must indicate that the affected agencies have the capability to provide service. Territory shall be annexed to a city or special district only if such agency has or soon will have the capability to provide service. (Section 56668 b.)	<i>Consistent.</i> MCWD's UWMP, FORA and MCWD's CIPs, and related master plans identify financial impacts due to provision of water supply and wastewater collection to the Ord Community. No adverse service or financial impacts have been identified in those documents
4. Whenever a local agency submits a resolution of application for a change of organization or reorganization, the local agency shall submit with the resolution of application a plan for providing services within the affected territory. The plan for providing services shall include all of the following information. (Section 56653.): a. An enumeration and description of the services to be extended to the affected territory. b. The level and range of those services. c. An indication of when those services can feasibly be extended to the affected territory. d. An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed. e. Any conditions which would be imposed or required within the affected territory such as, but not limited to, improvement or upgrading of structures, roads, and sewer or water facilities. f. Information with respect to how those services will be financed. A plan for providing services may consist of: a. A master plan for providing services throughout all or a portion of a city or distinct Sphere of Influence for use in evaluating all proposals affecting the area covered in the master plan. b. A proposal-specific supplement which updates and/or provides a higher level of detail than is contained within the master plan for services. Such supplement may include by reference or in summary form those pertinent sections of the master plan for services which remain valid. The supplement need discuss in detail only that information which is not current or discussed in sufficient detail in the master plan for services	<i>Consistent.</i> MCWD intends to submit the identified information, including the following documents: <ul style="list-style-type: none"> • FORA/MCWD, Water/Wastewater Facilities Agreement (March 13, 1998), • MCWD Ord Community Wastewater System Master Plan (Final Draft July 19, 2005), • Marina Water Systems Master Plan (Carollo Engineers, February 2007), • FORA CIP 2010-2011 (adopted July 9, 2010), • MCWD 2010 UWMP (adopted June 14, 2011), and • Ord Community Water/Wastewater Systems Budgets and Compensation Plan for FY2011-2012 (adopted by MCWD and FORA on July 8, 2011). These documents demonstrate MCWD capability and ongoing successful provision of water and wastewater service to the Ord Community.
6. LAFCO discourages proposals which will facilitate development that is not in the public interest due to topography, isolation from existing developments, premature intrusion of urban-type developments into a predominantly agricultural area, or other pertinent economic or social reason. (Section 56668 a.)	<i>Consistent.</i> Pursuant to the Fort Ord Reuse Plan, General, Master and Specific Plans governing development of the Ord Community, the continued provision of water and wastewater service to the Ord Community would facilitate development that is in the public interest pursuant to this policy.
7. LAFCO shall consider the testimony from all potentially affected agencies or individuals in reviewing boundary change proposals. Proposals submitted by resolution of application shall include information indicating that landowners in the affected	<i>Consistent.</i> Please see discussion for Economics, Service Delivery and Development Patterns Policy 1.

area support the proposal. (Section 56668 i.)	
VIII. PHASING	
<p>1. LAFCO, in furtherance of its objectives of preserving prime agricultural land, containing urban sprawl, and in providing a reasonable assurance of a city/district's ability to provide services shall consider the appropriateness of phasing annexation proposals which include territory that is not within a city/district's urban service area and has an expected build-out over a period longer than five to seven years. (Sections 56668 a, b, and e.)</p>	<p><i>Consistent.</i> The proposed annexation is intended to provide for a new governance structure for MCWD to continue to supply water and to provide wastewater collection services to the Ord Community service area as envisioned in MCWD's current contract with FOR A, system permits, Master Plans, UWMP and CIPs. No agricultural land is within the project area. In addition to already adopted EIRs, any future development in the Ord Community must comply with CEQA statute and guidelines. This applies to all development even if it is consistent with the Fort Ord Reuse Plan and relevant local General and Redevelopment Plans adopted for the former Fort Ord. During the review, the lead agency must assess the proposed development to ensure that no new significant impacts would occur and/or no worsening in impacts would occur due to the development, compared to the overarching programmatic, planning-level environmental documents. Potential impacts to open space uses and/or the provision of services would be considered by each specific review of proposed development. Phasing is not proposed; however, if it is to be proposed, additional administrative costs may be incurred in the future to process additional annexation proposals.</p>
<p>2. Change of organization and reorganization proposals which are totally within a city or district's adopted urban service area shall not be considered appropriate for phasing. Urban service areas are, by definition, territory expected to be developed/serviced in the next five years. (Sections 56668 a, b and c.)</p>	<p><i>Consistent.</i> Phasing of annexation areas is not currently proposed by MCWD.</p>
<p>3. Proposals which contain territory which is not within a city or district's adopted urban service area and have an expected build-out extending beyond a five- to seven-year period may be considered appropriate for phasing. For the purpose of this policy, "phasing" shall be defined as a planned incremental approval of a project and "building out" shall be interpreted as 70 to 80 percent developed. When an exception from this policy is desired, the proponent shall justify to LAFCO the reasons why phasing is not appropriate. Included within the justification for exception, the proponent shall demonstrate the jurisdiction's ability to provide necessary public services. (Sections 56668 a, b and e.)</p>	<p><i>Consistent.</i> Please see discussion for Phasing Policy VII-1, VIII-1 and VIII-2.</p>
IX. OPEN SPACE AND AGRICULTURAL LAND	
<p>1. It is the policy of LAFCO to encourage and to seek to provide for planned, well-ordered, efficient urban development pattern while at the same time remaining cognizant of the need to give appropriate consideration to the preservation of open space and agricultural land within such patterns. (Section 56300.) Proposals for a change of organization or reorganization will be judged according to LAFCO's adopted Policy on Preservation of Open-Space and Agricultural Lands (Section E of the LAFCO Monterey County Policy Document).</p>	<p><i>Consistent.</i> Dedicated open space areas are proposed to be included in the proposed MCWD SOI and Annexation area; however, the inclusion of those lands would be consistent with LAFCO's Policy because the lands are restricted to habitat management by the Habitat Management Plan (HMP) for the former Fort Ord (USFWS, 1996), and the Biological Opinion by USFWS (USFWS, 2005). In 1996 the BLM was selected to administer what are now the Fort Ord Public Lands. As part of the Habitat Management Plan (HMP) for the former Fort Ord, BLM will ultimately acquired approximately 15,000 acres to create a natural resource area which includes 12 habitat types such as riparian forest, perennial grasslands and vernal pools. These lands are essential to the survival of sensitive plants and animals. The Fort Ord Public Lands will be maintained as open space pursuant to the property transfer</p>

	agreements signed by the U.S. Departments of Defense and Interior, in addition to the Endangered Species Act Section 7 consultation permits issued to the BLM.
X. GROUNDWATER STANDARDS	
1. LAFCO shall encourage the Monterey County Water Resources Agency, the Pajaro Valley Water Management Agency, and the Monterey Peninsula Water Management District to complete water management plans, develop or revise allocation of water supply as necessary, and promote County-wide standards. The LAFCO standards shall be reviewed periodically to reflect changes in information and current water management policy.	<i>Consistent.</i> The proposed annexation by MCWD involves no changes to the existing water and wastewater system and the associated system permits.
2. In considering a proposal which may significantly impact the groundwater basin, as documented by the Lead Agency pursuant to the California Environmental Quality Act (CEQA), LAFCO shall review the following information. This information can be submitted to LAFCO in an environmental document or as a part of the LAFCO application. a. The projected water demand of the proposed project based on guidelines provided by the appropriate water resources agency. b. The existing water use and historical water use over the past five years. c. A description of the existing water system including system capacity serving the site. d. A description of proposed water system improvements. e. A description of water conservation or reclamation improvements that are to be incorporated into the project. f. An analysis of the impact that proposed water usage will have on the groundwater basin with respect to water quantity and quality, including cumulative impacts. g. Evidence of consultation with the appropriate water agency. The agency shall be consulted at the earliest stage of the process, so that applicable recommendations can be included in the environmental document. h. A description of water conservation measures currently in use and planned for use on the site such as drought tolerant landscaping, water-saving irrigation systems, installation of low-flow plumbing fixtures, retrofitting of plumbing fixtures with lowflow devices, and compliance with local ordinances. i. A description of how the proposed project complies with adopted water allocation plans. j. A description of those proposals where the agency has achieved water savings or where new water sources have been developed that will off-set increases in water use on the project site that would be caused by the proposal. k. A description of how the proposal would contribute to any cumulative adverse impact on the groundwater basin. l. A description of those boundary change proposals that, when considered individually and after taking into account all mitigation measures to be implemented with the project, still cause a significant adverse impact on the groundwater basin.	<i>Consistent.</i> The proposed annexation by Marina Coast Water MCWD involves no changes to the existing groundwater conditions, water and wastewater system and the associated system permits. Further, an Initial Study has been prepared on the proposed annexation pursuant to CEQA.
3. Any proposal considered by LAFCO that uses water will be referred to the Monterey County Water Resources Agency, the Pajaro Valley Water Management Agency, Monterey Peninsula Water Management District, or any other affected water agency. Recommendations of the agencies will be considered by LAFCO and, where appropriate, should be incorporated into the project design prior to approval of the boundary change proposal.	<i>Consistent.</i> Please see discussion for Groundwater Standards Policy 1.
4. LAFCO recognizes that water usage will vary due to soil type, location of aquifer, characteristics of aquifer, and type of project.	<i>Consistent.</i> Please see discussion for Groundwater Standards Policy 1.

Each project must be reviewed on a case-by-case basis.	
5. Should an agency adopt similar or more restrictive informational requirements, the LAFCO informational Requirement Nos. 1 through 4 will no longer apply.	<i>Not applicable to the proposed annexation.</i>
6. LAFCO will encourage boundary change proposals involving projects that use reclaimed wastewater, minimize nitrate contamination, and provide beneficial use of storm waters.	<i>Not applicable to the proposed annexation.</i>
7. LAFCO will encourage proposals which have incorporated water conservation measures. Water conservation measures include drought tolerant landscaping, water-saving irrigation systems, installation of low-flow plumbing fixtures, retrofitting of plumbing fixtures with low-flow devices, and compliance with local ordinances.	<i>Not applicable to the proposed annexation.</i>
8. LAFCO will encourage those proposals which comply with adopted water allocation plans as established by applicable cities or water management agencies.	<i>Consistent.</i> Please see discussion for Groundwater Standards Policy X-1.
9. LAFCO will encourage those proposals where the affected jurisdiction has achieved water savings or new water sources elsewhere that will off-set increases in water use in the project site that would be caused by the proposal.	<i>Consistent.</i> Please see discussion for Groundwater Standards Policy X-1.
10. LAFCO will discourage those proposals which contribute to the cumulative adverse impact on the groundwater basin unless it can be found that the proposal promotes the planned and orderly development of the area.	<i>Consistent.</i> Please see discussion for Groundwater Standards Policy X-1.
11. LAFCO will discourage those boundary change proposals which, when considered individually and after taking into account all mitigation measures to be implemented with the project, still cause a significant adverse impact on the groundwater basin.	<i>Consistent.</i> Please see discussion for Groundwater Standards Policy X-1.
XII. INCORPORATION GUIDELINES	
1. LAFCO shall utilize the “Guide to the LAFCO Process for Incorporations” issued by the Governor’s Office of Planning and Development as the guideline for processing proposals for city incorporation.	<i>Consistent.</i> Consideration of the proposed annexation by LAFCO would adhere to LAFCO processing requirements.
XII. REGIONAL TRAFFIC IMPACTS	
1. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the proposal mitigates its regional traffic impacts by, for example, monetary contribution to a regional transportation improvement fund as established by the Transportation Agency of Monterey County or otherwise.	<i>Consistent.</i> As identified in the proposed project Initial Study, the Reuse Plan EIR identifies potential significant impacts related to increased traffic on the regional road system, and future needed improvements. Local jurisdiction planning documents incorporate policies contained in the Reuse Plan to insure timely implementation of traffic improvements and coordination between land use development and transportation improvements.
XIII. EFFICIENT URBAN DEVELOPMENT PATTERNS	
1. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the city in which the annexation or Sphere of Influence amendment is proposed has included certain goals, policies, and objectives into its General Plan that encourage mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use, and that encourages and provides planned, well-ordered, efficient urban development patterns.	<i>Consistent.</i> As identified in the proposed project’s Initial Study, the Fort Ord Reuse Plan, Cities’ and County of Monterey’s General Plans, and Specific Plans for development projects the jurisdictions with land use authority over the Ord Community have encouraged mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use. MCWD’s Master Plans for water and wastewater service have emphasized efficiency in the provision of those services, as well.
XIV. CONTRACT / AGREEMENT SERVICE EXTENSION¹⁵	
1. Requests for Service Extension: a. In evaluating requests for service extensions outside an agency’s jurisdictional boundary,	<i>Consistent.</i> Consideration of the proposed annexation by LAFCO would adhere to LAFCO processing requirements.

<p>LAFCO shall consider the Sphere of Influence of the affected agency. b. Applicants shall submit an application to LAFCO prior to consideration of the proposal. Within 30 days the Executive Officer shall determine if the application is complete, and transmit the need for additional information immediately. Within 90 days after the application is deemed complete, the request shall be placed before LAFCO for a determination. c. LAFCO may authorize a city or district to provide new or extended service outside its jurisdictional boundaries but within its Sphere of Influence in anticipation of a later change of organization. In this instance, LAFCO will consider the factors enumerated in Section 56668 in reviewing the request. d. LAFCO may authorize a city of district to provide new or extended services outside its jurisdictional boundaries and Sphere of Influence to respond to a documented existing or impending threat to the public health or safety of the residents of the affected territory if the LAFCO has notified any alternative service provider as outlined in Section 56133. e. The Executive Officer may administratively approve requests for service extension outside an agency’s jurisdictional boundary if the applicant has satisfactorily demonstrated the existence of a public health or safety issue exists as identified in writing from the local public health officer. The Executive Officer is required to inform LAFCO at the next available meeting of any administratively approved service agreements.</p>	
<p>2. LAFCO authority over contract/agreement service extension does not apply to: (1) contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider; (2) contracts for the transfer of non-potable or non-treated water, and (3) contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or directly support agricultural industries. However, prior to extending surplus water that will support or induce development, the agency must receive written approval from LAFCO. (Section 56133.)</p>	<p><i>Consistent.</i> The proposed project would not extend or amend MCWD’s existing contract to provide water and wastewater service such that LAFCO approval is required under Section 56133.</p>

Appendix B - Alternatives to the Project

Appendix B - Alternatives to the Project

In developing the Proposed Project, Marina Coast Water District's Sphere of Influence (SOI) amendment and Service Area (SA) annexation of the Ord Community, the following alternatives were developed and evaluated by Marina Coast Water District (MCWD) Staff and Consultants. The alternatives evaluation considered the following criterion:

Service Considerations/Operations

Governance

LAFCO Considerations

Environmental Considerations

Each alternative and criterion is discussed below. Additionally, under each proposed Alternative, a discussion of the "MCWD Rationale for Not Selecting this Alternative" is presented. As noted below, none of the alternatives listed are currently being proposed by MCWD for the reasons provided. In all alternatives herein, MCWD would amend their SOI to include all of the former Fort Ord area (Ord Community). Therefore, these alternatives focus on various SA annexation scenarios only.

This report has been compiled by Denise Duffy & Associates (DD&A) with information and technical input by Schaaf & Wheeler and MCWD Staff.

Alternative 1. Annexation of all FORA development parcels

In this alternative, MCWD would amend their SOI to include all of the former Fort Ord and would annex only to the development boundary in the Fort Ord Base Reuse Plan (i.e., to include only areas developed with urban land uses and proposed for urban development within the former Fort Ord), as depicted in Figure 2. This would include areas currently served by MCWD under contract with FORA, and all areas with projected urban development. MCWD is committed and contractually obligated to provide potable and recycled water supply and wastewater service for all of this area, owns the existing facilities, and is planning for and constructing new facilities to serve new uses in these areas and beyond. Consistent with the proposed project, the SOI in this alternative includes all of the areas for which MCWD is contracted to provide water (FORA and MCWD, Water and Wastewater Facilities Agreement, 1998), including land owned by the U.S. Bureau of Land Management (BLM) and California Department of Parks and Recreation (State Parks). The Fort Ord Natural Reserve (FONR) and Landfill Parcel habitat management areas would also be included in the SA and in the SOI amendment area to avoid islands. In this alternative, BLM and State Parks lands are excluded although MCWD will continue to provide service under contract. The above described areas, including BLM, State Parks, FONR and the Landfill Parcel, are currently, or will, be subject to deed restrictions restricting urban development based upon agreements between FORA, regulatory agencies and land use jurisdictions/owners.

This alternative is considered better than the following alternatives which consider allowing the Service Area expansion to include only areas projected for development within 5-year and 10-years. Because the redevelopment of the Ord Community is occurring throughout the base in phases and by multiple land use jurisdictions, MCWD's would be required to submit numerous individual (project-specific, potentially) LAFCO annexation applications and CEQA documents, adding unneeded time and expense. If MCWD were to annex only the areas it currently serves under contract, or only the 5- or 10-year development areas, many of the remaining areas would be bounded by the MCWD system on one side and dedicated open space on the other leaving MCWD the only logical option to provide service. This would also result in one or more "islands" or "peninsulas" violating LAFCO's policies regarding logical boundary changes and creating inefficient operational situations and infrastructure construction.

Service Considerations/Operations: The proposed annexation involves no changes to the existing water and wastewater system and the associated system permits. Future wastewater service to the former Fort Ord portions of Del Rey Oaks and Seaside south of Eucalyptus Road is likely to require agreements regarding the wastewater collection system between SCSD and MCWD in this and other alternatives, including the proposed project.

Governance: Annexation of areas into MCWD will allow customers to directly vote for and contact MCWD Board of Directors. Under the current service contract with FORA, customers within the Ord Community are represented by their elected city officials through the FORA Board and the FORA Water and Wastewater Oversight Committee. Areas outside the annexation boundary (BLM field office and CA State Parks) may be served under direct contract; however would not be annexed into MCWD's Ord Community Service Area.

LAFCO Considerations: This action is consistent with the parameters for a SOI as: "A plan for the probable physical boundaries and Service Area of a local agency. The area around a local agency eligible for annexation and extension of urban service within a twenty-year period." The proposed SA annexation includes areas in the urban Service Area beyond those currently served or projected to require services within the next five years. However, the ability to request and annex the entire Ord Community with a single application process would be administratively more efficient than requesting annexation on a project-by-project basis.

Environmental: Similar to the proposed project, this alternative would result in no direct environmental impacts. This alternative involves no changes to the existing water and wastewater system and the associated system permits. Plans for service to this area are addressed and considered in the MCWD's water and wastewater Master Plans, MCWD Urban Water Management Plan, FORA Base Reuse Plan EIR, Regional Urban Water Augmentation Project EIR, and Coastal Water Project EIR. Specifically, whether or not MCWD amends its Sphere of Influence and annexes the Ord Community as described in this alternative, future redevelopment, development, and/or infrastructure projects may be built and may independently cause direct significant impacts that would require CEQA review. Compared to the proposed project, this alternative may be considered to be less growth inducing due to the restricted area to which MCWD's services would extend geographically; however, due to the existing contract to provide service and the lack of urban uses that can be built within the area excluded from this alternative SA annexation, the difference is negligible.

MCWD Rationale for Not Selecting this Alternative: This alternative would exclude areas to which MCWD has been contracted to provide water and wastewater service by FORA, including a Monterey Peninsula College Site, U.S. Bureau of Land Management facilities, and CA State Parks Property (Ford Ord Dunes State Park). MCWD currently provides water to the BLM office and the State Park. It is likely that the open space, recreational, and educational uses within these areas will require water supplies and/or wastewater collection service from MCWD, and therefore, new contractual mechanisms are required for this provision of service under this alternative. No other adjacent water purveyors currently possess water rights for uses at BLM or State Park lands.

Alternative 2. The Five-Year Development Area Annexation

In this alternative, MCWD would amend their SOI to include all of the former Fort Ord (including all Reuse Plan development parcels, the BLM land, the Fort Ord Dunes State Park, the Fort Ord Natural Reserve, and the landfill permanent habitat management area), and annex all portions of the Ord Community currently served under contract plus the 5-year development areas (areas proposed to be developed within the next five years) into its SA. This alternative would strictly adhere to the LAFCO definitions as described in Section III, Background. This area would include all of the former cantonment (developed) area on the former Fort Ord, generally north of the installation boundary along Military Drive and Eucalyptus Road in Seaside, and north of the Bureau of Land Management property in the former

training areas. The proposed SA would include the City of Del Rey Oaks portion of the Ord Community, which is projected for redevelopment within 5-years. This area would exclude the undeveloped portion of Seaside east of General Jim Moore Blvd, the southern portions of the Ord Community within the jurisdictions of the City of Monterey and Monterey County, and the undeveloped areas east of Parker Flats Cut-Off.

Service Considerations/Operations: This alternative involves no changes to the existing water and wastewater system and the associated system permits. The operations and maintenance and administrative functions of providing water and wastewater service would not be duplicated or made less efficient by this alternative.

Governance: Annexation of these areas into MCWD will allow customers to directly vote for and contact MCWD Board of Directors. Under the current service contract with FORA, customers within the Ord Community are represented by their elected city officials through the FORA Board and the FORA Water and Wastewater Oversight Committee. Current customers outside the annexation boundary (BLM field office and CA State Parks) may be served under direct contract.

LAFCO Considerations: This alternative is consistent with the definition of spheres of influence and urban service boundaries. In addition, pursuant to Cortese-Knox-Hertzberg Section 56668(d), boundaries should not be drawn so as to create an island, corridor, or strip either within the proposed territory or immediately adjacent to it. Where such an island, corridor, or strip is created, the proponent shall justify the reasons for nonconformance with this standard. This alternative would result in potential violations of this policy.

Environmental: This option involves no changes to the existing water and wastewater system and the associated system permits. Plans for service to this area are addressed and considered in the MCWD's water and wastewater Master Plans, MCWD Urban Water Management Plan, FORA Base Reuse Plan EIR, Regional Urban Water Augmentation Project EIR, and Coastal Water Project EIR. Specifically, whether or not MCWD amends its Sphere of Influence and annexes the Ord Community as described in this alternative, future redevelopment, development, and/or infrastructure projects may be built and may independently cause direct significant impacts that would require CEQA review.

MCWD Rationale for Not Selecting this Alternative: The areas proposed for development in the near term (five to ten years) include separate projects within the City of Monterey (Industrial Park), City of Seaside (Monterey Peninsula Trade and Convention Center), CSUMB (staff and faculty housing) and unincorporated Monterey County (Whispering Oaks Business Park, Monterey Horse Park, Fort Ord Veterans Cemetery), potentially requiring multiple LAFCO annexation requests. Because all seven land use jurisdictions within the Ord Community must concur on the SOI expansion, it would be more efficient to address more than just the near-term redevelopment at the same time. In addition, this alternative would result in the creation of "islands" and "corridors" of MCWD service area (i.e., boundary situations).

Alternative 3. The Ten-Year (or 2020) Development Area Annexation

In this alternative, MCWD would amend its SOI to include all of the former Fort Ord and annex the area currently served under contract plus the 10-year development areas (or alternatively, areas anticipated to require water and wastewater service by the year 2020) into the SA. MCWD's SA would be expanded to include all of the areas projected in Alternative 1, plus the additional areas of the Whispering Oaks Business Park, Monterey Horse Park, the Fort Ord Veterans Cemetery, the CSUMB housing areas east of 8th Avenue, the Monterey Peninsula Trade and Convention Center in Seaside, and the industrial development parcels in the City of Monterey. This alternative encompasses all of the Ord Community development areas except two: East Garrison II in Monterey County and Seaside East (residential development in Seaside east of General Jim Moore Blvd). The reason for including these additional areas is that the project schedules are evolving, and may be accelerated if the economic climate is favorable

and/or the processing and concurrence of the SA annexation and SOI amendment takes longer than one year.

Service Considerations/Operations: This option involves no changes to the existing water and wastewater system and the associated system permits.

Governance: Annexation of areas into MCWD will allow customers to directly vote for and contact MCWD Board of Directors. Under the current service contract with FORA, customers within the Ord Community are represented by their elected city officials through the FORA Board and Water and Wastewater Oversight Committee. Areas outside the annexation boundary (BLM field office and CA State Parks) may be served under direct contract.

LAFCO Considerations: This option is consistent with the definition of spheres of influence. Under this option, it is assumed that urban services will be needed for these areas and MCWD will therefore be prepared to provide services within the next five years.

Environmental: This option involves no changes to the existing water and wastewater system and the associated system permits. Plans for service to this area are addressed and considered in the MCWD's water and wastewater Master Plans, MCWD Urban Water Management Plan, Reuse Plan EIR, the Regional Urban Water Augmentation Project EIR, the Coastal Water Project EIR, and the environmental documents for the various redevelopment plans and projects within the Ord Community. Specifically, whether or not MCWD amends its Sphere of Influence and annexes the Ord Community as described in this alternative, future redevelopment, development, and/or infrastructure projects may be built and may independently cause direct significant impacts that would require CEQA review.

MCWD Rationale for Not Selecting this Alternative: This alternative encompasses all of the Ord Community development areas except two: East Garrison II in Monterey County and Seaside East (residential development in Seaside east of General Jim Moore Blvd). East Garrison II will be bordered by MCWD Service Area (East Garrison I) and dedicated open space (BLM property), so MCWD would be the only water provider available for this area. Seaside East would be bordered by multiple water providers (Seaside Municipal Water System, California American Water Company and MCWD), but the water supply for this area will be provided by MCWD under the Reuse Plan, existing agreements, MCWD's CIP and UWMP, local jurisdictions' General Plans, and the RUWAP and Coastal Water Project EIRs. Providing service through another water agency would require MCWD to sell that agency water as a wholesaler, adding an unneeded layer of administration and cost. In addition, this alternative would result in the creation of an "island" of MCWD service area (or non-contiguous boundary situations, in this case, Del Rey Oaks).

Alternative 4. Annexation to the Marina City Limit

In this alternative, MCWD would annex in the Ord Community only to the Marina City limit. The MCWD Board of Directors appointed the Ord Community Ad-hoc Committee (OCAC) in 2007 to make recommendations to the Board regarding annexation of the Ord Community to MCWD service area. The Committee submitted their recommendations in 2008, which was that MCWD should annex only to the Marina City Limit, and the portions of the Ord Community within the other jurisdictions may be served under wholesale or retail contract. The committee further recommended that the water and sewer infrastructure within the various jurisdictions be conveyed to those jurisdictions. This recommendation did not account for the design of the Ord Community system, which serves the former Fort Ord as a whole and not as jurisdictional segments. In this alternative, several service and operational difficulties can occur with resultant costs and environmental impact.

Service Considerations/Operations: Multiple service/operational issues develop with a break-up of the Ord Community water supply and sewer infrastructure.

Water supply for the Ord Community comes from the Salinas Valley Groundwater Basin. Each land use jurisdiction on the former Fort Ord was sub-allocated a portion of the Salinas Valley groundwater supply previously secured through an agreement between the U.S. Army and the Monterey County Water Resources Agency. This supply comes from wells located along Reservation Road near Marina. The Salinas Valley Groundwater Basin aquifer does not extend into the southwest portion of the Ord Community; therefore, the water supply wells cannot be relocated inside the Cities of Seaside, Del Rey Oaks or Monterey. The ability to serve those areas with water from the Salinas Valley Groundwater Basin is allowed by MCWRA Act and previous agreements. Additionally, MCWD and FORA have worked jointly to develop the Regional Urban Water Augmentation Project to develop an additional 2,400 acre-feet per year of new supply to meet the water demands identified in the Reuse Plan.

Under this alternative, the Cities of Seaside, Del Rey Oaks and Monterey and the County of Monterey would need to contract with MCWD for wholesale or retail water service. If a jurisdiction elects for a wholesale service, new infrastructure may be required to provide the required volume of flow at the master meter, and the systems would need to be separated at the boundary between MCWD and the new retail provider.

Separation by jurisdiction would require additional water supply infrastructure. The water system in the Ord Community is divided into pressure zones based upon the elevation of the area being served. The topography increases from sea level at the coast to about 500-ft elevation, resulting in five unique zones. Each zone is looped and interconnected with the higher and lower zones for reliability and to guarantee fire flows. These pressure zones run roughly parallel with the coast, and cross jurisdictional boundaries which run roughly perpendicular to the coast. Separating the system at jurisdictional boundaries will require the installation of water mains to “close the loops” within each jurisdiction, the addition of wholesale water meters where water flows from one jurisdiction to the next, and the possible addition of water tanks and booster pumping stations if jurisdictions elect to completely sever the systems and not jointly use the existing facilities. For these reasons, separating the system into jurisdictional parts would be costly and less reliable than operating as a whole.

Water storage would also require duplication. Only one of MCWD’s water storage tanks is located within the Central Marina service area, and that tank (Reservoir 2) serves as a forebay to a booster pump station because it is not high enough to provide required flows via gravity. The Central Marina service area relies upon water tanks located at higher elevations within the Ord Community for emergency and fire storage. If the water system is separated under this alternative, additional water tanks and/or booster stations would be required to serve the City of Marina Ord area.

Similarly, the wastewater collection system in the Ord Community does not follow jurisdictional boundaries, but runs downhill toward the coast. Wastewater is then conveyed north through a series of lift stations to the former Main Garrison Wastewater Treatment Plant, where it enters the MRWPCA Regional Interceptor. The City of Seaside and unincorporated Monterey County portions of the Ord Community do not have existing points of connection to the Regional Interceptor, so those wastewater flows would still need to pass through the Marina portion of the Ord Community en route to the regional wastewater treatment plant. Separating the service areas would require the installation of meters at various lift stations, so that the entities could bill each other for conveyance of flows.

When the water and sewer infrastructure on the former Fort Ord was conveyed to MCWD, MCWD also received the Army’s groundwater allocation from the SVGB and the wastewater capacity reservation at the MRWPCA Regional Wastewater Treatment Plant. The groundwater allocation has been formally sub-allocated by FORA among the land use jurisdictions in the Ord Community, but the wastewater capacity has not. Instead, the wastewater capacity reservation has been used on a first-come, first-served basis. Developments that occur after the 2.22 mgd of capacity is fully used will be required to purchase capacity from MRWPCA. Under this alternative, MCWD, FORA and MRWPCA would be required to allocate the remaining unused wastewater capacity among the wastewater collection entities.

Other service issues with the break-up of the Ord Community water and wastewater exist. California State University Monterey Bay (CSUMB) is not a land use jurisdiction, but controls a significant amount of land within the Ord Community. CSUMB encompasses portions of Marina, Seaside and unincorporated Monterey County. Separating the water and sewer systems along city limits would divide the campus into three parts, which would be unacceptable to the University. Establishing the campus as a separate system would add further complexity and expense.

Break-up of the Ord system would complicate development and development agreements in the Ord Community. For instance, the East Garrison I developer in the unincorporated Monterey County entered into a Construction and Transfer of Water, Sewer and Recycled Water Infrastructure Agreement with MCWD. Portions of the Phase 1 underground infrastructure have already been transferred to MCWD, and the remaining underground infrastructure will be transferred once the street paving is complete. The developer has also transferred land to MCWD for the addition of a new water well at the edge of the East Garrison property. Changing the designated water and wastewater service provider at this stage of the project would add unneeded additional effort to the developer and the County Staff.

MCWD has upgraded and replaced infrastructure within the Ord Community at considerable cost. Capital projects outside the City of Marina include new potable and recycled water mains in General Jim Moore Blvd, a new D-Zone Water Tank and E-Zone Booster Pump Station, the addition of two new wells, and the upgrade of sewer lift stations throughout the Ord Community. The bonded debt for these projects is guaranteed by the MCWD's rate base, which includes the existing customers in the Ord Community. If the system is divided into separate systems with separate ownership and governance, compensation to MCWD from the gaining entity will be necessary.

MCWD consolidated the Central Marina and Ord Community under a single CDPH water system permit in 2007. Separating the system into multiple smaller systems will require separating the permit, which would require approval by the State Department of Public Health. This would potentially be a costly and time consuming process.

Governance: Annexation of new areas of Marina into MCWD will allow those customers to directly vote for and contact MCWD Board of Directors. The remaining customers in the Ord Community would have access similar to what they currently have, through their respective elected municipal officials. Jurisdictions desiring continued water and wastewater service by MCWD would need to enter into franchise agreements or service contracts. If multiple jurisdictions desire service, they may elect to form a single joint powers authority to assume the role currently filled by FORA. Jurisdictions may choose to provide retail service through a different provider. In that case, they would need to enter into a wholesale agreement with MCWD to obtain the potable water supply to which they are entitled.

LAFCO Considerations: Alternative 4 is not consistent with requirements for a SOI or urban service area under LAFCO policies, because it does not recognize the existing provision of services to the Ord Community by MCWD. In addition, LAFCO may consider this alternative to represent inefficient and/or duplication of services due to the need to construct infrastructure along jurisdictional boundaries to separate the systems, incur costs associated with conveying ownership of the existing infrastructure from one entity to another, and with establishing administrative systems to manage the wholesaling of water and sale of wastewater conveyance capacity.

Environmental: This option would involve physical and administrative changes to the existing water and wastewater system and the associated infrastructure that would require further environmental evaluation. Plans for service to this area are addressed and considered in the MCWD's water and wastewater Master Plans, MCWD Urban Water Management Plan, Reuse Plan EIR, the Regional Urban Water Augmentation Project EIR, and the Coastal Water Project EIR. These plans considered water and wastewater service would be provided to all of the Ord Community by MCWD; therefore, additional environmental analysis may be required to supplement the environmental review already completed for these plans and projects, if this alternative is selected.

MCWD Rationale for Not Selecting this Alternative: The operations, maintenance and administrative functions of providing water and wastewater service would be duplicated or made less efficient by this alternative as discussed above. The costs of separating the physical facilities would have to be borne by the new service provider(s) and their rate payers. In some jurisdictions, the affect would only be to increase customer service costs due to the addition of a water wholesaler above the retail level (i.e., potentially deemed to be an inefficient duplication of administrative functions). Additional environmental and permitting processes and documentation of the changes to water and wastewater service provisions would be required. This alternative would not enable anyone outside the City of Marina to vote for the MCWD Board, and thus, no improvement in governance would occur under this alternative. This is the least desirable of the alternatives, including the No Project Alternative, because it does not meet the project objectives and provides for unfair distribution of costs.

Alternative 5. The No Project Alternative

Under this alternative, there is no change to service boundaries. FORA will cease to exist in 2014 (unless extended by the state legislature). Under the no project alternative, MCWD does not amend its SOI and does not annex any of the Ord Community into its LAFCO urban service area, but continues to provide water and wastewater service to the developed portions of the former Fort Ord under contract with the various land use jurisdictions. This may require the formation of a joint powers authority among the jurisdictions to manage the contract(s), or each jurisdiction may chose to enter into a separate service agreement.

Service Considerations/Operations: Jurisdictions may choose to have MCWD serve additional areas as they are redeveloped, or they may purchase water supply from MCWD and provide retail services through another means.

Governance: Under this option, no customer within the Ord Community would directly vote for MCWD Board of Directors. They would have indirect contact through their municipal elected officials as they do today. If the jurisdictions do not form a joint powers association, it is possible that customers within one jurisdiction will pay different water and sewer rates than customers in another jurisdiction. This is particularly likely for wastewater service, due to the numerous lift stations within the system which incur power and maintenance costs not associated with gravity pipelines.

LAFCO Considerations: This option is inconsistent with requirements for a SOI or urban service area under LAFCO policies. This option does not recognize the existing service area provision from MCWD.

Environmental: Under the no project alternative, there is no action and therefore, no need to do further CEQA environmental documentation for any LAFCO boundary changes. Plans for service to this area are addressed and considered in the MCWD Urban Water Management Plan, FORA Reuse EIR and Regional Water Augmentation Project EIR although these plans considered service provision to be under the MCWD.

MCWD Rationale for Not Selecting this Alternative: The governance structure is unacceptable as there would not be appropriate representation of rate payers. Current customers within the Ord Community have expressed their desire to be annexed and gain representation on the Board of Directors. Also, the plan for providing water and wastewater service to the Ord Community should be decided by the FORA Board and the affected jurisdictions before FORA ceases to exist. The FORA Board provides all of the affected jurisdictions a forum for discussion of this issue.