



DRAFT

EXHIBIT 17-A

RESOLUTION 2018-18

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
DECLARING MONTEREY COUNTY ZONING ORDINANCE INAPPLICABLE TO THE
SLEEPY HOLLOW STEELHEAD REARING FACILITY UPGRADE**

WHEREAS, The Monterey Peninsula Water Management District (District) is committed to mitigating the environmental impact of diversions from the Carmel River Basin; and

WHEREAS, The Board certified the Allocation Program Environmental Impact Report in November 1990 that set limits on how much water the community may use from the Carmel River and adopted a Mitigation Program to mitigate for impacts associated with the diversion and use of Carmel River flows; and

WHEREAS, The Mitigation Program included the construction and operation of the Sleepy Hollow Steelhead Rearing Facility; and

WHEREAS, The District certified an Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation and Monitoring Program for the Sleepy Hollow Steelhead Rearing Facility (SHSRF) Raw Water Intake and Water Supply System Upgrade Project (Project) and approved the Project on November 14, 2016; and

WHEREAS, The District applied to Monterey County in March 2017 for permits to construct the Project and has received a tentative date from Monterey County of July 26, 2018 for an administrative hearing to consider approval of the project; and

WHEREAS, The District must initiate construction of the Project in early August 2018 in order to complete certain improvements prior to October 1, 2018; and

WHEREAS, The District has reason to believe that Monterey County will not be able to issue permits in a manner timely to begin construction of the Project in early August 2018 and complete certain improvements in the channel of the Carmel River before October 1, 2018;

WHEREAS, There is no feasible alternative that would allow construction of the work in the channel of the Carmel River to be completed in 2018.

NOW THEREFORE, BE IT RESOLVED:

We, the Board of Directors of the Monterey Peninsula Water Management District, determine that the Monterey County Zoning Ordinance shall not apply to the construction of the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade Project.

On motion of Director _____ and second by Director _____ the foregoing resolution is duly adopted this 16th day of July 2018 by the following votes:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors on the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 16th day of July 2018.

Witness my hand and seal of the Board of Directors this ____ day of July 2018.

David J. Stoldt, Secretary to the Board