



Consider Second Reading and Adoption of Ordinance No. 194, Amending Rule 11 and Adding Rule 23.10 to Establish a Water Entitlement for the City of Seaside

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Ordinance No. 194 - Summary

- Ordinance No. 194 establishes a Water Entitlement for the City of Seaside for the Ascent Seaside Project
- “Water Entitlement” is a discrete quantity of water designated by ordinance to a specified Water Entitlement Holder
- Entitlement is based on a temporary assignment of Seaside’s banked water credits from its in-lieu groundwater storage program
 - Seaside golf courses are using recycle water in place of water right
- Program recognized by the Seaside Watermaster

Ordinance No. 194– Summary

- The ordinance establishes a Water Entitlement of 13.00 Acre-Feet annually (AFA) of which 12.09 AFA is available for Water Permits
- The Entitlement will enable Cal-Am to produce Seaside's water credits from wells within the Seaside Groundwater Basin
- Condition requires Cal-Am to amend its WDS Permit to increase the Production Limit by 13.0 AFA

Benefited Property

- Seaside Entitlement will be used to issue Water Permits for the Ascent Project, a ten-building workforce rental housing development at Broadway Avenue and Terrace Street
- Ascent needs approximately 11 AFA for its project

Amendments Approved by Counsel

- Minor revisions that clarify the draft ordinance approved on first read
 - Finding #3 and 6: Clarify the Benefited Property is the Ascent Project
 - Rule 23.10-A: Created separate paragraph listing the amount of the Entitlement
 - Specified Ascent Project Parcels as the Benefitted Properties
- The revisions do not change the scope or effect of First Reading version

CEQA – California Environmental Quality Act

- The Monterey County Superior Court concluded that its Adjudication Decision included environmental determinations related to the Seaside Basin and adjudication of the rights therein
- A Statutory Exemption applies as defined in CEQA Guidelines Section 15268 (Ministerial Projects) based on previous environmental determinations by the Courts

Recommendation

- Staff recommends the Board approve the second reading and adoption of Ordinance No. 194, Amending Rule 11 and Adding Rule 23.10 to Establish a Water Entitlement for the City of Seaside
- Staff should be directed to file a CEQA Notice of Exemption with the County Clerk

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