

EXHIBIT 14-N

HEARING RECORD FOR BARDIS WDS

Prepared by Henrietta Stern, November 24, 2004

Hearing Date: Friday, November 19, 2004 at 1:00 PM
Location: MPWMD Conference Room
Hearing Officer: Andrew M. Bell, MPWMD District Engineer (General Manager designee)

Application No.: 20040426BAR
System Name: Bardis Water Distribution System
Applicant: Christo Bardis (represented by Christine Gianascol Kemp)
Location: Corner of Schulte and Carmel Valley Roads, Carmel Valley (Monterey County)
Parcel APN: 169-181-051
CEQA: Notice of Exemption (Guidelines Section 15303) signed November 24, 2004
Notice: Mailings to properties within 300 feet; on-site posting along property boundary, posting at MPWMD office, posting on MPWMD website.

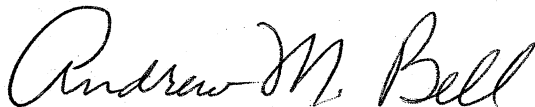
Attendees: MPWMD-- Andrew Bell, Henrietta Stern, Joe Oliver; Tom Lindberg, David Laredo (Counsel)
Applicant-- Christine Gianascol Kemp
Public-- none

Admin. Record: Staff note and all referenced materials in application package; evidence cited in Findings of Approval; tape recording of November 19, 2004 public hearing; letter from applicant dated November 19, 2004; letter from Carole January Erickson dated November 18, 2004; application file; Order Following Hearing (November 24, 2004).

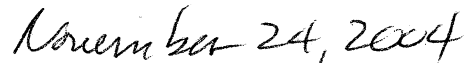
Summary:

Hearing Officer Andrew Bell opened the hearing. Henrietta Stern provided an overview of the application, CEQA Notice of Exemption, Draft Findings and Conditions of Approval. Stern identified text corrections and refinements for clarity (Finding #11, #12); Bell asked that the word "exceeds" be replaced with the words "does not meet" regarding secondary water quality standards referenced in Finding #10 and Condition #14. The applicant was asked to review her letter of November 19, 2004 in which a different production limit allocation is requested for Condition #3 (*see attached Order Following Hearing*). Stern noted that if the 1994 Grice Report is the basis to quantify residential use, the value of 0.444 AFY should be used, not the rounded up value of 0.5 AFY. Stern reviewed the assumptions used by Grice to yield the 0.444 value. Laredo noted that the Hearing Officer should rule on the question of whether the 0.444 AFY includes indoor and associated residential landscaping. A letter from Carole January Erickson was summarized, and Kemp responded to concerns raised in the Erickson letter. Bell indicated he wished to carefully review the 1994 Grice Report, and would issue a written determination no later than November 24, 2004. Bell approved the application on November 24, 2004 with corrected Final Findings (#10, #11 and #12) and revised Final Conditions of Approval (#3, #14) dated November 24, 2004. As described in *attached Order Following Hearing*, the potable component shall be 0.444 AFY for indoor and outdoor residential use, and the non-potable component shall be 14.466 AFY for agricultural irrigation.

Staff Recommendation: Approval
Hearing Officer Determination: On November 24, 2004, Bell approved application for Bardis WDS and issuance of Permit #S04-03 subject to revised Findings and Conditions of Approval dated November 24, 2004 as described above. Bell also signed CEQA Notice of Exemption.



Andrew M. Bell, MPWMD District Engineer
Hearing Officer designated by David Berger, General Manager



Date

Attachments: MPWMD Permit #S04-03 with Final Findings and Conditions of Approval

PERMIT TO CREATE A SINGLE-CONNECTION WATER DISTRIBUTION SYSTEM

WDS Permit #: S04-03
Date Approved: November 24, 2004
Date Finalized: _____ pending receipt of forms
Hearing Officer: Andrew M. Bell, MPWMD District Engineer (General Manager designee)

System Name: Bardis WDS
Applicant: Christo Bardis (represented by Christine Gianascol Kemp)
Location: Corner of Schulte and Carmel Valley Roads, Carmel Valley (Monterey
County)
Parcel APN: 169-181-051

This permit authorizes the creation of the **Bardis Water Distribution System**, a single-parcel connection system providing potable and non-potable water for residential and irrigation uses, pursuant to the Final Conditions of Approval dated November 24, 2004. The system capacity (production) limit is **14.91 acre-feet per year (AFY) divided as follows: 0.444 AFY for residential uses, including landscape irrigation, and 14.466 AFY for agricultural irrigation.** The expansion capacity (connection) limit is **one connection.**

(permit signed when forms received)

Andrew M. Bell, MPWMD District Engineer

Date

Attachments: Final Conditions of Approval
Final Findings of Approval