

EXHIBIT 14-D

PROVIDED BY APPLICANT

Ocean View CSD WDS Application

Attachment H - CEQA Summary

The City of Monterey (the "City"), as lead agency, prepared an Environmental Impact Report ("EIR") for the Ocean View Plaza project (the "Project"). A Draft EIR was completed April 20, 2001 and circulated for public review for 45 days. Two public hearings were held on the Draft EIR. On May 23, 2001, the City held a Joint Commissions Special Meeting. The Planning Commission, Architectural Review Commission, Historic Preservation Commission, and the Park and Recreation Commission all participated in this meeting.

On May 29, 2001, the Planning Commission held a public hearing to receive comments on the Draft EIR. The public comment period ended June 4, 2001. The City received 21 written comment letters. Oral comments received at the May 23, 2001 Joint Commission meeting and the May 29, 2001 Planning Commission meeting and the 21 written comment letters were responded to in the Final EIR dated August 2001.

Following the September 11, 2001 terrorist attacks, the Presidio of Monterey closed its gates for security reasons. The City then prepared a Supplement to the EIR to identify any significant new or different traffic impacts attributable to the project that were not identified in the original Draft EIR circulated in April 2001 and the Final EIR prepared in August 2001. The Supplement was circulated December 21, 2001 for 45 days. The City received nine comments letters on the Draft Supplement. The City responded to the Comments in a Final Supplemental EIR dated March 2002.

The City Council certified the Final EIR, including the March 2002 Final Supplemental EIR, and approved the Project on October 15, 2002. The City Council's actions were challenged through litigation, and in October 2003, the Superior Court of Monterey County ordered the City to vacate the certification of the EIR, and to vacate the October 2002 approval of permits, maps and other entitlements for the Project. The Court ordered the City to prepare, circulate and consider a supplement to the EIR which would include a reasonable range of project alternatives.

The City completed a Draft Supplement in March 2004 which analyzed and discussed seven Project alternatives. The Draft Supplement circulated for 45 days, and the comment period ended April 26, 2004. The City responded to the ten comment letters it received in a Final Supplement dated May 2004.

On June 1, 2004, the City approved the Final Supplement, and it approved the Project. The City filed a Notice of Final Determination on June 2, 2004.

On July 1, 2004, the City's action was challenged in court. On September 8, 2004, the Court found that the Ocean View Plaza Final EIR adequately addressed all issues.

On November 15, 2005, the City approved a resolution of application to seek the Local Agency Formation Commission's ("LAFCO") approval to form a community services district to own and operate the project desalination facility (LAFCO Resolution No. 05-189). On December 27, 2005, after a duly noticed public hearing, LAFCO approved the formation of the Ocean View Community Services District

("Ocean View CSD") by adopting Resolution 05-027. On December 28, 2005, LAFCO duly executed and recorded a certificate confirming the completion of the formation of the Ocean View CSD.

On February 6, 2006, Save Our Waterfront Committee filed a Petition for Writ of Mandate, alleging only one cause of action for a writ of mandate, seeking to set aside LAFCO's approval on the basis that the City and LAFCO failed to comply with the California Environmental Quality Act ("CEQA") since another EIR was not completed to address impacts from the Ocean View CSD's ownership of the Project's desalination facility. The Monterey County Superior Court ruled against Save Our Waterfront Committee on December 8, 2006. On December 12, 2006, all parties were served with a Notice of Entry of Judgment.

On February 5, 2007, Save Our Waterfront Committee filed its notice of appeal of the trial court's judgment. The Sixth District Appellate Court of California ruled against Save Our Waterfront Committee and in favor of the City and LAFCO on July 17, 2008, affirming the trial court's judgment in full. Save Our Waterfront Committee did not appeal this order.