

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Transition Planning Update

Meeting Date: March 9, 2018

Agenda Number: 8d

INFORMATION/ACTION

RECOMMENDATION

- i. Receive a transition planning issue update
- ii. Receive transition plan habitat and transportation summary charts

BACKGROUND/DISCUSSION

1. At the January 12, 2018 FORA Board meeting, staff presented the Transition Plan workplan. The first two summary charts of the Transition Plan were presented at that time (Financial and Water). The workplan requires a strict schedule of summary charts in order to meet the Transition Plan submission date prior to December 30, 2018. Accordingly, we are including the draft Transition Plan summary charts for known habitat and transportation components. We expect further discussion and refinements during the Transition Ad Hoc Committee discussions. Since the February board meeting, staff has worked to successfully schedule a TAC meeting, now set for March 5, 2018. Additionally, staff has received notification that TAMC will be unable to participate in the TAC due to workload and their focus on Measure X responsibilities.
2. FORA staff remains in communication with the Local Area Formation Commission (LAFCO) to secure a draft Indemnification Agreement. Since environmental review will be required, a brief exploration with an environmental consultant has estimated environmental review costs range up to \$200,000 (depending upon the required level of environmental analysis).
3. Attached this month are the summary charts for habitat and transportation. FORA staff has been working with affected jurisdictions toward the issuance of a base-wide habitat conservation plan, along with its Federal Section 10 permit, and a base-wide 2081 permit from California Department of Fish and Wildlife. It is hoped that implementation and longterm management of those basewide permits and attendant funding will be managed by the Fort Ord Regional Habitat Cooperative (Cooperative) joint powers authority, which has not yet been formed but is in the process of formation. The Cooperative cannot be named as a successor entity, unless it is in legal existence at the time of LAFCO action on the Transition Plan. The HCP requires longterm management and funding well in advance of the Section 10/2081 permit expiration and is projected to be approximately \$46M dollars post 2020, in addition to the approximately \$15M already collected.
4. Also attached are the contracts affecting transportation projects. There are multiple reimbursement agreements for local road projects that are currently in FORA's Capital Improvement Program (CIP) and will be assigned most likely as a liability to all land use entities. A chart of transportation projects, the anticipated lead agency assignments, priorities and anticipated completion dates to the Transportation Summary Chart. Only FORA lead agency projects, not yet completed by 2020, will be assigned to be completed prior to a date certain.

FISCAL IMPACT

Reviewed by FORA Controller 

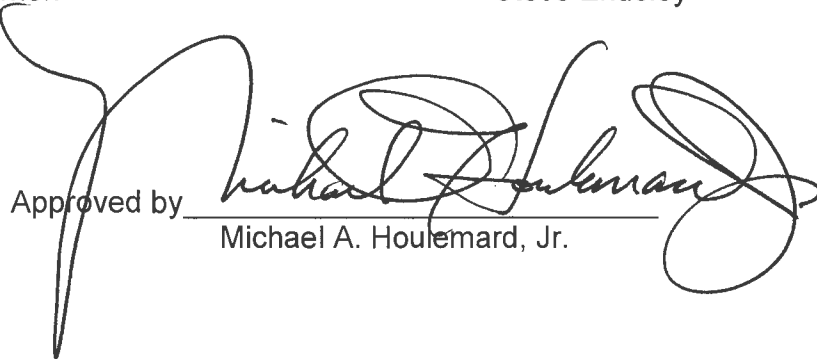
Staff time/legal are generally within the approved annual budget, and have been added to current staff workload. Staff anticipates presenting future transition plan budget items for Board consideration.

ATTACHMENTS:

- Attachment A: Summary Chart: Habitat
- Attachment B: Summary Chart: Transportation

Prepared by 
Sheri L. Damon

Reviewed by 
Steve Endsley

Approved by 
Michael A. Houlemard, Jr.

TRANSITION PLANNING/SUMMARY CHART

HABITAT

SUMMARY OF OBLIGATIONS AND SOURCE

When the Army began its disposal process for the former Fort Ord, it was required to comply with Federal regulations in that process. As part of the disposal process, it took into consideration the local planning efforts at the time, which set aside a significant amount of the approximately 28,000 acres for habitat protection and recreational use. During that process, the Army, FORA, BLM, State Parks, CalTrans, UCSC, County of Monterey, UCNRS, MPRPD, and City of Marina executed a Habitat Management Plan (HMP) with the United States Fish and Wildlife Service. The applicable measures set forth in the HMP are required to be complied with by all real property recipients on the former Fort Ord. The 1997 Base Reuse Plan (BRP) Final Environmental Impact Report (FEIR) described a biological resources impact from implementation of the BRP as: “Loss of sensitive species and habitats addressed in the Habitat Management Plan (HMP)” (pg. 4-164). It is noted that this impact is considered less than significant through implementation of BRP Biological Resources policies and programs, the HMP, and the HMP Implementing/Management Agreement (pg. 4-173). Although the BRP policies and programs and HMP are currently in effect, the US Fish and Wildlife Service and California Department of Fish and Wildlife did not sign the HMP Implementing/Management Agreement. Instead, they have required FORA and former Fort Ord land owners to complete a Habitat Conservation Plan (HCP) prior to issuance of Federal and State Incidental Take Permits. Therefore, FORA and Fort Ord Jurisdictions must complete an HCP as a BRP implementation step. The long-term management and funding of those protected areas (Est. at \$46M post-2020) are to be addressed in the basewide documents which have not yet completed the public review process.

EXISTING CONTRACTS AFFECTING HABITAT

Please see **Exhibit A**.

Habitat Management

Contract	Year	Asset/Liability Pledge/Obligation	Multi-Agency	Multi-Agency Notes
County-FORA-Developer Endangered Species MOA	2005	Obligation/Liability	County/Habitat Cooperative	
Del Rey Oaks-FORA-Developer Endangered Species MOA	2005	Obligation/Liability	County/Habitat Cooperative	
FORA-UCSC Agreement Concerning Funding of Habitat Management Related Expenses on the Fort Ord Natural Reserve	2005	Obligation/Liability/A	Habitat Cooperative/County?	This Agreement may be replaced by the basewide HCP when adopted.
Habitat Management Plan	1997	Obligation/Liability	Marina/Seaside/County/City of Monterey/MPC/CSUMB/All property recipients	
Parker Flats - East Garrison biological assesement	2005			
Proposed East Garrison-Parker Flats Land Use Modification MOU	2005			
USFWS EG-PF BiologicalAssessment Concurrence Letter	2002			

TRANSITION PLANNING/SUMMARY CHART

TRANSPORTATION

SUMMARY OF OBLIGATIONS AND SOURCE

FORA was required by the Authority Act to plan and adopt a transportation network as well as a public financing plan. As a part of the Base Reuse Plan, FORA adopted a transportation network and incorporated those elements into a Capital Improvement Program as a part of its financing program. As codified in the Capital Improvement Program, FORA's obligations are monetary in the form of reimbursement agreements or financial contributions to regional roadway projects or actual construction. The 1997 Base Reuse Plan (BRP) Final Environmental Impact Report (FEIR) described a Traffic and Circulation impact from implementation of the BRP as: "Increased travel demand on Regional Transportation System" (FEIR pg. 4-108). The FEIR noted that implementation of BRP policies and programs for transit, transportation demand management, and non-vehicular circulation "would help reduce impacts, but would not be sufficient to eliminate significant impacts due to deterioration of Levels of Service (LOS) on regional roadways" (FEIR pg. 4-112). The FEIR identifies two mitigations for this impact: 1) add wording to Streets and Roads Policy A-1.2 requiring FORA to review options for distributing its financial contributions to off-site transportation improvements to maximize effectiveness in reducing regional roadway system traffic impacts; and 2) FORA shall establish a Development Resource and Management Plan (DRMP) to establish programs and monitor Fort Ord development to assure that development does not exceed resource constraints from transportation facilities and water supply (FEIR pg. 4-111 and pg. 4-112). The DRMP includes the following Fair Share Financing Program: "FORA shall fund its "fair share" of "on-site," "off-site," and "regional" roadway and transit capital improvements based on the nexus analysis of the TAMC regional transportation model" (BRP pg. 195). The DRMP also requires FORA to "annually update its CIP to reflect proposed capital projects," including on-site, off-site, and regional roadways (BRP pg. 202). To the extent the roads are to be constructed by FORA those obligations are required to be assigned to a successor, whose responsibility will be to complete the construction in accordance with the timelines set forth for completion.

EXISTING CONTRACTS AFFECTING TRANSPORTATION

Please see **Exhibits A1 and A2**.

Transportation Contracts

Contract	Year	Asset/Liability Pledge/Obligation	DATE COMPLETION	Multi-Agency	Multi-Agency Notes
FORA-City of Marina reimbursement agreement for Abrams, Crescent, 8th Street, and Salinas Roads	2007	Liability/Obligation:		City of Marina: Obligation Other Cities Liability:	[1]
FORA-County of Monterey reimbursement agreement for Davis Road Improvements	2005	Liability/Obligation:		County	[3]
FORA-TAMC Reimbursement Agreement Concerning Hwy 68 Operational Improvements	2014	Liability/Obligation:			
FORA-Monterey Bay Charter School Traffic MOU	2015	Asset			
MST - TAMC-Marina-FORA MOU	2007				
Whitson Engineers (Master Services)	2017	Asset			
Capital Improvement Program Transportation Assignments	TBD	Liability/Obligation		As Assigned.	

Notes:

[1] Contract deals with Four Streets: 8th Street: 4,871,433; Crescent: 1,018,004 (Already completed pd. Approx. \$400,000 remainder reallocated to other projects); Abrams Drive: 852,578; Salinas Road: \$3,410,313

[2] Contract is City of Marina assigning a portion of the above reimbursement Agreement to Dunes for building a portion of 8th Street.

Cell: S6

Comment: Four Streets:

8th Street: 4,871,433

Crescent: 1,018,004 (Already completed pd. Approx. \$400,00 remainder reallocated to other projects).

Abrams Drive: 852,578

Salinas Road: 3410313

Cell: S7

Comment: Sheri Damon - 2:

\$1,000xxx to MCP for 8th Street b/t 2nd & 3rd - Complete

	Proj#	Description	Obligation	Assignment	Est. Completion*
TAMC/Caltrans	R3a	Hwy 1-Del Monte-Fremont-MBL	\$ 13,565,097	TAMC	
TAMC/Caltrans	R10	Hwy 1-Monterey Rd. Interchange	\$ 3,604,250	TAMC	
TAMC/Caltrans	R11	Hwy 156-Freeway Upgrade	\$ 16,993,507	TAMC	
Subtotal Regional Roads			\$ 34,162,854		
Off-Site Improvements					
	Proj#	Description	Obligation	Assignment	Est. Completion*
Monterey County	1	Davis Rd north of Blanco	\$720,208	CO	2025-2026
Monterey County	2B	Davis Rd south of Blanco	12,733,317	CO	2022-2023
Monterey County	4D	Widen Reservation-4 lanes to WG	9,390,281	CO	2025-2026
Monterey County	4E	Widen Reservation, WG to Davis	4,978,440	CO	2024-2025
City of Marina	8	Crescent Ave extend to Abrams	399,475	MARINA	2017-2018
City of Marina	10	Del Monte Blvd Extension	947,000	MARINA	
Subtotal Off-Site			\$29,168,721		
On-Site Improvements					
	Proj#	Description	Obligation	Assignment	Est Completion
City of Marina	FO2	Abrams	\$1,127,673	MARINA	2019-2020
City of Marina	FO5	8th Street	6,443,262	MARINA	2021-2022
FORA	FO6	Intergarrison	6,324,492	CO	2021-2022
FORA	FO7	Gigling	8,495,961	SEASIDE	2020-2021
FORA	FO9C	GJM Blvd	1,083,775	DEL REY OAKS	2019-2020
City of Marina	FO11	Salinas Ave	4,510,693	MARINA	2021-2022
FORA	FO12	Eucalyptus Road	532,830	SEASIDE	2018-2019
FORA	FO13B	Eastside Parkway	18,611,779	CO	2024-2025
FORA	FO14	South Boundary Road Upgrade	3,733,921	DEL REY OAKS	2019-2020
Subtotal On-Site			\$50,864,386		

Funding Completion

Yellow Highlights: Construction Completion