



Fort Ord Reuse Authority

920 2nd Avenue, Suite A, Marina, CA 93933
Phone: (831) 883-3672 • Fax: (831) 883-3675 • www.fora.org

ADMINISTRATIVE COMMITTEE MEETING

8:15 A.M. WEDNESDAY, MARCH 14, 2012

910 2nd Avenue, Marina CA 93933 (on the former Fort Ord)

AGENDA

REVISED

1. **CALL TO ORDER AT 8:15 AM**
2. **PLEDGE OF ALLEGIANCE**
3. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**
4. **PUBLIC COMMENT PERIOD:** Members of the audience wishing to address the Fort Ord Reuse Authority (FORA) Administrative Committee on matters within the jurisdiction of FORA, but not on this agenda, may do so during the Public Comment Period. Public comments are limited to a maximum of three minutes. Public comments on specific agenda items will be heard at the time the matter is under Committee consideration.
5. **APPROVAL OF MEETING MINUTES** – February 29, 2012 ACTION
6. **FOLLOW-UP FROM 3/9/12 FORA BOARD MEETING** INFORMATION/ACTION
7. **OLD BUSINESS**
 - a. Capital Improvement Program development forecasts INFORMATION/ACTION
 - b. Habitat Conservation Plan – Update INFORMATION
 - c. Base Reuse Plan Reassessment – Update INFORMATION/ACTION
 - d. California Redevelopment Wind Down – Update and Discussion of Assembly Hearing INFORMATION/ACTION
 - e. RDA property Issues INFORMATION/ACTION
8. **NEW BUSINESS**
 - a. Proposed Veteran's Cemetery Legislation INFORMATION
 - b. Consistency Determination: 2010 Monterey County General Plan INFORMATION
9. **ADJOURNMENT**

NEXT SCHEDULED MEETING: April 4, 2012

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ADMINISTRATIVE COMMITTEE MEETING

8:15 A.M. WEDNESDAY, FEBRUARY 29, 2012

910 2nd Avenue, Marina CA 93933 (on the former Fort Ord)

AGENDA

1. **CALL TO ORDER**

Administrative Committee Co-Chair Dan Dawson called the meeting to order at 8:18 a.m. noting a quorum of voting members. The following people, as indicated by signatures on the roll sheet, were present:

Daniel Dawson, City of Del Rey Oaks*
Rob Robinson, BRAC
Pat Ward, Bestor Engineers, Inc.
Elizabeth Caraker, City of Monterey*
Carl Niizawa, MCWD
Bob Rench, CSUMB
Bill Wiseman, RBF Consulting
Nick Nichols, County of Monterey*
Doug Yount, City of Marina*
Bob Schaffer, MCP
Vicki Nakamura, MPC
Tim O'Halloran, City of Seaside
Lisa Brinton, City of Seaside
Beth Palmer, Monterey Downs

Diana Ingersoll, City of Seaside*
Anya Spear, CSUMB
Kathleen Lee, Supervisor Potter Chief of Staff
Debby Platt, City of Marina
Graham Bice, UC-MBEST
Scott Hilke, MCP
Richard James, EMC Planning Group, Inc.

Steve Endsley, FORA
Jim Arnold, FORA
Crissy Maras, FORA
Darren McBain, FORA
Lena Spilman, FORA

*Voting Members

2. **PLEDGE OF ALLEGIANCE**

Doug Yount led the Pledge of Allegiance

3. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

None.

4. **PUBLIC COMMENT PERIOD**

None.

5. **APPROVAL OF FEBRUARY 15, 2012 MEETING MINUTES**

MOTION: Carl Niizawa moved, seconded by Doug Yount, and the motion passed unanimously to approve the minutes as written.

6. **MARCH 9, 2012 BOARD MEETING – AGENDA REVIEW**

Assistant Executive Officer Steve Endsley provided a review of the March 9, 2012 Board Agenda. He explained the Base Reuse Plan Reassessment process and sought input from the Committee regarding the most effective presentation of the consultant selection materials. Mr. Endsley agreed with various

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Committee members that a matrix comparison of the two candidates would be a helpful addition to the selection materials.

MOTION: Doug Yount moved, seconded by Elizabeth Caraker, to support the interview panel recommendation and recommend that the Board authorize the Executive Officer to negotiate and enter into a phase I contract with the consulting firm RBF/AECOM to perform the Base Reuse Plan reassessment work, not to exceed \$250,000.

Bill Wiseman (RBF Consulting) stated that, in response to the Board's concerns regarding the importance of hiring locally, they had modified their contract with AECOM. RBF Consulting would now serve as the lead firm and AECOM as a sub-consultant. He asked that all documents presented to the Board reflect the change.

Mr. Endsley stated that staff was not prepared to recommend a firm, but would communicate the Administrative Committee's recommendation to the Board. He emphasized that the Board had been specific regarding their concerns and their requests for additional information prior to making a decision. Bob Schaffer indicated that a staff recommendation would help the Board to move forward. Mr. Endsley reiterated staff's belief that both firms were well qualified and maintained that their first priority was to provide the Board with the information necessary to make a decision.

VOTE: MOTION PASSED

Aye: Diana Ingersoll, Nick Nichols, Elizabeth Caraker, Doug Yount

Noe: None

Abstain: Daniel Dawson

The Committee discussed the advantages and disadvantages of a qualifications based selection process versus a cost based selection process. FORA Senior Project Manager Jim Arnold noted that FORA had always used a qualifications based process, which allowed them the ability to establish and uphold a total project budget. Mr. Niizawa remarked that the Brooks Act required use of a qualifications based selection process.

Mr. Yount suggested that integration of a legal analysis relative to the Base Reuse Reassessment Scope of Work would help to inform the consultant's work moving forward. Mr. Endsley agreed to include a legal analysis of CEQA and other requirements into the scope of services.

Mr. Endsley discussed a resolution in support of a national monument designation for public lands managed by the Bureau of Land Management on the former Fort Ord and a proposed UC MBEST Visioning Stakeholder's Letter of Commitment, both of which would be considered at the next Board meeting.

MOTION: Graham Bice moved, seconded by Doug Yount, and the motion passed unanimously to recommend placement of the UC MBEST request for resumption of interim agricultural water use on the March 9, 2012 Board meeting Agenda.

7. OLD BUSINESS

a. Capital Improvement Program development forecasts

i. Development Forecast Review

There was no discussion on this item.

ii. TIGER Grant

Mr. Arnold discussed the TIGER Grant. Mr. Schaffer urged staff to write a letter of support for the TIGER Grant.

b. Habitat Conservation Plan – Update

FORA Associate Planner Darren McBain discussed the Habitat Conservation Plan timeline.

c. Base Reuse Plan Reassessment – Consultant Selection Update

There was no discussion on this item since it was discussed under Item 6 above..

d. California Redevelopment Wind Down – Update/Discussion

1. **RDA Properties/Transfers/Sales**
2. **Follow-up Regarding Legal Background**

Mr. Endsley noted that Staff was currently conducting research regarding Ms. Ingersoll's request at the previous meeting that FORA obtain a legal opinion regarding properties transferred by FORA to jurisdictions, and particularly their RDAs, on the former Fort Ord.

8. **ADJOURNMENT**

Chair Dawson adjourned the meeting at 9:18 a.m.

Minutes Prepared by Lena Spilman, Deputy Clerk

Approved by:

Michael A. Houlemard, Jr., Executive Officer

FACT SHEET: AB 1842
AUTHOR: ASSEMBLYMEMBER BILL MONNING

CENTRAL COAST VETERANS CEMETERY AT FORT ORD

SUMMARY

This measure would permit the California Department of Veterans Affairs (CDVA) to enter into any financial agreement to receive cash advances in the Endowment Fund to be used for purposes of constructing the Central Coast State Veterans Cemetery at Fort Ord.

In addition, AB 1842 will provide the authority to CDVA to repay these same cash advances from reimbursements received from the U.S. Department of Veterans Affairs (USDVA).

BACKGROUND

In 1991, Fort Ord was announced for closure by the United States Base Realignment and Closure Commission and the Fort Ord Reuse Authority (FORA) was established to facilitate Fort Ord's conversion from military to civilian use. As part of the Monterey Bay area's efforts to honor the lasting impact of Fort Ord and the legacy of the men and women who served there, FORA set aside 204 acres for the construction of a veterans cemetery. Since 1994, local and statewide veterans, community groups, local agencies and elected officials have worked together to advance the cemetery construction project. Legislation enacted in 2006 created an endowment fund to generate and collect donations from public and private entities for financing the initial planning and design phase required by the USDVA to begin the construction project. Once sufficient funds are raised to complete the first phase of the project, the balance of the construction costs

will be paid from reimbursements by the USDVA.

SOLUTION

The Central Coast Veterans Cemetery Foundation is tasked with raising donations for the Endowment Fund. Due to the economic recession, generating sufficient monies into the Endowment Fund to trigger the initial phase of planning and design for the Central Coast Veterans Cemetery has been difficult.

AB 1842 will help alleviate this obstacle by:

- permitting CDVA to enter into financial agreements to receive cash advances that will be used for triggering the initial phase of the construction project
- provide CDVA with the authority to repay the cash advances from reimbursements received from the USDVA.

SUPPORT/OPPOSITION

None at this time.

FOR MORE INFORMATION

Contact: Kathy Smith
 Phone: (916) 319-2027
 Email: Kathy.smith@asm.ca.gov

AB 1842 is the Bill number that was just introduced to fix the endowment payback issue. Kathy Smith has asked that we (see below):

Hi All,

Can you please help get support letters for AB 1842 written and sent up to our office asap? These are always helpful to demonstrate widespread support for the measure. I appreciate the help.

Regards,

K

Kathy Smith

Office of Assemblymember Bill Monning

(916) 319-2027 (office)

(916) 319-2127 (fax)

AB 1842 (Monning)

California Central Coast State Veterans Cemetery: Endowment Fund.

Existing law requires the Department of Veterans Affairs, in voluntary cooperation with specified local entities, to design, develop, and construct a state-owned and state-operated veterans cemetery located on the site of the former Fort Ord. Existing law creates the California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund (Endowment Fund) in the State Treasury, and requires moneys in the fund to be allocated, upon appropriation by the Legislature, to the department for the annual administrative and oversight costs of the veterans cemetery, as specified, and to generate funding through interest for the veterans cemetery. Existing law provides that the Endowment Fund may consist of, among other things, donations from public and private entities and fees.

This bill would authorize the department to enter into any financial agreement to receive cash advances in the Endowment Fund.

Existing law requires the department, upon the determination of specified parties that the Endowment Fund has adequate principal to annually yield sufficient investment earnings, from the date of the determination, to cover the annual administrative and oversight costs over the next 10 years and to fund the estimated costs of developing and submitting the federal State Veterans Cemetery Grant Program application, to develop and submit a State Veterans Cemetery Grant Program application to the United States Department of Veterans Affairs for the establishment of a veterans cemetery. Under existing law, if awarded, the moneys received from the federal grant program are required to be used to reimburse the Endowment Fund for specified costs, as well as the state's share of any other costs for the design, construction, and equipping of the veterans cemetery.

This bill would authorize the department to use any moneys received from the State Veterans Cemetery Grant Program that are transferred to the Endowment Fund for the reimbursement of those specified costs to reimburse any cash advances made to the Endowment Fund used for those costs to the extent allowed by grant requirements.

This bill would declare that it is to take effect immediately as an urgency statute.

We need to send letters from all the usual suspects to help in this regard! Please forward to appropriate veteran's organizations. Letters should be sent fax or e-mail to Bill Monning's Sacramento Office. See below for detail.

Michael

- *Please note: Assemblymember Monning's staff indicated that letters of support were needed as soon as possible. The bill is scheduled for a hearing with the Assembly Veterans Affairs Committee on March 20, 2012.*

AB 1842

In bill text the following has special meaning

underline text denotes added text

~~struck out text~~ denotes deleted text

BILL NUMBER: AB 1842 INTRODUCED

BILL TEXT

INTRODUCED BY Assembly Member Monning

FEBRUARY 22, 2012

An act to amend Sections 1451 and 1453 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1842, as introduced, Monning. California Central Coast State Veterans Cemetery: Endowment Fund.

Existing law requires the Department of Veterans Affairs, in voluntary cooperation with specified local entities, to design, develop, and construct a state-owned and state-operated veterans cemetery located on the site of the former Fort Ord. Existing law creates the California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund (Endowment Fund) in the State Treasury, and requires moneys in the fund to be allocated, upon appropriation by the Legislature, to the department for the annual administrative and oversight costs of the veterans cemetery, as specified, and to generate funding through interest for the veterans cemetery. Existing law provides that the Endowment Fund may consist of, among other things, donations from public and private entities and fees.

This bill would authorize the department to enter into any financial agreement to receive cash advances in the Endowment Fund.

Existing law requires the department, upon the determination of specified parties that the Endowment Fund has adequate principal to annually yield sufficient investment earnings, from the date of the determination, to cover the annual administrative and oversight costs over the next 10 years and to fund the estimated costs of developing and submitting the federal State Veterans

Cemetery Grant Program application, to develop and submit a State Veterans Cemetery Grant Program application to the United States Department of Veterans Affairs for the establishment of a veterans cemetery. Under existing law, if awarded, the moneys received from the federal grant program are required to be used to reimburse the Endowment Fund for specified costs, as well as the state's share of any other costs for the design, construction, and equipping of the veterans cemetery.

This bill would authorize the department to use any moneys received from the State Veterans Cemetery Grant Program that are transferred to the Endowment Fund for the reimbursement of those specified costs to reimburse any cash advances made to the Endowment Fund used for those costs to the extent allowed by grant requirements.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1451 of the Military and Veterans Code is amended to read:

1451. (a) The California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund is hereby created in the State Treasury. Moneys in the Endowment Fund shall be allocated, upon appropriation by the Legislature, to the department for the annual administrative and oversight costs of the veterans cemetery, pursuant to Sections 1453 and 1454, and to generate funding through interest for the veterans cemetery.

(b) (1) Moneys in the fund shall first be invested with the goal of achieving capital appreciation to create a balance sufficient to generate ongoing earnings to cover the estimated annual oversight and maintenance costs associated with the veterans cemetery pursuant to Section 1453.

(2) Upon the determination of the Controller that the Endowment Fund balance has attained the goal established in paragraph (1), moneys in the fund shall be invested to generate earnings to fund annual oversight and maintenance costs associated with the veterans cemetery.

(c) (1) The Endowment Fund may consist of donations from public and private entities, partnerships between public and private entities, fees, cash advances, and transfers from the state General Fund as may be specified by law.

(2) The department may enter into any financial agreement to receive cash advances in the Endowment Fund.

(d) To the extent possible, donations made in-kind to the Endowment Fund shall be monetized so as to offset the ongoing administrative and oversight costs under Sections 1452 and 1453.

(e) Earnings generated by the Endowment Fund shall be retained by the fund.

(f) Moneys deposited in the Endowment Fund are exempt from the requirements of Sections 11270 through 11277 of the Government Code.

(g) Moneys in the Endowment Fund shall be invested by the Treasurer, after consultation with the department, in a manner that best meets the goals of the fund.

(h) If, through changes in state or federal law, additional revenues are identified for the administration and oversight of the cemetery, including increases in federal burial allowances, so that the amount of annual revenue exceeds the annual administrative and oversight costs, the excess revenues shall be deposited in the Endowment Fund.

SEC. 2. Section 1453 of the Military and Veterans Code is amended to read:

1453. (a) (1) Upon the determination of the Controller, after consultation with the Secretary of Veterans Affairs, that the Endowment Fund has adequate principal to annually yield sufficient investment earnings, from the date of the determination, to cover the annual administrative and oversight costs over the next 10 years and to fund the estimated costs of developing and submitting the State Veterans Cemetery Grant Program application, the department shall develop and submit a State Veterans Cemetery Grant Program application to the United States Department of Veterans Affairs for the establishment of a veterans cemetery.

(2) The Controller, upon appropriation by the Legislature, shall transfer moneys from the Endowment Fund to the Operations Fund in an amount equal to the estimated costs of developing and submitting the State Veterans Cemetery Grant Program application to the United States Department of Veterans Affairs.

(3) Notwithstanding paragraph (1), the Controller, upon appropriation by the Legislature, shall transfer funds from the Endowment Fund to the Operations Fund in an amount at least equal to the estimated costs to complete preliminary plans and working drawings. Transfers shall be made only when sufficient funds, as determined by the Director of Finance, exist to fully accomplish each of these project phases.

(4) The department shall not proceed with advertisement for construction bids until the Endowment Fund has adequate principal to cover annual administrative and oversight costs, in accordance with paragraph (1).

(b) (1) The Secretary of Veterans Affairs shall submit the State Veterans Cemetery Grant Program application to the United States Department of Veterans Affairs within six months of the Controller's determination pursuant to subdivision (a). The Secretary of Veterans Affairs is authorized to act as the official representative of the state in connection with the State Veterans Cemetery Grant Program application, including providing the United States Department of Veterans Affairs throughout the application process with all necessary assurances that additional information shall be provided when required. The Secretary of Veterans Affairs shall have final approval of all aspects of the cemetery design and operation.

(2) Upon transfer of funds pursuant to paragraphs (2) and (3) of subdivision (a), the department is authorized to proceed with all activities necessary to support the submission of the State Veterans Cemetery Grant Program application.

(3) Upon the United States Department of Veterans Affairs' certification of the grant award, the department is authorized to proceed with construction and equipping of the veterans cemetery.

(c) (1) If awarded, the moneys received from the State Veterans Cemetery Grant Program shall be used to reimburse the Endowment Fund for the costs of developing and submitting the State Veterans Cemetery Grant Program application to the United States Department of Veterans Affairs and other eligible costs, and to fund 100 percent of costs allowed by the grant requirements, as well as the state's share of any other costs for the design, construction, and equipping of the veterans cemetery.

(2) Any moneys received from the State Veterans Cemetery Grant Program that are transferred to the Endowment Fund for the reimbursement of the costs specified in paragraph (1) may be used by the department to reimburse any cash advances made to the Endowment Fund used for those costs to the extent allowed by grant requirements.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to timely utilize critical funding to allow for the application for the federal grant moneys available under the State Veterans Cemetery Grant Program for the establishment of the California Central Coast State Veterans Cemetery at Fort Ord, it is necessary for this act to take effect immediately.

Item 8a Attachment

March 9, 2012

Bill Monning
27th State Assembly District
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0027

Re: Support for AB 1842 (Monning) allowing Veterans Cemetery Endowment Fund contributions to be reimbursed

Dear Assemblymember Monning:

I am writing to support AB 1842, recent legislation that you've authored to facilitate design and construction of the California Central Coast Veterans Cemetery (CCCVC) on former Fort Ord. As Chair of the Fort Ord Reuse Authority (FORA) Board of Directors, I know first-hand how important the CCCVC is to veterans and their families in the Central Coast region. The FORA Board of Directors and local veterans community support passage of AB 1842. FORA gives its endorsement because the bill will expedite the funding, design, and construction of the CCCVC by allowing contributions to the California Central Coast State Veterans Cemetery Endowment Fund to be reimbursed to the extent allowed by grant requirements.

The region and local community have been waiting 20 years to realize the Veterans Cemetery. Federal, State, and local government have supported creation of the Veterans Cemetery for many years. The FORA Board of Directors commend you for your continued support of the Veterans Cemetery with AB 1842 and support the bill's passage.

Sincerely,

Dave Potter
Chair, FORA Board of Directors

C: FORA Board of Directors

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY



Planning Department

Mike Novo, AICP, Director of Planning

168 West Alisal Street, 2nd Floor
Salinas, CA 93901
(831) 755-5025
Fax: (831) 757-9516
www.co.monterey.ca.us/rma

February 1, 2012

Jonathan Garcia, Senior Planner
Fort Ord Reuse Authority
920 2nd Ave., Suite A
Marina, CA 93933

SUBJECT: REQUEST FOR FORA CONSISTENCY DETERMINATION ON THE 2010 MONTEREY COUNTY GENERAL PLAN PURSUANT TO FORA MASTER RESOLUTION, ARTICLE 8.01.020

Dear Mr. Garcia,

On October 26, 2010 the Board of Supervisors of the County of Monterey adopted a comprehensive General Plan update (2010 General Plan) (Resolution 10-291). The 2010 General Plan now governs the future physical development of the unincorporated areas of the County of Monterey, excluding the Coastal Areas, but including most of the Former Fort Ord.

As it relates to property in the territory of the Authority to the Executive Officer, the 2010 General Plan contains the Fort Ord Master Plan (in Chapter 9-E). As explained in the plan description, the Fort Ord Master Plan consists of the title document in addition and in conjunction with the Greater Monterey Peninsula Area Plan and the 2010 General Plan base document. The premise is that the policy language in the General Plan applies to all development in the unincorporated, inland areas of the County. Policies specific to a geographic area are set forth in the applicable Area/Master Plan without reiterating the basic General Plan policies.

Because the 2010 General Plan affects Fort Ord territory, Monterey County is herein formally requesting a determination of consistency with the Fort Ord Reuse Plan from the Fort Ord Board of Directors on the 2010 Monterey County General Plan pursuant to Article 8.01.020 of the FORA Master Resolution.

To facilitate the requested consistency determination, the following information is provided:

- **Attachment 1** – The adopted 2010 General Plan
- **Attachment 2** – CEQA documents including:
 - a. Draft EIR
 - b. Final EIR; and
 - c. Supplemental Information to the FEIR
- **Attachment 3** – Reports and Resolutions
 - a. Planning Commission Staff Report and Resolution from August 11, 2010

b. Board of Supervisors Staff Report and Resolutions (10-290 and 10-291)

- **Attachment 4** – Fort Ord Master Plan redline version showing changes to text from the previously adopted and certified County version of the Fort Ord Base Reuse Plan.
- **Attachment 5** – Consistency Analysis

Transmitted with this cover letter is one (1) hard copy and five (5) CD's containing the attachments listed above for review. Most of the information can also be found by following the link below http://www.in.co.monterey.ca.us/planning/gpu/GPU_2007/gpu_2007.htm

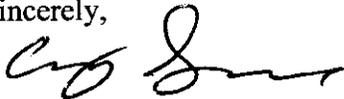
The documents listed above contain a large amount of information relative to the General Plan process. They are also the key documents demonstrating the legislative land use decision on the General Plan. Monterey County hopes that this is a sufficient amount of information in which to consider the consistency determination given that there is an overwhelming amount of information that is a part of the record for the project and the majority of this information is not specifically relevant to the task at hand. We would be happy to provide FORA staff and the FORA Board with any additional information deemed necessary.

Finally, in terms of findings, evidence, and certifications of consistency with the Fort Ord Reuse Plan and the Authority Act pursuant to submission requirement items (2) and (5); The Fort Ord Master Plan in itself implies the legislative decision to be consistent and in conformance with the Reuse Plan and the Authority Act. This is because the Fort Ord Master Plan incorporates directly and/or by reference the language of the Reuse Plan.

We are using the Base Reuse Plan language applicable to Monterey County as our Fort Ord Master Plan much the same as we did when we incorporated the document into our County Code in 2001 (hence the redline version, Attachment 4). The redline version highlights the minor changes to policy language that were done to reflect projects already approved in Fort Ord (like East Garrison) and to attempt to make the policies internally consistent within the document.

We look forward to working with you on this submittal and should you have any questions regarding this submittal please contact Craig Spencer at (831) 755-5233 or Jacqueline R. Onciano at (831) 755-5193.

Sincerely,



Craig W. Spencer, Associate Planner
Monterey County – Planning Department
Email: spencerc@co.monterey.ca.us
Phone: (831) 755-5233