



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, JUNE 13, 2012

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

AGENDA

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**
 - a. May 30, 2012 Administrative Committee Minutes ACTION
 - b. May 30, 2012 Joint Administrative/WWOC Committee Minutes ACTION
6. **FOLLOW-UP FROM JUNE 8, 2012 FORA BOARD MEETING** INFORMATION/ACTION
7. **OLD BUSINESS**
 - a. Base Reuse Plan Reassessment Update INFORMATION
 - b. Habitat Conservation Plan Update INFORMATION
 - c. Capital Improvement Program - Formulaic Approach to Developer Fees INFORMATION/ACTION
 - d. Master Resolution/Sierra Club Settlement Agreement - Appeal Fee
Proposed Amendment to FORA Master Resolution (Section 8.01.050(a)) INFORMATION/ACTION
 - e. Department of Toxic Substances Control Annual Report on
Land Use Covenants INFORMATION
8. **NEW BUSINESS**

None
9. **ADJOURNMENT**

NEXT SCHEDULED MEETING: JUNE 27, 2012

*Information about items on this agenda or persons requesting disability related modifications and/or accommodations can contact the Deputy Clerk at: 831-883-3672 * 920 2nd Avenue, Suite A, Marina, CA 93933 by 5:00 p.m. one business day prior to the meeting. Agendas can also be found on the FORA website: www.fora.org.*



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Phone: (831) 883-3672 • Fax: (831) 883-3675 • www.fora.org

ADMINISTRATIVE COMMITTEE MEETING

8:15 A.M. WEDNESDAY, MAY 30, 2012

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

MINUTES

1. CALL TO ORDER

Chair Houlemard called the meeting to order at 8:16 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*
Carl Holm, County of Monterey*
John Dunn, City of Seaside*
Elizabeth Caraker, City of Monterey*
Doug Yount, City of Marina*
Pat Ward, Bestor Engineers, Inc.
Rob Robinson, BRAC
Diana Ingersoll, City of Seaside
Tim O'Halloran, City of Seaside
Bob Rench, CSUMB
Carl Niizawa, MCWD
Bob Schaffer, MCP
Kathleen Lee, Sup Potter's Office
Vicki Nakamura, MPC

Patrick Breen, MCWD
Graham Bice, UC MBEST
Paul Greenway, County of Monterey DPW
Chuck Lande, Marina Heights

Michael Houlemard, FORA
Robert Norris, FORA
Stan Cook, FORA
Jonathan Garcia, FORA
Jim Arnold, FORA
Darren McBain, FORA
Crissy Maras, FORA
Lena Spilman, FORA

* Voting Members

2. PLEDGE OF ALLEGIANCE

Jane Haines led the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Rob Robinson announced that excavations in the multi-range area would be on-going for the next 3 months and suggested exercising caution when using the roads in that area. He also announced the Army plans to conduct a tour of Fort Ord on June 23, 2012.

Dan Dawson and Chair Houlemard discussed the Base Reuse Plan Reassessment Public Workshop schedule. Mr. Dawson stated that public sessions regarding the Cyprus Knolls project would be held June 6 and June 26, 2012.

4. PUBLIC COMMENT PERIOD

No comments were received.

5. APPROVAL OF MEETING MINUTES

MOTION: Dan Dawson moved, seconded by John Dunn, and the motion passed unanimously to approve the minutes of the May 16, 2012 Administrative Committee meeting and the May 16, 2012 Joint Administrative/CIP Committee meeting, as presented.

6. JUNE 8, 2012 FORA BOARD MEETING - AGENDA REVIEW

Chair Houlemard provided an overview of each Agenda item for the upcoming June 8, 2012 Board meeting, noting that the meeting would begin with the Annual FORA Legislative Session at 3:00 p.m. Senior Planner Jonathan Garcia stated that a meeting had been scheduled with the Preston Park tenants later in the week regarding the proposed Preston Park Budget and 3% rent increase.

7. OLD BUSINESS

a. Habitat Conservation Plan (HCP)

Mr. Garcia stated that the HCP was still under review by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The three-month review period was scheduled to conclude in June 2012. So far, FORA had received comments on the document from California State University, Monterey Bay and University of California, Santa Cruz.

b. Capital Improvement Program

i. Formulaic Approach to Developer Fees

Mr. Garcia stated that staff had received a proposed amendment (Amendment #1, attached) to the Implementation Agreement between FORA and the jurisdictions the previous day from Developer Scott Hilk. Mr. Hilk explained that Amendment #1 sought to make clarifying amendments to the Implementation agreement, but did not propose any substantive changes. Chair Houlemard stated the County Controller had indicated to FORA that they would likely receive some tax increment funds, although how much was not clear. Doug Yount expressed a desire to see revenue distributed to the jurisdictions.

MOTION: Doug Yount moved, seconded by Carl Holm, and the motion passed unanimously to approve Amendment #1 to the Implementation Agreement between FORA and the jurisdictions, with the following amendments: 1) include general references to underlying jurisdictions in place of specific jurisdictions names 2) replace the term "tax increment" with "increment/property tax revenue," throughout the document 3) In Section 2.1.2(e) remove "(less FORA's operation expenses and described in Section 2.1.2)" and replace the term "administration" with "Fort Ord Reuse," 4) Flag Section 1.1.6 for specific Board consideration.

ii. Draft FY 2012/13 CIP FORA Board Consideration

Mr. Garcia provided an overview of the CIP, explaining the Development Forecasts received from the jurisdictions had served as the basis for the document.

MOTION: John Dunn moved, seconded by Dan Dawson, to recommend approval of the CIP document to the Board

INCORPORATION INTO THE MOTION WITH THE CONSENT OF THE MAKER AND

SECONDER: Revise Table 2 to reflect full funding (\$303,701) of Regional Improvement R12 in FY 2012-13 rather than a two year split (\$151,000 and \$152,702) over FY 2012-13 and FY 2013-14. Also move \$152,702 for Off-Site Improvement 1 from FY 2012-13 to FY 2013-14.

INCORPORATION INTO THE MOTION WITH THE CONSENT OF THE MAKER AND

SECONDER: Combine FY 2012-13 funding for Transit Capital Improvements T3 and T22 and place only on project T3. Combine \$380,382 for Project T22 funding in FY 2012-13 with Project T3 funding, bringing T3 total funding for FY 2012-13 to \$763,153. Reprogram \$380,382 in a subsequent year, as available funding allows.

VOTE: Unanimous

c. Master Resolution/Sierra Club Settlement Agreement

i. Appeal fee proposed Amendment to FORA Master resolution (Section 8.01.050(a))

Mr. Garcia stated FORA had received objections from several local organizations regarding the amount of their appeal fee. In response, FORA had devised a new system of establishing the fee, largely based on county-wide averages. The Committee took no action on the item, and deferred to the Board for a policy determination.

ii. Deed Notifications Update

ESCA Program Manager Stan Cook distributed information (attached) regarding required deed notifications. He explained the deed notification process and the filing requirements for each jurisdiction.

8. NEW BUSINESS

None.

9. ADJOURNMENT

Graham Bice moved, seconded by Rob Robinson, and the motion passed unanimously to adjourn the meeting at 10:08 a.m.

Minutes Prepared by Lena Spilman, Deputy Clerk

Approved by:

Michael A. Houlemard, Jr., Executive Officer



Fort Ord Reuse Authority

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WATER/WASTEWATER OVERSIGHT COMMITTEE MEETING

9:30 AM WEDNESDAY, MAY 30, 2012

910 2nd Avenue, Marina CA 93933 (Carpenter's Union Hall)

MINUTES

1. CALL TO ORDER AT 9:30 AM

Confirming a quorum, Fort Ord Reuse Authority (FORA) Executive Officer Michael A. Houlemard, Jr. called the meeting to order at 10:08 AM. The following people, indicated by signatures on the roll sheet, attended:

Committee Members

Graham Bice, UCMBEST
Mike Lerch, CSUMB
Debby Platt, City of Marina
Elizabeth Caraker, City of Monterey
Paul Greenway, Monterey Co.
Diana Ingersoll, City of Seaside
Daniel Dawson City of DRO

Tim O'Halloran City of Seaside
Carl Holm, Monterey County
Rick Riedl, City of Seaside
Vicki Nakamura, MPC
Michael Houlemard, FORA
Jim Arnold, FORA
Jonathan Garcia, FORA

Pat Ward, Bestor Engineers
Bob Schaffer, MCP
Chuck Lande, Mar. Heights
Carl Niizawa, MCWD
Patrick Breen, MCWD
Kelly Cadiente, MCWD
Crissy Maras, FORA

2. PUBLIC COMMENT PERIOD: None

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE: None

4. APPROVAL OF MEETING MINUTES: May 16, 2012

On a motion made by Graham Bice and seconded by Daniel Dawson, the May 16, 2012 meeting minutes were approved as presented.

5. OLD BUSINESS

a. Draft FY 2012/13 Ord Community Water and Wastewater Budgets and Rates - Approval

The draft FY 2012/13 Ord Community Water and Wastewater Budgets and Rates were reviewed by the WWOC and/or joint WWOC/Administrative Committee on March 14th, April 18th and May 2nd 2012. CSUMB representative Mike Lerch read a prepared statement into the record (attached).

Mr. Dawson made a motion to approve the draft FY 2012/13 Ord Community Water and Wastewater Budgets and Rates; Mr. Bice seconded. The motion passed with CSUMB casting a dissenting vote.

6. NEW BUSINESS – none

7. ADJOURNMENT

The meeting was adjourned at 10:18 AM.

Minutes prepared by Crissy Maras, Grants and Contracts Coordinator

Approved by:

Michael A. Houlemard, Jr.

CSUMB COMMENTS READ INTO THE RECORD BY MIKE LERCH

Over the course of the last few months we have been told that a 5 year infrastructure plan had been approved in 2008 in support of growth, to “prime the pump” so to speak, funded by debt and reserves. The debt showed up, between FY 09-10 and proposed 12-13 debt service and interest increased from \$1.0 MM per year to \$1.7MM per year on what was then a \$4.8MM annual budget. The growth part did not, volume actually dropped from 2,660 acre ft in 09-10 to 2,570 acre feet projected for 12-13.

The economic climate has clearly not helped, and we all suffer from that. Eyeballing a chart of consumer price index it has probably only gone up about 2% per year over the last 4 years. I represent a State institution whose budget has been cut 30%. It has not been easy for anyone.

Here entering the 5th and final year of the plan we were initially proposed a budget that supported \$400,000 of Capital Improvement Projects and was near balanced with a 5% or \$200,000 rate increase. This was encouraging as there appeared to be some room for maneuver within these figures and still have the ability to keep a balanced budget and minimize the increase to ratepayers. However these figures were then revised to reflect a \$632,000 decrease in grant revenue that was suddenly not going to materialize AND Capital Improvement Projects was increased to \$607,000, and with some other adjustments, the combined net effect was to push the budget \$940,000 into deficit. This on a total budget of \$6.6MM mind you.

This sudden gap of \$940,000 was then immediately filled without discussion, not by proposing a greater rate increase, not by proposing budget cuts or a reduction in Capital Improvement Projects but simply by running to reserves. All In keeping with the 5 year plan. Having done such we learn that available reserves will by the end of next fiscal year be depleted to within \$300,000 of their lowest allowable level, not only by tapping them for this coming year but by the fact that \$7.6MM, I'll repeat \$7.6 MM of reserves have been lent from the Ord Community Water reserves to the “Regional” water project and are therefore no longer available to support the Ord Community Water budget.

All this indicates to me that this play is pretty well tapped out, the well is dry. This as we are being presented with a new 5 year CIP plans that dwarfs everything that has been done before, prior years was \$6.6 MM, the next 5 years is \$16.4MM, out years another \$21.8 MM !. The cart is simply before the horse and it is heading in a direction that will result in big rate increases each and every year, for ever.

That is not a recommendation that I as a representative of the second largest ratepayer in the Ord Community Service Area can vote to recommend. This process and budget is not serving the ratepayers, and is not in line with the economic realities they face. I would instead urge the board to reconsider this budget and consider alternatives that don't soak the ratepayers.

Finally I do notice the nice charts in the budget packet that show that our rates are still the lowest in the region, and I hope we can keep them that way.

Jonathan Garcia

From: ingramgp <ingramgp@ix.netcom.com>
Sent: Thursday, June 07, 2012 4:52 PM
To: Jonathan Garcia
Subject: Re: workshop attendance numbers

----- Original Message -----

Subject: Re: workshop attendance numbers
Date: Thu, 07 Jun 2012 16:43:07 -0700
From: ingramgp <ingramgp@ix.netcom.com>
To: Darren McBain <Darren@fora.org>

From sign-in sheets -- note that **all persons did NOT sign in** and **numbers do NOT include staff/consultants/presenters**

County, May 21 :	32 (<i>physical count of persons, excluding "staff" was 32</i>)
Marina, May 22:	44 (<i>physical count of persons, excluding "staff" was 53</i>)
Monterey/DRO, May 29:	56 (<i>physical count of persons, excluding "staff" was 65</i>)
Seaside, May 30:	87 (<i>physical count of persons, excluding "staff" was 159</i>)
Sierra Club, June 2:	38 (<i>physical count of persons, excluding "staff" was 94</i>)

Total sign-ins: 257

Total rough count physical presence (excluding "staff"): 403

Estimate is that approximately 24% of attendees attended more than one workshop.

On 6/7/2012 10:12 AM, Darren McBain wrote:

Hi Candy, do you have estimates for the number of members of the public who attended each workshop?
Thanks-- Darren

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Resolution 12-05

Item 7c
FORA Admin. Comm., 6/13/12

Resolution of the Fort Ord Reuse)
Authority (FORA) Board establishing a)
formula to determine FORA's annual)
basewide development fee schedule and)
Community Facilities District (CFD))
Special Tax rates)

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

- A. FORA has adopted a Basewide Community Facilities District ("CFD" or "CFD Special Tax") to fund, together with other revenues, the CEQA Mitigation Measures (FORA CIP). Section 7 (ii) of the Implementation Agreement provides that the FORA development fee and CFD Special Tax to fund CEQA Mitigation Measures (FORA CIP) are limited to the difference between the revenues needed for such purposes and the revenues otherwise reasonably available to achieve those purposes; and
- B. FORA and its member Jurisdictions have twelve years of experience with the Basewide Development Fee Policy ("Policy") and CFD Special Tax; and
- C. FORA and the Army have executed an Environmental Services Cooperation Agreement ("ESCA") providing for FORA to manage base-wide environmental remediation (including ordinance removal) funded by the Army; and
- D. The Policy and CFD Special Tax provide resources to fund CEQA Mitigation Measures (FORA CIP) identified in the 1997 FORA Base Reuse Plan and CEQA Documents; and
- E. FORA and its member Jurisdictions agree that land sales and lease proceeds, property tax revenues (formerly known as Tax Increment), grant funds and the Policy and CFD Special Tax continue to be the appropriate sources to fund CEQA Mitigation Measures and Board-determined base-wide obligations in FORA's CIP as identified in Section 1.1; and
- F. FORA recognizes the importance of calibrating the Policy and CFD Special Tax by incorporating all available resources to fund CEQA Mitigation Measures and Board-determined basewide obligations in FORA's CIP identified in Section 1.1; and
- G. FORA and its member Jurisdictions acknowledge the Policy and CFD Special Tax must be fair and equitable; and

- H. FORA has 1) achieved cost savings; 2) secured grants and other contributions to the base-wide mitigation measures from federal and state sources; and 3) loaned monies to fund required projects that have reduced or deferred the demand for the original Policy and CFD Special Taxes; and
- I. The Base Reuse Plan emphasized the importance of job-creation and build-out of a balanced mix of community uses including commercial, residential and public facilities to achieve a desired jobs-housing balance; and
- J. FORA and its member Jurisdictions seek refinement to the list of authorized facilities that must be funded by proceeds from land sales and lease proceeds, grants, redevelopment revenues, the Policy and CFD Special Tax; and
- K. Stakeholders recognize, given inherent uncertainties prevalent in Base Reuse Projects, that appropriate and reasonable cost contingencies are necessary and fiscally responsible; and
- L. FORA and its member Jurisdictions acknowledge the importance of adopting a formula to establish the Policy and CFD Special Tax rates. These revenue sources will fund, or partially fund, the CIP Program. That formula must account for all potential revenue sources and costs; and
- M. FORA and its member Jurisdictions agree that such a development fee formula would reduce uncertainty to developers, increase efficiency in the annual FORA CIP process, and provide flexibility for FORA's fee program.

NOW THEREFORE the Board hereby resolves as follows:

1. Adjustment to the Policy and CFD special taxes.

1.1 The list of authorized CIP improvements to be funded by the Policy and CFD Special Taxes, after first applying all available property tax revenues (formerly tax increment), grant funds, and land sales and lease proceeds, shall be limited to the following CEQA Mitigation Measures and corresponding base-wide obligations in FORA's CIP:

1.1.1 Transportation/Transit improvements, including regional improvements, off-site improvements, on-site improvements, and transit capital improvements identified in the Transportation Agency of Monterey County ("TAMC") FORA Fee Reallocation Study, dated April 8, 2005, or as subsequently updated by TAMC consistent with the FORA Fee Reallocation Study.

1.1.2 Water Augmentation: FORA's financial obligation for the approved water augmentation project capped at 2011/12 CIP amount, as indexed.

1.1.3 Habitat Management endowment requirements anticipated in the future Fort Ord Habitat Conservation Plan excluding costs related to an open space management plan or costs related to a regional trails system program.

1.1.4 Fire Fighting equipment (“Rolling Stock”) lease-purchase of four fire engines and one water tender.

1.1.5 Other Costs and Contingencies shall be limited to the following:

FORA Board contribution toward the water augmentation program (in lieu of increased MCWD capacity charges).

A contingency amount not to exceed 15% of the costs of Transportation/Transit improvements that do not already include a contingency line item (e.g., if a roadway improvement cost estimate includes a contingency line item, then the Other Costs and Contingency category would not include an additional 15% contingency for that improvement).

Additional Utility and Storm Drainage Costs which provide for restoration of storm drainage sites in State Parks land and relocation of utilities.

1.1.6 CIP improvements exclude Property Management and Caretaker

Costs.

1.2 FORA will annually adopt a formula to monitor and update the Policy and CFD Special Tax, as follows

1.2.1 The Policy and CFD Special Tax were originally designed to fund specific CIP improvements serving the overall base and local jurisdictions based upon mitigation measures required by the California Environmental Quality Act (CEQA). These mitigation measures are described in the Base Reuse Plan Environmental Impact Report (EIR) as well as the 1998 Settlement Agreement with the Ventana Chapter of the Sierra Club. This Resolution does not limit FORA’s right or duty, or that of its member jurisdictions to raise sufficient funds to construct those CEQA Mitigation Measures.

1.2.2 The FORA Board will consider adjustments to the Policy and CFD Special Tax after a comprehensive review of all potential costs and revenues. The process to consider such adjustments will be defined, predictable and transparent to all stakeholders. Adjustments to the Policy and CFD Special Tax will be approved only if they are demonstrated to be fiscally prudent and do not expose FORA or its member jurisdictions to unreasonable risk.

1.2.3 In accordance with the process set forth in part II of this Agreement, commencing with Section 2.1, the FORA Board will update anticipated construction costs and revenues available to fund the facilities identified in section 1.1 above, which are eligible to be funded by the Policy and CFD Special Taxes, and corresponding adjustments to the Policy and CFD Special Taxes within 90 days of the effective date of this resolution, and annually thereafter concurrently with the annual update of the CIP.

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1.2.4 Adjustments to the Policy and CFD Special Tax shall be made upon receipt by the FORA Board of satisfactory, factual documentation describing the basis for the adjustment.

1.2.5 To expedite this review procedure, adjustments to the Policy and CFD Special Tax shall maintain the same relationship among land uses as the maximum annual special taxes originally documented in the CFD.

II. PROCESS

2.1 FORA shall review and update the CIP annually. That procedure must ensure that FORA's revenue sources, including the Policy and CFD Special Tax revenues, are adequate to carry out the Base Reuse Plan and complete required CEQA Mitigation Measures and Board-determined base-wide obligations in FORA's CIP identified in Section 1.1 above. The annual process will include the following steps:

2.1.1 Determine total remaining CIP costs (including required contingencies) consistent with section 1.1 above.

2.1.2 Determine the source and amount of funds, including, without limitation: a) Fund balances; b) Grant money; c) CSU Mitigation fees; d) Loan proceeds; e) Land sales revenues/proceeds in excess of remaining building removal program estimated costs, and lease revenues (not required for other obligations); and f) tax increment revenues or property tax allocations to FORA net of operations expenses directly attributable to administering the CEQA Mitigation Measures and Board-determined base-wide obligations in FORA's CIP as set forth in Section 1.1 above and not otherwise available to be funded from other sources. The following assumptions and formula shall be used to calculate the tax increment/property tax revenues, if available:

Assumptions:

- a. Current FORA CIP build-out assumptions as shown to estimate CFD special tax revenue (adjusting build-out assumptions based on the reliability of the previous years' development forecasts by comparing projected development to actual development occurring and applying this percentage accuracy on the build-out projections).
- b. Current market data assumptions to estimate assessed values for each land use type.

Formula:

- a. Calculate the net present value (NPV) of 90% of the tax increment/property tax stream for all future (new) development anticipated to develop on Fort Ord after July 1, 2012.
- b. The term on the tax increment/property tax stream shall be from the date of the current CIP through the anticipated end date of the proposed FORA extension.

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c. Assume a discount rate of 6%.

d. Allocate 10% of the NPV to reduce/offset costs of CIP in year 1 and adjust based on actual property tax collected from new development for year 2 and subsequent years. See Table 1 for illustration how to calculate/offset CIP costs.

e. Allocate 10% of the actual tax increment/property tax revenues collected by FORA after FY 11-12 and generated from parcels in the Fort Ord area of the member jurisdiction to the City or County for Fort Ord Reuse and economic development to support the development of Fort Ord land within the relevant City or County.

2.1.3 Subtract sources of funds available under Section 2.1.2 from CIP costs to determine net cost to be funded by the Policy and CFD Special Tax.

2.1.4 Calculate Policy and CFD Special Tax using the same calculation as used for tax increment/property tax revenues shown above in Section 2.1.2).

2.1.5 Compare 2.1.4 with 2.1.3 and determine the amount of adjustment, if any, to the Policy and CFD Special Tax.

Upon motion by _____, seconded by _____, the foregoing Resolution was passed on this 13th day of May, 2011, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

I, Supervisor Dave Potter, Chair of the Board of Directors of the Fort Ord Reuse Authority in the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item ___, Page ___, of the Board meeting minutes of _____, 2012 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

DATED _____

BY _____

Dave Potter
Chair, Board of Directors
Fort Ord Reuse Authority

MEMORANDUM

To: Steve Endsley, Fort Ord Reuse Authority
Jonathan Garcia, Fort Ord Reuse Authority

From: David Zehnder and Jamie Gomes

Subject: Capital Improvement Program Review—Phase II Study:
Resolution 12-5 to Adopt Formulaic Approach to Development
Fees; EPS #21462

Date: June 7, 2012

The Economics of Land Use



This memorandum relates to the information item being considered by the FORA Board tomorrow June 8 (Item 9c), concerning a proposed resolution to adopt a formulaic approach to calculating development fees.

Given EPS's experience in reviewing the FORA Capital Improvement Program (CIP), EPS has several questions regarding the proposed FORA resolution. To inform the discussion for Item 9a, EPS has summarized these questions and suggests the following as potential refinements for FORA consideration.

1. The topic of annual escalation of costs is not consistently discussed and applied throughout the document.
2. The transportation/transit improvement item should specifically reference the total dollar obligation (annually adjusted); it may be advantageous to ensure some discretion remains for TAMC and FORA to amend or modify improvements in order to meet CEQA obligations. This is particularly true at the present time, when substantial discussions regarding the Base Reuse Plan Reassessment are ongoing which may implicate this component of the CIP.
3. Rather than locking in a certain contingency amount now (as written), FORA may alternatively evaluate the contingency line items annually at the same time and in the same manner as suggested for all other CIP cost and revenue items.

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4. Excluding the \$12.2 million (subject to escalation) in reimbursement for CIP projects funded through land sale proceeds would be contrary to FORA Board action taken in April 2011. Reversal of a Board action deserves a more thoughtful and considered review than has been possible.
5. The topic of how to utilize tax increment/property tax revenues (if available) has significant implications for FORA operational funding as well as CIP funding. There are several ways in which this topic could be addressed. EPS suggests that the approach be refined to be more transparent to all stakeholders. In addition, Item 9c references a Table 1 for an illustration of calculations; however, Table 1 is not included in the Attachment A for Item 9c.

EPS is prepared to assist FORA staff in refining the proposed resolution to (1) reflect these suggestions and (2) respond to tomorrow's discussion of this topic by the FORA Board.

Proposed Appeal Fee Amendment to Section 8.01.050 (a) of the FORA Master Resolution

8.01.050 REVIEW OF DEVELOPMENT ENTITLEMENTS BY APPEAL TO AUTHORITY BOARD.

a. Within 10 days of a land use agency approving a development entitlement, any person aggrieved by that approval and who participated either orally or in writing, in that agency's hearing on the matter, may file a written appeal of such approval with the Executive Officer, specifically setting forth the grounds for the appeal, which shall be limited to issues raised at the hearing before the land use agency. The person filing the appeal shall pay a filing fee in an amount equal to the average of the planning decision appeal fees established by the nine member agencies of the Authority's Board omitting the highest and the lowest, not to exceed the Authority's reasonable cost to prepare the appeal. The appeal fee may be reimbursed not more than once yearly to an appellant who signs a declaration under penalty of perjury that s/he qualifies as "very low income" under low income eligibility standards set by the U.S. Department of Housing and Urban Development. The Authority Board must conduct a public hearing on the appeal within 60 days.

Item 7d
Administrative Committee meeting, 6/13/12

FORA Jurisdiction	Land Use Appeal Fee	w/out highest & lowest
County	\$ 5,040.00	
Pacific Grove	\$ 2,385.00	\$ 2,385.00
Salinas	\$ 659.00	\$ 659.00
Del Rey Oaks	\$ 550.00	\$ 550.00
Marina	\$ 460.00	\$ 460.00
Sand City	\$ 439.83	\$ 439.83
Monterey	\$ 370.00	\$ 370.00
Seaside	\$ 300.00	\$ 300.00
Carmel	\$ 295.00	
Total		\$ 5,163.83
Average appeal fee:		\$ 737.69



Fort Ord Reuse Authority

100 12th Street, Building 2880, Marina, CA 93933

Phone: (831) 883-3672 • Fax: (831) 883-3675 • www.fora.org

Item 7e

FORA Admin. Com., 6/13/12

MEMORANDUM

Date: May 11, 2012

To: Fort Ord Reuse Authority ("FORA") Administrative Committee/Parties to the Land Use Covenants ("LUC") reporting agreement

CC: Michael A. Houlemard, Jr., Executive Officer
Steve Endsley, Assistant Executive Officer

From: Jonathan Garcia, Senior Planner

Re: Annual reporting on LUCs to the Department of Toxic Substances Control ("DTSC") for reporting period July 1, 2010 to June 30, 2011

The Parties to the DTSC LUC reporting agreement must submit annual reports describing compliance with each of the prohibited activities and uses listed in the LUCs (per section 2.3 of the agreement). Reporting surveys, maps of the LUC parcels, and an updated Table 3-1 have been attached to this memo for your reference. DTSC staff contacted FORA staff and requested annual reports for the former Fort Ord area for the reporting period of July 1, 2010 to June 30, 2011. In compliance with the agreement, FORA requests that each party of the MOA (Monterey County, MPC, CSUMB, UC MBEST, and Cities of Del Rey Oaks, Monterey, Seaside, and Marina) complete the attached reporting surveys for this reporting period and submit their reports to FORA by July 11, 2012. Please note that DTSC requests that jurisdictions perform visual inspections of the parcels as a required component of this reporting and provide documentation regarding U.S. Army, DTSC, and Regional Water Quality Control Board approvals of storm drainage facilities constructed on property with groundwater LUCs. You may contact me at 883-3672 or email jonathan@fora.org if you have any questions regarding the reporting surveys. Please inform me who will be your point of contact for submitting the annual reporting surveys to FORA. Once received, I will compile the reports and provide them to DTSC.

Former Fort Ord

Land Use Covenant Report Outline

Annual Status Report for _____ (Jurisdiction) on Land Use Covenants
Covering July 1, 2010 to June 30, 2011.

(See Parcel and LUC lists in Table 3-1)

This form is to be submitted by each Jurisdiction to
Fort Ord Reuse Authority each year

DATE OF REPORT: _____

SUBMIT TO: Fort Ord Reuse Authority
Attn: Jonathan Garcia
100 12th Street, Bldg. 2880
Marina, CA 93933

GENERAL:

Has jurisdiction staff previously provided a compliance summary in regards to the local digging and excavation ordinances, including the number of permits issued?

☐ yes or ☐ no

Has jurisdiction staff provided an annual update of any changes to applicable digging and excavation ordinances?

☐ yes or ☐ no

Has jurisdiction staff provided an annual update of any changes to the Monterey County Groundwater Ordinance No. 4011?

☐ yes or ☐ no

PARCELS

Have any of the parcels with covenants in the jurisdiction split since the last annual report?

☐ yes or ☐ no

If so, please reflect the split(s) in reporting on compliance with section 2.1.2 of the MOA in Table 3-1.

GROUND WATER COVENANTS:

Is a ground water covenant applicable in your jurisdiction? ☐ yes or ☐ no
(if no, skip questions 1 through 4)

1. Did jurisdiction staff visually inspect the parcels in your jurisdiction (see Table 3-1) with ground water covenants? Such visual inspection shall include observed groundwater wells, and any other activity that would interfere with or adversely affect the groundwater monitoring and remediation systems on the Property or result in the creation of a groundwater recharge area (e.g., unlined surface impoundments or disposal trenches).

☐ yes or ☐ no

2. Did jurisdiction staff check with the applicable local building department (please list department name: _____) to ensure that no wells or recharge basins such as surface water infiltration ponds were built within your jurisdiction?

☐ yes or ☐ no

3. Did jurisdiction staff check with the applicable local planning department (please list department name: _____) to ensure that no well permits were granted or recharge basins requested within your jurisdiction?

☐ yes or ☐ no

4. Did jurisdiction staff review the County well permit applications pertaining to your jurisdiction to ensure that no wells have been dug or installed in violation of the ordinance or the ground water covenants?

☐ yes or ☐ no

If you answered yes to any questions 1 through 4 above, please note and describe violations with USACE parcel numbers and street addresses (Use additional sheets if needed.)

LANDFILL BUFFER COVENANTS:

Is a landfill buffer covenant applicable in your jurisdiction? ☐ yes or ☐ no
(if no, skip questions 1 through 3)

1. Did jurisdiction staff visually inspect the parcels in your jurisdiction (see Table 3-1) with landfill buffer covenants? Such visual inspection shall include observation of any structures and any other activity that would interfere with the landfill monitoring and remediation systems on the Property.

☐ yes or ☐ no

2.. Did jurisdiction staff check with the applicable local building department (please list department name: _____) to ensure that no sensitive uses such as residences, hospitals, day care or schools (not including post-secondary schools, as defined in Section 1.19

of the MOA) were built on the restricted parcels within your jurisdiction?

☐ yes or ☐ no

3. Did jurisdiction staff check with the applicable local planning department (please list department name: _____) to ensure that no other structures were built without protection for vapors in accordance with the landfill buffer covenants.

☐ yes or ☐ no

If you answered yes to any questions 1 through 3 above, please note and describe violations with street addresses. (Use additional sheets if needed.)

SOIL COVENANTS:

Is a soil covenant applicable in your jurisdiction?
(if no, skip questions 1 through 4)

☐ yes or ☐ no

1. Did jurisdiction staff visually inspect the parcels (see Table 3-1) in your jurisdiction with soil covenants to assure no sensitive uses such as residences, hospitals, day care or schools (not including post-secondary schools, as defined in Section 1.19 of the MOA) were constructed or are occurring on the restricted parcels in your jurisdiction?

☐ yes or ☐ no

2. Did jurisdiction staff check with the applicable local building department to ensure that no soil was disturbed without an approved soil management plan in accordance with the excavation and digging Ordinance in your jurisdiction?

☐ yes or ☐ no

3. Did jurisdiction staff check with the applicable local planning department for notification of MEC within your jurisdiction?

☐ yes or ☐ no

4. Did jurisdiction staff review the 911 records of MEC observations and responses and provide a summary in annual report?

☐ yes or ☐ no

If you answered yes to any questions 1 through 4 above, please provide the following information:
(Use additional sheets if needed.)

- a) date and time of the call,
- b) contact name,
- c) location of MEC finding,
- d) type of munitions, if available and
- e) response of jurisdiction law enforcement agency.

Jurisdiction's Representative Compiling this Report: _____

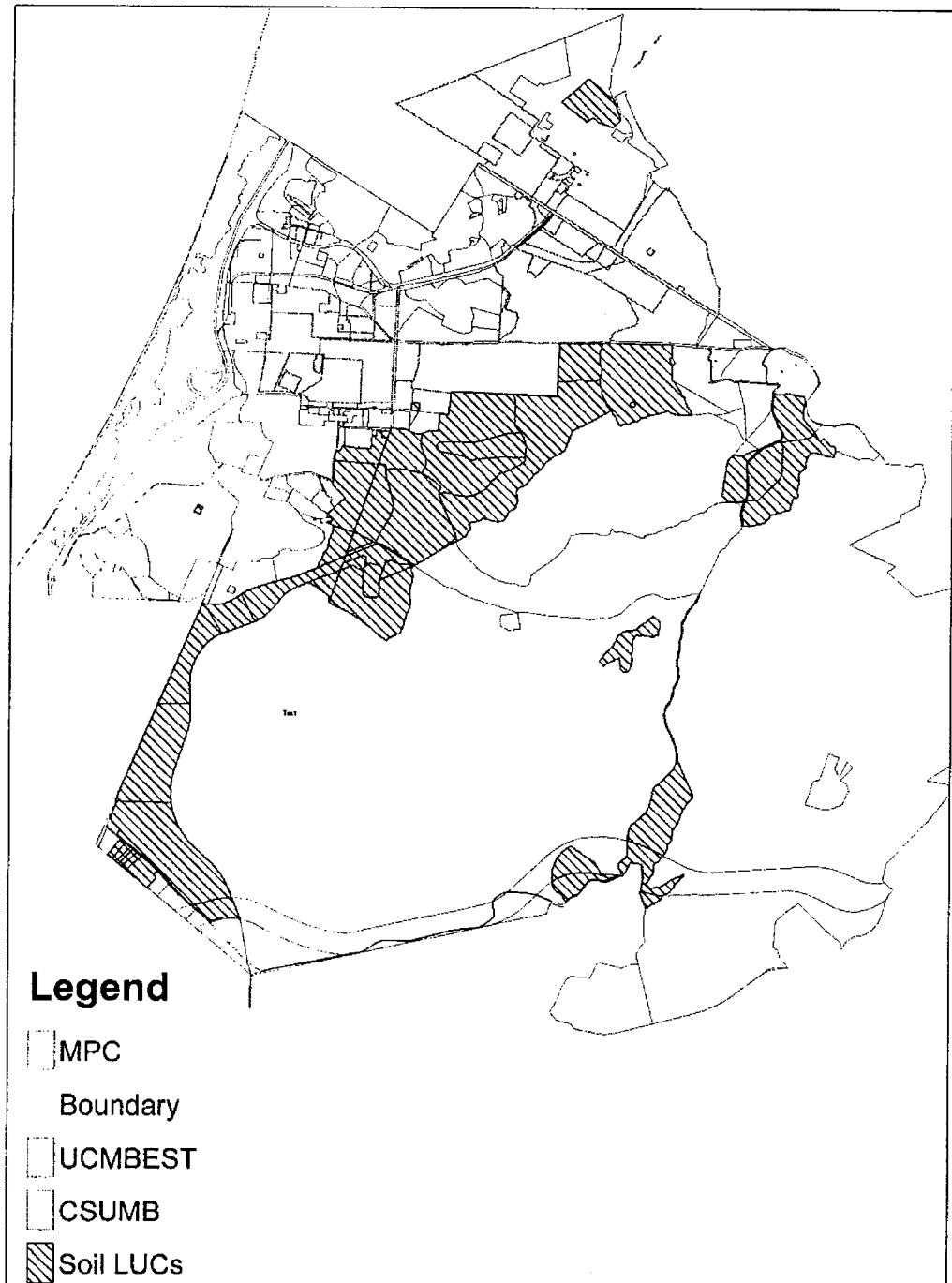
Contact Information: **Phone** _____
 Email _____

Signature of Preparer: _____

Suggested Attachments to Annual LUC Report

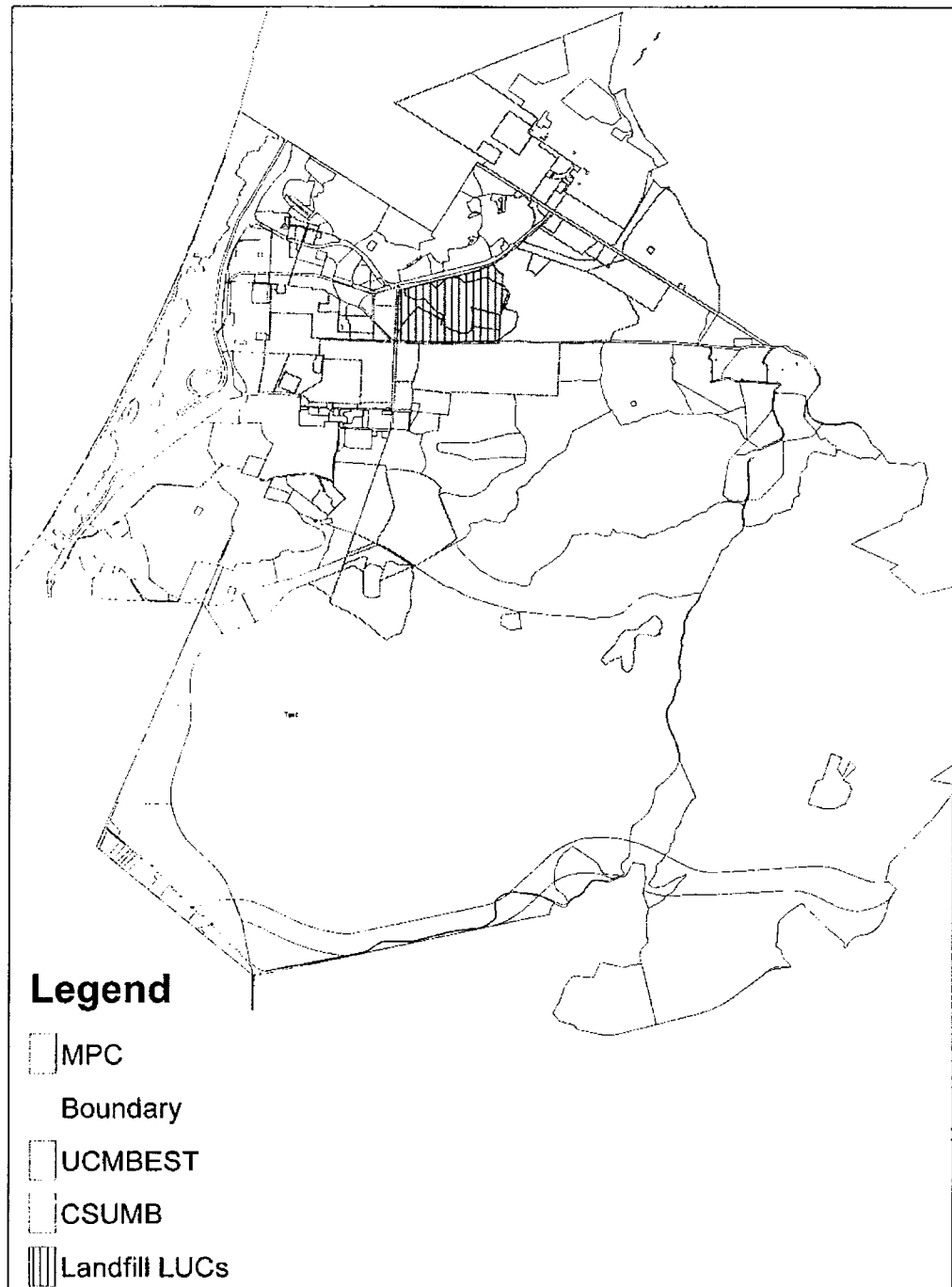
1. Table summarizing inspections, parcels, restrictions and any deficiencies in the LUCs.
Inspection Notes for each parcel.
2. Inspection Photos for each parcel.
3. County and jurisdiction well records, permit reports.
4. Building department permit records.
5. Planning department permit records.
6. MEC findings (911 call records).
7. GPS coordinates for parcels

Fort Ord LUCs - Soil

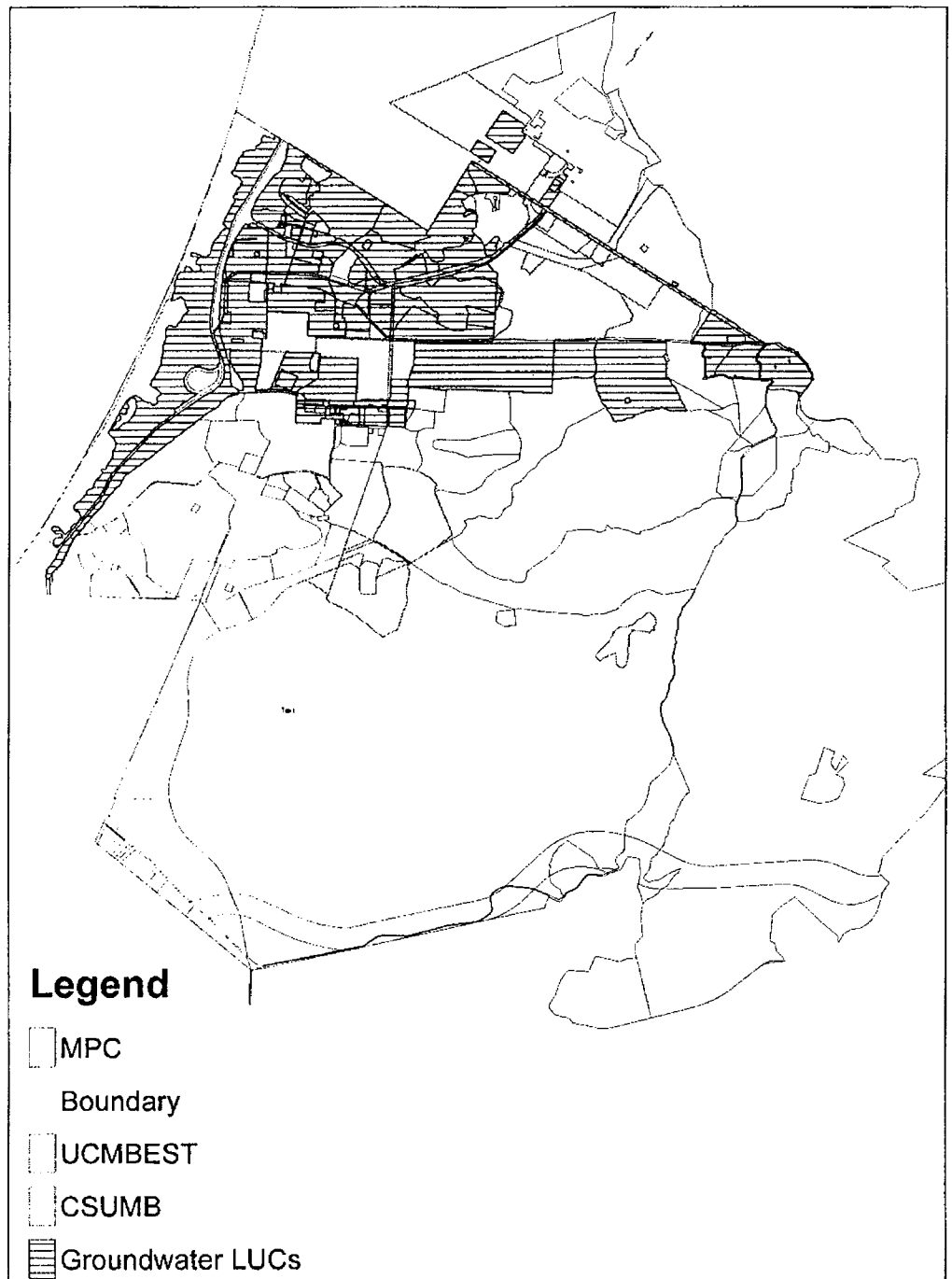


0 1,950 3,900 7,800 11,700 15,600 Feet

Fort Ord LUCs - Landfill



Fort Ord LUCs - Groundwater



0 1,950 3,900 7,800 11,700 15,600 Feet

TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
Del Rey Oaks	12/28/05	Soil 3	E29a	031-191-011000	Del Rey Oaks Redevelopment Agency (DRDA)		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without soil management plan 3. Notification of MEC 4. Access rights
			E29b.1	031-191-011000	DRDA		
			E31.b	031-191-012000	Fort Ord Reuse Authority (FORA)		
			E31a	031-191-012000	FORA		
			E31c	031-191-012000	FORA		
			E36	031-191-012000	FORA		
	In Review	Soil 4	L20.13.1.2	031-191-014000	FORA		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without soil management plan 3. Notification of MEC 4. Access rights
			L20.13.3.1	031-191-011000	DRDA		
			L6.2	031-191-014000	FORA		

Explanations:

Soil = chemicals (such as metals) and Munitions and Explosives of Concern (MEC) are the primary concern in soil media

Groundwater = chemicals such as Volatile organic compounds (VOCs) are the primary concern in the groundwater media

Landfill = chemicals such as Volatile Organic Compounds (VOCs) are the primary concern in the landfill (soil) and landfill gas (vapor) media

**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
Marina	10/12/01	Soil 1	L5.1.1	031-111-035000 031-111-036000 031-111-037000	Marina Redevelopment Agency (MRDA), City of Marina (COM), COM		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without a mangement plan 3. Access rights
	05/22/02	Groundwater 1a	E17	031-251-012000	MRDA		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			E4.1.1	031-201-005000	MRDA		
			E4.2	031-201-032000	Cypress Marina Heights LP (CMH)		
			E4.3.1.1	031-201-029000 031-271-009000	CMH, MRDA		
	09/17/03	Groundwater 1	L2.1	031-221-005000	Monterey-Salinas Transit (MST)		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			L2.2.1	031-201-012000	MST		
			L35.1	031-251-013000	Marina Coast Water District (MCWD)		
	09/22/03	Groundwater 2	L35.2	031-201-015000	MRDA		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			E2B.1.1.1	031-251-025000 031-251-027000 031-251-018000 031-251-037000 031-251-038000 031-251-039000 031-251-040000	Fort Ord Reuse Authority (FORA), MRDA, MRDA, Carpenters Local 605, FORA, Builder Exchange of the Central Coast (BXCC), Association of Monterey Bay Area Governments		
			E2B.1.1.2	031-282-004000	Target Corp.		
			E2B.1.2	Not listed - ROW Imjin	COM		
			E2B.1.3	031-251-028000 031-251-020000	Marina Community Partners, LLC (MCP), MRDA		
			E2B.1.4	031-251-029000	MCP		
			E2B.1.5	031-251-030000 031-251-031000	MCP, MRDA		
			E2B.2.1	031-282-001000 031-282-002000 031-282-003000 031-282-004000 031-282-005000 031-282-006000 031-282-007000 031-282-008000 031-282-009000 031-282-010000 031-282-011000 031-282-012000 031-282-013000 031-282-014000 031-221-004000 031-221-014000 031-221-007000	Shea Marina Village, LLC (SMV), SMV, SMV, Target Corp., MCP, SMV, SMV, SMV, Kohl's D. Store, SMV, MCP, MCP, MCP, Transportation Agency for Monterey County (TAMC), TAMC, COM		
			E2B.2.2	Not listed - ROW Imjin	COM		
			E2B.2.3	031-282-012000 031-282-013000	MCP		
			E2B.2.4	031-282-012000 031-282-013000 031-282-015000	MCP		
			E2B.2.5	031-282-017000 031-282-018000	MRDA, MCP		
			E2B.3.1.1	031-221-015000	MRDA		
			E2B.3.2	031-282-013000	MCP		
			E2C.1	031-251-018000	MRDA		
			E2C.2	031-251-016000	MRDA		
			E2C.3.1	031-251-018000 031-251-016000 031-251-015000 031-201-005000	MRDA		
			E2C.3.2	031-201-005000 & Not listed Imjin ROW	MRDA, COM		
			E2C.3.3	031-251-035000 031-251-032000	MRDA, MCP		

**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
			E2C.4.1.1	Not listed Imjin ROW	COM		
			E2C.4.2.1	031-201-016000	MRDA		
			E2D.1	031-251-035000	MRDA, MCP		
			E2D.2	031-251-035000	MRDA, MCP		
			E2E.1	031-101-049000	MRDA		
			E4.5	APN not listed	Water Treatment Facility, Owner TBD		
			L12.2.2	031-251-037000 031-251-039000	Carpenters Local 605, BXCC		
			L12.2.3	031-251-039000	BXCC		
			L12.3	031-282-012000	MCP		
			L20.16.1	031-221-003000	TAMC		
			L20.16.2	031-221-014000	TAMC,		
				031-282-013000	MCP,		
				031-282-018000	MCP,		
				031-282-017000	MRDA,		
				031-282-005000	MCP,		
				031-282-009000	Kohl's D. Store, SMV,		
				031-282-008000	Target Corp.		
			L20.16.3	031-221-004000	TAMC	tamc	
			L20.17.1	031-101-051000	MRDA	ca marina redev.	
			L5.8.1	031-101-038000	MRDA		
			L5.8.2	031-101-052000	MRDA		
			S4.1.4	031-221-001000	CalTrans		
09/28/04	Groundwater 3		S4.1.3	Not listed - Hwy 1 ROW	CalTrans		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area.
			S4.1.5	Not listed - Hwy 1 ROW	CalTrans		3. Notify damages to remedy and monitoring systems. 4. Access rights.
03/13/06	Groundwater 4		E2a	031-021-049000 031-021-050000	MRDA		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			E4.1.2.1	031-021-050000	MRDA		
			E4.1.2.2	031-021-050000	MRDA		
			E4.1.2.3	031-021-050000	MRDA		
			E4.3.1.2	031-201-029000	CMH		
			E4.3.2.1	031-271-009000	MRDA		
			E4.6.1	031-271-009000 & Not listed - Imjin ROW	MRDA, COM		
			L5.6.1	031-271-009000	MRDA		
03/21/06	Groundwater 5		E2d.3.1	031-101-054000	MRDA		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			E5a.2	031-201-031000	CMH		
			L5.10.2	Not listed - Reservation Road ROW	COM		
In Review	Groundwater 8		E4.3.2.2	031-081-013000 031-081-024000 031-081-025000 031-081-026000	FORA		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
				Not listed - ROW Imjin	FORA		
			E5a.1	031-081-023000	FORA		
			L5.10.1	Not listed - Reservation Road ROW	FORA		
In Review	Groundwater TBA		E2c.4.1.2	Not listed - ROW Imjin	US Army		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			E2c.4.2.2	031-101-055000	US Army		
			E2c.4.3	031-101-055000	US Army		
			E2c.4.4	031-101-055000	US Army		
			E2d.3.2	031-101-055000	US Army		
			L5.9.2	031-101-055000	US Army		
In Review	Groundwater TBA		L20.17.2	031-101-050000	US Army		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			L2.2.2	031-201-013000	US Army		

Explanations:

Soil = chemicals (such as metals) and Munitions and Explosives of Concern (MEC) are the primary concern in soil media
Groundwater = chemicals such as Volatile organic compounds (VOCs) are the primary concern in the groundwater media
Landfill = chemicals such as Volatile Organic Compounds (VOCs) are the primary concern in the landfill (soil) and landfill gas (vapor) media

**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
City of Monterey	In Review	Soil 5	E29.1	031-191-001000	FORA		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without a mangement plan 3. Notification of MEC 4. Access rights

Explanations:

Soil = chemicals (such as metals) and Munitions and Explosives of Concern (MEC) are the primary concern in soil media

Groundwater = chemicals such as Volatile organic compounds (VOCs) are the primary concern in the groundwater media

Landfill = chemicals such as Volatile Organic Compounds (VOCs) are the primary concern in the landfill (soil) and landfill gas (vapor) media

**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
	05/22/02	Groundwater 1a	L2.4.2	031-151-025000	Monterey-Salinas Transit (MST)		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			L2.4.3.2	031-151-024000	MST		
	09/17/03	Groundwater 1	L35.3	031-161-003000	East Garrison Partners, LLC (EGP)		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			L35.6	031-161-004000	EGP		
			L35.7	031-161-005000	EGP		
			L35.8	031-161-016000 031-161-017000	Monterey County Redevelopment Agency (MCRDA), EGP		
	9/28/04 and TBD	Groundwater 3 and Landfill 1	E8a.1.2	031-101-039000	MCRDA		1. No construction of wells. 2. No disturbance or creation of recharge area. 3. No sensitive uses. 4. Notify damages to remedy and monitoring system. 5. Access rights. 6. No structures unless protective for LFG per Title 27
			E8a.1.3	031-101-040000	MCRDA		
			E8a.1.4	031-101-041000	MCRDA		
			E8a.1.5	031-101-042000	MCRDA		
	09/28/04	Groundwater 3	E11B.1	031-161-024000	EGP		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems.
			E11B.2	031-162-001000 through 031-162-129000 and 031-163-001000 through 031-163-2800000 (except those APN's identified as pertaining to E11b.3 and E11b.4) and 031-164-077000 through 031-164-082000 and 031-164-088000 through 031-164-095000	EGP		
			E11B.3	031-163-111000 through 031-163-135000 and 031-163-153000 031-163-158000 and 031-164-001000 through 031-164-006000 and 031-164-101000	EGP		
			E11B.4	031-163-159000	EGP		
			E2E.2	031-101-059000	Monterey County (MOCO)		
			L20.10.1.1	Not listed - Reservation Road ROW	MOCO		
			L20.10.1.2	Not listed - Reservation Road ROW	MOCO		

**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
Monterey County			L20.10.2	Not listed - Reservation Road ROW	MOCO		systems. 4. Access rights.
			L20.14.1.2	031-163-159000 031-164-101000 031-164-103000	EGP		
			L20.19.2	031-011-022000	EGP		
			L20.20	Not Listed - West Camp St. ROW	MOCO		
			L20.21.1	Not listed - Watkins Gate Road ROW	MOCO		
			L20.21.2	Not listed - Watkins Gate Road ROW	MOCO		
			L20.22	031-161-024000 031-164-103000 031-164-110000	EGP		
			L23.3.1	031-161-024000	EGP		
			L23.3.2.1	031-161-025000 031-161-026000 031-161-021000 031-161-022000 031-161-023000 031-161-024000 031-164-773000 thru 031-164-788000 031-164-086000 031-164-113000 031-164-112000	EGP, EGP, MCRDA, MCRDA, MCRDA, EGP, EGP, EGP, EGP		
			L32.4.2	031-151-036000	MOCO		
			S4.1.2.2	Not listed - Hwy 1 ROW	CalTrans		
	06/26/06	Groundwater 6	E4.6.2	031-101-058000	MCRDA		1. No construction of wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
	6/26/2006 and TBD	Groundwater 6 and Landfill 2	E8a.1.1.2	031-101-056000	MCRDA		1. No construction of wells. 2. No disturbance of systems or cap. 3. No sensitive uses. 4. No disturbance or creation of recharge area. 5. Notify damages to remedy and monitoring systems. 6. Access rights 7. No structures unless protective for LFG per Title 27
	10/18/06	Groundwater 7	S3.1.1	031-021-001000 031-021-003000 031-031-001000 031-031-004000 031-041-006000 031-051-001000	California Department of Parks and Recreation		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
	In Review	Groundwater 9	E4.7.2	Not listed - Imjin ROW	MOCO		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			L5.7	031-101-026000	FORA		
			L20.2.1	031-161-008000	FORA		
			L32.1	031-011-022000	FORA		

**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
In Review	Soil TBD/GW 9		E4.7.2	Not listed - Imjin ROW	MOCO		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			L5.7	031-101-026000	FORA		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights. 5. No sensitive uses. 6. No soil disturbance or violation of ordinance without soil management plan 7. Notification of MEC
			L20.2.1	031-161-030000 031-161-031000	FORA		
			L32.1	031-011-042000 031-011-043000 031-011-054000	FORA		
			E11b.6.1	031-011-056000 031-161-033000 031-011-058000	FORA		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without soil management plan 3. Notification of MEC 4. Access rights
			E11b.7.1.1	031-011-039000	FORA		
			E11b.8	031-011-039000	FORA		
			E18.1.2	031-011-044000 031-011-046000 031-011-047000 031-011-048000 031-011-050000 031-011-051000	FORA		
			E19a.1	031-071-022000 031-071-008000	FORA		
			E19a.2	031-011-039000 031-011-022000	FORA		
			E19a.3	031-011-039000 031-011-022000	FORA		
			E19a.4	031-011-039000 031-011-022000	FORA		
			E19a.5	031-011-005000 031-011-022000	FORA		
			E21b.3	031-011-005000	FORA		
			L20.3.1	031-011-020000	FORA		
			L20.3.2	031-011-020000	FORA		
			L20.5.1	031-131-008000	FORA		
			L20.5.2	031-131-008000 031-131-009000 031-131-010000 031-131-011000	FORA		
			L20.5.3	031-131-011000	FORA		
			L20.5.4	031-131-010000	FORA		
			L20.8	031-131-004000	FORA		
			L20.18	031-011-005000	FORA		
			L20.19.1.1	031-011-039000	FORA		

**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
	TBD	Landfill 3 and Groundwater 11	E8a.2	APN not listed	US Army		1. No construction of wells. 2. No disturbance of systems or cap. 3. No sensitive uses. 4. No disturbance or creation of recharge area. 5. Notify damages to remedy and monitoring systems.
			E8a.1.1.1	031-101-057000	US Army Corps of Engineers		6. Access rights 7. No structures unless protective for LFG per Title 27
	TBD	Soil TBD	L23.3.2.2	031-161-019000	US Army		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without soil management plan 3. Access rights

Explanations:

Soil = chemicals (such as metals) and Munitions and Explosives of Concern (MEC) are the primary concern in soil media

Groundwater = chemicals such as Volatile organic compounds (VOCs) are the primary concern in the groundwater media

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**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
Seaside	05/22/02	Groundwater 1a	L2.4.3.1	031-151-024000	Monterey-Salinas Transit (MST)		1. No construction of wells. 2. no disturbance or creation of recharge area 3. Notify damages to remedy and monitoring systems. 4. Access rights
			L32.4.1.2	031-151-029000	Seaside Redevelopment Agency (SRDA)		
			L37	031-151-018000	City of Seaside (COS)		
	09/17/03	Groundwater 1	L1.1	031-151-041000	Monterey College of Law		1. No construction of wells. 2. no disturbance or creation of recharge area 3. Notify damages to remedy and monitoring systems. 4. Access rights
	09/22/03	Groundwater 2	E15.1	031-151-013000	SRDA		1. No construction of wells. 2. no disturbance or creation of recharge area 3. Notify damages to remedy and monitoring systems. 4. Access rights
			L19.2	031-151-031000	SRDA		
			L19.3	031-151-032000	SRDA		
			L19.4	031-151-039000	SRDA		
	03/22/04	Soil 2	F2.7.2	031-051-032000	SRDA		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without a mangement plan 3. Access rights
	09/28/04	Groundwater 3	L15.1	031-151-044000	Monterey County Housing Authority		1. No construction of wells. 2. no disturbance or creation of recharge area 3. Notify damages to remedy and monitoring systems. 4. Access rights
			L32.4.1.1	031-151-040000	SRDA		
			L36	031-151-037000 031-151-038000	SRDA, US Army		
			L7.8	031-261-003000	SRDA		
			L7.9	031-261-004000	SRDA		
			S4.1.2.1	Not Listed - Hwy 1 ROW	CalTrans		
	In Review	Soil 6	E18.1.1	031-151-048000	FORA		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without a mangement plan 3. Notification of MEC 4. Access rights
			E18.1.3	031-151-048000	FORA		
			E18.4	031-151-048000	FORA		
			E20c.2.1	031-151-045000	SRDA		
			E20c.2.2	031-151-047000	SRDA		
			E23.1	031-151-048000	FORA		
			E23.2	031-151-048000	FORA		
			E24	031-211-001000	FORA		
			E34	031-211-001000	FORA		

Explanations:

Soil = chemicals (such as metals) and Munitions and Explosives of Concern (MEC) are the primary concern in soil media

Groundwater = chemicals such as Volatile organic compounds (VOCs) are the primary concern in the groundwater media

Landfill = chemicals such as Volatile Organic Compounds (VOCs) are the primary concern in the landfill (soil) and landfill gas (vapor) media

**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
MPC (Marina)	09/28/04	Groundwater 3	L23.1.1	031-251-002000	Monterey Peninsula Community College District (MPC)		1. No construction of wells. 2. No disturbance or creation of recharge area 3. Notify damages to remedy and monitoring systems. 4. Access rights
			L23.1.2	031-251-004000	MPC		
			L23.1.3	031-251-001000	MPC		
			L23.1.4	031-251-003000	MPC		
			L23.1.5	031-251-005000	MPC		
			L23.4	031-101-048000	MPC		
MPC (Seaside)			L23.6	031-151-042000	MPC		
MPC (Monterey County)	In Review	Soil TBD	E19a.5	031-011-005000	FORA		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without a mangement plan 3. Notification of MEC 4. Access rights
				031-011-022000			
			E21b.3	031-011-005000	FORA		
			E39	031-011-005000	FORA		
			E40	031-011-005000	FORA		
			E41	031-011-005000	FORA		
			E42	031-011-005000	FORA		
			F1.7.2	031-011-022000	FORA		
				031-011-006000			
			L23.2	031-011-036000	FORA		
MPC (Seaside)	In Review	Soil 6	E38	031-011-006000 031-011-036000	FORA		1. No sensitive uses. 2. No soil disturbance or violation of ordinance without a mangement plan 3. Notification of MEC 4. Access rights

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When an above described LUC contains parcels belonging to more than one jurisdiction, shading is used to clarify the jurisdiction.

**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
CSUMB (Seaside)	05/22/02	Groundwater 1a	S1.4	031-101-012000 031-101-035000	California State University Monterey Bay (CSUMB)		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
CSUMB (Marina)			S1.5.1.1	031-101-034000	CSUMB		
			S1.5.2	031-101-033000	CSUMB		
CSUMB (Monterey County)	09/17/03	Groundwater 1	L32.2.1	031-261-001000	CSUMB		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
			S1.3.3	Not Listed - Intergarrison Rd. ROW	CSUMB		
			L32.2.2	031-261-002000	CSUMB		
CSUMB (Seaside)			L32.3	031-151-035000	CSUMB		
			L33.1	031-101-044000	CSUMB		
CSUMB (Marina)			L33.2	031-101-045000	CSUMB		
			S1.5.1.2	031-101-036000	CSUMB		
CSUMB (Monterey County)	In Review	Groundwater 9	S1.3.2	031-101-022000 031-101-023000	FORA		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.

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**TABLE 3-1
SUMMARY OF LUCS BY JURISDICTION**

Jurisdiction	Date LUC Recorded	DTSC LUC Tracking Number	Parcel	APN	Owner	GPS Coordinates	Restrictions
UCSC (Monterey County)	05/22/02	Groundwater 1a	S2.5.2.2	031-101-018000	Regents of the University of California (UC)		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
UCSC (Marina)			S2.1.3	031-111-010000	UC		
			S2.1.4.1	031-111-011000	UC		
			S2.5.1.1	031-101-018000	UC		
			S2.5.2.1	031-101-018000	UC		
UCSC (Monterey County)	09/17/03	Groundwater 1	F7.2	031-121-009000	US Army		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.
UCSC (Marina)			S2.1.4.2	031-111-011000	UC		
UCSC (Marina)	TBD FOST 11	Groundwater 10 (UCSC, OU1 GW)	S2.1.2	031-111-009000	US Army		1. No construction of groundwater wells. 2. No disturbance or creation of recharge area. 3. Notify damages to remedy and monitoring systems. 4. Access rights.

Explanations:

Soil = chemicals (such as metals) and Munitions and Explosives of Concern (MEC) are the primary concern in soil media

Groundwater = chemicals such as Volatile organic compounds (VOCs) are the primary concern in the groundwater media

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