

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Concur in Legislative Committee Amendments to the 2013 FORA Legislative Agenda

Meeting Date: May 10, 2013

Agenda Number: 6e

ACTION

RECOMMENDATION:

Concur in Legislative Committee Amendments to the 2013 FORA Legislative Agenda

BACKGROUND/DISCUSSION:

At the February 25, 2013 Legislative Committee meeting, the Committee directed staff to return amendments to the 2013 FORA Legislative Agenda specifically addressing FORA efforts to coordinate with jurisdictions to pursue grant funding opportunities. The amended 2013 Legislative Agenda (**Attachment A**) was approved by the Legislative Committee on May 6, 2013 and is presented to the Board for concurrence.

FISCAL IMPACT:

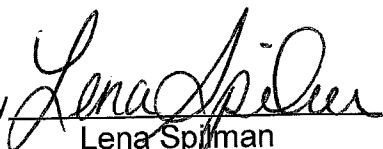
Reviewed by FORA Controller 

Staff time for this item is included in the approved annual budget.

COORDINATION:

Legislative Committee, JEA and Associates.

Prepared by


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Approved by


Michael A. Houlemard, Jr.

Fort Ord Reuse Authority 2013 Legislative Agenda

Attachment A to Item 6e
FORA Board Meeting, 05/10/13

Approved by the FORA Board of Directors November 16, 2012

Draft amendments were recommended for Board approval by the FORA Legislative Committee on May 6, 2013

The purpose of this report is to outline legislative tasks FORA will pursue in 2013. The 2013 Fort Ord Reuse Authority ("FORA") Legislative Agenda defines Board/ policy legislative, regulatory, or federal/state resource allocation positions. The Legislative Agenda supports the Reuse Plan by replacing the former Fort Ord military regional economic support with comparable level civilian programs. The Legislative Agenda in this report is meant to assist state and federal agencies/legislative offices regarding such things as property transfer, economic development, environmental remediation, habitat management, and infrastructure and mitigation funding. The order in which the tasks are given in this report does not imply rank order priorities. Each item is considered a "priority" in achieving FORA's objectives.

A. VETERANS CEMETERY. Continue support for the California Central Coast Veterans Cemetery ("CCCVC") development on the former Fort Ord and implement the terms of recently enacted State Law AB1757 (2010), AB629 (2011), and AB1842 (2012).

ISSUE: Burial space for California Central Coast veterans is inadequate. Former Fort Ord is centrally located with a site designated in the 1990s for a new veterans' cemetery. Assembly member Bill Monning authored legislation to help finance the State Veterans Cemetery on former Fort Ord. The new state laws allow FORA to assist in generating money needed to develop the veterans' cemetery. A significant amount of coordination must occur between FORA and California Department of Veterans Affairs (CDVA) to carry out CDVA's expanded contracting authority to contract with FORA for completion of cemetery design and construction.

- **Benefits:** The CCCVC would provide burial space for the region's approximately 50,000 veterans. Congressman Sam Farr has worked to sustain this cemetery in its current location as a top priority for funding.
- **Challenges:** Although the Federal government reimburses the entire cemetery construction cost, the State of California must apply for inclusion in the State Veterans Cemetery program before initiating construction. The cost of design and processing is expected to be more than \$2M – with FORA's help that cost could be contained by 25%. Implementing recently enacted State Law (AB1757, AB629, and AB1842) will require FORA to work closely with California Department of Veterans Affairs, CA Department of General Services and, potentially, close coordination with other state entities. Operating and maintaining the CCCVC (estimated at \$200,000 +/- per year) must have a guaranteed payer to the trust account/endowment.
- **Proposed Position:**
 - Support implementation of AB1842, budget actions and funding options to design, build and operate the CCCVC;
 - Support efforts to sustain priority standing for the CCCVC with the CA and US Departments of Veterans Affairs; and
 - Insist on continued vigilance and cooperation among the regulatory agencies.
 - Continue to work with federal agencies and the 17th Congressional District to secure language adjustments that would enable additional federal funding and/or status for the California Central Coast Veterans Cemetery.

B. NATIONAL MONUMENT. Help implement federal National Landscape Conservation System (“NLCS”) designation for the former Fort Ord Bureau of Land Management (“BLM”) Natural Resource Management Area. President Barack Obama has designated the former Fort Ord Public Lands as the “Fort Ord National Monument.” Supporting the implementation of trails access and munitions and explosives removal on certain portions of the National Monument remains crucial.

ISSUE: Habitat Conservation Plan (“HCP”) approval and implementation are essential to former Fort Ord reuse and will support the National Monument. Advancing access will connect the National Monument to other venues in the Monterey Bay. State and National funding and further recognition are critical.

- **Benefits:** National attention to the unique flora, fauna and recreational resources found on Fort Ord National Monument supports Fort Ord Habitat Management Plan and HCP preservation. Since availability of public and private grant funding fluctuates, having an appropriate national designation emphasizes the national significance of BLM’s former Fort Ord property to potential donors and other funding sources. By advocating for the BLM National Monument designation, FORA has supported the BLM mission and former Fort Ord recreation and tourism, helping BLM become more competitive for resources.
- **Challenges:** Each year, the local BLM office competes nationally to receive public and private grants and federal appropriations that support its mission.
- **Proposed Position:** Continue support – work with Congressman Farr’s office to introduce/sponsor funding support for former Fort Ord conservation, trails, etc.

C. AUGMENTED WATER SUPPLY. Work with local and regional agencies to secure State and Federal funding to augment FORA’s water supply capital needs.

ISSUE: The FORA Capital Improvement Program includes approximately \$45,000,000 to fund the Regional Water Augmentation Program for the necessary Base Reuse Plan supplemental water needs for complete build-out. Securing funds to assist this requirement could help the timely implementation of the recycled water and desalination water facilities.

- **Benefits:** Development permitted under the Base Reuse Plan, depends on an augmented water supply project. Additional grant funding could reduce acre-feet per year costs of securing water resources for the jurisdictions and reduce the hefty capital charges that may otherwise be required.
- **Challenges:** Competing water projects throughout the Region and State for scarce money. No current federal program exists for this funding.
- **Proposed Position:** Support and coordinate efforts with Marina Coast Water District (MCWD), Monterey County Water Resources Agency (MCWRA), Monterey Regional Water Pollution Control Agency (MRWPCA), other agencies and FORA jurisdictions for securing funding and/or to endorse the use of other fund mechanisms proposed for this purpose. Continue to work with MCWD to ensure that they fulfill their contractual obligation for water augmentation.

D. TRANSPORTATION IMPROVEMENTS. Work with the Transportation Agency for Monterey County (“TAMC”) and local jurisdictions to secure transportation funds.

ISSUE: The FORA Capital Improvement Program requires capital and monetary mitigations of more than \$112,000,000 for transportation infrastructure on and proximate to the former Fort

Ord. Some of this funding requires a local, or other, match from the appropriate regional or state transportation body to bring individual projects to completion.

- **Benefits:** The timely installation of required on-site, off-site and regional roadway improvements supports accommodating development impacts and maintaining and improving levels of service vital to the regional economy.
- **Challenges:** Applying scarce transportation funds to the appropriate projects to optimize transportation system network enhancements. Remaining federal and state programs offering grants or low cost resources are dwindling and increasingly competitive.
- **Proposed Position:** Support and coordinate with TAMC, FORA jurisdictions and others for state infrastructure bonds, federal authorization or other grant/loan/low cost resources.

E. BASEWIDE AND CSUMB BUILDING REMOVAL IMPACTS. Lobby for state funds to mitigate the regional impacts caused by development of CSUMB. Support California State University's ("CSU's") requests for campus impact mitigation funds for the CSU Monterey Bay ("CSUMB") campus. Coordinate with CSUMB on requests for building removal and contaminant waste abatement on the campus and elsewhere on the former Fort Ord.

ISSUE:

1. In July 2006, the State of California Supreme Court ruled that CSU must mitigate off-campus impacts from CSUMB campus development/growth. In order to fund its obligations, CSU requests funds from the State Legislature.
 2. Contaminated building removal is a significant expense to CSUMB (\$26 million) and other former Fort Ord land use entities (\$43 million). A coordinated effort is more likely to achieve funding success and in both FY 2010-2011 and 2011-2012 FORA assisted CSUMB in making application for funding from DOD to fund certain building removal efforts. Clearing the remnant structures will: improve the overall perception of reuse progress, increase safety by eliminating the attractive nuisance and ongoing vandalism, reduce the "cover" for illegal dumping and remove potential exposure to certain contaminants within the structures."
- **Benefits:** Supporting state budget approval of off-campus mitigation impact funding requests helps address CSU's fair share contribution. Similarly, a coordinated effort to secure building removal resources will help all levels of the regional reuse program. Securing financial aid to remove the FORA basewide building removal obligations allows for earlier improvement of the public safety issues and reuse access.
 - **Challenges:** Competition for state funds will be keen. CSUMB is only one in the 23-campus system – all seeking capital and other funds.
 - **Proposed Position:** Support state budget off-campus impact and building removal earmarks requested by CSU for the CSUMB campus and continue coordination with CSUMB for federal support. Support funding for research on the scope and scale of building removal as compares to others in the nation. Support funding to clear buildings in areas slated for development.

F. PUBLIC SAFETY OFFICER TRAINING. Work with the County of Monterey to assist Monterey Peninsula College ("MPC") to obtain capital and program funding for its former Fort Ord Public Safety Officer Training Programs.

ISSUE: FORA/County agreed to assist MPC in securing program funds in 2003.

- **Benefits:** The Public Safety Officer Training Program is an important component of MPC's Fort Ord reuse efforts, and will enhance public safety training at the regional and state levels. Adequate funding is critical.
- **Challenges:** Funds available through the Office of Homeland Security, the Office of Emergency Services, or other sources may be restricted.
- **Proposed Position:** Pursue legislative or other actions to support MPC efforts to secure funding sources.

G. HABITAT CONSERVATION PLAN. Continue/enhance ongoing coordination with Congressional and state legislative representatives to secure approval of the Habitat Conservation Plan ("HCP").

ISSUE: HCP approval remains critical to former Fort Ord reuse. Alternatives to a basewide HCP are costly and time consuming and do not effectively serve the goal of managing or protecting endangered species.

- **Benefits:** HCP approval is essential to protecting habitat and effectively developing jobs and housing for the region.
- **Challenges:** Processing the HCP in past ten years has been frustrating and costly. Insufficient federal and state agency resources and overlapping regulatory barriers have thwarted the HCP process.
- **Proposed Position:** Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews and processing

H. REUSE FINANCING. Support statewide efforts to create local jurisdictions financing tools to assist reuse and recovery of former military bases.

ISSUE: The loss of "Redevelopment Financing" as a tool to implement base closure recovery was a heavy blow to FORA's member jurisdictions that need financial tools to support economic reuse/development initiatives.

- **Benefits:** Sufficient funding resources for the reuse and recovery from former Fort Ord closure and other military bases. Funding support for habitat management protection, building removal, or other infrastructure demands associated with the reuse programs.
- **Challenges:** Obtaining agreement to use tax or special district funds to create special financing districts to support targeted economic recovery, affordable housing and/or infrastructure in the climate of limited resources. Currently, there is an unclear transition process regarding the demise of prior redevelopment agencies that may generate litigation.
- **Proposed Position:** Support legislation reactivating local agency processes for economic development; support establishment of Military Base Reuse Recovery Zones; provide leadership on these initiatives.

I. LEGISLATIVE COOPERATION. Coordinate efforts with other Monterey Bay agency legislative issues.

ISSUE: Monterey-Salinas Transit, Transportation Agency for Monterey County and the County of Monterey have adopted legislative programs, some will have Fort Ord reuse impacts.

- **Benefits:** ~~Collaborative efforts for funding by agencies~~ Agency coordination involved in pursuing legislative the same or interdependent projects will ~~programs will~~ increase the chances to ~~obtain critical funding and also be enhanced by partnering matching funds~~ secure legislative support for reuse programs.

- **Challenges:** State and federal ~~funding is limited and competition for available funds will be keen~~ legislative efforts are time consuming and uncertain.
- **Proposed Position:** Coordinate and support other legislative programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.

J. GRANT FUNDING AND RESOURCES. Coordinate efforts with Fort Ord jurisdictions and Monterey Bay regional agencies to secure grants and resources to support recovery.

ISSUE: FORA and regional entities rely on both federal and state financial and other resources to support infrastructure, habitat conservation, planning and engineering, and other demands of the recovery program. Coordination with CSU Monterey Bay, Monterey-Salinas Transit, Transportation Agency for Monterey County, City of Seaside, City of Marina, Monterey Peninsula College, County of Monterey and other agencies have successfully resulted in beneficial grants, loans and other resources to former Fort Ord adopted programs.

- **Benefits:** Collaborative efforts for federal and state funding involved in the same or interdependent projects will increase the chances to obtain critical resources and also be enhanced by partnering/leveraging matching funds.
- **Challenges:** State and federal funding is limited and competition for available funds will be keen.
- **Proposed Position:** Coordinate and grant and funding programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.