



# FORT ORD REUSE AUTHORITY

## REGULAR MEETING

### FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, March 8, 2019 at 2:00 p.m. | 910 2<sup>nd</sup> Avenue, Marina, CA 93933 (Carpenters Union Hall)

## AGENDA

**ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON MARCH 7, 2019.**

### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE *(If able, please stand)*

### 3. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Keep Fort Ord Wild v. Fort Ord Reuse Authority. Monterey County Superior Court Case No.: 17CV004540, Pending Litigation.
- b. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation

### 4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

### 5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

### 6. ROLL CALL

*FORA is governed by 13 voting members: (a) 1 member appointed by the City of Carmel; (b) 1 member appointed by the City of Del Rey Oaks; (c) 2 members appointed by the City of Marina; (d) 1 member appointed by Sand City; (e) 1 member appointed by the City of Monterey; (f) 1 member appointed by the City of Pacific Grove; (g) 1 member appointed by the City of Salinas; (h) 2 members appointed by the City of Seaside; and (i) 3 members appointed by Monterey County. The Board also includes 12 ex-officio non-voting members.*

### 7. CONSENT AGENDA

### INFORMATION/ACTION

*CONSENT AGENDA consists of routine information or action items accompanied by staff recommendation. Information has been provided to the FORA Board on all Consent Agenda matters. The Consent Agenda items are normally approved by one motion unless a Board member or the public request discussion or a separate vote. Prior to a motion, any member of the public or the Board may ask a question or make comment about an agenda item and staff will provide a response. If discussion is requested, that item will be removed from the Consent Agenda and be considered separately at the end of the Consent Agenda.*

- a. Approve February 8, 2019 Meeting Minutes (p.1)  
**Recommendation:** Approve February 8, 2019 meeting minutes.
- b. Administrative Committee (p.4)  
**Recommendation:** Receive a report from the Administrative Committee.
- c. Veterans Issues Advisory Committee (p.10)  
**Recommendation:** Receive a report from the Veterans Issues Advisory Committee (VIAC).
- d. Water/Wastewater Oversight Committee (p.16)  
**Recommendation:** Receive a report from the Water/Wastewater Oversight Committee (WWOC).
- e. Habitat Conservation Plan Update (p.18)  
**Recommendation:** Receive a Fort Ord Multi-Species Habitat Conservation Plan (HCP) report regarding United States Fish and Wildlife Service (USFWS) HCP and California Department of Fish and Wildlife (CDFW) 2081 Incidental Take Permit (ITP) developments.
- f. Public Correspondence to the Board (p.24)  
**Recommendation:** Receive Public Correspondence to the Board.

## 8. BUSINESS ITEMS

## INFORMATION/ACTION

*BUSINESS ITEMS are for Board discussion, debate, direction to staff, and/or action. Comments from the public are **not to exceed 3 minutes** or as otherwise determined by the Chair.*

- a. Regional Building Removal Feasibility Progress Report (p.25)  
**Recommendation:** Receive a report on the Building Removal Financing Services solicitation and selection.
- b. Monterey Bay Drone, Automation & Robotics Technology (DART) Initiative & Proposed Mid-year Budget Adjustments (p.27)  
**Recommendation:**
  - i. Receive Monterey Bay Drone, Automation & Robotics Technology (DART) Initiative Report; and
  - ii. Consider proposed mid-year budget adjustments.
- c. Fiscal Year 2018-2019 Mid-year Budget (p.30)  
**Recommendation:** Adopt the Fort Ord Reuse Authority (FORA) Fiscal Year 2018-19 (FY 18-19) Mid-Year Budget approving additional expenditures, as recommended by the Finance Committee and Executive Committee.
- d. Legislative Committee Report (p.37)  
**Recommendation:** Receive a report from the Legislative Committee and approve 2019 Legislative Agenda.
- e. 2018 Transition Plan Updates
  - i. Habitat Management Plan Responsibility Analysis (p.47)
  - ii. 2018 Transition Plan and Facilitator Progress Report (p. 67)**Recommendation:** Receive updates and reports on progress being made toward implementing the 2018 Transition Plan.

## 9. PUBLIC COMMENT PERIOD

## INFORMATION

*Members of the public wishing to address the Board on matters within its jurisdiction, but **not on this agenda**, may do so for up to 3 minutes or as otherwise determined by the Chair and will not receive Board action. Whenever possible, written correspondence should be submitted to the Board in advance of the meeting, to provide adequate time for its consideration.*

## 10. ITEMS FROM MEMBERS

## INFORMATION

*Receive communication from Board members as it pertains to future agenda items.*

## 11. ADJOURNMENT

**NEXT REGULAR MEETING: April 12, 2019 AT 2:00 P.M.**



**FORT ORD REUSE AUTHORITY**  
**BOARD OF DIRECTORS REGULAR MEETING MINUTES**  
**2:00 p.m., Friday, February 8, 2019 | Carpenters Union Hall**  
910 2<sup>nd</sup> Avenue, Marina, CA 93933

**1. CALL TO ORDER**

Chair Supervisor Jane Parker called the meeting to order at 2:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Sand City Mayor Maryann Carbone.

**3. CLOSED SESSION**

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Keep Fort Ord Wild v. Fort Ord Reuse Authority. Monterey County Superior Court Case No.: 17CV004540, Pending Litigation.
- b. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation.
- c. Conference with Legal Counsel - Potential Litigation, Gov. Code §54956.9(d)(4).

Time Entered: 2:02 p.m.

Time Exited: 2:13 p.m.

**4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

Authority Counsel Jon Giffen announced there was no action to report.

**5. ROLL CALL**

**Voting Members Present:**

Supervisor Jane Parker (County of Monterey) Supervisor Mary Adams (County of Monterey), Supervisor John Phillips (County of Monterey) Councilmember Kristin Clark (City of Del Rey Oaks), Councilmember Frank O'Connell (City of Marina), Councilmember Lisa Berkley (City of Marina), Councilmember Alan Haffa (City of Monterey), Mayor Ian Oglesby (City of Seaside), Councilmember Jon Wizard (City of Seaside), Mayor Mary Ann Carbone (City of Sand City), Mayor Joe Gunter (City of Salinas), Councilmember Cynthia Garfield (City of Pacific Grove), Councilmember Jan Reimers (City of Carmel-by-the-Sea)

**Ex-officio (Non-Voting) Board Members Present:**

Kathleen Lee (20<sup>th</sup> Congressional District) Erica Parker (29<sup>th</sup> State Assembly District) Debbie Hale (Transportation Agency of Monterey District) Dr. P.K. Diffenbaugh (Monterey Peninsula Unified School District) Steve Matarazzo (University of California, Santa Cruz), Bill Collins (Fort Ord Army Base Realignment & Closure Office), David Martin (Monterey Peninsula College) Lisa Rheinheimer (Monterey-Salinas Transit), Jan Shriner (Marina Coast Water District)

**6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

Executive Officer Michael Houlemard announced the following:

- This is the first meeting for Councilmember Lisa Berkley from the City of Marina, and Councilmember John Gagloti from the City of Del Rey Oaks.
- The inaugural DART meetup will take place at the UCMBEST Center from 5-8 p.m. on Tuesday, February 12, 2019.
- The Army BRAC office held their semiannual open house/tour on Saturday, February 2, 2019 and had over 80 people in attendance.
- Impact Area Guided Walking Tour Saturday, May 4, 2019.
- Impact Area Bus Tour Saturday, July 13, 2019.

## 7. CONSENT AGENDA

- a. Approve December 14, 2018 Meeting Minutes
- b. Approve December 19, 2018 Meeting Minutes
- c. Approve January 11, 2019 Meeting Minutes
- d. Administrative Committee
- e. Prevailing Wage Status Report
- f. 2019 Chair Committee Appointments
- g. Public Correspondence to the Board

Chair Parker read the consent agenda items and asked if members had any comments or items to pull for discussion. A member of the public Ron Cheshire requested item 7e – Prevailing Wage Status Report be pulled to provide comment.

**Motion:** On motion by Board member Phillips and second by Board member Carbone and carried by the following vote, the Board moved to approve the consent agenda items 7a - 7d and 7f – 7g.

### **MOTION PASSED UNANIMOUSLY**

Motion for item 7e – Prevailing Wage Status Report: On motion by Board member Gunter and second by Board member Adams and carried by the following vote, the Board moved to receive the report and direct staff to review the accuracy of the compiled information of the report.

### **MOTION PASSED UNANIMOUSLY**

## 8. BUSINESS ITEMS

- a. 2018 Transition Plan
  - i. 2018 Transition Plan Progress Report  
Risk Manager Sheri Damon provided a brief presentation that gave an overview of the “to do” list, facilitator status, and the list of concerns that were articulated by Board members and others at the previous Board meeting. FORA staff has engaged in multiple meetings with various entities such as: Local Agency Formation Commission (“LAFCO”), City of Seaside, County of Monterey, Army/Regulators, and the Administrative Committee regarding Transition Plan implementing items and status. Ms. Damon gave an introduction of Regional Government Services (“RGS”) facilitators Kendall and Steve Flint, and reviewed the proposed facilitator workplan for the next two to three months. The workplan would consist of meetings with FORA, document review, meetings with Member Agencies to identify key issues, meetings with LAFCO, meetings with Ex-Officio Agencies, preparation of key issues memo for FORA review, and Facilitation of Study Sessions and Administrative Committee meetings. Chair Parker opened the discussion for Board

members who may have additional issues or concerns that they feel needs to be added the “to do” list. Staff responded to questions from the Board and Public.

**II. Regional Government Services (“RGS”) Transition Staffing Needs Assessment**

Mr. Houlemard introduced the item and provided an overview of the draft RGS report outlining the proposed recommendations to address staff outplacement and Transition Resource needs, compensation and benefits structure in order to identify appropriate opportunities for both staff exit and retention, and maintenance of essential Agency capacity up to sunset. Staff responded to questions from the Board.

MOTION: On motion by Board member Gunter and second by Board member Reimers and carried by the following vote, the Board moved to Accept Report, Authorize Executive Officer to execute a Contract amendment up to \$85,000 to implement report recommendations as they are now, and require Finance Committee review and Board approval for recommendations requiring more than \$85,000.

**MOTION PASSED UNANIMOUSLY**

**9. PUBLIC COMMENT**

**10. ITEMS FROM MEMBERS**

**11. ADJOURNMENT at 3:38 p.m.**

Minutes Prepared by:  
Heidi L. Lizarbe  
Administrative Coordinator

Approved by:

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Michael A. Houlemard, Jr. Executive Officer

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

**Subject:** Administrative Committee

**Meeting Date:** March 8, 2019

**Agenda Number:** 7b

**INFORMATION/ACTION**

### RECOMMENDATION:

Receive a report from the Administrative Committee.

### BACKGROUND/DISCUSSION:

The Administrative Committee held a meeting on January 30, 2019 and February 13, 2019. The approved minutes for these meetings are provided as **Attachment A, and B.**

### FISCAL IMPACT:

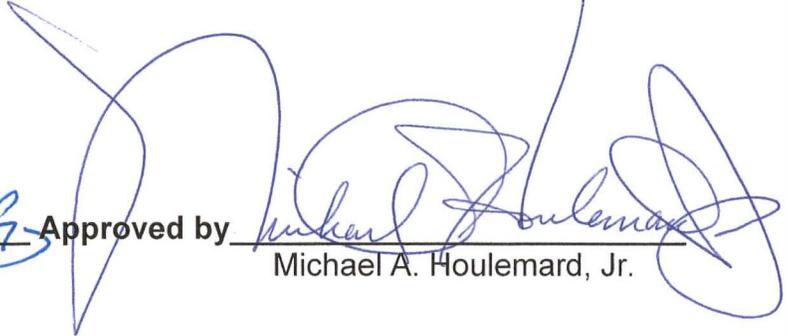
Reviewed by the FORA Controller 

Staff time for the Administrative Committee is included in the approved annual budget.

### COORDINATION:

Administrative Committee

Prepared by   
Heidi L. Lizarbe

Approved by   
Michael A. Houlemard, Jr.



APPROVED

**FORT ORD REUSE AUTHORITY**  
**ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES**  
**8:30 a.m., Wednesday, January 30, 2019 | FORA Conference Room**  
920<sup>th</sup> Avenue, Suite A, Marina, CA 93933

**1. CALL TO ORDER**

Chair Executive Officer Michael Houlemard called the meeting to order at 8:30 a.m.

The following members were present:

Craig Malin* (City of Seaside)	Lisa Rheinheimer (Monterey Salinas Transit)
Melanie Beretti* (Monterey County)	Matt Morgensen* (City of Marina)
Patrick Breen (MCWD)	Steve Matarazzo (UCMBEST)
Hans Uslar* (City of Monterey)	Anya Spear (CSUMB)
Vicki Nakamura (MPC)	Dino Pick* (City of Del Rey Oaks)
	*Voting Member

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Lisa Rheinheimer.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

Monterey Salinas Transit (“MST”) will be having a ribbon cutting ceremony and dedication for a new Mobility Services Center in Salinas, CA. The Mobility Center will house the mobility department and an indoor mock bus environment to assist MST in assessing the functional needs of people who need additional support with the Rides Program.

The Army BRAC office will be holding their semiannual open house on Saturday, February 2, 2019, which will be focusing on the ground water clean-up and landfill. The tours will depart at 10:00 a.m. and 11:30 a.m.

The inaugural DART meetup will take place at the UCMBEST Center from 5-8 p.m. on Tuesday, February 12, 2019.

The LAFCO Commission held a meeting on January 28, 2019 regarding the 2018 Transition Plan and dissolution of FORA, no action was taken. LAFCO staff provided an update on what will be occurring in the next few months, along with FORA’s follow-up task on the Transition Plan. FORA staff provided an oral update, the commission had questions regarding the litigation reserves in the Transition Plan and if there would be any legislation or spot bill coming up.

**4. PUBLIC COMMENT PERIOD**

*Members of the public wishing to address the Administrative Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes.*

There were no public comments received.

**5. APPROVAL OF MEETING MINUTES**

**ACTION**

a. January 16, 2019 Meeting Minutes

**MOTION:** On motion by Committee member Uslar and second by Committee member Beretti and carried by the following vote, the Administrative Committee moved to approve the January 16, 2019 regular meeting minutes.

**MOTION PASSED UNANIMOUSLY**

**6. FEBRUARY 8, 2019 BOARD MEETING AGENDA REVIEW**

**INFORMATION**

Principal Planner Jonathan Brinkmann reviewed the items on the draft Board agenda for February 8, 2019. There were no questions or comments from the Committee or public.

This item was for information only.

**7. BUSINESS ITEMS**

**INFORMATION/ACTION**

a. Transition Plan update

Assistant Executive Officer Steve Endsley provided an overview on the 2018 Transition Plan and how the plan is a framework for continued discussions on the outstanding issues. The purpose of Regional Government Services (“RGS”) coming in, is to work with the jurisdictions to address any outstanding issues. Kendall Flint from RGS advised the Committee that their role is to objectively facilitate the issues. The idea is to define the areas where there are disagreements, and figure out where there is opportunity to come to acceptable terms or not. RGS will be meeting with each of the affected agencies and Board members to identify the areas of disagreement. Mrs. Flint stated that, by the next meeting they will have an updated report with the identified key issues. The committee has requested to set a Tentative Special Meeting on March 6, 2019 from 8:30 a.m. to 12:00 p.m. to complete review of the contract matrix, with the identified issues. Staff responded to questions and comments from the Committee members.

b. Capital Improvement Plan

i. Development Forecast Request

ii. Building Removal Financial Consultant – Scope of Work

Principal Planner Jonathan Brinkmann advised the Committee that the due date for the development forecast request has passed. Several jurisdictions have submitted their development forecast, however, there are a some still outstanding. Mr. Brinkmann reminded all the jurisdictions of the importance of submitting the forecasts in a timely manner. FORA staff will follow up with the jurisdictions which have not yet submitted the development forecasts. Mr. Brinkmann announced at the last Administrative Committee meeting a draft scope of work was provided for the Building Removal Financial Services, comments/feedback were requested to be submitted by January 30, 2019, no feedback was received. Mr. Brinkman extended the due date for comments until Friday, February 1, 2019. Staff responded to questions and comments from the Committee members and members of the public.

**Information item only – no vote taken.**

**8. ITEMS FROM MEMBERS**

Executive Officer Houlemard provided an update regarding volunteering to become the C-Co-Chair of the Administrative Committee for the next year. Dino Pick from the City of Del Rey Oaks has volunteered to, be the 2019 Co-Chair. Mr. Pick will assume the post at the February Administrative Committee Meeting.

**9. ADJOURNMENT** at: 9:22 a.m.

Minutes Prepared By:  
Heidi Lizarbe  
Administrative Coordinator



APPROVED

**FORT ORD REUSE AUTHORITY**  
**ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES**  
**8:30 a.m., Wednesday, February 13, 2019 | FORA Conference Room**  
920<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

**1. CALL TO ORDER**

Chair Executive Officer Michael Houlemard called the meeting to order at 8:30 a.m.

The following members were present:

- |                                    |   |
|------------------------------------|---|
| Craig Malin* (City of Seaside)     | Lisa Rheinheimer (Monterey Salinas Transit) |
| Melanie Beretti* (Monterey County) | Layne Long* (City of Marina)                |
| Patrick Breen (MCWD)               | Steve Matarazzo (UCMBEST)                   |
| Hans Uslar* (City of Monterey)     |   |
| Vicki Nakamura (MPC)               |   |

\*Voting Member

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by LAFCO Executive Officer Kate McKenna

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

Ms. McKenna announced Joe Serrano from LAFCO will be departing from the Monterey LAFCO office and assuming a position of Executive Director of the Santa Cruz LAFCO.

Chair Michael Houlemard, Jr. announced that Del Rey Oaks City Manager Dino Pick was chosen as the Administrative Committee Co-Chair to succeed Seaside City Manager Craig Malin. The Committee commended Mr. Malin for his service as Co-Chair

**4. PUBLIC COMMENT PERIOD**

*Members of the public wishing to address the Administrative Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes.*

There were no public comments received.

**5. APPROVAL OF MEETING MINUTES**

**ACTION**

- a. January 30, 2019 Meeting Minutes

**MOTION:** On motion by Committee member Malin and second by Committee member Uslar and carried by the following vote, the Administrative Committee moved to approve the January 30, 2019 regular meeting minutes.

**MOTION PASSED UNANIMOUSLY**

- 6. FEBRUARY 8, 2019 BOARD MEETING AGENDA REVIEW** **INFORMATION**  
Principal Planner Jonathan Brinkmann provided an overview of the February 9, 2018 draft Board meeting items and responded to questions and comments from the Committee. Public comment was received.

This item was for information only.

- 7. BUSINESS ITEMS** **INFORMATION/ACTION**  
a. Transition Plan Update  
Chair Houlemard reviewed an Outstanding Issues List, which delineated concerns regarding Transition Plan items received from certain Board members at the February 8, 2019 Board of Directors meeting. It was stated that the conversations on how FORA will meet obligations and which jurisdictions will inherit certain contracts need to take place in the Administrative Committee meetings and then presented to the Board in order for further action to be taken. It was also noted there was extended discussion on Transition Plan issues such as consultants needing to meet and work with each jurisdiction, the anticipation and preparation of reduction in and reorganizing of staff and an upcoming classification and compensation study.

- b. Capital Improvement Program  
i. Development Forecast Request  
Principal Planner Jonathan Brinkmann introduced the item and reviewed the Draft Fiscal Year 2019/20 Through Post-FORA Development Forecast for Residential and Non-Residential Annual Land Use Construction, and Draft Fiscal Year 19/20 Land Sales Revenue. Mr. Brinkmann noted that these forecasts were still missing updated projections from the City of Marina. Staff responded to questions and comments from the Committee. Public comment was received. There was no action taken on the item.

**Information item only – no vote taken.**

- 8. ITEMS FROM MEMBERS**  
**9. ADJOURNMENT** at: 9:54 a.m.

Minutes Prepared By:  
Heidi Lizarbe  
Administrative Coordinator

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

**Subject:** Veterans Issues Advisory Committee

**Meeting Date:** March 8, 2019

**Agenda Number:** 7c

**INFORMATION/ACTION**

### RECOMMENDATION:

Receive a report from the Veterans Issues Advisory Committee (VIAC).

### BACKGROUND/DISCUSSION:

The Veterans Issues Advisory Committee met on October 25, 2018 and January 24, 2019. The approved minutes for these meetings are provided as **Attachment A and B**.

### FISCAL IMPACT:

Reviewed by FORA Controller 

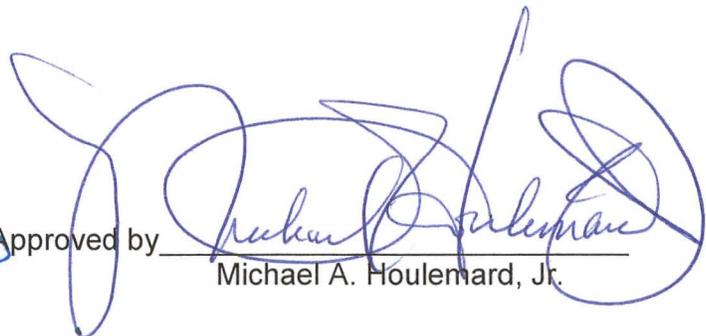
Staff time for this item is included in the approved annual budget.

### COORDINATION:

VIAC

Prepared by 

Heidi L. Lizarbe

Approved by 

Michael A. Houlemard, Jr.



**FORT ORD REUSE AUTHORITY  
VETERANS ISSUES ADVISORY COMMITTEE (VIAC) MEETING MINUTES  
3:00 P.M. October 25, 2018 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933**

**1. CALL TO ORDER**

Chair Mayor Jerry Edelen called the meeting to order at 3:00 P.M.

**Committee Members Present:**

Jerry Edelen, Mayor of City of Del Rey Oaks  
Edith Johnsen, Veterans Families/Fundraising  
Mary Estrada, United Veterans Council (UVC)  
Jason Cameron, Monterey County Office of Military & Veterans Affairs  
Richard Garza, CCVC Foundation  
James Bogan, Disabled American Veterans  
Jack Stewart, Monterey County California Central Coast Veterans Cemetery Advisory Committee  
Sid Williams, Monterey County Military & Veterans Affairs

**2. PLEDGE OF ALLEGIANCE** led by James Bogan.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

Principal Analyst Robert Norris announced the Hero's Open on Saturday, October 27; results of the turn out from the Run for the Fallen Run.

**4. PUBLIC COMMENT PERIOD**

There were no comments from the public.

**5. APPROVAL OF MEETING MINUTES**

a. September 27, 2018 Regular Meeting Minutes

MOTION: On motion by Committee member Garza and seconded by Committee member Estrada the VIAC approved the September 27, 2018 meeting minutes with corrections.

**6. BUSINESS ITEMS**

a. **California Central Coast Veterans Cemetery (CCCVC) Status Report**

Mr. Norris relayed information from CDVA regarding phase II beginning with site survey work to be followed by a schedule with milestones. The consultants are planning a project meeting beginning November 1, 2018.

b. **Fundraising Status**

i. *Central Coast Veterans Cemetery Foundation Status Report*

Richard Garza reminded the Committee about the Heroes Open and commended Sid Williams for his dedicated work on the project. The Honor our Fallen Run fundraiser will be taken over by CCVCF Foundation next year due to restrictions with fundraising that the Army experiences and

their inability to solicit outside funds; an increased number of volunteers will be needed and those interested should reach out to Candy Ingram.

The CCVCF has begun to send their end of year thank you letter to donors with friendly reminder to continue to donate funds.

The American Legion riders are considering another “Epic Ride” to the farthest points of the lower 48 states, the planning and promotion process will also determine the destinations.

The CCVCF is still working with CalVet on donor recognition wall and considering many options. Inquiries regarding phase II - in ground burials are still being received and callers are being referred to CalVet for more information regarding the status.

c. **Veterans Transition Center (VTC) Housing Construction**

Jack Murphy announced that a historical high has been surpassed with 100 people currently enrolled in the VTC program. The VTC is in contact with the Cities of Marina, Seaside and the County of Monterey regarding the duplex project and is scheduled to be released for public bid on November 15.

Mr. Murphy also provided an update on the Lightfighter Village project which will be presented to the City of Marina Planning Commission on October 25, 2018 at 1830. The project boosts the fact that it is the only Veterans specific project in Monterey County.

Comments were received from the Committee and Mr. Murphy responded.

d. **VA-DOD Clinic**

James Bogan announced the pharmacy is closed and what to do with the space is still TBD; cafeteria is open. Discussed having a meeting there but the paper work is laborious and seeking to schedule a meeting between the VA-DOD clinic and FORA Executive Officer Michael Houlemard. Mr. Bogan announced he has relieved Cliff Guinn as Retiree Council Chairman.

e. **Historical Preservation Project**

Cliff Guinn reported that he is waiting for a meeting to be scheduled and also a letter from the IRS regarding their non-profit status. Mr. Guinn also offered to provide some items to the Monterey County Office of Military & Veterans Affairs office.

Comments were received from the Committee.

Mr. Guinn also provided information about preserving a historical site in the City of Marina – Marina foundation has agreed to temporarily oversee the Historical Preservation Project and make efforts to obtain interested groups that will eventually take the lead. Efforts to ease the process are being made through discussion with the City of Marina to re-zone the site and/or other methods to obtain more money to the project.

f. **Monterey-Salinas Transit Bus Stop at VA-DOD Clinic Update**

Mr. Norris provided an update and explained the handout of the MST bus route and the attempts to work with the MST rep of FORA to get some signage and better information to those looking to go the clinic. Bus 18 from Monterey and Bus 61 from Salinas stop at the door of the Clinic.





APPROVED

**FORT ORD REUSE AUTHORITY  
VETERANS ISSUES ADVISORY COMMITTEE (VIAC) MEETING MINUTES  
3:00 P.M. January 24, 2019 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933**

**1. CALL TO ORDER**

Interim-Chair Edith Johnsen called the meeting to order at 3:00 P.M.

**Committee Members Present:**

Ian Oglesby, Mayor of Seaside

Edith Johnsen, Veterans Families/Fundraising

Mary Estrada, United Veterans Council (UVC)

Jack Stewart, Monterey County California Central Coast Veterans Cemetery Advisory Committee

Sid Williams, Monterey County Military & Veterans Affairs

**2. PLEDGE OF ALLEGIANCE** led by Jack Stewart.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

Principal Analyst Robert Norris announced that the new FORA Board Chair will appoint committee heads at the February 8, 2019 Board Meeting. Mr. Norris noted that FORA has submitted the 2018 Transition Plan to LAFCO, and VIAC Committee will continue.

**4. PUBLIC COMMENT PERIOD**

There were no comments from the public.

**5. APPROVAL OF MEETING MINUTES**

a. October 25, 2018 Regular Meeting Minutes

MOTION: On motion by Committee member Williams and seconded by Committee member Stewart the VIAC approved the October 25, 2018 meeting minutes.

**6. BUSINESS ITEMS**

a. **California Central Coast Veterans Cemetery (CCCVC) Status Report**

i. *Cemetery Administrator's Status Report*

Principal Analyst Robert Norris updated the committee stating he participated in a conference call on cemetery design and environmental issues. Unofficially they are currently at 35% working drawings and the Environmental Impact Report (EIR). Nothing has been officially announced and there is no official schedule. Progress is being made, however it's unclear whether or not the Cemetery will apply for federal funds this fiscal year or next.

ii. *Veteran's Cemetery Land Use Status*

Mr. Norris announced that there has been no official document released since the April 2018 report to the Fort Ord Committee on Oak Woodlands Mitigation. The next phase requires an EIR that covers all expected future phases of the cemetery project.

iii. *Fort Ord Committee Verbal Report: Oak Woodlands Mitigation & Endowment MOU*

Nothing to Report

b. **Fundraising Status**

i. *Central Coast Veterans Cemetery Foundation Status Report*



# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

<b>Subject:</b>	Water/Wastewater Oversight Committee	
<b>Meeting Date:</b>	March 8, 2019	<b>INFORMATION/ACTION</b>
<b>Agenda Number:</b>	7d	

### RECOMMENDATION:

Receive a report from the Water/Wastewater Oversight Committee (WWOC).

### BACKGROUND/DISCUSSION:

Marina Coast Water District (MCWD) provided the Water/Wastewater Oversight Committee (WWOC) a project status report (**Attachment A**) as part of the cancellation notice for the January meeting. The report provides information about:

- MCWD Master Planning,
- MCWD Annexation of existing service area,
- The Regional Urban Water Augmentation Project (RUWAP), and
- Three-Party Planning Process for Water Augmentation.

### FISCAL IMPACT:

Reviewed by FORA Controller 

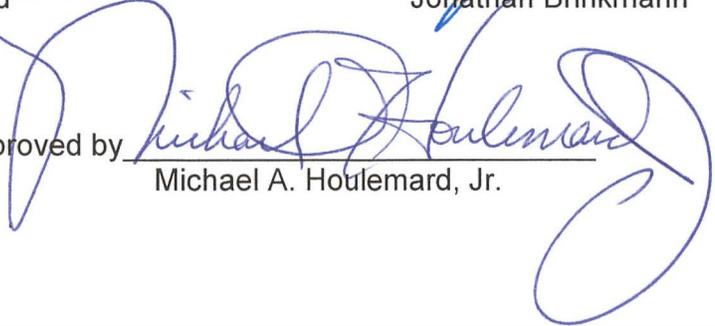
Staff time for this item is included in the approved FORA budget.

### COORDINATION:

WWOC, Marina Coast Water District

Prepared by   
Peter Said

Reviewed by   
Jonathan Brinkmann

Approved by   
Michael A. Houlemard, Jr.



# FORT ORD REUSE AUTHORITY

920 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | [www.fora.org](http://www.fora.org)

## MEMORANDUM

**TO:** Water/Wastewater Oversight Committee  
**FROM:** Peter Said, Project Manager  
**RE:** MCWD Updates  
**DATE:** February 1, 2019

The February 6, 2019 Water/Wastewater Oversight Committee meeting is cancelled due to a lack of actionable items for the agenda. In its stead, Fort Ord Reuse Authority (FORA) staff has coordinated with Marina Coast Water District (MCWD) to provide an ongoing projects status report for your information.

### **MCWD Master Planning:**

The consultant AKEL has completed a draft water master plan for internal staff review. They have not submitted draft sewer and recycled water master plans and fee study to date, 1/31/2019. An updated schedule for WWOC review and recommendation of the Master Plans and Capacity Fees will be provided once the consultant reviews staff comments and provides a date for issuance of the draft reports for District Board, WWOC and public review. FORA Staff will work with MCWD to release an updated schedule.

### **MCWD Annexation of existing service area:**

The Local Area Formation Commission (LAFCO) of Monterey County application was revised based on a settlement agreement with Keep Fort Ord Wild and Land Watch. MCWD submitted the revised annexation application to LAFCO in early December. LAFCO is preparing the Municipal Service Review and planning towards an April Public Hearing. LAFCO is hopeful MCWD and Seaside County Sanitation District (SCSD) will reach a resolution before then.

### **The Regional Urban Water Augmentation Project (RUWAP):**

The Contractor Mountain Cascade has achieved preliminary substantial completion and is working on change order and punch list items. Anticipated completion is March 2019. Monterey One Water (M1W) and MCWD are coordinating revisions to their respective Title 22 reports for Department of Drinking Water approval. M1W and MCWD are working towards a system startup goal in June 2019.

### **Three-Party Planning Process for Water Augmentation:**

The Three-Party planning process kicked off in late October. The consultant spent November and December gathering information and developing options. The first Workshop with Staff was held January 30<sup>th</sup> to determine strategic goals, develop decision criteria and weighting metrics, and reviewed the baseline and water supply alternatives. Our next steps will memorialize the current water augmentation program and the strategic goals, evaluation criteria, and selected water supply alternatives to be studied. Once received and reviewed, Workshop #2 will be scheduled for late February or early March.

Best Regards,

Peter Said, PMP  
Project Manager  
Fort Ord Reuse Authority  
[peter@fora.org](mailto:peter@fora.org)  
831.883.3672

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

**Subject:** Habitat Conservation Plan Update

**Meeting Date:** March 8, 2019

**Agenda Number:** 7e

**INFORMATION**

### RECOMMENDATION(S):

Receive a Fort Ord Multi-Species Habitat Conservation Plan (HCP) report regarding United States Fish and Wildlife Service (USFWS) HCP and California Department of Fish and Wildlife (CDFW) 2081 Incidental Take Permit (ITP) developments.

### BACKGROUND:

To complete the reuse of former Fort Ord as envisioned in the 1997 Fort Ord Base Reuse Plan (BRP), the Fort Ord Reuse Authority (FORA) must complete an HCP for “take” of Federally-listed species and a 2081 ITP for take of State-listed species as required by the Endangered Species Act (ESA) and California Endangered Species Act (CESA), respectively. Since 1997, FORA pursued a base-wide HCP, and worked through many challenges in its pursuit, including impediments to conducting habitat restoration burns, listing of California Tiger Salamander (CTS), changing CDFW and USFWS staffing, added funding requirements, and adjustments to HCP/2081 ITP requirements.

Funding the HCP program is based on building to a habitat endowment that would generate enough annual interest earnings to fund protection “in perpetuity,” restoration and enhancement of habitat as mitigation for take, and management of the funds. The Cities, County, and other members of a future Joint Powers Authority (JPA), called the “Cooperative,” would be issued Federal and State ITPs and oversee stay-ahead provisions so that species take would not exceed completed mitigations.

HCP preparation and environmental review has been paid for by FORA, using Community Facilities District (CFD) special taxes collected from former Fort Ord development. FORA has paid several million dollars for the environmental review and document preparation so far as performed by consultants and staff. The required Endowments were originally projected to be \$9 million but are now expected to cost \$48 to \$66 million. By the time FORA sunsets, about \$21 million is expected to be collected for this use. FORA has set 30% of CFD funds aside for HCP funding. In anticipation of a FORA sunset on June 30, 2020, the jurisdictions need to figure out how to generate the remaining \$27 to \$45 million required by USFWS/CDFW (“Wildlife Agencies”) or, alternatively, the State Legislature might extend FORA’s financing ability. Wildlife Agencies provided strong input into the design of the HCP so that funding is scalable and must fund Habitat Management Area management and additional mitigations five percent ahead of impacts.

In late 2016, USFWS issued FORA a comment letter outlining nine general recommendations for changes to the draft Fort Ord HCP which caused major revisions to the species covered and the areas included as Federal permit “preserved” habitat. In July 2017, FORA distributed a second screencheck draft HCP to Wildlife Agencies and Permittees, because the edits were significant. CDFW took eleven months to send in comments on the July 2017 HCP draft

document. Many of CDFW staff comments brought up issues that were already resolved through discussions with prior CDFW staff. FORA Staff met with CDFW several times in 2018 to resolve the issues. FORA staff and consultants made edits in response to CDFW and the other stakeholders.

Because USFWS is the lead agency on the HCP under the National Environmental Policy Act (NEPA), their solicitor does the final screencheck review before release of the Public Draft. Those editorial comments from the USFWS came in late November and early December of 2018. The comments included the request to remove the Implementing Agreement, updates to mitigation summaries in the Conservation Strategy chapter to better align with the current assessment framework, and a redraft of the Funding chapter to more explicitly depict BLM's role. USFWS is finishing the solicitor review of the HCP Environmental Impact Statement/ Environmental Impact Report.

### DISCUSSION:

Within the past year, the Department of Interior issued new rules for expediting the Fort Ord HCP project timeline. On April 27, 2018, the Deputy Secretary of the Interior sent out a Memorandum mandating that all outstanding EISs with a Notice of Intent published on or before August 31, 2017 must publish a project schedule with a Final EIS completion and Record of Decision (ROD) issuance date of no later than 365 days from the effective date of the Memorandum. This mandate extends to the HCP. USFWS confirmed that they will work on a tight timeline to complete the review. However, Department of the Interior took note of the USFWS's warning that they would receive a large number of EIS's at one time, and allowed staggering of the deadlines. Therefore, the HCP schedule (**Attachment A**) has been adjusted to release the Public Draft by the end of April, 2019 and bring it to completion for a ROD in September, 2019. CDFW expressed, in 2018 meetings that is not currently known how long CDFW will require to process the ITPs. However, the HCP JPA will form in Fall of 2019, and staff will request meetings with HCP-responsible jurisdiction staff in Summer and Fall of 2019 to keep the approval process on schedule.

### FISCAL IMPACT:

Reviewed by FORA Controller IF *signing for Helen Rodriguez*

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

### COORDINATION:

Authority Counsel, Administrative Committee, ICF, Denise Duffy & Associates, CDFW, and USFWS.

Prepared by *Mary Israel* Mary Israel  
Reviewed by *Jonathan Brinkmann* Jonathan Brinkmann  
Approved by *Michael A. Houlemard, Jr.* Michael A. Houlemard, Jr.

**Table 1.** Revised Schedule for Installation-Wide Multispecies Habitat Conservation Plan

Key: Document Preparation  
 Meetings  
 Review Periods  
 Notice prep/publish  
 Final Approval Steps

	Status	2018												2019												20
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
<b>HCP</b>																										
1 Draft Pre-Public HCP	Done																									
2 Key Issue Resolution status updates	Done																									
3 Wildlife Agency and Working Group Review Period (8 wk)	Done																									
4 Meetings to Identify Key Issues	Done																									
5 Bi-weekly meetings (as necessary) with Wildlife Agencies, FORA, and Working Group Members to check-in or resolve outstanding issues	Done																									
6 Prepare 3rd Admin Draft HCP	Done																									
7 Review 3rd Admin Draft HCP (Permit Applicants and BLM only )	Done																									
8 Revise 3rd Admin Draft HCP	Done																									
9 Review 3rd Admin Draft HCP (Permit Applicants, BLM, Wildlife Agencies)	Done																									
10 Prepare Screen-check Draft HCP	Done																									
11 Review Screen-check Draft HCP (Wildlife Agencies)	Done																									
Prepare 2nd Screen-check Draft HCP	Done																									
Agencies and Permittee Review 2nd Screen-check Draft (60 days)	Done																									
12 Prepare Screencheck Public Draft HCP																										
13 Solicitor review																										
14 Prepare Public Review HCP																										
15 Prepare and publish Notice in Federal Register for HCP, EIS																										
16 Public/Agencies Review Period (60 days)																										
17 Conduct Public Outreach																										
18 Prepare Final HCP																										
19 See Approval process steps																										

	Status	2018												2019												20
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
<b>EIR/EIS</b>																										
1 Prepare 1st Admin Draft EIS/EIR	Done																									
2 Review Period	Done																									
3 Prepare 2nd Admin Draft EIS/EIR	Done																									
4 Solicitor review (2 weeks)																										
5 Prepare Public Review EIS/EIR																										
6 Prepare and publish Notice of Availability in Federal Register (see HCP-15 above)																										
7 Prepare and publish CEQA Notice of Availability																										
8 Public/Agencies Review Period (45 days)																										
9 Respond to public comments/Prepare Admin Draft Final EIS/EIR																										
10 Agency Review Period (2 weeks)																										
11 Prepare Final Public Draft EIS/EIR - clear for publication																										
12 Prepared and Publish Notice of Final EIS, HCP Availability in Federal Register - 30 day comment period																										
13 Publish CEQA Notice of Determination - Permit Applicants - 30 day challenge period																										
14 CEQA Notice of Determination--CDFW - 30 day challenge period																										
15 See Approval Process steps																										

	Status	2018												2019												20
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
<b>HCP JPA Agreement</b>																										
1 Prepare 2nd Admin Draft Agreement	Done																									
2 Wildlife Agency and Working Group Review Period	Done																									
7 Prepare 3rd Admin Draft Agreement	Done																									
8 Review 3rd Admin Draft Agreement (Permit Applicants and BLM only )	Done																									
9 Respond to comments	Done																									
10 Review 3rd Admin Draft Agreement (Permit Applicants, BLM, Wildlife Agencies)	Done																									
11 Prepare Screen-check Draft Agreement	Done																									
12 Review Screen-check Draft Agreement (Wildlife Agencies)																										
13 Prepare Public Draft Agreement																										
14 Public/Agencies Review Period (60 days)																										
15 Prepare Final Agreement																										
16 See Approval Process steps																										

		Status	2018												2019												20
			J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J
<b>Approval Process</b>																											
1	USFWS/FORA Approval of Final Plan, Final EIR/EIS, Final HCP JPA Agreement																										
2	FWS Findings/Biological Opinion																										
3	Establish JPA (Implementing Entity)																										
4	Local Agencies Adopt Imp Ordinances																										
5	CDFW Findings Preparation																										
6	Permits Issued by FWS																										
7	Permits issued by CDFW																										

<b>FORT ORD REUSE AUTHORITY BOARD REPORT</b>	
<b>CONSENT AGENDA</b>	
<b>Subject:</b>	Public Correspondence to the Board
<b>Meeting Date:</b>	March 8, 2019
<b>Agenda Number:</b>	7f
	<b>INFORMATION/ACTION</b>

Public correspondence submitted to the Board is posted to FORA’s website on a monthly basis and is available to view at <http://www.fora.org/board.html>

Correspondence may be submitted to the Board via email to [board@fora.org](mailto:board@fora.org) or mailed to the address below:

FORA Board of Directors  
 920 2<sup>nd</sup> Avenue, Suite A  
 Marina, CA 93933

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEM

<b>Subject:</b>	Regional Building Removal Feasibility Progress Report	
<b>Meeting Date:</b>	March 8, 2019	<b>INFORMATION</b>
<b>Agenda Number:</b>	8a	

### RECOMMENDATION:

Receive a report on the Building Removal Financing Services solicitation and selection.

### BACKGROUND/DISCUSSION:

At its October 2018 Meeting, the Fort Ord Reuse Authority (“FORA”) Board asked staff to investigate the legality and feasibility of issuing debt against FORA’s statutory share of the Property Tax Revenue stream provided to FORA by the State Legislature as codified in the State of California Health and Safety Code. The same source gives authority to FORA to encumber the revenue stream necessary to pay back such debts as incurred to support repayment of amounts borrowed to pay off FORA’s debts and obligations. This becomes critical given that a significant portion of the property tax revenue stream will default back to other worthy agencies but not accrue to the former FORA jurisdictions to the same level as before, a significant loss to the military base reuse and local resources. This desire to accomplish ‘more bang for the buck’ lay at the crux of the Board decision to authorize further analysis by means of issuing an Request for Qualifications (“RFQ”) for specialized financial expertise to answer basic questions about legality, and, if legal, devise a feasible Financial Plan for implementation should the Board subsequently authorize a decision to go forward.

The genesis for this effort came from a City of Seaside City Manager request to the Administrative Committee that it explore the idea of FORA jurisdictions cooperating to remove as much of the remaining blighted buildings as possible in an effort to attain economic development targets of FORA jurisdictions and ending up with a financially resilient community in the long run. FORA staff designed a conceptual plan as to how to accomplish this by targeting its share of the property tax revenue stream and bringing in the financial expertise necessary to complete the remaining building removal, one of the remaining major impediments to reuse.

The other four FORA land use jurisdictions (Marina, County of Monterey, Del Rey Oaks, and Monterey) agreed that it made sense to explore this idea further, as did the Board. Subsequently, FORA staff prepared and issued the requisite RFQ. Three qualified firms responded to the RFQ and were interviewed by a panel of the Administrative Committee that included Seaside City Manager Craig Malin, Marina Finance Director Eric Frost, and FORA Principal Planner Jonathan Brinkmann. Steve Endsley, Assistant Executive Officer for FORA, served as moderator and resource to the Selection Panel.

The Selection Panel deemed all of the candidate firms to be qualified and unanimously recommended NHA Advisors for the assignment. They also recommended that NHA strengthen its bid by adding a local representative with appropriate skill sets. FORA and NHA have negotiated a scope of work and contract. Phase 1 of the scope is to confirm that the financing would be legal under current state law and FORA’s statutory authority. Phase 2 is to prepare a Financial Plan for FORA Board review and approval. Phase 3 would be the Implementation phase, the actual financing itself, if that phase is authorized by the Board in the future. At its February 27, 2019

meeting, the Administrative Committee received a progress report on this project from FORA staff and met Principal Mark Northcross with NHA. The next immediate milestone for NHA's work is to complete legal and financial feasibility memoranda regarding FORA's statutory property tax authority. Staff anticipates that NHA's work will involve a number of working meetings with the FORA Administrative Committee and presentations to the FORA Board.

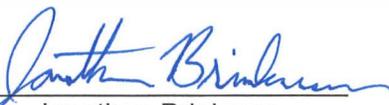
**FISCAL IMPACT:**

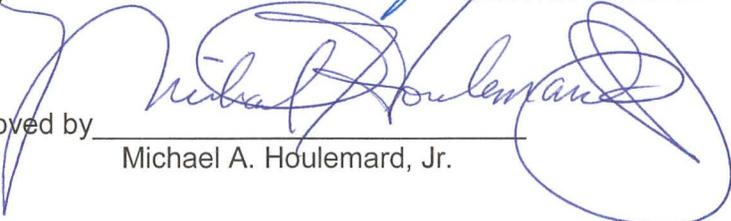
Reviewed by FORA Controller 

Staff time to support the Administrative Committee is included in the approved annual budget. The Board's September 28, 2018 action resulted in an increase in consultant services by up to \$75,000, which will be incorporated into the FORA mid-year budget update.

**COORDINATION:**

NHA, County of Monterey, Cities of Seaside, Monterey, Del Rey Oaks, and Marina, Administrative Committee

Prepared by  Steve Endsley      Reviewed by  Jonathan Brinkman

Approved by  Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEM

**Subject:** Monterey Bay Drone, Automation & Robotics Technology Initiative & Proposed Mid-Year Budget Adjustments

**Meeting Date:** March 8, 2019

**Agenda Number:** 8b

## INFORMATION/ACTION

### **RECOMMENDATION(S):**

- i. Receive Monterey Bay Drone, Automation & Robotics Technology (“DART”) Initiative report; and
- ii. Consider proposed mid-year budget adjustments.

### **i. Monterey Bay Drone, Automation & Robotics Technology Initiative**

#### *Background/Discussion:*

The primary goal of the Fort Ord Reuse Authority’s (“FORA’s”) current Economic Development (“ED”) program, as referenced in the 1997 Base Reuse Plan (“BRP”) and 2012 Reassessment Report (“RR”), is to assist the three-county (Monterey/Santa Cruz/San Benito) region in general and FORA jurisdictions specifically. This assistance is to provide leadership and support for regional economic recovery from the employment, business, and other economic losses resulting from the departure of soldiers, civilians, and families post Fort Ord closure. BRP projections to achieve full recovery include: 36-38,000 in replacement population; 15,000+ jobs to replace military employment and soldiers; 11-12,000 homes (6160 new units); and approximately 3 million sf commercial/office.

In concert with former Fort Ord jurisdictions, progress toward the above noted BRP goals to date includes: *15,717 population; 5652 jobs; 5575 homes (1384 new + 4191 reused); and 691k sf commercial.* These accomplishments provide the strong foundation and equitable basis for realizing new economic development gains.

FORA’s ongoing ED strategy is based on the following key components:

- **Build upon regional economic strengths** (Agriculture, Tourism, Higher Education/Research, Military Missions)
- **Pursue new & retain existing businesses/enterprises.**
- **Engage internal & external stakeholders** (i.e. FORA Jurisdictions, California State University Monterey Bay (“CSUMB”), University of California Santa Cruz (“UCSC”), Monterey Bay Economic Partnership (“MBEP”), Monterey County Business Council (“MCBC”), Monterey Peninsula Chamber of Commerce, and others.
- **Develop and maintain information resources.**
- **Report success metrics.**

Per ongoing Board direction and following the strategy outlined above, staff continues to make progress on a number of key projects including the DART Initiative. As reported in the January 11, 2019 Economic Development Quarterly Update, subsequently in monthly Economic Development Newsletter items, and at Administrative Committee meetings, the Monterey Bay DART initiative continues to make progress towards growing a regional DART industry cluster, realizing real new business recruitment and jobs growth. This report aims to highlight key program objectives, activities and future plans.

FORA staff is working with multiple public and private partners to advance the DART initiative, providing an organizing principle for entrepreneurship and business attraction efforts aligned with growing regional strengths, broad market opportunity, and global technology trends. The DART Initiative emerged from our unsuccessful bid for a Federal Aviation Administration (“FAA”) Unmanned Aerial System Integration Pilot Program designation at the Marina Municipal Airport. The process of responding to the FAA call for proposal resulted in the clear demonstration of market demand for facilities and airspace access, and establishment of healthy public-private partnerships to advance these interconnected fields in the Monterey Bay Region.

The DART initiative is advancing on multiple fronts including:

1. Establishing an IRS Tax Code 501 © 3 organization (Monterey Bay DART Consortium) as a durable vehicle for multi-party participation, funding, education and advocacy;
2. Initiating an on-going series of DART Meet-ups hosted at the University California Monterey Bay Education, Science and Technology Center (“UCMBEST”) Center. The first Meetup co-hosted Tuesday Feb 12, with Startup Monterey Bay Tech Meetup and focused on Human Transport with Joby Aviation was a huge success with approximately 70 people turning out. The series will continue every other month, the 3<sup>rd</sup> Tuesday of the month from 5-8pm (next date April 16 focused on public safety);
3. Partnering with University of California Agriculture & Natural Resources Division (“UCANR”) and California State University Monterey Bay (“CSUMB”) to host the June 17-20 2019 Drone Camp on the former Fort Ord at UCMBEST and CSUMB;
4. Planning for the first Monterey Bay DART Symposium (June 20 & 21, 2019) to bring stakeholders together and highlight regional strengths, challenges and opportunities;
5. Convening a workforce development working group to meet immediate and near-term workforce demands of DART companies relocating to the region; and
6. Pursuing Economic Development Administration (“EDA”) grant funding to evaluate the feasibility of establishing commercial UAS operations at the Marina Airport, and establishing a regional workforce training and business incubator facility to meet current and future DART industry workforce demands and facilitate entrepreneurship.

Staff is engaged in an on-going outreach and engagement effort to raise awareness about the initiative and establish productive partnerships. Efforts to date indicate significant cross-sector interest and enthusiasm. Proposed mid-year budget adjustments described below would provide critical de-risking and seed funding to move the initiative forward towards a self-sustaining and regionally impactful jobs generating future.

## **ii. Consider proposed mid-year budget adjustments**

### *Background/discussion:*

A total of \$60k proposed budget adjustments in support of the Monterey Bay DART Initiative are included in the Mid-Year Budget:

- a) \$50k in local match funding for an Economic Development Administration (EDA) Economic Development Assistance Program (EDAP) grant; and
- b) \$10k in seed funding to support implementation of the 1<sup>st</sup> Monterey Bay DART Symposium, planned for Friday June 21, 2019 at the Monterey Hyatt.

Provision of local match funds would be contingent on securing a City of Marina contribution, and EDA Grant approval. DART Symposium seed funds would be provided as a sponsorship to the Monterey Bay DART Consortium and used to cover event costs. Details follow:

## EDA – EDAP Grant Proposal

### *Background/Discussion:*

FORA staff, working in collaboration with City of Marina staff, developed a feasibility study grant proposal to further the Monterey Bay DART Initiative and provide confidence to public and private sector investors. The EDA-EDAP proposal addresses two key strategic needs:

- 1) Assess the feasibility of establishing commercial UAS operations capability at the Marina Airport (infrastructure, airspace management, & regulatory); and
- 2) Assess the need for and feasibility of establishing a workforce training and business incubator facility at or near the Marina Airport.

These inter-related studies would provide sufficient risk assessment to pursue and potentially secure public and/or private sector implementation funding, and pave the way to realize DART related jobs growth.

### **Local Match Funding**

Since the focus study area is within the boundary of a recently certified Federal Opportunity Zone, EDA requires an 80/20 local match, as contrasted with the normal 50/50 requirement. The current projected project cost is approximately \$500k, and the current proposed local match funding structure is outlined below:

<b>Item</b>	<b>Amount</b>
FORA Cash Contribution	\$50,000
FORA Staff Time Contribution	\$13,000
Marina Cash Contribution <sup>1</sup>	\$20,000
Marina Staff Time Contribution <sup>1</sup>	\$13,000
Total	\$96,000
<sup>1</sup> Marina contribution not yet secured	

### **Monterey Bay DART Symposium**

#### *Background/Discussion:*

The 1<sup>st</sup> Monterey Bay DART Symposium is planned for Friday June 21, 2019 at the Hyatt Monterey. The Symposium will bring together industry, academic and government leaders to highlight leading edge innovations, from international to regional scale, and further establish the region as a center of DART-related innovation and entrepreneurship

As presented to the Finance Committee at the February 22, 2019 meeting, staff requests the Board consider approving a \$10k sponsorship for the DART Symposium.

#### **FISCAL IMPACT:**

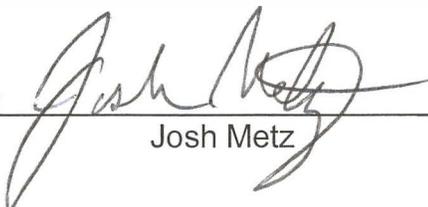
Reviewed by FORA Controller

Funding for staff time and ED program activities is included in the approved FORA budget.

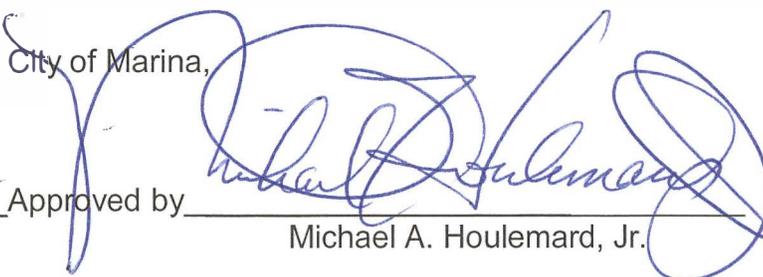
#### **COORDINATION:**

Finance Committee, Executive Committee, City of Marina,

Prepared by

  
Josh Metz

Approved by

  
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

**Subject:** Fiscal Year 2018-2019 Mid-Year Budget

**Meeting Date:** March 8, 2019

**Agenda Number:** 8c

**ACTION**

### **RECOMMENDATION:**

Adopt the Fort Ord Reuse Authority (FORA) Fiscal Year 2018-19 (FY 18-19) Mid-Year Budget approving additional expenditures, as recommended by the Finance Committee and Executive Committee (as specified in the "Coordination" section below).

### **BACKGROUND:**

The mid-year budget update is typically provided by the March Board meeting. This report covers the status of the FY 18-19 budget approved at the June 8, 2018 Board meeting. The Finance Committee reviewed the mid-year budget at its February 22, 2019 meeting; the Executive Committee met on February 27, 2019, reviewed the budget with respect to inclusion in the Board Agenda and considered and recommended Board approval of the request for Health Premium staff benefit adjustment to continue existing Board policy.

### **DISCUSSION:**

The mid-year budget represents revenues and expenditures based on current estimates through the end of the fiscal year.

### **REVENUES: Net Increase \$69 Thousand**

#### ➤ *Additions:*

- \$120 Thousand in interest earnings (~2.5% net of fees) on investment at Union Bank for CalPERS Retirement Termination Liability in the established Public Agencies Post-Employment Benefits Section 115 Trust ("115 Trust") administered by Public Agency Retirement Services ("PARS").

#### ➤ *Reductions:*

- \$60 Thousand in Grant reimbursements resulting from expense classification.

Update on other significant revenues:

- Property Tax revenue budgeted at \$3 Million: the first payment (1 of 2) of \$1.7 Million indicates conformity with the budget (as the second payment is typically smaller).

### **EXPENDITURES: Net Decrease \$2.9 Million**

#### ➤ *Significant additions:*

Funding **authorized by the Board** since the budget approval:

- \$100,000 for completion of mandated Biennial Formulaic Fee Study and technical support for TPIAS (approved 1/11/19).

- \$50,000 for building removal. This is an increase of \$50,000 above the \$25,000 financial consultant budget line item, up to \$75,000 authorized on 9/28/18 by the Board, for exploring feasibility of financing remaining base-wide building removal.

### **FUNDING REQUESTED:**

- \$60,000 DART initiative

The proposed budget adjustment represents expenses related to the Monterey Bay Drone, Automation & Robotics Technology (DART) initiative: a) \$50,000 as local match funds for an Economic Development Administration (EDA) Economic Development Assistance Program (EDAP) grant proposal. Dedication of the funds is requested. Payment contingent on EDA grant approval and City of Marina contribution; and b) \$10,000 to support launching the first Monterey Bay DART Symposium on June 21, 2019. More information is provided in Board Item 8b. Monterey Bay Drone, Automation & Robotics Technology (DART) Initiative report.

- \$4,500 Health Premium Adjustment Request

The FY 18-19 approved budget anticipated a potential 5% health insurance premium increase on January 1, 2019, however the actual increase was 6%.

- \$150,000 – Transportation Study

This increased cost results from the 2018 Transition Plan requiring a traffic modeling analysis of inclusion and removal of FORA lead agency on-site roads.

*Significant reductions:*

Staff anticipates savings/deferrals in several budget categories that offset the above funding requests:

- \$109,187 in Salaries and Benefits as a result of changes in staffing levels and benefits.
- \$3.2 Million in Capital Projects deferral of FORA Transportation Contingency to FY 19-20 based on delays to construction design schedule.

### **OTHER BUDGET ITEMS:**

Staff and the Finance Committee recommend investing the \$1.0 Million Board approved Reserve for the CalPERS Retirement Termination Liability in the **115 Trust**. The most current actuarial report estimates that the termination liability ranges between \$7.8 and \$9.3 Million and does not reflect the approximately \$1.2 Million payment the Board authorized in FY 17-18.

**Attachment A** illustrates the mid-year budget as compared to the approved budget; corresponding notes offer brief narrative descriptions of budget variances.

**Attachment B** depicts the mid-year budget by individual funds.

**Attachment C** itemizes updated expenditures.

**Attachment D** provides proposed staffing/benefits adjustments.

### **FISCAL IMPACT:**

As a result of the proposed budget adjustments, the combined fund ending balance at June 30, 2019 is anticipated to be about \$31.8 Million.

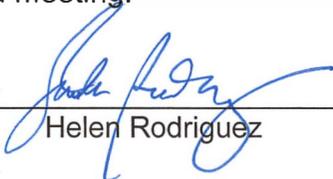
### **COORDINATION:**

Finance Committee, Executive Committee

1. Finance Committee (making recommendations on funding availability);
  - i) The budget includes sufficient funding to absorb mid-year adjustments, and
  - ii) Adopt the FY 18-19 mid-year budget.

The Finance Committee considered the above requests at its February 22, 2019 meeting and directed the following for consideration by the Board: 1) incorporate the adjustments into the mid-year budget; 2) recommended moving \$1M in Board approved reserves to the 115 Trust, and 3) found sufficient funding for this mid-year budget request.

2. Executive Committee (makes recommendations to the Board regarding staffing/benefits adjustments);
  - i) The Executive Committee at its February 27, 2019 meeting recommended Board approval of the request for Health Premium staff benefit adjustment to continue existing Board policy. If the Board concurs in the request for a benefit adjustment to compensate for the increase in health insurance costs, the CalPERS required resolution will be brought back to the April Board meeting.

Prepared by  \_\_\_\_\_  
Helen Rodriguez

Approved by  \_\_\_\_\_  
Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY - FY 18-19 MID-YEAR BUDGET - BY FUND**

CATEGORIES	FY 18-19 APPROVED	FY 18-19 <u>Variances</u> <i>Projected thru 6/30/19</i>	FY 18-19 Mid Year	NOTES
<b>REVENUES</b>				
Membership Dues	\$ 310,928	\$ -	\$ 310,928	
Franchise Fees - MCWD	721,557	-	721,557	
Federal Grants	1,129,167	(51,032)	1,078,135	
Development Fees	10,734,756	-	10,734,756	
Land Sale Proceeds	-	-	-	
Rent Proceeds	50,000	-	50,000	
Property Taxes	2,974,613	-	2,974,613	
Reimbursement Agreements	5,000	-	5,000	
Investment/Interest Income	161,490	120,000	281,490	Interest on Sec. 115 Trust
<b>TOTAL REVENUES</b>	<u>16,087,511</u>	<u>68,968</u>	<u>16,156,479</u>	
<b>EXPENDITURES</b>				
Salaries & Benefits	2,902,432	(104,687)	2,797,745	Staff and benefit changes
Supplies & Services	536,025	-	536,025	
Contractual Services	2,112,350	360,000	2,472,350	Financial consultants/ DART/Transportation Study
Capital Projects (CIP)	29,701,327	(3,180,456)	26,520,871	CIP Transportation Contingency
<b>TOTAL EXPENDITURES</b>	<u>35,252,134</u>	<u>(2,925,143)</u>	<u>32,326,991</u>	
<b>REVENUES &amp; OTHER SOURCES OVER (UNDER) EXPENDITURES</b>	(19,164,623)	2,994,111	<b>(16,170,512)</b>	<i>Use of Fund Balance</i>
<b>FUND BALANCES</b>				
<b>Beginning</b>	47,934,306	-	<b>47,934,306</b>	Ties to FY 17-18 Audited Financials
<b>Ending</b>	\$ 28,769,683	\$ 2,994,111	<b>\$ 31,763,794</b>	<b>Ending Fund Balance</b>
<b>Fund Balances</b>				
<i>Committed/Assigned for:</i>				
CalPers Termination	\$ 6,700,000	\$ 120,000	\$ 6,820,000	<b>Staff recommends investing \$1M reserve in Sec. 115 Trust</b>
Operations	4,700,000		4,700,000	
Habitat Management (HM/HCP)	17,113,239		17,113,239	
Building Removal	-		-	
CIP	232,010	2,871,861	3,103,871	
<b>Unassigned</b>	24,434	2,250	26,684	
<b>Ending Fund Balance</b>	<u>\$ 28,769,683</u>	<u>\$ 2,994,111</u>	<u>\$ 31,763,794</u>	

**FORT ORD REUSE AUTHORITY - FY 18-19 MID-YEAR BUDGET - BY FUND**

CATEGORY	SPECIAL REVENUE FUNDS (SRF)				TOTAL ANNUAL BUDGET
	GENERAL FUND	LEASES/ LAND SALE	CFD/Tax Developer Fees	ARMY ESCA	
<b>REVENUES</b>					
Membership Dues	310,928	-	-	-	310,928
Franchise Fees - MCWD	721,557	-	-	-	721,557
Federal Grants	-	-	-	1,078,135	1,078,135
Development Fees	-	-	10,734,756	-	10,734,756
Land Sale Proceeds	-	-	-	-	-
Rental/Lease Revenues	50,000	-	-	-	50,000
Property Tax Payments	1,300,000	-	1,674,613	-	2,974,613
Reimbursement Agreements	5,000	-	-	-	5,000
Investment/Interest Income	240,000	-	41,490	-	281,490
Other Income	-	-	-	-	-
<b>Total Revenues</b>	<b>2,627,485</b>	<b>-</b>	<b>12,450,859</b>	<b>1,078,135</b>	<b>16,156,479</b>
<b>EXPENDITURES</b>					
Salaries & Benefits	1,728,850	89,411	518,395	461,089	2,797,745
Supplies & Services	313,818	13,230	132,940	76,037	536,025
Contractual Services	1,317,589	25,690	588,062	541,009	2,472,350
Capital Projects	-	9,520,871	17,000,000	-	26,520,871
<b>Total Expenditures</b>	<b>3,360,257</b>	<b>9,649,202</b>	<b>18,239,397</b>	<b>1,078,135</b>	<b>32,326,991</b>
<b>REVENUES OVER (UNDER) EXPENDITURES</b>	<b>(732,772)</b>	<b>(9,649,202)</b>	<b>(5,788,538)</b>	<b>-</b>	<b>(16,170,512)</b>
<b>OTHER FINANCING SOURCES (USES)</b>					
Transfer In/(Out)	375,000	(1,325,000)	950,000	-	-
<b>Total Other Financing Sources (Uses)</b>	<b>375,000</b>	<b>(1,325,000)</b>	<b>950,000</b>	<b>-</b>	<b>-</b>
<b>REVENUES &amp; OTHER SOURCES OVER (UNDER) EXPENDITURES</b>	<b>(357,772)</b>	<b>(10,974,202)</b>	<b>(4,838,538)</b>	<b>-</b>	<b>(16,170,512)</b>
FUND BALANCE-BEGINNING 7/1/17	11,904,456	11,185,029	24,844,821	-	47,934,306
<b>FUND BALANCE-ENDING 6/30/18</b>	<b>11,546,684</b>	<b>210,827</b>	<b>20,006,283</b>	<b>-</b>	<b>31,763,794</b>

**Fund Balances**

**Committed/Assigned for:**

CalPers Termination	\$ 6,820,000	\$ -	\$ -	\$ -	\$ 6,820,000
Operations	4,700,000	-	-	-	4,700,000
Habitat Management (HM/HCP)	-	-	17,113,239	-	17,113,239
Building Removal	-	-	-	-	-
CIP	-	210,827	2,893,044	-	3,103,871
<b>Unassigned</b>	<b>26,684</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>26,684</b>

<b>Ending Fund Balance</b>	<b>11,546,684</b>	<b>210,827</b>	<b>20,006,283</b>	<b>-</b>	<b>31,763,794</b>
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## FORT ORD REUSE AUTHORITY - FY 18-19 MID-YEAR BUDGET - BY FUND

EXPENDITURE CATEGORIES	FY 18-19 Approved	FY 18-19 Mid- Year Proposed	Change	NOTES
				"N" indicates a new expense in FY 17-18 budget
<b><u>SALARIES AND BENEFITS (S &amp; B)</u></b>	17 positions + 1 intern	17 positions + 1 intern		
SALARIES	2,038,161	1,967,512	(70,649)	
BENEFITS/HEALTH, RETIREMENT, OTHER	714,271	680,233	(34,038)	
TEMP HELP/VACTION CASH OUT/STIPENDS	150,000	150,000	-	
<b><u>TOTAL SALARIES , BENEFITS AND UAL</u></b>	<b>2,902,432</b>	<b>2,797,745</b>	<b>(104,687)</b>	
<b><u>SUPPLIES AND SERVICES</u></b>				
PUBLIC & LEGAL NOTICES	8,000	8,000	-	
COMMUNICATIONS	8,000	8,000	-	
DUES & SUBSCRIPTIONS	25,000	25,000	-	
PRINTING & COPY	13,000	13,000	-	
SUPPLIES	16,000	16,000	-	
EQUIPMENT & FURNITURE	25,000	25,000	-	
VEHICLE AND MAINTENANCE	28,600	28,600	-	
TRAVEL & LODGING	35,000	35,000	-	
CONFERENCE, TRAINING & SEMINARS	25,000	25,000	-	
MEETING EXPENSES	15,750	15,750	-	
TELEVISED MEETINGS	7,000	7,000	-	
BUILDING MAINTENANCE & SECURITY	10,000	10,000	-	
FORA OFFICES RENTAL	180,000	180,000	-	
UTILITES	14,175	14,175	-	
INSURANCE	34,000	34,000	-	
PAYROLL/ACCOUNTING SERVICES	7,500	7,500	-	
IT/COMPUTER SUPPORT	35,000	35,000	-	
RECORD ARCHIVING	11,000	11,000	-	
PREVAILING WAGE TECH SUPPORT/SOFTWARE	10,000	10,000	-	
Community Outreach/Marketing	25,000	25,000	-	
OTHER (POSTAGE, BANK FEES, MISC)	3,000	3,000	-	
<b><u>TOTAL SUPPLIES AND SERVICES</u></b>	<b>536,025</b>	<b>536,025</b>	<b>-</b>	
<b><u>CONTRACTUAL SERVICES</u></b>				
AUTHORITY COUNSEL	250,000	250,000	-	
LEGAL/LITIGATION FEES	185,000	185,000	-	
LEGAL FEES - SPECIAL PRACTICE	75,000	75,000	-	
AUDITORS	18,850	18,850	-	
SPECIAL COUNSEL (EDC-ESCA)	100,000	100,000	-	
ESCA/REGULATORY RESPONSE/ QUALITY ASSURANCE	460,000	460,000	-	
FINANCIAL CONSULTANT	25,000	175,000	150,000	BOD approve \$100K on 1/19 for EPS and \$50K on 9/18 Bldg Removal
LEGISLATIVE SERVICES CONSULTANT	43,000	43,000	-	
PUBLIC INFORMATION/OUTREACH	20,000	20,000	-	
HCP CONSULTANTS	150,000	150,000	-	
FORA Sunset/Transition	500,000	650,000	150,000	Transportation Study
REUSE PLAN IMPLEMENTATION	150,000	150,000	-	
ECONOMIC DEVELOPMENT	105,500	165,500	60,000	DART grant match/Monterey Bay Symposium
OTHER CONSULTING/CONTRACTUAL EXP	30,000	30,000	-	
<b><u>TOTAL CONTRACTUAL SERVICES</u></b>	<b>2,112,350</b>	<b>2,472,350</b>	<b>360,000</b>	
<b><u>CAPITAL PROJECTS</u></b>				
TRANSPORTATION/OTHER CIP PROJECTS	20,180,456	17,000,000	(3,180,456)	Transportation Contingency
BUILDING REMOVAL	9,520,871	9,520,871	-	
<b><u>TOTAL CAPITAL PROJECTS</u></b>	<b>29,701,327</b>	<b>26,520,871</b>	<b>(3,180,456)</b>	
<b><u>TOTAL EXPENDITURES</u></b>	<b>35,252,134</b>	<b>32,326,991</b>	<b>(2,925,143)</b>	

**FORA Health Insurance Premium  
Employer Portion  
Effective 1/1/19**

	<b>EE Only</b>	<b>EE + 1 Dep</b>	<b>EE + 2 Dep</b>	<b>Fiscal Impact FY 18-19</b>
FY 18-19 Approved	830	1,511	1,909	
Increase in Premium effective 01/01/19	53 6%	106 7%	138 7%	
<b>OPTIONS:</b>				
a) Keep ER contribution constant until next review				<b>None</b>
b) Keep EE contribution constant until next review				<b>Note 1</b>
<b>Employer Contribution</b>	883	1,617	2,047	<b>\$4,500 or \$10K annually</b>
c) Both ER and EE share increase				<b>Note 1</b>
<b>Employer Contribution</b>	857	1,564	1,978	<b>\$6,0000 annually</b>

*With changes in staffing, there is no fiscal impact for FY 18-19. There is an overall saving for FY 18-19 for employee wages and benefits as a result of staff changes.*

**FORT ORD REUSE AUTHORITY BOARD REPORT**  
**BUSINESS AGENDA**

<b>Subject:</b> Legislative Committee Report	
<b>Meeting Date:</b> March 8, 2019	<b>INFORMATION/ACTION</b>
<b>Agenda Number:</b> 8d	

**RECOMMENDATION:**

Receive a report from the Legislative Committee and approve 2019 Legislative Agenda.

**BACKGROUND/DISCUSSION:**

The Legislative Committee met on February 14, 2019 and approved the August 24, 2018 meeting minutes (**Attachment A**).

Reports from legislative office representatives Kathleen Lee (20<sup>th</sup> U.S. Congressional District) and Erica Parker (CA Assembly District 29) were provided at the meeting. Related materials (to those updates) were offered and are attached (**Attachment B**).

The Committee also received 1) a draft 2019 FORA Legislative Agenda presentation by Executive Officer Michael Houlemard, and 2) an update from JEA and Associates, John Arriaga, regarding the 2019 legislative calendar. After review, the Committee voted to make adjustments to the 2019 FORA Legislative Agenda and recommend FORA Board adoption at the March 8, 2019 meeting. A copy of the revised 2019 Legislative Agenda is attached (**Attachment C**). Given the tight timelines and that the list of pending legislation has not yet been fully submitted, the Legislative Committee discussed the need for additional and frequent meetings in March and April. A Committee meeting the week after Board action, which is important to meet State legislative time frames, is being scheduled.

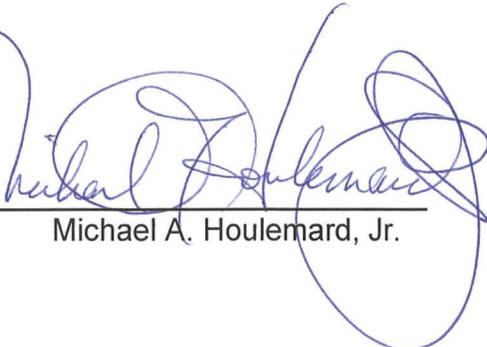
**FISCAL IMPACT:**

Reviewed by the FORA Controller 

Staff time for the Legislative Committee is included in the approved annual budget.

**COORDINATION:**

Legislative Committee

Prepared by  Heidi L. Lizarbe      Approved by  Michael A. Houlemard, Jr.



APPROVED

## **FORT ORD REUSE AUTHORITY (FORA)**

### **LEGISLATIVE COMMITTEE MEETING MINUTES**

1:00 p.m., Wednesday, August 24, 2018  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933

#### **1. CALL TO ORDER**

Chair Monterey County Supervisor John Phillips called the meeting to order at 1:10 p.m.

##### Voting Members Present:

Mayor Ralph Rubio (City of Seaside)  
Mayor Jerry Edelen (City of Del Rey Oaks)  
Council Member Frank O'Connell (City of Marina)  
Mayor Mary Ann Carbone (City of Sand City)

#### **2. PLEDGE OF ALLEGIANCE**

Pledge of allegiance was led by Supervisor Phillips.

#### **3. ACKNOWLEDGMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

Executive Officer Michael Houlemard announced and reminded Committee members about the Special Board meeting scheduled for September 28, 2018 and the City of Seaside Building Removal Kick off on September 5, 2018 at 11:00 a.m. at 205 Col. Durham Street.

Mr. Houlemard introduced JEA & Associates, Inc. President John Arriaga and associate Laurie Johnson whom participated in the meeting via phone.

#### **4. PUBLIC COMMENT PERIOD**

There were no comments received from the public.

#### **5. REPORTS FROM LEGISLATIVE OFFICES**

a. 20<sup>th</sup> U.S. Congressional District – Kathleen Lee  
No report.

b. 17<sup>th</sup> State Senate District – Nicole Hollingsworth  
No report.

c. 29<sup>th</sup> State Assembly District – Erica Parker

Ms. Parker provided the 2018 Bill List for Assemblymember Mark Stone via email to be distributed to the members in her absence. The Committee reviewed the list and provided comments on items that may affect former Fort Ord and FORA jurisdictions.

#### **6. BUSINESS ITEMS**

a. Update and Status of 2018 FORA Legislative Track  
Committee member Carbone arrived at the meeting (1:23 p.m.)

Mr. Arriaga and Ms. Johnson provided a review of the measures that were being tracked as approved by the FORA Board on June 8, 2018. Mr. Arriaga and FORA staff provided further information on the status of the items and responded to the Committee's questions.

b. Report on Updates to 2018 Proposed Positions on State Legislation

Mr. Houlemard provided the Committee with the connection between the current status of the legislative items being tracked and what it means for the work of FORA.

- i. Senate Bill 50
- ii. Senate Bill 1

Ms. Johnson provided an update and responded to questions from the Committee.

**Motion:** On motion by Committee member Carbone and second by Committee member Rubio and carried by the following vote, the Legislative Committee moved to direct staff to prepare a letter of support to amend SB 50.

**MOTION PASSED UNANIMOUSLY**

**Motion:** On motion by Committee member Rubio and second by Committee member Carbone and carried by the following vote, the Legislative Committee moved to oppose SB 1.

**MOTION PASSED UNANIMOUSLY**

c. Discuss and Schedule Future Meeting Dates

Mr. Houlemard advised the Committee that a Legislative Committee meeting should take place in the fall – possibly after the October 10, 2018 Board meeting. Staff will poll members to establish a meeting date.

**7. ITEMS FROM MEMBERS**

There were no items from Committee members.

**8. ADJOURNMENT**

The meeting was adjourned at 1:40 p.m.

**COMMITTEES**  
BANKING AND FINANCE  
HUMAN SERVICES  
NATURAL RESOURCES

**SELECT COMMITTEES**  
CHAIR: COASTAL PROTECTION  
CHAIR: EXPANDING ACCESS TO  
CALIFORNIA'S NATURAL RESOURCES

# Assembly California Legislature



**MARK STONE**  
CHAIR, JUDICIARY  
ASSEMBLYMEMBER, TWENTY-NINTH DISTRICT

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## 2018 Successful Legislation

### Human Services / Child Welfare / Foster Youth Reforms

**AB 404:** Gives families who provide foster care targeted training and support so that they are better prepared to care for youth living with them.

**AB 597:** Allows local government entities and school districts to work together to better support students. It includes local educational agencies to the list of agencies and departments who can share data to form a multidisciplinary team. It also allows a county to participate in a computerized database system between counties and allows the sharing of aggregate data with select researchers to help improve outcomes for vulnerable children.

**AB 1930:** Clarifies and addresses several statewide policies related to Continuum of Care Reform (CCR), including provisions to streamline county reviews of Resource Family Approval applications.

**AB 2608:** Gives priority to former foster youth over other applicants for loan repayment grants to help them complete graduate school to become Licensed Mental Health Service Providers.

**AB 2044:** Clarifies that child safety must remain a top priority in family law determinations of a child's "best interest."

**AB 2313:** Protects EBT benefit recipients by ensuring stolen cash benefits can be replaced for victims of phishing scams.

### Criminal Justice Reforms

**AB 529:** Opens more pathways to college and jobs by requiring automatic sealing of records of individuals who were alleged to be a ward of the juvenile.

**AB 790:** Provides reduced fee of \$8 for replacement identification card to eligible inmates leaving prisons or county jails. ID cards are a critical component for successful re-entry, necessary for obtaining employment, benefits, and public assistance.

**AB 1214:** Expands guidance on the handling of cases involving juvenile incompetence to stand trial; including rules on burden of proof; appointment of experts, qualifications and duties; procedural sequence and timelines; remediation services; confinement time; and county protocols

**AB 1308:** Under current law, certain inmates who were under the age of 23 when they committed a crime for which they received a lengthy or life sentence are eligible for a youth offender parole hearing after serving a lengthy prison sentence. AB 1308 makes certain inmates who were 25 years or younger when they committed a crime for which they received a lengthy sentence similarly eligible for a youth offender parole hearing.

**AB 1371:** Offers an important protection to parenting youth who are under the jurisdiction of the juvenile court. The law ensures that parenting foster youth and wards have the opportunity to consult with their court-appointed counsel prior to voluntarily limiting their custody of their children.

**AB 2533:** Improving Access to Basic Needs for Prisoners in Poverty: Under this measure, people in prison who have \$25.00 or less in their Inmate Trust Accounts for at least 30 days can access resources for communicating with the courts, and can access medical, dental, and mental health care without being charged a copayment. Current law requires only \$1.00 or less. The bill also requires the California Department of Corrections and Rehabilitation to supply indigent inmates with basic hygiene supplies.

**AB 2952:** Amends record sealing rules to allow access to sealed records for “Brady” rule requirements that the prosecutor provide exculpatory evidence, subject to limits on use of the information

### **Sexual Harassment/Secret Settlements**

**AB 3109:** Settlements that would require a sexual harassment victim to “keep quiet” and not later testify about the criminal conduct or sexual harassment are now no longer permitted. This bill applies when the victim has been required to give testimony by a court, administrative agency, or legislative body. It will affect settlement agreements entered into on or after January 1, 2019.

### **Worker/Consumer/Housing Protections**

**AB 38:** Carries on the Student Loan Servicing Act Act’s goals by improving implementation through the Department of Business Oversight and increasing transparency within this industry which often lacks readily available information.

**AB 3066:** Allows the Department of Housing and Community Development (HCD) to collect and evaluate Mobilehome Residency Law complaints with the goal of preventing the most “severe, deleterious, materially and economically impactful alleged violations”. To fund this new authority and these duties, AB 3066 allows HCD to assess a \$10 registration fee on mobilehome owners starting in 2020.

**AB 1556:** Clarifies the Fair Employment and Housing Act (FEHA), removing gendered terms such as “female”, “she”, and “her” from statutory provisions for pregnancy-related employment protections and replaces them with gender-neutral terms such as “person” or “employee”.

### **Environmental Protection**

**AB 2421:** Creates the Monarch Butterfly and Pollinator Rescue Program.

## **2019 Legislative Package**

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### **Priorities: Foster Care Reform; Justice System Reform; Environmental Protection**

**AB 45:** Remove copays for medical, dental, and vision in prison to increase inmate access to health care; will expand the bill to include jails.

**AB 376:** Codify stricter standards for student loan servicers to better protect student loan borrowers.

**AB 411:** Allow cities to use redevelopment funds for affordable housing.

**AB 404:** Allow cannabis testing facilities to submit an amendment for Certificate of Analysis (COA), allowing manufacturers to amend a label if there is human error (i.e. name spelled wrong, incorrect content, etc.). Under existing law, if the label does not match their COA, it is not allowed to be sold.

**AB 439:** Clean-up legislation from AB 1214 regarding competency determinations in juvenile proceedings.

**AB 489:** Pajaro River flood control.



## Fort Ord Reuse Authority 2019 LEGISLATIVE AGENDA

This report outlines the 2019 Fort Ord Reuse Authority (FORA) legislative program, which defines Board policy, sets legislative, regulatory, or federal/state resource allocation/direction, and supports the 1997 Base Reuse Plan's (BRP) and the 2012 BRP Reassessment Report guidance. The Legislative Agenda is meant to assist state and federal agencies/legislative offices regarding property transfer, economic recovery/reuse, environmental remediation, habitat management/conservation, and infrastructure and mitigation funding. The order in which the tasks are presented herein does not imply ranking as each item is considered a "priority" in achieving FORA's objectives.

### **A. FORA 2018 TRANSITION PLAN LEGISLATIVE COORDINATION ISSUES**

#### **Issue:**

FORA's June 30, 2020 legislative sunset calls for significant coordination on many items. Specifically, reports to the State Legislature, Local Agency Formation Commission (LAFCO) coordination, FORA jurisdiction interface, and ongoing risk analysis. Since the Board has adopted the 2018 Transition Plan and is implementing elements of that Resolution, working with local agencies is crucial. Coordination is beneficial/essential in traversing the long list of issues and reporting requirements, many of which have been recommended for legislative action to implement.

#### **Benefits:**

Collaborative efforts will help assure effective transition decisions or aid potential legislative actions prior to 2020 sunset.

#### **Challenges:**

State law requirements, contractual obligations, and inter-agency agreements will require intensive legislative multi-agency "negotiations." One of FORA's funding mechanisms (Mello Roos/Community Facilities District fee) is not within LAFCO jurisdiction and terminates at dissolution. Designating successor entity to assume FORA's liaison role of with active military and veteran community.

#### **Proposed Position:**

Coordinate and seek support from State Legislature (17<sup>th</sup> State Senate District and 29<sup>th</sup> State Assembly District) to assure 1) post-FORA funding for jurisdictions after FORA sunsets on June 30, 2020 in compliance with Title 7.85 of the Government Code entitled Fort Ord Reuse Authority Act, 2) so remaining jurisdictions future liabilities are covered or mitigated to avoid unfair responsibility or liabilities, 3) clarify authority of Local Area Formation Commission/FORA to assign obligations; 4) potential governance structure if needed; 5) survivability of existing contracts/agreements/documents/plans/policies; and 6) application of California Environmental Quality Act.

**B. HABITAT CONSERVATION PLAN (HCP). Continue/enhance ongoing coordination with federal and state legislative representatives to secure HCP adoption and permit issuance to protect Fort Ord Habitat Management Plan flora and fauna resources.**

**Issue:**

HCP approval remains critical to former Fort Ord reuse. Alternatives to a base wide HCP, such as project by project permitting, are costly and time consuming and are not as effective in managing or protecting endangered species.

**Benefits:**

HCP approval protects valuable habitat, enables/permits effective regional economic recovery, and provides important amenities to area residents.

**Challenges:**

HCP processing over the past decade has been difficult and costly. Insufficient federal and state agency resources and overlapping regulatory barriers have thwarted the HCP process. Multiple agency coordination requires communication and encouraging cooperation.

**Proposed Position:**

- Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews and processing.
- Coordinate with U.S. Fish and Wildlife Service, U.S. Department of Interior/ Bureau of Land Management (BLM), California Department of Fish and Wildlife (CDFW), the 20th Congressional District, the 17th State Senate District and the 29th State Assembly District to finalize agreements regarding habitat management on BLM's Fort Ord National Monument, UC Natural Reserve and CA State Parks land in order to complete/implement the HCP.

**C. ECONOMIC RECOVERY/AFFORDABLE HOUSING SUPPORT. Support statewide and regional efforts to create local jurisdiction economic recovery, base reuse financing and consider/support innovative affordable housing & building removal funding.**

**Issue:**

1. The loss of "redevelopment financing" and other refinancing tools to assist in implementing base closure recovery programs was a heavy blow to FORA's member jurisdictions. Redevelopment shut down also eliminated affordable housing funding. Jurisdictional funding has dropped and substitute financial tools to support economic reuse/recovery initiatives do not match past vehicles set up to support the replacement infrastructure and mitigations. FORA provided an initial two years of funding for an economic development program including staffing, engaging with regional partnerships and local agency program support. Additional programs are still required for building removal. Funding from the County of Monterey in this area has also been lost.
2. Affordable housing is a significant element in achieving economic development goals. Workforce housing is critical to re-locating or establishing companies. Recent elected Monterey Bay leadership has called for affordable housing support, identifying the former Fort Ord as an important real property resource.

**Benefits:**

Sufficient funding resources for the reuse and recovery from former Fort Ord closure and other military bases. Funding support for economic development programs, habitat management protection, building removal, or other infrastructure demands associated with the reuse programs. Removal of buildings that create a "ghost town" effect are a disincentive to investment. Programs like the Drone, Automation, Robotics and Technology (DART) initiative could reap regional/Fort Ord reuse benefits.

### **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 a climate of limited resources. State funding sources are unclear and federal budgets have slashed economic development funds.

### **Proposed Position:**

- Support legislation, activating local agency processes for economic development.
- Support establishment of Military Base Reuse “Recovery Zones,” or financing districts
- Support legislation for incentive-based mechanisms to strengthen jurisdictions’ ability to enable/implement base closure recovery programs.
- Consider the addition of newly adopted financing mechanisms for jurisdictional support for economic development/affordable housing.
- Engage/promote Opportunity Zones and secure federal funding.
- Continue funding and resource development for economic recovery.

### **D. VETERANS CEMETERY. Continue support/expansion of the California Central Coast Veterans Cemetery (CCCVC) expansion on the former Fort Ord.**

#### **Issue:**

Burial space for California Central Coast veterans is inadequate. The former Fort Ord is both ideally suited and centrally located and an appropriate facility has now been opened to serve the veteran community. A site was set aside/designated in the 1990s for a veterans’ cemetery and the FORA Board of Directors gave support through previous actions of the establishment of the California Central Coast Veterans Cemetery (CCCVC). After multiple actions over 20 years the CCCVC was opened by the CA Department of Veterans Affairs (CDVA) for above ground columbaria, administration and maintenance buildings, a committal shelter, landscaping, and infrastructure for initial operation in October 2016. Future expansion requires additional design, planning, and review and includes in-ground gravesites and additional columbaria, as well as other potential ancillary uses and would complete the project anticipated in the Base Reuse Plan.

#### **Benefits:**

The CCCVC offers final resting places for the region’s 50,000 (approx.) veterans. Burial plots would enable an option for those who for religious or other reasons prefer such an option.

#### **Challenges:**

Cemetery expansion will require significant coordination between FORA, the CCCVC Foundation, the California Department of General Services (DGS), CDVA, US Department of Veterans Affairs (USDVA), the City of Seaside, the County of Monterey, and other state/federal agencies.

#### **Proposed Position:**

- Support DGS and CDVA construction expansion efforts.
- Support efforts to sustain priority standing for the CCCVC with CDVA and USDVA.
- Support proposed legislation to permit fiscal flexibility to meet fund matching requirements.
- Coordinate with federal agencies, the City of Seaside, the County of Monterey, the 20th Congressional District, the 17th State Senate District, and the 29th State Assembly District to sustain efforts to generate federal funding and/or status for future CCCVC expansion.
- Create/designate regional entity to coordinate CCCVC for post June 30, 2020 property transfer and advocacy activities.

**E. AUGMENTED WATER SUPPLY. Work with local, regional and federal agencies to secure State and Federal funding and/or resources to augment FORA's water supply needs.**

**Issue:**

The FORA Capital Improvement Program includes approximately \$24M to fund Regional Water Augmentation necessary to implement the Base Reuse Plan. Six million (\$6M+) has been committed to the Pure Water Project to support use of reclaimed resources in the region. Securing outside funds to assist with augmented supply options help the timely implementation of conservation, recycled water and/or desalination water facilities and smooth out upfront costs of infrastructure. Monitor implementation of Ground Water Sustainability Act as it relates to contractual amounts of water to support the implementation of Base Reuse Plan.

**Benefits:**

Development projected under the Base Reuse Plan depends on an augmented water supply. Additional grant funding reduces FORA and Marina Coast Water District (MCWD) costs to secure water resources and reduces required capital charges.

**Challenges:**

Scarce funding and competing water projects throughout the region and state. No current federal/state program exists for this funding.

**Proposed Position:**

- Continue to work with MCWD to enable them to fulfill their contractual obligation to FORA for water resource augmentation.
- Support and coordinate efforts with MCWD, Monterey County Water Resources Agency, Monterey One, other agencies, and FORA jurisdictions to secure funding and/or support other funding mechanisms proposed for this purpose.
- Coordinate potential water bond funding for Monterey Bay region and FORA augmentation needs.
- Coordinate with the Department of Defense/Army for designated entity to oversee equitable distribution of Army water resources/rights that may become surplus to the military mission.

**F. LEGISLATIVE COOPERATION WITH MONTEREY BAY AGENCY LEGISLATIVE ISSUES.**

**Issue:**

Monterey-Salinas Transit, Transportation Agency for Monterey County, and the County of Monterey have adopted legislative programs that may have Fort Ord reuse impacts.

**Benefits:**

Collaborative funding efforts by agencies involved in the same or interdependent projects increase the chances to obtain critical funding and enhanced partnering for matching funds.

**Challenges:**

State and federal funding is limited, legislative actions that benefit/impact multiple parties requires coordination, and competition for available funds will be keen.

**Proposed Position:**

Coordinate and support other legislative programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.

## **G. ASSURING LONG TERM STEWARDSHIP OF MUNITIONS CLEANUP AREAS.**

### **Issue:**

FORA is scheduled to sunset June 30, 2020 and certain munitions funding terminates in 2019. There will be significant post FORA property management and post-remediation issues that will need to be managed. Those issues require resources, coordination and cooperation which are still being defined. Coordinate with Federal, State and local agencies on post-cleanup stewardship of munitions and explosives ordnance issues/areas. Seek additional funds from federal resources and pursue optimizing review processes to complete property transfers and consider a legislative clarification of both prevailing wages on the former Fort Ord and monitoring responsibility.

### **Benefits:**

Collaborative partnering for resources by agencies involved in the same or interdependent projects increase the chances to obtain critical funding. Some long-term stewardship issues are unfunded but defined as remedies in federal documents.

### **Challenges:**

State and federal funding resources are limited. Federal and State agencies have not funded long term stewardship in many cases. In addition, local jurisdictions have limited funding for long-term stewardship.

### **Proposed Position:**

Seek federal and state cooperation to assure responsiveness, document completion, and crucial funding for long-term stewardship for munitions response areas.

## **H. PREVAILING WAGES COORDINATION**

Coordinate with 17<sup>th</sup> State Senate Districts and 29<sup>th</sup> State Assembly District to clarify the implementation of the FORA Prevailing Wage Policy and the enforcement provisions of SB 854, and the newly added regulatory and legislative adjustments of SB96 with the State Department of Industrial Relations.

### **Issue:**

Ongoing lack of legislative clarity continues related to various interpretations of how the FORA Prevailing Wage Policy interfaces with the registration, reporting and enforcement provisions of state public works laws amended in state law in recent years.

### **Benefits:**

Collaborative efforts between the designated military base Reuse Authority and Department of Industrial Relations is needed to promote, coordinate and harmonize state public works laws with state laws requiring speedy transition of military bases to civilian use.

### **Challenges:**

Establishing a legislative framework for successor agency to monitor and enforce Prevailing wage Policy may be difficult and is likely to be opposed by some jurisdictions and developers...

### **Proposed Position:**

- Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews, compliance, enforcement and coordinated decisions.
- Coordinate with legislative offices to get the Department of Industrial Relations to broaden enforcement of contractual provisions.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

<b>Subject:</b>	2018 Transition Plan: Habitat Management Plan Responsibilities Analysis	
<b>Meeting Date:</b>	March 8, 2019	<b>INFORMATION</b>
<b>Agenda Number:</b>	8e.i.	

### RECOMMENDATION(S):

- i. Receive a staff Habitat Management Plan Responsibilities Analysis (**Attachment A**) outlining anticipated responsibilities, cost estimate, and funding.

### DISCUSSION:

As discussed in Item 7e Habitat Conservation Plan (HCP) Update, funding the HCP program is based on building a habitat endowment that would generate enough annual interest earnings to fund protection "in perpetuity," restoration and enhancement of habitat as mitigation for take, and management of the funds. The Cities, County, and other members of a future Joint Powers Authority (JPA), called the "Cooperative," would be issued Federal and State Incidental Take Permits (ITPs) and oversee stay-ahead provisions so that species take would not exceed completed mitigations.

HCP preparation and environmental review has been paid for by the Fort Ord Reuse Authority (FORA), using Community Facilities District (CFD) special taxes collected from former Fort Ord development. CFD funds were used for this purpose since securing basewide ITPs enables development of parcels that were assessed fees. Absent the ITPs, these parcels could not develop, and therefore, not generate such revenues. FORA has paid several million dollars for the environmental review and document preparation as performed by consultants and staff. The HCP Endowments were originally projected to be \$9 million but are now expected to cost \$48 to \$66 million. By the time FORA sunsets, about \$21 million is expected to be collected for this use. In anticipation of a FORA sunset on June 30, 2020, the jurisdictions need to figure out how to generate the remaining \$27 to \$45 million required by US Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) ("Wildlife Agencies") or, alternatively, the State Legislature might extend FORA's financing ability.

Although the FORA Board took action on October 12, 2018 to move the HCP ahead as the habitat conservation planning effort, and the project is on schedule for a Record of Decision in September, 2019, the motion included direction to report back with additional information on jurisdictions' Installation-Wide Multispecies Habitat Management Plan (HMP) responsibilities and projections of costs of an HMP-purposed Joint Powers Authority (JPA). Erin Harwayne from DD&A explained to the Board that, to comply with the HMP, jurisdictions with Habitat Management Reserve areas (Habitat Reserves) must complete draft Resource Management Plans (RMPs) and request review by Wildlife Agencies. Then the RMP-related baseline surveys must be done to assess presence and abundance of listed and special status species within Habitat Reserves. The exact amount of take of listed species that will result from HMP-related management requirements is not possible before RMP completion. Assessments of erosion issues, invasive species issues, and other conservation management

issues must be made in order to estimate the breadth and intensity of control measure adjustments to the RMPs. For these reasons, it is difficult to estimate with accuracy how much reserve management or conservation of species within Habitat Reserves would cost. It is also not definite that Wildlife Agencies would accept RMPs for multiple reserves, such as one per jurisdiction. However, the Board's requested analysis of an HMP-only scenario has been prepared. An HMP-only scenario does not include take permits for development of Development Areas of former Fort Ord. **Attachment A** includes estimates of HMP responsibilities and costs of RMP development, Habitat Reserve management, and species conservation if only the HMP were pursued, as well as potential funding streams.

After completing this analysis, it is clear that it would be costlier to place ITP compliance responsibilities on future developers, while still expending 70% of estimated HCP costs for HMP management requirements. This is mainly because the HMP language for resource conservation requirements includes sustaining listed and other special status species' viability, restoration, and enhancement of habitat. Any mitigation done on the Habitat Reserves for permits later, such as that required to construct the planned Fort Ord Regional Trail and Greenway (FORTAG), or planned Marina Coast Water District (MCWD) facilities, would have to be above and beyond the RMP conservation actions. This USFWS-required additionality will greatly increase costs to infrastructure project lead agencies, as it would to developers. In this way, pursuit of an HMP-only route is far costlier to the region. The barriers that would be lifted by having ITPs in hand on a regional level cannot be overstated. Infrastructure projects such as Marina Airport Expansion, FORTAG, MCWD facilities, and fuelbreaks to prevent wildfire damage would have certainty of ITPs. Future developments in the cities of Marina, Seaside, Del Rey Oaks, and Monterey would have certainty about ITP compliance and procedures.

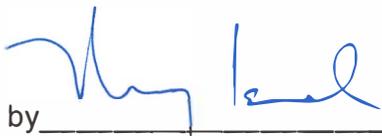
**FISCAL IMPACT:**

Reviewed by FORA Controller H.F. signing for Helen Rodriguez

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

**COORDINATION:**

Authority Counsel, Administrative Committee, ICF, Denise Duffy & Associates, University of California Natural Reserves, CDFW, and USFWS.

Prepared by   
Mary Israel

Approved by   
Michael A. Houlemard, Jr.



# Habitat Management Plan Responsibilities Analysis

Mary Israel | FORA Associate Planner | February 28, 2019

## Signatories

The U.S. Army Corps of Engineers drafted the Installation-Wide Multispecies Habitat Management Plan for former Fort Ord (HMP), and many agencies signed on in compliance between 1997 and 1999. At the time, it was understood that the parties would submit the HMP with additional documentation, including an implementation agreement, to receive authorization for incidental take on those parcels the HMP document designated for development through Section 10(a)(1)(B). Given the group of signatories to the Habitat Management Plan, a Habitat Management Plan Joint Powers Authority (HMP JPA) would include these entities: City of Marina, County of Monterey, University of California, Monterey Peninsula College (MPC), and FORA. The other HMP signatories, York School, CalTrans, and Marina Coast Water District (MCWD), would likely not be members because they do not own Habitat Reserve parcels. Monterey Peninsula Regional Parks District (MPRPD) is not currently proposed as a signatory since MPRPD is not a FORA member and is self-sustaining. California Department of Parks and Recreation would also be unlikely to take part in the JPA.

## Goals

Potential HMP JPA goals:

1. Conservation and enhancement of threatened and endangered species in the non-federal reserves. Mainly met through invasive species control, erosion control, access control, monitoring and adaptive management.
2. Coordinate management strategies to maintain populations and habitats of all HMP species, and promote connections between reserves for long term resilience. Management of reserved or restricted areas in parcels described as “Development with Restrictions” and “Development with Reserve” so as not to lose value to the HMP species found in these parcels as integrated parts of the Reserve system.

The HMP species, with their corresponding listing status, are:

Sand gilia (*Gilia tenuiflora arenaria*) (Federal endangered, State threatened)  
Smith’s blue butterfly (*Euphilotes enoptes smithi*) (Federal endangered)  
Monterey spineflower (*Chorizanthe pungens var. pungens*) (Federal threatened)  
Seaside bird’s beak (*Cordylanthus rigidus ssp. littoralis*) (State endangered)  
California red-legged frog (*Rana aurora draytonii*) (Federal endangered)  
California tiger salamander (*Ambystoma californiense*) (Federal and State threatened)  
Yadon’s piperia (*Piperia yadonii*) (Federal endangered)  
Black legless lizard (*Anniella stebbinsi*) (CA Species of Special Concern (SSC))  
Monterey ornate shrew (*Sorex ornatus salarius*) (SSC)  
California linderiella (*Linderiella occidentalis*)

Toro manzanita (*Arctostaphylos montereyensis*)  
Sandmat manzanita (*Arctostaphylos pumila*)  
Hooker's manzanita (*Arctostaphylos hookeri*)  
Monterey ceanothus (*Ceanothus cuneatus* var. *rigidus*)  
Eastwood's ericameria (*Ericameria fasciculata*)  
Coast wallflower (*Erysimum ammophilum*)  
Contra Costa goldfields (*Lasthenia conjugens*) (Federal endangered)

## POTENTIAL IMMEDIATE TASKS

### Task 1: Develop Resource Management Plans

Resource Management Plans (RMPs) are required for all Habitat Management Reserves (Habitat Reserves) and development parcels with restrictions or reserves. RMPs are planning documents that provide the basis of what conservation activities will be done, periodicity of the activities, monitoring of special status species and their habitats, and reporting requirements.

The RMPs are to describe specific protocols for managing biological resources to meet the overall goal of the HMP, which is "to provide for, at a minimum, no net loss of populations or important habitat for any of the subject species of this HMP." (ACOE 1997, pg. s-6). Each RMP will need reserve-area-specific plans for the following.

- Beneficial enhancement of habitat to achieve the goal of the HMP
- Erosion control
- Non-native species controls
- Security and access controls
- Vegetation management, in the form of fire, grazing, or alternative vegetation management
- Road and trail maintenance
- Short-term and long-term plans for trail and infrastructure development, public access, recreation, and other non-habitat-specific uses for the Habitat Reserve(s).

The area under a single RMP may be a single Habitat Reserve, the reserve portion of a single development parcel, or groupings of reserves or parcels. The geographic area of an RMP and the content of the RMP are generated through the following standard steps:

- Biological surveys of the area for 1-2 years for all HMP species or species habitats. Where Yadon's piperia (*Piperia yadonii*) is anticipated, Yadon's piperia surveys will take place up to 10 years.

- Review by Coordinated Resource and Management Planning Group (CRMP)
- Review and acceptance of RMP by Wildlife Agencies

### Task 2: Process Incidental Take Permits (ITPs) for RMP implementation

Each land holding entity would request State and Federal ITPs that would be required to complete HMP-related conservation activities (such as prescribed burns or alternative vegetative management and construction of fuelbreaks). During the development of the draft HCP, USFWS clarified that the following HMP activities are viewed as likely to result in take of Federal-listed wildlife: Road and Trail Maintenance, Fuelbreak Maintenance, Recreational and Educational Use, and Future Road Corridors and Infrastructure. During discussions on the basewide HCP development, CDFW has not specified which habitat management activities would require ITPs.

During review of the RMPs, these regulatory agencies will indicate which activities will require permits for take of listed species. Under the Endangered Species Act (ESA), USFWS considers “jeopardy” or “no jeopardy” for Federal-listed plants, and we have some confidence that the take of plants that are not State-listed will be considered mitigated by the size of the HMP Reserve system and surrounding species habitat. However, in siting any development or trail improvements, USFWS expects HMP Reserve managers to avoid take of Federal-listed plants wherever possible. For example, the non-Federal Habitat Reserve areas support over 600 acres of Monterey spineflower (Federal-listed only) habitat. Part of implementing an RMP is to survey for Monterey spineflower, and monitor the wellbeing of the populations. All State-listed plants will require mitigation. State-listed wildlife and Federal-listed wildlife will require mitigation. Citing prohibitively high costs does not excuse an entity from having to meet State and Federal Endangered Species Act permitting and mitigation requirements.

### Task 3: Fund RMP development and implementation

Acreage is not the only determining factor for expense, due to the level of management specified for each Habitat Reserve in the HMP. CRMP group and Wildlife Agencies’ review of RMPs may result in additional habitat management requirement costs. Once initial RMPs are finalized, habitat managers will be better equipped to estimate RMP implementation costs. For this exercise, the HMP was treated as the authority on which species would require surveys and what management responsibilities will be. As discussed in the September 2018 HCP Board Workshop, the HMP contains broad statements on the minimum of resource conservation requirements. However, using HMP requirements, we modeled cost by area based on University of California Fort Ord Natural Reserve budget estimates and the HCP cost model. Total HMP obligations are listed per jurisdiction in Table 1.

**Table 1. Funding Obligation General Summary**

Reserve	RMP development and startup cost	Ave. annual implementation
UC*	Done	\$311,132
Marina Airport	Marina:	\$462,550
Salinas River	\$50K and \$106,615	
Marina NW Corner	startup = \$156,615	
Landfill	County:	\$657,146
Garrison North	\$50K and \$405,510	
Habitat Corridor*/Youth Camp	startup= \$455,510	
Garrison South*		
Wolf Hill/Lookout Ridge		
Parker Flats/Oak Oval*		
MPC	\$50K and \$82,783 startup = \$132,783	\$114,760
<b>TOTAL</b>	<b>\$744,908</b>	<b>\$1,545,588</b>
<i>*Annual cost includes prescribed burn or extensive alternative vegetation management, which would likely be every 30 years, but depends on the RMP. This amount is distributed into annual cost here.</i>		

## HMP JPA Responsibilities

The HMP established general conservation and management requirements applicable to many properties in former Fort Ord to conserve the HMP target species. These requirements are intended to meet the mitigation obligations resulting from the Army disposal and development reuse actions. Therefore, the HMP JPA would primarily take up the conservation and management of FORA land use jurisdictions’ properties specified by the 1997 HMP, as amended.

The responsibilities are listed in the deeds and assumed by the property recipient upon transfer. Deeds provide notice of rare, threatened and endangered species in the following manner:

“To fulfill Grantor's commitment in the Fort Ord Disposal and Reuse Environmental Impact Statement Record of Decision, made in accordance with the National Environmental Policy Act of 1969, 42 U.S.C 4321 et seq., this deed requires the conservation in perpetuity of these sensitive wildlife and plant species and their habitats consistent with the U.S. Fish and Wildlife Service Biological Opinions for disposal of the former Fort Ord lands issued pursuant to Section 7 of the ESA on March 30, 1999, October 22, 2002, and March 14, 2005 respectively. By requiring Grantee, and its successors and assigns to comply with the Installation-Wide Multispecies Habitat Management Plan (HMP), Grantor intends to fulfill its responsibilities under Section 7 of the ESA and to minimize future conflicts between species protection and economic development of portions of the Property.”

All of the HMP is incorporated by reference in Habitat Reserve Deeds. The requirement for the Habitat Reserve owner to develop an RMP for the reserve means that the USFWS and CDFW will have an opportunity to specify additional required conservation activities. Some of the target species are currently listed as threatened or endangered under the ESA. Under the HMP, however, “all target species are treated as if listed under the ESA and are subject to avoidance, protection, conservation, and restoration requirements.”

The specific responsibilities of the owner of the land are in the Deed, and vary from one to the next, typically the Grantee “shall not remove any vegetation, cut any trees, disturb any soil, or undertake any other actions that would impair the conservation of the species or their habitats. Grantee shall accomplish the Resource Conservation Requirements and Management Requirements identified in Chapter 4 of the HMP as applicable to any portion of the Property.” The Grantee is to “implement the management guidelines applicable to the parcel through the development of a site-specific management plan. The site-specific habitat management plan must be developed and submitted to USFWS (and, for non-Federal recipients, California Department of Fish and Game (CDFG) as well) for approval. Upon approval by USFWS (and, as appropriate, CDFG) the recipient shall implement the plan. Such plans may thereafter be modified through the Coordinated Resource Management and Planning (CRMP) process or with the concurrence of USFWS (and, as appropriate, CDFG) as new information or changed conditions indicate the need for adaptive management changes.” The Grantee is to restrict access to the property, in accordance with the HMP, except for USFWS and its designated agents. The Grantee “shall comply with all monitoring and reporting requirements set forth in the HMP that are applicable to the Property, and shall provide an annual monitoring report, as provided for in the HMP, to the Bureau of Land Management (BLM) on or before November 1 of each year, or such other date as may be hereafter agreed to by USFWS and BLM.” The Grantee covenants must include and “make legally binding the provisions of the HMP in any deed, lease, right of entry, or other legal instrument by which Grantee divests itself of any interest in all or a portion of the Property. The covenants, conditions, restrictions and requirements of this deed and the provisions of the HMP shall run with the land.” Transfer of the Property requires consent of the USFWS, and “USFWS may require the establishment of a perpetual trust fund to pay for the management of the Property as a condition of transfer of management responsibility from Grantee.” Any boundary modifications to the Development with Reserve Areas or Development with Restrictions parcels or the Borderland Development Areas along the Fort Ord National Monument must be approved in writing by the U.S. Fish and Wildlife Service (USFWS). The conveyance is made subject to enforcement provisions, such that the Grantor can determine if the Grantee is violating the provisions of the HMP, and either take over, or pursue other remedies. See the deeds for properties transferred to your jurisdiction for these clauses. Deeds for parcels with “Development with Reserves” or “Development with Restrictions” hold HMP requirements even when the parcels are not reserves.

Although the HMP doesn’t provide take permits to Habitat Reserve managers, it describes the potential for about 6 acres in the UC Reserve and an unspecified amount of acres in Monterey County Habitat Corridor for low-impact programs for youth, outdoor nature education, and trail creation (ACOE 1997). However, Monterey County is to preserve all

vegetation and retain habitat value “at high levels to allow movement of HMP species between conservation areas” (ACOE 1997).

The areas for which the Habitat Reserve owners or an HMP JPA would be responsible are listed below, with notes on the particular characteristics of each which would likely increase the expense of resource conservation.

## HABITAT RESERVES

**UC FONR North and South:** 606 acres total, 600 acres preserved as habitat.

Listed Species present: CTS, CRLF, Monterey spineflower, Seaside bird’s beak, sand gilia, Smith’s blue butterfly.

Other species with HMP responsibilities: Toro manzanita, sandmat manzanita, Monterey ceanothus, Eastwood’s ericameria, coast wallflower, California black legless lizard and Monterey ornate shrew.

Surveys and Monitoring level: medium. Research onsite has added to species knowledge.

Erosion issues: low (restricted public access).

Access control: medium. Gates in place, access is restricted.

Management level: medium. Baseline inventory, mapping, monitoring, maintain viable populations and habitats. UC/NRS to foster targeted research on species, habitat management issues and to provide a base for informed management.

Additional RMP cost: Maritime chaparral requires prescribed burn or alternative vegetative management. Coast live oak portion may require seeding acorns and fencing seedlings to regenerate the stands. Estimated cost of at least \$175,000 on years with prescribed burns.

**Marina North Fritzsche Habitat Reserve:** 130 acres preserved as habitat.

Listed species present: CTS, CRLF, Monterey spineflower.

Other species with HMP responsibilities: Black legless lizard.

Surveys and Monitoring level: medium.

Erosion issues: medium. Runoff from the airport may impact site.

Access control: medium. Gated fencing in place, access restricted.

Management level: medium. Gates or vehicle barriers to be constructed to prevent unauthorized off-road vehicle traffic. Maintain existing habitat values for HMP species, including disturbed sandy soil to support Monterey spineflower.

Additional RMP cost: if City of Marina obtains ITPs for Airport runway expansion, additional mitigation area and restoration are anticipated along with an RMP update (costs unknown, not included in table 1).

**Marina Salinas River Habitat Area:** 43 acres preserved as habitat.

Listed species present: CTS, CRLF, Monterey spineflower.

Other species with HMP responsibilities: Monterey ornate shrew.

Surveys and Monitoring level: medium.

Erosion issues: medium.

Access control level: low.

Management level: low. Maintain existing habitat values for HMP species.

Additional RMP cost: none.

**Marina's NW corner parcel:** 63 acres total, 5 acres preserved as habitat, as it is a Development parcel with Reserve/Restrictions.

Listed species present: Yadon's piperia, sand gilia, Monterey spineflower.

Other species with HMP responsibilities: unknown.

Surveys and Monitoring level: medium but long-term (10 years surveys).

Erosion issues: medium.

Access control level: low.

Management level: medium. Yadon's piperia portion will be preserved, no vehicle access to it and drainage from development will not be allowed to flow into it.

Additional RMP cost: 10 years Yadon's piperia surveys.

(Currently County) **Landfill:** 308 acres total, 220 acres of the parcel to be managed as habitat, as it is a Development parcel with Reserve/Restrictions.

Listed species present: sand gilia, Monterey spineflower.

Other species with HMP responsibilities: sandmat manzanita, Monterey ceanothus, coast wallflower, California black legless lizard.

Surveys and Monitoring level: medium.

Erosion issues: medium.

Access control: low.

Management level: low. Maintain designated habitat area as native habitat.

Additional RMP cost: Additional invasive species control, patrolling to avoid take.

**County East Garrison, aka Garrison North HMA:** 148.41 acres preserved as habitat.

Listed species present: sand gilia, Monterey spineflower.

Other species with HMP responsibilities: Monterey ceanothus, Eastwood's ericameria, Monterey ornate shrew.

Surveys and Monitoring level: medium.

Erosion issues: medium.

Access control: low.

Management level: medium to high. Maintain existing habitat values for HMP species, including disturbed sandy soil to support Monterey spineflower. Most of the parcel is coast live oak woodland, within it a corridor is to be maintained and sand gilia habitats to be maintained in linear north-south trending for population mixing, so firebreaks are to be constructed and trails, firebreaks must be maintained.

Additional RMP cost: Additional firebreaks, coast live oak woodland may require new seedling care to maintain stands.

**County Habitat corridor/Travel Camp:** 398 acres total, 353 acres preserved as habitat. Listed species present: CTS, CRLF, Monterey spineflower, seaside bird's beak, sand gilia. Other species with HMP responsibilities: sandmat manzanita, Monterey ceanothus, Eastwood's ericameria, Monterey ornate shrew, California black legless lizard, California linderiella.

Surveys and Monitoring level: high.

Erosion issues: high.

Access control: medium. CDFW has raised concern with trail access, will likely require monitoring of edge effects (increased pet pollution, increased invasive species, take of special status species).

Management level: medium-high. Most of these parcels is Coast live oak woodland, with annual grassland. Campground development and low-impact programs for nature education, etc. No HMP species to be removed by development. Preserve all vegetation. Preserve pond as HMP species habitat, do not allow fishing.

Additional RMP cost: Added patrolling, fencing and signage, invasive species controls and erosion control, possible pond restoration project. Coast live oak woodland and annual grassland could be improved by re-seeding efforts and trail closure/ habitat restoration.

Prescribed burns or alternative vegetation management.

#### **County Recreation Area Expansion #1:**

**County Wolf Hill:** 79 acres total, 49 acres preserved as habitat.

**County Lookout Ridge:** 196 acres total, preserved as habitat.

Listed species present: CTS, CRLF, sand gilia.

Other species with HMP responsibilities: Toro manzanita, Hooker's manzanita, Monterey ceanothus, Monterey ornate shrew, California linderiella.

Surveys and Monitoring level: medium.

Erosion issues: medium to high, due to the use of the area as overflow parking for Laguna Seca events.

Access control: low.

Management level: medium to high. Many different habitats are found within this area, including inland coast live oak, annual grassland, maritime chaparral and CTS breeding ponds. CA linderiella and CA tiger salamander breeding ponds and watershed to be preserved. Grass to be maintained over area for parking. Minimize erosion. Maintain a firebreak and collect trash after each recreation event.

Additional RMP cost: possible erosion control projects.

**County Parker Flats HMA:** 372.27 acres total, all preserved as habitat.

**County Oak Oval HMA:** 72.54 acres total preserved as habitat.

Listed species *Anticipated present:* CTS, CRLF, Monterey spineflower, sand gilia.

Other species with HMP responsibilities: sandmat manzanita, Hooker's manzanita, Toro manzanita, Monterey ceanothus, Eastwood's ericameria, Monterey ornate shrew, California black legless lizard.

Surveys and Monitoring level: medium.

Erosion issues: medium.

Access control: medium.

Management level: medium to high. Prescribed burns required by the Land Swap Agreement 2002, control non-native plants.

Additional RMP cost: Estimated cost of at least \$175,000 on years with prescribed burns in Parker Flats. Also, a 134-acre mitigation easement for East Garrison development was set to roll into the basewide HCP. County would become the long-term manager, submit the Parker Flats RMP as the final management plan, and fund the endowment for long-term management (not included in costs).

**County East Garrison South:** 274.65 acres total, most preserved as habitat.

Listed species present: Monterey spineflower

Other species with HMP responsibilities: Toro manzanita, sandmat manzanita, Hooker's manzanita, Monterey ceanothus, Eastwood's ericameria, coast wallflower, Monterey ornate shrew.

Surveys and Monitoring level: low.

Erosion issues: medium.

Access control: medium (road corridor).

Management level: medium. A development area, water tanks and sewage treatment are within the area. Retain habitat reserve area as natural habitat. Monitor special status species, place and maintain firebreaks, do control burns, control vehicle access, control erosion, patrol the area to assure that passive public use is not adversely affecting habitat. Coordinate with CA Dept of Forestry and CDFW to manage oak woodlands suitably to retain and enhance habitat values.

Additional RMP cost: Added invasive species controls and erosion control. Coast live oak woodland enhancement by re-seeding efforts and trail closure/ habitat restoration.

Prescribed burns or alternative vegetation management.

**MPC's parcel:** 206 acres total, all preserved as habitat.

Listed species present: CTS, CRLF, Monterey spineflower, seaside bird's beak, sand gilia.

Other species with HMP responsibilities: unknown.

Surveys and Monitoring level: low.

Erosion issues: low.

Access control: low.

Management level: medium.

Additional RMP cost: none.

**MPRPD Natural Area Expansion:** 19 acres total, 18 acres preserved as habitat.

Listed species present: Yadon's piperia, CTS, CRLF, Monterey spineflower, seaside bird's beak, sand gilia.

Other species with HMP responsibilities: sandmat manzanita, Monterey ceanothus, Eastwood's ericameria, California black legless lizard.

Surveys and Monitoring level: high, 13 species to be surveyed and monitored.

Erosion issues: low.

Access control level: medium.

Management level: medium. MPRPD to limit development to a parking area, internal trails, modest interpretive displays. Depending on results of water quality monitoring and wetland dependent species monitoring, restoration may be required. CNPS are given access to the parcel, and may indicate that higher-level plant species restoration and invasive species controls are in order.

Additional RMP cost: possible restoration project and stronger invasive species controls, but not added to any costs in Table 1 since MPRPD is self-sustaining.

Other Habitat Reserves in the HMP but managed separately are **Caltrans' Highway 1 Corridor**, **County Recreation Area Expansion #2**, which went to BLM, State Parks' **Fort Ord Dunes State Park**, and BLM's **Fort Ord National Monument**.

The MPC Habitat Reserve is anticipated to be managed by FORA, following MPC payment of its fair share of infrastructure improvements to FORA described in an Agreement Regarding Public Safety Officer Training Facilities among MPC, County, and FORA, dated November 8, 2002. The MOA specifies that these responsibilities transfer to FORA after MPC's payment is made. Since MPC has not yet made its fair share payment, MPC is currently considered the owner and manager.

Assumptions made in calculating this data: development allowed within Habitat Reserves under the HCP is not allowed, due to difficulty in obtaining stand-alone permits (expressed explicitly as highly unlikely by USFWS and CDFW officials). However, some reserve descriptions in Chapter 4 of the HMP discuss development.

## PERMIT REQUIREMENTS AND FACILITATION

### **Take Permits for Management Activity in Habitat Reserves**

As introduced above as Task 2, some "take" of species is likely as part of the management of Reserves. Fuelbreaks, erosion control and access control may harm or kill listed species, but the amount of "take" and the mitigation required to meet that allowance would be determined during the permit processing with USFWS and CDFW. Although the permittee for each permit would be the jurisdiction of the underlying land, the HMP JPA could allocate funding and consultant time to jurisdictions whose RMPs show the need for permit applications.

Two wildlife species are most likely going to be harmed by normal management of the Habitat Reserves: California tiger salamander (*Ambystoma californiense*) and California red-legged frog (*Rana draytonii*). The draft HCP estimates 65.61 acres of California tiger salamander take in the non-Federal Habitat Reserves due to HMP Operations and Management (O&M) activities, and 44.22 acres of California red-legged frog take for the same.

Federally listed annual plants such as endangered sand gilia (*Gilia tenuiflora arenaria*) and threatened Monterey spineflower (*Chorizanthe pungens* var. *pungens*) thrive in areas set aside in the Habitat Reserves. Smaller populations of seaside bird's beak (*Cordylanthus rigidus* ssp. *littoralis*) are found in the non-state, non-Federal Habitat Reserves. The draft HCP estimates that substantial take in these Habitat Reserves for O&M would be required to fulfill HMP obligations: nearly 40 acres of sand gilia, 54.2 acres of take of Monterey spineflower, and just over 13 acres of seaside bird's beak. Table 2 itemizes take by activity for each species requiring ITPs.

Table 2. Acres of “take” likely to require ITPs in HMP JPA Reserves for O&M

O&M Activity	sand gilia	seaside bird's beak	California tiger salamander	California red-legged frog
Fuelbreak	22.61	7.98	38.19	26.5
Trails	11.49	3.84	20.39	13.64
Road	4.81	1.32	7.03	4.28
TOTAL	39.91	13.14	65.61	44.22
Mitigation Acreage	116.73	39.42	196.83	133.26

If a 39.91 acre take of sand gilia is mitigated within the Habitat Reserves on a 3:1 ratio, then 116.73 acres of the Habitat Reserves containing sand gilia would absorb the impact. The majority of occurrences would be preserved on the non-state and non-Federal Reserves (roughly 2,849 acres after O&M take). We estimate 54.2 acres of Monterey spineflower would be taken (30.7 acres to fuelbreaks, 17.65 acres to trail maintenance, 5.83 acres to road maintenance) and, as a Federal-listed plant, mitigation is considered “no jeopardy.” Many populations of Monterey spineflower remain within the roughly 1,552 acres preserved in the non-state and non-Federal Habitat Reserves that would be held by HMP JPA members. 39.42 acres of seaside bird's beak, of the estimated 889 acres of its habitat in the collective HMP JPA's reserve area would be counted as mitigation for take due to these necessary activities. 196.83 acres of upland habitat for California tiger salamander, of the estimated 3,541 acres of preserved upland habitat in the collective HMP JPA's reserve area, would be counted as mitigation for take due to these necessary activities. 133.26 acres of upland habitat for California red-legged frog would roughly meet the mitigation acreages for these activities. Roughly 3,450 acres of upland habitat for California red-legged frog would allow this mitigation on a 3:1 ratio. USFWS and CDFW may prefer to accept permit applications which add pond restoration to the mitigation for lost California red-legged frog and California tiger salamander habitat, upland or otherwise.

After this mitigation, the HMP JPA would have roughly 2,732 acres sand gilia habitat, 849 acres of seaside bird’s beak habitat, 3,34.5 acres of California tiger salamander upland habitat, and 3,316.5 acres of California red-legged frog upland habitat among their shared Habitat Reserves.

### Take Permits for Regionally-necessary Development in Habitat Reserves

With so much mitigation area available, and negotiations already begun with the Wildlife Agencies pertaining to regionally-necessary development in Habitat Reserves, we recommend the HMP JPA consider allowing mitigation for take of species on the reserves through agreements with the lead agencies. The preservation of areas within Habitat Reserves could serve as potential mitigation for State and Federal permits for planned road widening, MCWD facilities, Marina Municipal Airport Expansion, and the Fort Ord Regional Trail and Greenway (FORTAG) trail crossings. It is likely that the HMP JPA would also be party to a permit and the project HCP if it facilitates mitigation. The Airport Expansion and FORTAG will require a post-transfer modification to the HMP to develop in Habitat Reserves. Four listed species needing ITPs are expected to be taken by this planned regional development within the Habitat Reserves. Permits will be required for take of at least CTS, CRLF, seaside bird’s beak, and sand gilia. Table 3, below, shows the estimates of take and mitigation acreage.

Table 3. ITP Mitigation Acreage Estimates for Development within Reserves

Activity	sand gilia	seaside bird’s beak	California tiger salamander	California red-legged frog	3:1 mitigation assuming all species overlap
FORTAG within reserve system	10.0	1.1	13.78	7.71	97.77
MCWD	6.9	0.3	26.97	25.67	179.52
Widen Intergarrison Road	8.9	0.0	13.18	12.86	104.82
Marina Mun. Airport Expansion	0.4	0.0	31.05	2.26	101.13
<b>TOTAL Acreage</b>	26.2	1.4	84.98	48.5	
<b>Mitigation Acreage</b>	78.6	4.2	255	145.5	<b>483.24</b>

Cost for permitting would fall to the lead agency for these projects. Submitting a permit request to CDFW for one species costs between \$6,392 and \$31,963 depending on the project cost (2019 fees from [application fee.pdf](https://www.wildlife.ca.gov/) on <https://www.wildlife.ca.gov/>)

Conservation/ CESA/Incidental-Take-Permits). Submitting a permit request to USFWS for one species has a flat-rate processing fee of \$100. The cost of developing starts with CEQA, for which the lead agency will be responsible, and all local planning approvals. For a permit of a State-listed plant, application development and writing the Management and Monitoring Plan (MMP) depends on the complexity and can run between \$50,000 and \$300,000. However, the larger cost of land to mitigate for these projects could be absorbed by the HMP Reserve lands, which were set aside as mitigation for the base closure and take associated with closure activities but also anticipated to balance for some region-serving development (ACOE 1997, pg. 2-6).

Wildlife Agencies may only accept permit applications including restoration or creation of aquatic features as part of the mitigation for lost occupied California red-legged frog and California tiger salamander habitat. Similarly, CDFW may only accept permit applications offering plant habitat restorations in addition to acreage reserves in either the case of O&M or added development within Habitat Reserves. The restoration of one half-acre pond is approximately \$250,000, with success monitoring. The restoration of an acre of these listed State plants costs approximately \$75,000, with success monitoring.

The baseline acreage estimated to be required for mitigation of within-reserve take related to FORTAG development, MCWD development, widening of Intergarrison Road, and Marina Municipal Airport expansion, assuming 3:1 ratio of preservation to take, and assuming land can be found in some areas with all four species overlapping, is a range of 255 to 483.2 acres. This is covered within the jurisdictions' reserve areas. The HMP JPA members may prefer to mitigate for these projects as they cross their own reserves within their own reserves to the greatest extent possible.

The following table estimates how much acreage of habitat each HMP jurisdiction has for each listed species that is likely to require mitigation in these developments. This is a rough estimate, because occupancy has not been confirmed (and would be during RMP startup). (Source: FORA's basewide HCP data).

Table 4. Available Acres of Preservation by Listed Species and Jurisdiction

Reserve	Preserved CTS Habitat	Preserved CRLF Habitat	Preserved sand gilia habitat	Preserved seaside bird's beak habitat
UC	527.55	20.75	561.89	87.24
Monterey County	1597.91	1517.15	798.55	183.94
City of Marina	160.6	32.68	26.45	87.24
MPC	168.43	68.95	205.78	156.98
MPPRD	17.73	17.73	0	18.87
<b>TOTAL</b>	<b>2472.2</b>	<b>1657.3</b>	<b>1592.7</b>	<b>534.3</b>

In future, the governing body of an HMP JPA could decide to help fund the permitting process for some or all of these projects. It could be decided by the governing body to drop some or all of the mitigations from coverage, as well. The total tally of estimated costs for these infrastructure developments that would fall to the lead agencies, from permit and MMP development and processing, additional surveys if time has passed since the RMP surveys, and possible restoration work in addition to 3:1 preserved habitat is between \$500,000 to \$5,500,000.

The trail system extends beyond the reserves, and is included in the following section as a regional development project to be facilitated through mitigation on the reserve lands. FORTAG take inside Habitat Reserves (19 acres of the trail system) is only a small part of the potential take of the complete trail system.

### **Take Permits for Development Outside the Reserve System**

If USFWS and CDFW are willing to negotiate permits relating to former Fort Ord development parcels without a basewide HCP, acreages within the Habitat Reserves could serve to mitigate for take.

The main FORTAG trail system covers approximately 140 acres in former Fort Ord development areas. Several listed species are known to occur in parcels that the FORTAG is designed to cross, including Smith's blue butterfly, California tiger salamander, California red-legged frog, Monterey spineflower, seaside bird's beak, and sand gilia. Transportation Agency for Monterey County (TAMC) would conduct surveys for all species, and would likely avoid development where Smith's blue butterfly are present. Presence/absence surveys for California tiger salamander will take 2 years, assuming normal precipitation years for results to be valid, and this would cost *at least* \$150,000 (large length of upland habitat fencing and traps, high labor hours). These estimates are for total area of the FORTAG main trail; TAMC is beginning to plan the FORTAG in segments. Therefore, survey costs for wildlife and plants are likely underestimated. By rough comparison to the potential upland habitat calculated by a 2.2 km radius from potentially occupied aquatic habitats, FORTAG development could take approximately 45 acres of upland habitat utilized by this species. If TAMC were to pay into a California tiger salamander mitigation bank to satisfy required mitigation, it would cost as much as \$2,250,000. If the Wildlife Agencies were willing to accept 3:1 area preservation for most of the mitigation, this would require preservation and management of 135 acres of California tiger salamander habitat, such management would need to demonstrate going above RMP management requirements. Restoration of a pond, such as East Garrison, to become viable habitat for California tiger salamander and California red-legged frog would likely be part of the project-specific HCP. Mitigations could be satisfied within the HMP JPA Habitat Reserves, reducing the mitigation potential upland area to 1,330.5 acres,<sup>1</sup> and improving the existing habitat in the East Garrison area. The cost to restore such a pond (half acre) and monitor for success is approximately \$250,000.

Plant surveys for seaside bird's beak and sand gilia would cost at least \$25,000 (spring and summer surveys and data processing, map preparation). Once all surveys are complete, a consultant would identify the potential impacts, offer options, and the City/TAMC would choose their best option. Either the footprint of the development would be reduced, the alignment shifted to avoid take, or offsite options would be taken, such as an agreement with members of the HMP to conserve the State-listed plants on 3:1 ratio. At a glance, FORTAG would take approximately 24 acres of sand gilia and 5 acres of seaside bird's beak habitat. To meet the preservation ratio, 72 acres of sand gilia and 15 acres of seaside bird's beak would be set aside for these species' conservation. The potential mitigation area of sand gilia would be reduced to 1,325 acres, and seaside bird's beak to 475.7 acres.<sup>1</sup> If Wildlife Agencies agree to allow this form of mitigation, TAMC would likely have to pay for habitat enhancements, as well. The range estimate for an acre of these plant species restoration and success monitoring is \$50,000 to \$75,000. Because the mitigation for take is done offsite, the HMP JPA and the underlying jurisdictional owners would likely be required to be party to the permits.

If project-by-project development is permitted, once mitigation land within the Habitat Reserves is accounted for and the East Garrison pond restoration is claimed, developers will have to bargain for lands outside of the Reserve system to put into conservation.

## REPORTING

The member agencies of the HMP JPA would be responsible for annual reports to USFWS. The estimated cost of generating an annual HMP report is approximately \$20,000-\$50,000.

The HMP JPA would facilitate the process through Coordinated Resource Management and Planning (CRMP) group meetings. Formed through a Memorandum of Understanding, the fourteen-member CRMP is tiered to the HMP. Annual Reporting to the CRMP is required of all HMP Habitat Reserve owners prior to and after the development of RMPs. The CRMP is the multi-agency land use planning effort envisioned for the HMP, with part of its annual work plan for all maritime chaparral habitats. The CRMP work plan products were to include the following:

- Uniform special-status species and habitat-monitoring strategies
- Combined single reports to USFWS, CDFW on status of special-status species
- Multi-jurisdictional fire management strategies (prescribed fire and wildfire management)

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<sup>1</sup> The tally for listed plant and wildlife remaining acreages is after O&M and on-reserve infrastructure assumed take and 3:1 area mitigations.

- Uniform prescriptions of compatible and noncompatible uses
- Realignment of land ownership to consolidate natural habitat management with natural resource management agencies
- consolidated public information publications (maps, brochures, etc.), volunteer programs, and other public relations activities
- Mechanism for public agencies to share resources and increase efficiency. For example,
  - patrolling lands
  - providing visitor assistance, maintaining signs, barriers, and other improvements
  - conducting threatened and endangered species monitoring
  - coordinating environmental education and student intern projects
  - providing fire crews for prescribed burns
  - providing road maintenance and personnel for manual labor projects.

The CRMP has not yet met all of these objectives to date. It would serve as the main technical support to the HMP JPA, and would likely meet bimonthly. Current attending members include staff from jurisdictions, State Parks, USFWS, CDFW, BLM, and FORA.

## FUNDING THE HMP

Based upon the HCP cost model prepared by FORA's HCP consultant ICF and reviewed by the regulatory agencies, habitat obligations are projected at ±\$48M million (FORA CIP Fiscal Year 2018-2019). Estimated Year End Balance for the HCP Set Aside is \$13.8 million (FORA CIP Fiscal Year 18-19). FORA forecasts setting aside \$7.8 million for a total estimated HCP Set Aside of \$21.6 million.

Based on the HMP design prepared inhouse and reported above, not reviewed by Wildlife Agencies, the HMP would start with \$21.6 million by June 2020, and would need to build to \$35.1 to \$52.3 million (payout rate assumptions of 4.5% to 3%, and including start-up costs) to fulfill the conservation of species and land management within the habitat areas.

If the FORA Board decides to allocate its HCP Set Aside dollars to meet HMP requirements alone, the \$21.6 million Set Aside could be distributed to the jurisdictions in proportion of acreages of habitat or RMP-driven implementation cost.

The additional \$13.5 to \$30.7 million that is needed in addition to the Set Aside dollars could be raised through replacement funding mechanism for the FORA CFD special tax, or another identified source.

FORA has invested several million dollars in the development of the Fort Ord HCP. We do not know how much development would be pursued by landholding jurisdictions under the no-HCP scenario. In a simplified scenario, we can assume 600 acres of future development. If we estimate the cost of obtaining project by project permits for California tiger salamander based on recent mitigation bank costs of \$50,000 per acre of take, assuming 600 acres of take were needed, an additional \$30 million would be needed above and beyond the \$35.1 to \$52.3 million required for HMP management requirements. This estimated cost far exceeds estimated basewide HCP costs. In this way, pursuit of an HMP-only route is far costlier to the region. The barriers that would be lifted by having ITPs in hand on a regional level cannot be overstated. Infrastructure projects such as Marina Airport Expansion, FORTAG, MCWD facilities, and fuelbreaks to prevent wildfire damage would have certainty of ITPs. Future developments in the cities of Marina, Seaside, Del Rey Oaks, and Monterey would have certainty about ITP compliance and procedures.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

<b>Subject:</b>	2018 Transition Plan and Facilitator Progress Report	
<b>Meeting Date:</b>	March 8, 2019	<b>INFORMATION</b>
<b>Agenda Number:</b>	8e.ii.	

### RECOMMENDATION:

- a. Receive an update/report.

### BACKGROUND/DISCUSSION:

On December 19, 2018, the Fort Ord Reuse Authority (FORA) Board approved a Transition Plan Resolution (2018 Transition Plan) which was transmitted to the Monterey County Local Agency Formation Commission (LAFCO) prior to December 30 as required by the FORA Authority Act. LAFCO has received that report (at its January Meeting), and LAFCO staff have actively participated in FORA Board and Administrative Committee meetings since.

This report contains an update on the activities and progress that is being made toward implementing the 2018 Transition Plan. A major part of the 2018 Transition Plan is the work of the Regional Government Services (RGS) facilitators Kendall and Steve Flint. At the February meeting, the facilitator's workplan was attached for the Board's perusal. On February 26, 2019, the Facilitators will begin an interactive 2018 Transition Plan discussion with the Administrative Committee focusing on the contract matrix, affordable housing and a potential regional plan, funding for environmental mitigations and contingent risks and the form and function of the Transition Plan Implementing Agreements. A special meeting of the Administrative Committee is scheduled for March 6, 2019 for continuing discussion on the 2018 Transition Plan and related issues. The Facilitator's progress report is attached as **Attachment A**.

At its February 8, 2019 meeting, the FORA Board took an additional step toward 2018 Transition Plan implementation. It approved the RGS contract amendment, authorizing the Executive Officer to implement certain Transition staffing/human resource support plan recommendations. During the middle part of February, the FORA staff and Environmental Services Cooperative Agreement (ESCA) team met with Army representatives, US Army Corps of Engineers grants office, the state and federal regulators to address completing the property transfers, easement issues, post-March 30, 2019 contract amendment, transition/addressing FORA ESCA and the Economic Development Conveyance successorship and long term stewardship. Representatives from the County of Monterey, the City of Seaside and the Chair of the FORA Board attended and received information and briefings.

### FISCAL IMPACT:

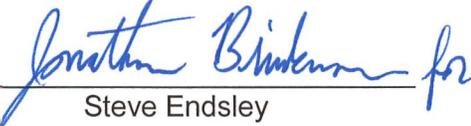
Reviewed by FORA Controller 

**COORDINATION:**

County of Monterey, LAFCO, TAMC, MCWD, Cities of Seaside, Monterey, Del Rey Oaks, Pacific Grove, Marina and Salinas.

**ATTACHMENTS:**

Attachment A: March 2019 Facilitator Progress Report.

Prepared by  Sheri Damon Reviewed by  Steve Endsley

Approved by  Michael A. Houlemard, Jr.

<b>DATE:</b>	March 1, 2019
<b>TO:</b>	Michael Houlemard, FORA Executive Officer
<b>cc recipients:</b>	Steve Endsley, Assistant Executive Officer Robert Norris, Principal Analyst Sheri Damon, Risk Manager / Prevailing Wage Coordinator
<b>FROM:</b>	Kendall Flint, Project Manager, Transition Facilitation Team and Steve Flint, Assistant Project Manager, Transition Facilitation Team REGIONAL GOVERNMENT SERVICES
<b>SUBJECT:</b>	FORA Transition Facilitation Team Update

Our team continues progress toward successful facilitation of reaching transition plan implementing agreements for FORA transition by June 30, 2020. We have completed an initial round of meetings as described below and are now shifting our efforts to address possible solutions to concerns expressed by FORA member agencies. Our recent meeting with the FORA Administrative Committee resulted in unanimous support for our proposed path/discussion items listed below.

1. Meetings with FORA (Ongoing)
  - a. Weekly Meetings with FORA Staff
  - b. Attendance at Admin Committee
  - c. Attendance at Board Meetings
  - d. Others as Needed
  
2. Document Review
  - a. 2018 Transition Plan
  - b. Army/FORA MOA and Amendments
  - c. Agency Implementation Agreements
  - d. Key Issues/Elements
    - i. Water/Waste Water
    - ii. Environmental
    - iii. Habitat
    - iv. Financing Implementation
  
3. Meetings with Member Agencies to identify key issues
  - a. County of Monterey (January 30)
  - b. City of Marina (February 21)
  - c. City of Monterey (February 11)
  - d. City of Seaside (January 31)

- e. City of Salinas (January 31)
  - f. City of Pacific Grove (January 30)
  - g. City of Carmel by the Sea (February 11)
4. Meeting with LAFCO (January 31)
5. Meetings with Ex-Officio Agencies
- a. TAMC (February 20)
  - b. Monterey Peninsula Unified School District (Pending)
  - c. University of California, Santa Cruz (Pending)
  - d. California State University Monterey Bay (Mid-March upon Dr. Ochoa's return from abroad)
  - e. Monterey Peninsula College (Pending)
  - f. Monterey Salinas Transit (March 5)
  - g. Marina Coast Water District (March 5)
6. Meetings with Environmental Groups
- a. Landwatch (February 26)
  - b. KFOW (March)
7. Key Issues
- a. Structure of Entity post-FORA with oversight of CFD funds specifically related to environmental compliance and post-FORA litigation. NO new programs, projects or transportation projects.
    - i. Option A: Successor Agency based on FORA legislation made up of City of Del Rey Oaks, City of Marina, City of Monterey, City of Salinas, City of Seaside, County of Monterey and Cal State University Monterey Bay.
    - ii. Option B: New Joint Powers Authority with same make up as Option A.
  - b. Structure and purpose of CFD.
    - i. Discussion of revenue amounts and purpose of future funds.
  - c. Building Removal
    - i. Discussion of options for bonding for immediate removal of buildings and/or cost for agencies.
  - d. Regional Housing/Affordable Housing
    - i. Discussion of potential for working with AMBAG to designate a subregion that may work collaboratively to develop housing element(s) acceptable to state HCD.
  - e. Habitat Conservation Plan
    - i. Meeting with DDA to discuss pros/cons of HCP versus HMP
    - ii. Discussion regarding cost of effort post FORA

- f. Review of CIP Projects Post-FORA
    - i. Discussion of roadway projects to be completed through FORA.
      - (a) Coordinated with preparation of FORA 2020 CIP
    - ii. Identification of any projects to be built post FORA.
  - g. Development of Final Agreements Between FORA and implementing agencies.
    - i. Establish clear direction regarding responsibilities/tasks that must be completed/managed by Cities/County.
    - ii. Development of abstracts to simplify responsibilities of agencies.
8. Facilitation of a Study Session for the Admin Committee (February 27 and March 6 Special Meeting)
9. Presentation to Board March 8
10. Meetings with Regional Agencies and Consultant Teams (March)
- a. AMBAG re: Housing Option
  - b. TAMC re: upcoming RTP/SCS
  - c. EPS re: Financial Estimates (March 5)
  - d. NHA Advisors re: Building Removal (March)