

Attachment C

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August 13, 2021

Ms. Melanie Beretti
Resource Management Agency
Service Manager
County of Monterey
1441 Schilling Pl
Salinas, CA 93901

Re: County Habitat Management Proposal on Monterey Peninsula College Fort Ord Property.

Ms. Beretti,

Thank you for Monterey County's proposal to provide Habitat Management on Monterey Peninsula College (MPC) Fort Ord property. MPC has researched the history of the issue related to MPC paying a portion of the cost.

During the dissolution, Monterey County was allocated FORA MPC Habitat Management Community Facilities District (CFD) funds as noted in Alternate 1 of the attached FORA Board Summary of CFD Alternatives. Per the 2002 County/FORA MPC Agreement Regarding Public Safety Officer Training Facilities, Section 15:

"Habitat Management. Responsibility for management of identified habitat on the Facility Sites shall be assumed by FORA, subject to MPC's obligation to pay reasonable fair share assessments for the cost of such habitat management as part of its contribution to Base wide Costs as provided in Section 14 of this Agreement. Except for such payment, MPC shall have no responsibility for habitat management on the Facilities Sites." (Underline added), and

The 2005 Memorandum Of Understanding Concerning The Proposed East Garrison/ Parker Flats Land-Use Modification Between The Fort Ord Reuse Authority, Monterey Peninsula College, County Of Monterey, U.S. Bureau Of Land Management and U.S. ARMY, Section 4 and 5:

"4. In consideration of BLM relinquishing to MPC its interest in the land required for the extension of Range 45, MPC agrees to take title to the "baffle zones" on either side of Range 45...

5. FORA agrees to assume responsibility for habitat management detailed within the Habitat Management Plan for Range 45 Reserve, including without limitation the "baffle zone" to the extent provided in Paragraph 15 of the (2002) Agreement." (2002 added for clarity)

We also reviewed the dissolution of FORA and the allocation of resources that were part of this. It is my understanding that FORA resources were initially divided up among the many agencies

including MPC. But in the end no allocation was made to MPC. MPC therefore was not provided any resources to help cover any of the costs related to habitat management or any other unfinished FORA obligation.

I do understand that with the land comes obligations to maintain the land and responsibility for various matters related to compliance with laws and regulations but, am not the most knowledgeable when it comes to these matters. I am humbly just a community college administrator.

MPC has no resources as a result of FORA’s dissolution and no revenue generating activities in place to cover costs. We are planning to develop portions of the land in Fort Ord to provide for Public Safety Training (a county need) and look forward to contributing to this educational need.

What does the county consider to be a fair share of the cost given our situation?

MPC is pleased to provide the County permission to access MPC property while requesting a County Hold Harmless agreement protecting MPC and its agents during County Habitat Management.

Sincerely,

Steve Haigler
 Vice President, Administrative Services
 Monterey Peninsula Community College District

Below is information I found on the allocations. My understanding is that Alternative 1 was decided on.

Excerpt from March 26, 2020 Memorandum to the FORA Habitat Working Group

Attachment A

Summary of CFD Alternatives

Jurisdiction/Entity	Alternative 1		Alternative 2		Alternative 3		Alternative 4	
	Allocation	Percent	Net Allocation	Percent	Net Allocation	Percent	Allocation	Percent
Monterey County	\$13,270,377	79.9%	\$8,046,918	46.1%	\$10,043,699	57.6%	\$6,966,317	42.0%
Seaside	\$1,222,026	7.4%	\$920,230	5.3%	\$920,230	5.3%	\$2,830,564	17.1%
Marine	\$1,316,015	7.9%	\$739,961	4.2%	\$994,961	5.7%	\$6,804,660	41.0%
Monterey City	\$45,053	0.3%	\$32,545	0.2%	\$32,545	0.2%		
Del Rey Oaks	\$748,071	4.5%	\$558,435	3.2%	\$558,435	3.2%		
CSUMB			\$431,175	2.5%	\$431,175	2.5%		
University of California			\$1,059,682	10.9%	\$1,714,471	14.6%		
Monterey Peninsula College			\$1,683,441	9.7%	\$1,906,026	10.9%		
Monterey Peninsula Regional Parks			\$59,573	0.3%				
State Parks			\$3,069,582	17.6%				
	\$16,601,541	100%	\$16,601,541	100%	\$16,601,541	100%	\$16,601,541	100%

Assumptions & Notes

1. Be advised that \$840,386 of CFD Funds have been previously distributed to UCSC, therefore the total funds to be allocated is reduced by this amount.