



Legislation Details (With Board Report)

File #: 18-641 **Name:** Oak Woodland Conservation Plan
Type: General Agenda Item **Status:** Consent Agenda
File created: 6/8/2018 **In control:** Advance Reports Over 50 Pages
On agenda: 6/8/2018 **Final action:**

Title: Continued from May 22, 2018
a. Receive a presentation on the Oak Woodland Conservation Plan (OWCP) on former Fort Ord;
b. Consider the Board of Supervisors’ Fort Ord Committee’s recommendation to select Concept 5A as the preferred Oak Woodland Conservation Area (OWCA) concept; and
c. Provide direction for the preferred Oak Woodland Conservation Area (OWCA) concept for use in the preparation of the OWCP Management and Monitoring Plans (MMPs) and next public workshop.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment 1-Fort Ord BRP Policies, 3. Attachment 2-Fnl Baseline Bio Rprt_OWCP_12.17, 4. Attachment 3-OWCP Concepts 4 and 5A, 5. Attachment 4-Ft.Ord Opn Spc/Hbtat Mgmt Cost Est, 6. Attachment 5 - Presentation, 7. Power Point Presentation

Date	Ver.	Action By	Action	Result
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- c. Provide direction for the preferred Oak Woodland Conservation Area (OWCA) concept for use in the preparation of the OWCP Management and Monitoring Plans (MMPs) and next public workshop.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Receive a presentation on the Oak Woodland Conservation Area Project (OWCP) on the former Fort Ord;
- b. Consider the Board of Supervisors’ Fort Ord Committee’s recommendation to select Concept 5A as the preferred Oak Woodland Conservation Area (OWCA) concept; and
- c. Provide direction for the preferred Oak Woodland Conservation Area (OWCA) concept for use in the preparation of the OWCP Management and Monitoring Plans (MMPs) and next public workshop.

SUMMARY:

As part of the Fort Ord Base Reuse Plan, the County of Monterey and the City of Seaside are required to designate a conservation area of oak woodlands which would help to link the Fort Ord National Monument, the former Fort Ord landfill, and the open space near East Garrison. This report provides details related to oak woodland conservation planning efforts, a summary of the Biological Baseline Report for the Oak Woodland Conservation Area Project, and a discussion of proposed concept maps outlining potential locations for the conservation area.

The Fort Ord Reuse Authority (FORA) contracted Denise Duffy & Associates, Inc. (DD&A) to support the City

and County efforts. DD&A developed three OWCA conceptual options that comply with related BRP programs and policies:

Concept 1: 147 County owned acres, 215 acres total

Concept 2: 145 County owned acres, 214 acres total

Concept 3: 112 County owned acres, 233 acres total

See Attachment 2 pages 41-43 for OWCA Concepts 1, 2, and 3 maps.

Staff presented these concepts to the Fort Ord Committee (FOC) and suggested Concept 3 as the preferred concept. FOC requested two additional concepts for consideration:

Concept 4: 158 County owned acres, 297 acres total

Concept 5A: 450 County owned acres, 601 acres total

See Attachment 3 for OWCA Concepts 4 and 5A maps.

On November 16, 2017, the Seaside City Council received a presentation on the progress of the OWC Planning project and discussed the five concept OWCA's. No formal action was taken. DD&A subsequently worked with the City of Seaside staff and staff at Monterey Peninsula College to modify the recommended lands proposed for inclusion on each of their respective properties; Concept 5A incorporates these subsequent changes. At its February 22, 2018 meeting, the Fort Ord Committee recommended that the County Board of Supervisors select Concept 5A as the preferred OWCA concept to use as the basis for the next collaborative planning steps. Staff requests direction from the Board of Supervisors on a preferred OWCP concept, which would then form the basis of the project description for environmental review

Costs and funding for the environmental analysis have not yet been determined. Then, if the project is approved, the cost and funding for on-going oak habitat management and open space/recreation land management will be determined.

Based on preliminary analysis, it is roughly estimated to be approximately \$159 per acre per year to achieve the level of oak woodland conservation management required under the Fort Ord Base Reuse Plan. Annual cost of maintenance in addition to the oak habitat management costs are roughly estimated, depending level of service desired and the selected OWCA concept selected, to range from approximately: 1) \$91 per acre up to \$325 per acre or more for Concept 5A (total annual cost roughly ranging from \$41,000 to \$146,000); or 2) \$85 per acre up to \$319 per acre or more for Concept 3 (total annual cost roughly ranging from \$9,000 to \$34,000). In addition, there could be site-specific one-time initial costs and additional infrastructure improvements that are undetermined at this time. Attachment 4 provides rough cost estimates and assumptions made for oak woodland habitat management and open space and recreation land management costs for Concept 3 and Concept 5A.

The source and entity to fund the habitat and open space management has yet to be determined. There currently is no dedicated funding source for maintenance of former Fort Ord lands. RMA currently provides as-needed clean-up of illegal dumping, security gate installation/maintenance, and signage, which is funded out of the RMA general fund appropriation that funds all facilities, grounds and parks maintenance.

DISCUSSION:

Biological Resources Policy B-2 and associated Programs B-2.1 and B-2.2 of the Fort Ord Base Reuse Plan establish the requirement for the County of Monterey (County) and the City of Seaside (City) to collaboratively designate, then, respectively manage and monitor, an oak woodland conservation area within the developable parcels in their jurisdictions (i.e., polygons identified in the Base Reuse Plan). The Plan requires the County and the City to coordinate with interested entities, including the City of Marina, California State University, and

the Fort Ord Reuse Authority (FORA). Please see Attachment 1 for additional related Fort Ord Base Reuse Plan policies.

The Fort Ord Reuse Authority (FORA) contracted Denise Duffy & Associates, Inc. (DD&A) to identify a draft OWCA and prepare draft Oak Woodland Management and Monitoring Plans (MMPs) for the City and County. DD&A is also tasked with preparing a draft tree protection program and oak tree ordinance to support the City and County's compliance with other related Reuse Plan programs and policies. FORA is assisting the jurisdictions in coordination and public outreach (www.oakwoodlands.org <<http://www.oakwoodlands.org>>).

Working with County and City staff, DD&A prepared the Final Biological Baseline Report for the Oak Woodland Conservation Area Project (December 2017), (Attachment 2). The report includes three OWCA conceptual options (see pages 41-43) based on estimated size requirements, public input gathered through the public participation process, data collected, staff-level landholder discussions, and literature reviewed in formulating a project-specific set of criteria. The report recommended that a minimum of 135 acres of oak woodlands be placed into conservation to comply with the requirements of the Fort Ord Base Reuse Plan (BRP) and the Fort Ord Environmental Impact Report (EIR). This acreage could be split between the County and City of Seaside or in combination with other landowners, such as, Monterey Peninsula College and California State University - Monterey Bay.

On October 26, 2017, staff presented three OWCA conceptual options to the Fort Ord Committee and suggested Concept 3 as the preferred concept, which was recommended in the Baseline Biological Report. The selected OWCA will be subject to the BRP policies for active oak woodland management and monitoring. Staff's approach working with DD&A was to identify OWCA conceptual options to satisfy the goals of the BRP policies and EIR with the minimum acreage needed.

At this meeting the committee suggested two additional concepts, Concepts 4 and 5A. Concept 4 proposes a larger block of oak woodlands by connecting lands outlined in both Concepts 1 and 3. Concept 5A proposes the largest conservation area by designating all County land (except the Central Coast Veterans Cemetery) specified in Biological Resources Policy B-2 as conservation areas. Concept 5A includes oak woodlands as well as other habitat types. Concepts 4 and 5A would meet the key conservation objectives outlined in the Final Baseline Biological Report and would also rank "high" for conservation. It was discussed that protecting undeveloped acreage beyond the minimum oak woodlands required to satisfy the EIR and meet the BRP policy goals could be accomplished in different ways (e.g. included as part of the OWCA and subject to the MMPs, or established and managed as open space and recreation areas).

On November 16, 2017, the Seaside City Council received a presentation on the progress of the OWC Planning project and discussed the five concept OWCA's. No formal action was taken. DD&A subsequently worked with the City of Seaside staff and staff at Monterey Peninsula College to modify the recommended lands proposed for inclusion on each of their respective properties; Concept 5A incorporates these subsequent changes.

County staff returned to the Fort Ord Committee on January 25, 2018, and February 22, 2018, to provide updated information and maps. On February 22, 2018, the committee recommended Concept 5A be brought to the County Board of Supervisors for consideration and selection as the preferred OWCA concept.

Concept 5A was reviewed by the Seaside City Council on May 17, 2018. The Seaside City Council unanimously supported the 40 acres of proposed oak woodland conservation within City boundaries as outlined in Concept 5A. The Seaside City Council directed staff to use these 40 acres as the preferred concept in the preparation of the City's draft MMP and next public workshop. Once a preferred concept is selected by the County, a draft OWCA map and proposed draft MMPs will then be presented at a public workshop to be

conducted by the City of Seaside and County of Monterey in collaboration with FORA, tentatively planned for summer 2018.

Additionally, City, County, and FORA staff have identified policy issues and potential institutional hurdles that will need to be considered as the planning process advances, including but not limited to:

- Coordination and compatibility with existing and proposed future roadway and trail projects;
- Determination of standards and costs of on-going maintenance, identification of responsible entity/ies, and sustainable funding sources;
- Consistency with FORA's Base Reuse Plan and HMP, City's General Plan, and County's Fort Ord Master Plan; and
- Existing utility easements/agreements on City and County properties - overhead electrical transmission lines, underground regional gas transmission mainline, and water facilities.

It is recommended that the Board of Supervisors consider the Fort Ord Committee's recommendation to select OWCA Concept 5A and provide direction to staff on a preferred concept to use as the basis for the next collaborative planning steps. The action before the Board of Supervisors is limited to providing direction with respect to the selection of an OWCA concept to serve as the basis for the next steps in the planning processes and environmental review.

OTHER AGENCY INVOLVEMENT:

County staff has participated in the FORA led Oak Woodland Working Group since fall of 2014. FORA entered a contract with DD&A to assist the County and City to complete the Oak Woodlands Conservation Planning effort. The County, City, FORA, and DD&A staff have met with the City of Marina, California State University Monterey Bay (CSUMB), MPC, and UC Santa Cruz Fort Ord Nature Reserve (UCFONR) staff to discuss potential conservation areas and constraints with property owners. It is anticipated that meetings with these landowners and other stakeholders will continue during this process.

FINANCING:

Moving forward, the planning process will require staff time and funding to strategize how to address the policy issues and potential institutional hurdles listed above, and to complete CEQA. Then, implementation of the MMPs will require funding. The amount and entity responsible for such funding have not yet been determined.

The BRP requires maintaining a "large contiguous block of oak woodland habitat, access control, erosion control and non-native species eradication." Based on preliminary analysis, it is roughly estimated to be approximately \$159 per acre per year to achieve the level of oak woodland conservation management required under the Fort Ord Base Reuse Plan. This rough cost estimate is based on the incidental take permit issued for the East Garrison Project, as it is anticipated that the oak woodland management and monitoring activities are likely to require a similar level of effort.

The areas covered by the different preliminary draft concept OWCAs are also popular recreation areas. In addition to the habitat maintenance costs, it is anticipated that the County may decide to provide some level of service to maintain the area for open space and recreation. Since the project is in the conceptual stage, the detailed information required to compile a cost estimate is not available and will vary based on selected OWCA, outcome of the environmental analysis, and level of service desired to be provided.

Under the assumption that all 450 acres of Concept 5A would be managed as open space and recreation and the estimated 13.6 miles of existing trails will all be maintained, annual cost of maintenance in addition to the oak

habitat management costs are roughly estimated to range from approximately \$91 per acre up to \$325 per acre for Concept 5A (a total cost roughly ranging from \$40,834 to \$146,066 annually), depending on level of service desired. For Concept 3, assuming all 112 acres would be managed as open space and recreation and the estimated 2.6 miles of existing trails will all be maintained, the annual cost for open space/recreation management are roughly estimated to range from approximately \$85 per acre up to \$319 per acre for Concept 3 (a total cost roughly ranging from \$9,500 to \$35,700 annually), depending on level of service desired. In addition, there could be site-specific one-time initial costs and additional infrastructure improvements that are undetermined at this time. Rough cost estimates for Concept 3 and Concept 5A are based on published information and staff experience as of 2014, except as noted in Attachment 4.

In addition, there will be site-specific one-time initial costs and potential additional infrastructure improvements that are undetermined at this time.

Some of the information needed to form a full cost estimate will be compiled as part of the OWCP Management and Monitoring Plan (MMP), however, it should be noted that the scope of the MMP is limited to the oak woodland conservation required under the BRP and detailed in Programs B-2.1 and B-2.2 in Attachment 1. If the County desires more refined cost estimates of open space/recreation (e.g., trail maintenance), it may want to consider requesting FORA to amend the scope of the DD&A service agreement to cover these additional uses in the MMP, which would, in turn, place additional costs on the overall project.

The County does not have a dedicated funding source for maintenance of former Fort Ord lands, and is currently providing as-needed clean-up of illegal dumping and security gate installation/maintenance. These activities are funded out of the RMA general fund appropriation unit 001-3000-RMA006, the appropriation which funds all facilities, grounds and parks maintenance. The source and entity to fund the habitat and open space management has yet to be determined. Development and mitigation fees could provide a potential revenue source for habitat and open space management, but other sources (e.g., special taxes) may also be needed as the potential development footprint is decreased to provide for habitat and open space uses within the County's jurisdiction.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action complies with the Board's Strategic Initiative for Infrastructure, "Plan and develop a sustainable physical infrastructure that improves the quality of life for County residents and supports economic development results," by implementing the Key Objective to "promote the use of best environmental practices for County facilities and operations." Designation of an OWCA supports economic development by providing a mitigation area for development projects. Finally, designation of an OWCA supports health by providing open space and recreation opportunities.

- X Economic Development
- __ Administration
- X Health & Human Services
- X Infrastructure
- __ Public Safety

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Attachments:

Attachment 1 - Fort Ord Base Reuse Policies Related to the Oak Woodland Conservation Area

Attachment 2 - Biological Baseline Report Oak Woodland Conservation Area Project (12/2017)

Attachment 3 - OWCA Concept Maps for Concepts 4 and 5A

Attachment 4 - Ft Ord Open Space & Habitat Management Cost Estimates for Concepts 5A & 3

Attachment 5 - Presentation

(Attachments on file with the Clerk of the Board)

Cc: Oak Woodland Conservation Plan Public Distribution List; Fort Ord Committee Public Distribution List;
Erin Harwayne (DD&A); Mary Israel (FORA); Gloria Stearns (City of Seaside)