



Legislation Details (With Board Report)

File #: 21-821 **Name:** Fort Ord - County Habitat Resource Management Plan
Type: General Agenda Item **Status:** Passed - RMA Administration
File created: 9/22/2021 **In control:** Board of Supervisors
On agenda: 10/5/2021 **Final action:** 10/5/2021

Title: a. Receive an update on the County Habitat Resource Management Plan for the former Fort Ord;
b. Consider authorizing the Housing and Community Development Department to utilize the County Habitat Management Funds, Fund 029, to fund the development of the County Habitat Resource Management Plan for properties owned by the Monterey Peninsula College;
c. Consider and provide input to the Public Participation Plan; and
d. Provide direction to staff.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - HRMP Public Participation Plan, 3. Attachment B - Right of Entry Agreement with MPC, 4. Attachment C - Letter from MPC Regarding Funding, 5. Attachment D - Detailed Discussion with Attachments, 6. PowerPoint Presentation Item No.pdf, 7. Errata Memo Item No. 9, 8. Completed Board Order Item No. 9

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|-------------------------------|--------|
| 10/5/2021 | 1 | Board of Supervisors | approved - rma administration | Pass |

a. Receive an update on the County Habitat Resource Management Plan for the former Fort Ord;
b. Consider authorizing the Housing and Community Development Department to utilize the County Habitat Management Funds, Fund 029, to fund the development of the County Habitat Resource Management Plan for properties owned by the Monterey Peninsula College;
c. Consider and provide input to the Public Participation Plan; and
d. Provide direction to staff.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Receive an update on the County Habitat Resource Management Plan for the former Fort Ord;
b. Authorize the Housing and Community Development Department to utilize the County Habitat Management Funds, Fund 029, to fund the development of the County Habitat Resource Management Plan for properties owned by the Monterey Peninsula College;
c. Provide input to the Public Participation Plan; and
d. Provide direction to staff.

SUMMARY:

On April 20, 2021, the Board of Supervisors (Board) approved a Professional Services Agreement (A-15192) with a consultant to assist the County in completing a Habitat Resource Management Plan (RMP) on former Fort Ord lands owned by the County (approximately 1,500 acres) and owned by Monterey Peninsula College (MPC - approximately 200 acres). To date, the County has had a kick-off meeting with the consultant to outline the project timeline and review the draft Public Participation Plan (PPP) (Attachment A). Staff also met with the U.S. Fish & Wildlife Service (USFWS), California Department of Fish & Wildlife (CDFW), and the Bureau of Land Management (BLM) to discuss our RMP approach and obtain input from their respective agencies.

USFWS and CDFW must approve the final plan, and thus far are in agreement with the County's approach and the project timeline. The PPP identifies the plan to engage in various stakeholders and guide the public outreach efforts by allowing the public to provide input into the RMP.

The Board Report from the April 20th discussed the proposed work to complete the RMP and the financial status of MPC. Staff outlined that the County would work with MPC to determine the amount and source of MPC's fair share funding contribution toward habitat management. Since April, the County had several meetings with MPC to coordinate a right of entry for the RMP work and discuss MPC's funding contribution to habitat management. A Right of Entry (ROE) Agreement has been entered into between MPC and the County (Attachment B) to allow the work to commence. Staff is still working to determine what MPC's fair share contribution amount would be and a letter from MPC was received indicating that they currently do not have any funds to pay for such habitat management activities and are reaching out to the County to determine what the fair share contribution would be considering MPC's circumstance (Attachment C). Prior to the County's consultant performing any surveys or tasks with respect to MPC's properties, staff is providing this update to the Board regarding MPC's funding status.

Staff is seeking Board input regarding the PPP and Board affirmation for County to initiate RMP work on MPC's properties while County and MPC continue to negotiate MPC's fair share contribution.

DISCUSSION:

See Attachment D for a detailed discussion and background.

OTHER AGENCY INVOLVEMENT:

According to the Installation-Wide Multispecies Habitat Management Plan for the former Fort Ord, the RMP must be submitted to USFWS and CDFW for approval. Following approval of the RMP, an annual habitat management implementation report must be provided to BLM. Therefore, the County is working in coordination with these agencies to ensure they are in agreement with the process moving forward as the County completes the RMP. County staff has met with USFWS and BLM to discuss the scope of work and project timeline of the RMP. County staff will work with USFWS, BLM, CDFW and MPC on the Draft PPP and obtain their input to ensure they agree with the various timings of outreach. Ultimately, prior to the approval of the RMP, USFWS and CDFW will review the RMP to ensure consistency with regulations for habitat management. MPC will also be reviewing the RMP as they will be responsible for implementation of the RMP on their own property.

FINANCING:

Funding for the Professional Services Agreement as it relates to the property owned by the County is included in the Habitat Management Program, FY 2021-22 Adopted Budget for Fund 029 Appropriation Unit HCD009. Funding for the staff time associated with these projects in FY 2021-22 will be reimbursed to the General Fund from the Proposed Budget for Housing and Community Development Fund 029, Habitat Management Program Appropriation Unit HCD009. Funding for the PSA is included in the Habitat Management Program FY 2021-22 Adopted Budget for Fund 029 Appropriation Unit HCD009.

Staff recommends the Board authorize the HCD to utilize these funds to also cover the cost to complete the RMP on behalf of MPC, allowing the planning work to advance while staff continues to work with MPC to determine the amount and source of MPC's fair share contribution for habitat management.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommendation of this report supports the Board of Supervisors' Economic Development, Administration

and Infrastructure Strategic Initiatives by ensuring timely compliance and effective resource management to enable HCD to complete critical habitat planning work for the long-term benefit of the County.

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

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Approved by: Melanie Beretti, HCD Services Manager

Approved by: Erik Lundquist, AICP, HCD Director

The following attachments are on file with the HCD:

Attachment A - HRMP Public Participation Plan

Attachment B - Right of Entry Agreement with MPC

Attachment C - Letter from MPC Regarding Funding

Attachment D - Detailed Discussion, including:

- Attachment 1 - Maps
- Attachment 2 - Assessment EG-PF Land Use Modifications
- Attachment 3 - Agreement Regarding Public Safety Officer
- Attachment 4 - Land Swap Agreement
- Attachment 5 - FORA Transition Plan