

Fort Ord Real Estate Actions Update 2021-02_v1

Priorities:

1. FOST 12, Parcel S2.1.2 deed.
2. FOST 13, Parcel L36 deed.
3. FOST 11, Parcels L2.3 and L2.4.1 deed; FOST amendment.
4. FOST 12, Parcel E20c.1 deed.
5. Remaining CERCLA Warranties.

FOST 11:

1. 2/1/18 – draft deed for Parcels L2.3 and L2.4.1 submitted to SPK-RE for review.
2. 2/20/18 – SPK-RE forwarded draft deed to SPK-OC for review.
3. 8/15/18 – SPK-OC completed deed review.
4. 1/18/19 – SPK-RE submitted deed to FORA, title report in progress.
5. 8/1/19 – FORA submitted draft MOA amendment to BRAC-D, includes FOST 11 and FOST 13 parcels.
6. 9/4/19 – ECP recertification complete.
7. 2/4/20 – partial comments from FORA.
8. 4/2/20 – additional comments from FORA, under review at ELD and OGC.
9. 6/16/20 – MOA Amendment No. 8 executed.
10. 10/27/20 – ELD determined deed revisions and FOST amendment needed.
11. 11/24/20 – revised draft deed submitted to Seaside (FORA successor) for review.
12. 1/13/21 – draft FOST amendment and public notice submitted to USEPA, DTSC, Seaside, and Monterey County for review.
13. 1/20/21 – USEPA requested update to USEPA contact information included in amendment.
14. 1/29/21 – DTSC submitted comments on amendment.

FOST 12:

December 2012 – Chief, BRAC-D executed FOST. Deeds in progress:

1. E20c.1 to Seaside – ELD sent to USACE for review 10/27/20.
2. E29b.3.1 to FORA – deed recorded on 6/5/19.
3. S2.1.2 to UC –
 - a. 8/14/19 – SPK-RE sent deed to UC.
 - b. 10/8/19 – UC said revisions to indemnification provision are insufficient and UC will have additional comments.
 - c. 11/5/19 – SPK-RE requested full list of comments, no response; followed up on 12/9/19, 1/23/20, 2/4/20, 4/8/20, and 5/26/20.
 - d. 10/5/20 – Additional UC comments received and forwarded to SPK-OC on 10/27/20.

FOST 13:

1. 4/11/05 – Diocese of Monterey rescinded its PBC request for Parcel L36.
2. 8/1/19 – FORA submitted draft MOA amendment to BRAC-D, includes FOST 11 and FOST 13 parcels.
3. ECP recertification process determined a new FOST is required to reclassify Parcel L36 as Category 1.
4. 4/22/20 – draft FOST submitted to ELD.
5. 5/11/20 – draft FOST submitted to USEPA.
6. 6/1/20 – USEPA concurrence letter.
7. 6/16/20 – MOA Amendment No. 8 executed.
8. 11/24/20 – draft deed sent to SPK-OC and ELD for review.
9. 12/10/20 – SPK-OC submitted revised deed to SPK-RE and ELD.

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FOSET 1:

1. CERCLA Warranty for Parcel L5.1.1 (FAAF MRS-34): SPK-OC completed review on 10/6/20, SPK-RE preparing disposal package.
2. CERCLA Warranty for Parcel L5.1.1.1 (FAAF MRS-34): sent to SPK-OC 9/16/20, SPK-RE preparing disposal package.

FOSET 4:

CERCLA Warranty for Del Rey Oaks Parcels E29a, E29b.1, E31a, E31b, E31c, and E36 (MRS-DRO.1, MRS-DRO.2, MRS-43): sent to SPK-OC 9/16/20, SPK-RE preparing disposal package.

FOSET 5:

Non-ESCA CERCLA Warranties:

1. City of Marina Parcels E4.3.2.2, E4.7.1, E5a.1, and L5.10.1 (property overlying OUCTP): sent to SPK-OC 9/16/20, SPK-RE preparing disposal package.
2. County of Monterey Parcel E4.7.2 (property overlying OUCTP): sent to SPK-OC 9/16/20, SPK-RE preparing disposal package.

ESCA CERCLA Warranties: recorded on 6/26/20.

Parcel L20.4 (Oil Well Rd) transfer to Bureau of Land Management:

August 2013 – Letter of Transfer (LOT) under review at OGC (revisions/updates may be required due to time lapse). To be executed by DASA (Installations, Housing and Partnerships).

BRAC-D	Base Realignment & Closure Division, Assistant Chief of Staff for Installation Management
BRAC-FO	Base Realignment & Closure, Fort Ord Field Office
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)
DASA	Deputy Assistant Secretary of the Army
ECP	environmental condition of property
EDC	economic development conveyance
ELD	Environmental Law Division
FORA	Fort Ord Reuse Authority
FOSET	Finding of Suitability for Early Transfer
FOST	Finding of Suitability to Transfer
MOA	memorandum of agreement
MPC	Monterey Peninsula College
MRA	munitions response area
ODASA	Office of the Deputy Assistant Secretary of the Army
OGC	Office of the Army General Counsel
OUCTP	Operable Unit Carbon Tetrachloride Plume
PBC	public benefit conveyance
QCD	quitclaim deed
SPK-OC	USACE Sacramento District Office of Counsel
SPK-RE	USACE Sacramento District Real Estate
UC	University of California
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency