

Fort Ord Real Estate Actions Update 2021-07_v1

FOST 6:

Parcel F2.7.2, Site 33, Golf Course Maintenance Area removal of residential use restriction.

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. 4/2/20 – comments from FORA under review at ELD and OGC.
8. 6/16/20 – MOA Amendment No. 8 executed.
9. 10/27/20 – ELD determined deed revisions and FOST amendment needed.
10. 11/24/20 – revised draft deed submitted to Seaside (FORA successor) for review.
11. 1/13/21 – draft FOST amendment and public notice submitted to USEPA, DTSC, Seaside, and Monterey County for review.
12. 1/20/21 – USEPA requested update to USEPA contact information included in amendment.
13. 1/29/21 – DTSC submitted comments on amendment.
14. 3/10/21 – SPK-RE sent revised deed to Seaside.
15. 3/22/21 – Army submitted responses to DTSC comments on amendment.
16. Army submitted draft memo to file to USEPA and DTSC, comments expected week of 4/12/21.
17. 4/6/21 – revised deed with corrected HMP provisions sent to SPK-RE.
18. 4/21/21 – revised deed with corrected HMP provisions sent to Seaside.
19. Amendment requires 7-day public comment period.
20. Army will provide draft deed to USEPA and DTSC for review after USACE HQ review.
21. Army will execute deed after DTSC has CRUP in place with Seaside; draft CRUP in progress.

FOST 12:

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

1. E20c.1 to Seaside – ELD evaluating change to 120(h)(4).
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.
 - e. Deed may require revision to include PFAS Notice (under review at ELD).
 - f. FOST amendment may be required.
 - g. 6/1/21 – UC inquired about status and requested conference call to move forward; SPK-RE will inform UC about FOST amendment and CRUP requirements.

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.

Fort Ord Real Estate Actions Update 2021-07_v1

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.
10. 1/27/21 – SPK-RE and ELD determined deed should be consistent with Model Deed and Model FOST.
11. 2/23/21 – SPK-OC requested “clean” copy of deed for review.
12. 3/10/21 – BRAC-FO submitted “clean” copy with comments to SPK-RE, under review at ELD.
13. 5/24/21 – one comment from Seaside on draft clean deed, final comments expected week of 6/1.
14. 6/25/21 – comments received from SPK-OC, comments from Seaside pending.

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, sent to Seaside for review in June.

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, sent to Seaside for review in June.
2. County of Monterey Parcel E4.7.2 (property overlying OUCTP): sent to SPK-OC 9/16/20, SPK-RE preparing disposal package, sent to Seaside for review in June.

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

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

1. August 2013 – LOT under review at OGC, to be executed by DASA (Installations, Housing and Partnerships).
2. 5/6/21 – Updated LOT sent to ELD for review.
3. 6/1/21 – new ECP may be required.
4. 6/30/22 – target transfer date.

| | | | |
|---------|---|-------|---|
| BRAC-D | Base Realignment & Closure Division, Assistant Chief of Staff for Installation Management | DTSC | Department of Toxic Substances Control |
| BRAC-FO | Base Realignment & Closure, Fort Ord Field Office | ECP | environmental condition of property |
| CERCLA | Comprehensive Environmental Response, Compensation, and Liability Act (Superfund) | ELD | Environmental Law Division |
| CRUP | Covenant to Restrict Use of Property | FORA | Fort Ord Reuse Authority |
| DASA | Deputy Assistant Secretary of the Army | FOSET | Finding of Suitability for Early Transfer |
| | | FOST | Finding of Suitability to Transfer |
| | | HMP | Habitat Management Plan |
| | | LOT | letter of transfer |
| | | MOA | memorandum of agreement |
| | | OGC | Office of the Army General Counsel |

Fort Ord Real Estate Actions Update 2021-07_v1

| | |
|--------|--|
| OUCTP | Operable Unit Carbon Tetrachloride Plume |
| PBC | public benefit conveyance |
| PFAS | per- and polyfluoroalkyl substances |
| 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 |