

Fort Ord Real Estate Actions Update 2022-07_v0

FOST 6:

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

1. The BW RI Sites ROD identifies a deed restriction on residential use as the remedy.
2. DTSC terminated the CRUP.
3. Site developer prepared draft ESD to the BW RI Sites ROD to address the change to the remedy.
4. Draft ESD submitted to USEPA, DTSC, and RWQCB on 6/10/22, expedited review requested.
5. USEPA comments received 6/21/22.

FOST 11:

1. 9/4/19 – ECP recertification complete.
2. 6/16/20 – MOA Amendment No. 8 executed.
3. 10/27/20 – ELD determined deed revisions and FOST amendment needed.
4. 1/13/21 – draft FOST amendment and public notice submitted to USEPA, DTSC, Seaside, and Monterey County for review.
5. 1/20/21 – USEPA requested update to USEPA contact information included in amendment.
6. 1/29/21 – DTSC submitted comments on amendment.
7. 3/22/21 – Army submitted responses to DTSC comments on amendment.
8. Army submitted draft memo to file to USEPA and DTSC.
9. Amendment requires 7-day public comment period.
10. Army will provide draft deed to USEPA and DTSC for review after USACE HQ review.
11. Army will execute deed after DTSC has CRUP in place with Seaside
12. 9/17/21 – DTSC reported CRUP is ready for execution, USEPA to check with counsel on status.
13. 10/26/21 – USEPA and DTSC redline edits to draft memo to file submitted to Army.
14. 4/26/22 – ELD revised memo to file.
15. 7/7/22 – ELD coordinating revised memo to file with OGC, will submit to USEPA and DTSC for review.
16. ECP recertification required.
17. 9/30/22 – target transfer date.

FOST 12:

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

1. E20c.1 to Seaside –
 - a. 1/11/22 – BRAC-FO submitted letter to USEPA requesting concurrence on transfer under CERCLA 120(h)(4)
 - b. USEPA disagreed with change to 120(h)(4) in letter dated 4/14/22.
 - c. Draft deed review and modification in progress.
2. E29b.3.1 to FORA – deed recorded on 6/5/19.
3. S2.1.2 to UC – pending completion of PFAS investigation.

FOST 13:

1. 4/18/05 – Diocese of Monterey rescinded its PBC request for Parcel L36.
2. ECP recertification process determined a new FOST is required to reclassify Parcel L36 as Category 1.
3. 6/1/20 – USEPA concurred with FOST.
4. 6/16/20 – MOA Amendment No. 8 executed.
5. 11/12/21 – comments on draft deed received from Seaside counsel.
6. ECP recertification required.
7. 4/26/22 – ELD coordinating with OGC on draft deed language – will remain consistent with previous deeds.

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8. SPK-RE sent package to USACE-HQ in June, review scheduled for 7/6/22.
9. 9/30/22 – target transfer date.

FOSET 1:

1. CERCLA Warranty for Parcel L5.1.1 (PBC; FAAF MRS-34): SPK-RE to determine process with City of Marina.
2. CERCLA Warranty for Parcel L5.1.1.1 (FAAF MRS-34): SPK-RE submitted disposal package to HQ-USACE on 5/13/22.

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): SPK-RE to determine process with City of Del Rey Oaks.

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): SPK-RE submitted disposal package to HQ-USACE on 5/13/22.
2. County of Monterey Parcel E4.7.2 (property overlying OUCTP): SPK-RE submitted disposal package to HQ-USACE on 5/13/22.

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 – ECP update required.
4. 12/21/21 – SPK-RE sent updated LOT package to USACE-HQ.
5. 5/6/22 – comments received from USACE-HQ.
6. 5/25/22 – ECP update site inspection.
7. 8/31/22 – target transfer date.

Acronyms and Abbreviations

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)
CRUP	Covenant to Restrict Use of Property
DASA	Deputy Assistant Secretary of the Army
DTSC	Department of Toxic Substances Control
ECP	environmental condition of property
ELD	U.S. Army Legal Services Agency, Environmental Law Division
FORA	Fort Ord Reuse Authority
FOSET	Finding of Suitability for Early Transfer
FOST	Finding of Suitability to Transfer
LOT	letter of transfer
MOA	memorandum of agreement
OGC	Office of the Army General Counsel
OUCTP	Operable Unit Carbon Tetrachloride Plume
PBC	public benefit conveyance

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PFAS per- and polyfluoroalkyl substances
SPK-RE USACE Sacramento District Real Estate
UC University of California
USACE U.S. Army Corps of Engineers
USEPA U.S. Environmental Protection Agency