

APPENDIX B

Land Use Control Inspection Methodology

An annual review of compliance with the Land Use Controls (LUCs) will be required and implemented as part of the long-term management measures. Starting on July 1 and completed by June 30 of each year, a representative of the appropriate jurisdiction for the property or properties (e.g., the City of Seaside, Monterey County, or Monterey Peninsula College) will conduct the following actions:

1. The representative of the jurisdiction will check with the applicable building departments to ensure no structures were approved or built in violation of the deed restrictions and/or State Land Use Covenants. As outlined in the Memorandum of Agreement (MOA), the City of Seaside and Monterey County have agreed to provide summaries of the compliance with City of Seaside and County of Monterey excavation ordinances, including the number of permits issued, documentation of changes to the jurisdiction's ordinances, and copies of the after-action reports required by the excavation ordinances (specifically Chapter 15.34.070 of the City of Seaside Municipal Code and Chapter 16.10.060 of the County of Monterey County Code). The after-action reports are also submitted to the director of community development, the United States Department of the Army (Army), the Department of Toxic Substances Control (DTSC), and the U.S. Environmental Protection Agency (U.S. EPA). The after-action reports shall state whether and where munitions and explosives of concern (MEC) was detected and the extent and depth of MEC response actions undertaken and completed on the property that is the subject of the permit. As part of this activity, copies of the permit records will be attached to the annual inspection report submitted to the Fort Ord Reuse Authority (FORA) by the jurisdictions. An outline for this report is provided as Attachment 4 of the MOA.
2. The representative of the jurisdiction will check with the local law enforcement agencies to obtain information regarding 911 call data for MEC found, including but not limited to:
 - Date and time of the call;
 - Contact name;
 - Location of the MEC finding;
 - Type of munitions, if available; and
 - Response of jurisdiction law enforcement agency

As part of this activity, this information will be attached to the annual inspection report submitted to FORA by the jurisdictions. An outline for this report is provided as Attachment 4 of the MOA.

3. The representative of the jurisdiction will visually inspect the applicable parcels to ensure no structures have been or are being built in violation of the deed restrictions and/or State Land Use Covenants. As part of this activity, photographs and inspection notes will be taken of the parcels and attached to the annual inspection report submitted to FORA by the jurisdictions. An outline for this report is provided as Attachment 4 of the MOA.

4. The results of the annual inspections will be compiled and summarized in a letter report prepared by FORA and submitted to the Army, the United States Environmental Protection Agency (EPA), and DTSC no later than September 1 of each year. As part of the annual monitoring report, FORA will complete the LUC evaluation form provided as Appendix C of this Remedial Design/Remedial Action, Land Use Controls Implementation, and Operation and Maintenance Plan (RD/RA LUCI O&M Plan). Monterey County has agreed to take over the responsibility of compiling and preparing the summary letter report for submittal to the Army, EPA, and DTSC when FORA ceases to exist.