

Rosalyn Charles

From: Peter <peter381@sbcglobal.net>
Sent: Thursday, September 10, 2015 9:01 PM
To: FORA Board
Subject: Comments on Base Reuse Plan Reassessment

----- Original message -----

From: PETER LE <peter381@sbcglobal.net>
Date: 09/10/2015 8:47 PM (GMT-08:00)
To: peter381@sbcglobal.net
Subject: Comments on Base Reuse Plan Reassessment

September 10, 2015

Dear FORA Board Members:

re: Comments on Base Reuse Plan Reassessment
Board agenda item 6 A

I noticed that FORA, while reassessed several areas such as land use during the reassessment process approximately two years ago, failed to perform any reassessment of the water demand, available water supply, water allocation, and water augmentation which was a required CEQA mitigation for the 1997 adopted Base Reuse Plan.

However, as described in the Memo from Alan Waltner, FORA Special Counsel, to FORA Board dated July 23, 2015, "the Authority Act contains a number of requirements for the BRP that will need to be satisfied in connection with any BRP revisions. One of these requirements are specified in Government Code Section 67675, which states that the BRP (including revisions) is required to include the following elements:

A five-year capital improvement program that complies with the requirements of Section 65403. The program shall include an allocation of the available water supply, sewage treatment capacity, solid waste disposal capability, and other limited public service capabilities among the potential developments within the area of the base. The program shall also identify both of the following:

(A) Base-wide facilities identified pursuant to Section 67679.

(B) Local facilities that are in the county or a city with territory occupied by Fort Ord and that primarily serve residents of the county or that city."

Therefore, I urge FORA Board to promptly review and evaluate the previously adopted 1997 water demand, current water portfolio and availability, and previous water allocation which was done over 15 years ago, prepare and adopt a new water supply portfolio, water allocation and water augmentation to facilitate the effective development of the former army base and incorporate new federal and state policies, rules and regulations on the production and consumption of potable water and the reuse of all other water sources such as wastewater and storm water.

Sincerely,

Peter Le
FORA Ex-Officio Member

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Rosalyn Charles

From: Peter <peter381@sbcglobal.net>
Sent: Thursday, September 10, 2015 9:03 PM
To: FORA Board
Subject: FORA Conditional Approval of 2015-16 MCWD Ord Community Budget

----- Original message -----

From: PETER LE <peter381@sbcglobal.net>
Date: 09/10/2015 8:50 PM (GMT-08:00)
To: peter381@sbcglobal.net
Subject: FORA Conditional Approval of 2015-16 MCWD Ord Community Budget

September 10, 2015

Dear FORA Board Members:

Re: FORA Conditional Approval of 2015-16 MCWD Ord Community Budget
Board agenda item 6 C

On June 12, 2015, FORA Board conditionally approved the 2015-16 MCWD Ord Community Budget with two conditions: 1) froze the \$470,000 line item budget for desalination project and 2) disapproved the 9% rate increase to restrict funding of litigations involving the failed regional desalination project.

There were several correspondences between FORA and MCWD addressing the dispute and resolution in accordance with the executed agreement. Additionally, FORA staff report also summarized the dispute process. Therefore, I don't need to repeat any here.

What I want to address here are the following issues:

1. In restricting MCWD from funding litigations involving the failed regional desalination project (see letter from Mr. Houlemard dated June 17, 2015 which was **not** included in the agenda package), did FORA Board really want MCWD to pay Monterey County and Cal Am and not providing any defense against the lawsuits from Monterey County and Cal Am? Since March 2015 Supervisor Potter demanded and FORA Board agreed that MCWD dropped all the lawsuits.
On June 12, 2015, FORA Board discussed and unanimously approved this restriction. Supervisors Parker, Phillips and Potter, a Monterey County quorum, voted yes. After the Board meeting, at least one Board member insisted that MCWD must recover the regional desalination project expenses from Monterey County and/or Cal Am. FORA staff reports also referred to it as "make it whole". Anyhow, Monterey County subsequently sued MCWD for 10 million dollars. Therefore, it begs the questions whether Supervisors Parker, Phillips and Potter might potentially have violated Brown Act and conflict of interest laws in voting to restrict MCWD legal defense of the failed regional desalination project, and subsequently also voted to sue MCWD on the failed regional desalination project.
2. Similar question also exists on the issue of the proposed annexation of the Ord Community by MCWD. This annexation issue has been discussed at several FORA Board meetings and commented by the public. As one public member pointed out a few months ago, Directors Rubio and

Pendergrass, a SCSD quorum, were present during these discussions and they are also Directors of the Seaside County Sanitation District (SCSD) which is a party to the proposed annexation. Again, it begs the question whether the Brown Act and Conflict of Interest laws might potentially have been violated.

I recalled that FORA Legal Counsel was notified of these potential violations of the Brown Act over a year ago. I hope FORA Board will direct Legal Counsel to review these situations, and provide legal opinions and advice on these types of situations to the Board.

Sincerely,

Peter Le
FORA Ex-Officio Member

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Rosalyn Charles

From: Peter <peter381@sbcglobal.net>
Sent: Friday, September 11, 2015 5:30 PM
To: FORA Board
Subject: Request FORA to endorse advanced treated water for irrigation

----- Original message -----

From: Peter <peter381@sbcglobal.net>
Date: 09/11/2015 5:26 PM (GMT-08:00)
To: PETER LE <peter381@sbcglobal.net>
Subject: Request FORA to endorse advanced treated water for irrigation

----- Original message -----

September 11, 2015

Dear FORA Board Members:

re: Request FORA to endorse advanced treated water for irrigation
Board Agenda Item 6 B

Last month I requested FORA Board to consider the endorsement of using advanced treated water for irrigation at the Ord Community; thus replacing the previously adopted tertiary treated water source (commonly referred as recycled water). I also mentioned that both Monterey Regional Water Pollution Control Agency (MRWPCA) and Marina Coast Water District (MCWD) Board of Directors approved the Pointed Tentative Agreement, and MCWD Board added the FORA Board's endorsement as one of the additional conditions.

The advanced treated water is provided as part of the current Pure Water Monterey project. It is one of the options that I informed FORA Admin Committee, Water and Wastewater Oversight Committee, and Executive Committee in January 2015. I also described the seven options to FORA Board subsequently and asked FORA to consider as part of the water augmentation plan and as part of the Pure Water Monterey Project.

While I'm not surprised that FORA Board routinely ignored and dismissed my requests and serious suggestions for still unknown reasons, it's sad to see that FORA Board still causes adverse impacts to the Pure Water Monterey project while concurrently claiming that this project is very important to the Peninsula cities, Monterey County, and its constituents.

Some of the reasons that FORA Board needs to consider endorsing and approving the replacement of tertiary treated water with advanced treated water for irrigation at the Ord Community are as follows:

1. This change will involve necessary changes to the MCWD water budgets for the Ord Community which will require FORA Board approval. Additionally, the Pure Water project must be finalized and designed soon. Thus capital funding or financial plan must be obtained immediately and a repayment schedule of loans and/or bonds needs to be established. The loan or bond repayment means that the Ord Community water rates and water capacity charges need to be increased promptly and these increases may be substantial to pay for capital costs in addition to operation and maintenance costs. The exact amount of the increases has not been worked out since MRWPCA has not provided MCWD with full information on their capital costs for the proposed pipeline and associated infrastructures.
2. Without the financial contribution from MCWD and potential subsidies from Ord Community ratepayers, the Pure Water Monterey project may not be viable since the cost of advanced treated water from the Pure Water Monterey project may be more expensive than the cost of desalinated water from the Cal Am desalination project.
3. City of Seaside will need to agree to use the now available advanced treated water for their two golf courses. Similarly, CSUMB will also need to agree to use the advanced treated water for their athletic fields. Both agencies will need to agree to pay for the estimated cost of the advanced treated water at approximately \$2,600 per acre-foot (provided by MRWPCA in January 2015) which is more expensive than the current groundwater cost.
4. The endorsement of the advanced treated water for irrigation may also imply that FORA Board will implicitly agree to invalidate previous executed agreements on recycled water supply for the Ord Community. Note that FORA does not have any right at all for the wastewater discharges from the Ord Community. This may mean that CSUMB should not show about 485 AFY of tertiary treated recycled water is available for them in their draft CSUMB Master Plan. The same applies to the proposed Monterey Downs project.
5. Additionally, MRWPCA will need to expand the capacity of the proposed advanced treatment plant if they intend to supply the advanced treated water to the entire Ord Community for the full development of the Ord Community. This means that the Ord Community ratepayers will shoulder the costs of the plant expansion.

Therefore, the endorsement by FORA Board on the replacement of tertiary treated water with advanced treated water for irrigation will potentially enable MCWD to participate in the Pure Water Monterey project even though the water rates and water capacity charges may need to be increased for the Ord Community ratepayers.

For, at least, the last three years, FORA Board has done little to facilitate the development of alternative water supply sources and solutions for the Peninsula, and evaluate the current Ord Community water demand (including FORA member agencies), water availability and allocation. Additionally, FORA Board continues to refuse either to discuss at FORA Board meetings or to meet with MCWD Board to review, evaluate and discuss various options to provide potable and irrigation waters to the Ord Community, and also fail to recognize that previous agreements and MOU's on recycled water may already have been invalidated by other public agencies. Oddly, FORA Board decided a few months ago to have FORA staff take the lead on the water augmentation even though FORA staff did not have any experience in water supply planning and nothing has been done to

facilitate the Pure Water Monterey project or the Cal Am desalination project to date except nice and, sometimes, misleading words in the presentations and staff reports.

The Pure Water Monterey project cried for regional cooperation, but also really needs good will and honesty or truthfulness. Everyone talked about the need to work together; everyone will receive benefits from this project (win-win situations); a cheaper water source for Peninsula cities; a solution for Salinas's agriculture wash problems; another solution to treat impaired water from agriculture ditches; more and cheaper water supplies for growers; a first innovative project in California and even in the country during the historical drought; MCWD would save money on their pipeline, and so on (see MPWMD analysis that outlined the benefits to various parties, first version and last version).

Unfortunately, in my view and three-year experience to date, the Pure Water Monterey project looks more and more like the failed Regional Desalination Project as time passes. For examples, one party tried to hide crucial information from another party; some parties tried to take advantage of this project for their own benefits at the expense of other parties; another party sat on their hands and failed to make necessary decisions to move the project along; another party tried to ignore previous agreements and signed MOU's even when the parties were in negotiation; documents were steered the way one party wanted (the end justifies the means?), some parties tried to outsmart other parties, staff tried to make deals by themselves, and so on (lies?).

I hope FORA will place this item on the Board agenda soon to at least facilitate the development of the Pure Water Monterey project as part of the water solution for the Peninsula cities instead of obstructing it and making excuses.

Sincerely,

Peter Le
FORA Ex-Officio Member

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Rosalyn Charles

From: Ben Spungin <benspungin@gmail.com>
Sent: Monday, September 14, 2015 12:02 PM
To: FORA Board
Subject: Rent or Purchase

Looking into redevelopment of Fort Ord inquiring for building to create Bakery Cafe'
Thank you,

Ben Spungin
Local Pastry Chef

Rosalyn Charles

From: studio@winterlamaster.com
Sent: Monday, September 14, 2015 1:08 PM
To: FORA Board
Subject: Filming Historic Fort Ord

Hello,
I was directed to contact you by the BLM.

I am working on a pilot episode for a YouTube channel. This show takes a cinematic approach to filming historic places in the US, specifically areas that are of historical significance but are either no longer in use, or undergoing various changes from their original purpose.

I would love to feature Fort Ord and it's military history as part of my show.

I would be happy to share the details of our vision for the program, how do I go about gaining approval for access and who can I reach out to directly?

Thanks, your time is appreciated
Davis

Winter LaMaster Photography
Cel: 808-782-5780
www.winterlamaster.com

Hawaii Workspace:
919 Maunawili Rd
Kailua Hi 96734

L.A. Workspace:
1149 S. Spaulding Ave
Los Angeles Ca 90019

Find Me Here Too:

<https://instagram.com/winterlamaster/>

<http://www.corbisimages.com/photographer/davis-bell>

Rosalyn Charles

From: Maria Buell
Sent: Monday, September 14, 2015 2:35 PM
To: studio@winterlamaster.com; FORA Board
Cc: melissa.m.broadston.ctr@mail.mil
Subject: RE: Filming Historic Fort Ord

Thank you Mr. Davis for your email.

Kindly contact Melissa Broadston at the Base closure and Re-Alignment Commission (BRAC) office. She has information on the historic Fort Ord and her contact information is: 831-393-1284 or, melissa.m.broadston.ctr@mail.mil

In addition, before you enter into any grounds in former Ford Ord, you might want to inquire if an encroachment permit is needed for the purposes you've outlined. The following is a (partial) list of these local agencies:

City of Seaside, Planning Dept. (831) 899 6825
City of Marina, Planning Services (831) 884-1220
City of Del Rey Oaks, (831) 394-8511
City of Monterey, Planning office, (831) 646-3885
County of Monterey, *Public Works*, (831) 755-4800

We encourage you to visit our website (<http://www.fora.org/maps.html>) and become familiar with the expanse and diverse area that is former Fort Ord.

Should you need any additional information, please do not hesitate to contact us.

Sincerely,

Maria Buell
Deputy Clerk/Executive Assistant
Fort Ord Reuse Authority (FORA)
920 2nd Ave., Suite A, Marina, CA 93933
Office: 831.883.3672 - Fax: 831.883.3675 www.fora.org

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From: studio@winterlamaster.com [mailto:studio@winterlamaster.com]
Sent: Monday, September 14, 2015 1:08 PM
To: FORA Board <board@fora.org>
Subject: Filming Historic Fort Ord

Hello,
I was directed to contact you by the BLM.

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Thanks, your time is appreciated
Davis

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www.winterlamaster.com

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919 Maunawili Rd
Kailua Hi 96734

L.A. Workspace:
1149 S. Spaulding Ave
Los Angeles Ca 90019

Find Me Here Too:

<https://instagram.com/winterlamaster/>

<http://www.corbisimages.com/photographer/davis-bell>

Rosalyn Charles

From: PETER LE <peter381@sbcglobal.net>
Sent: Friday, October 02, 2015 2:56 PM
To: FORA Board
Subject: Comments on Board Agenda Items - October 9, 2015 Meeting

October 2, 2015

Dear FORA Board Members:

I have the following comments on the October 9, 2015 Board agenda items:

1. Item 7a. The minutes did not show corrections made orally at the September 11, 2015. The July 10, 2015 meeting minutes were approved on September 11, 2015 subject to those corrections.
2. Correspondents received. I emailed the Board three separate emails on September 10, 2015 and they were not placed on the FORA Board meeting website as of today. Mr. Houlemard previously explained to me that correspondents such as emails received close to the Board meeting would not placed on the website right away and they would be placed before the next Board meeting. Please direct your staff to place on the website or provide me with reasons why they were not placed on the FORA website as discussed with Mr. Houlemard previously.

Peter Le
FORA Ex-Officio Member

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Rosalyn Charles

From: Maria Buell
Sent: Friday, October 02, 2015 3:46 PM
To: Peter Le; FORA Board
Subject: RE: Comments on Board Agenda Items - October 9, 2015 Meeting

Dear Mr. Le.

In response to your comments, please note that the Board Minutes of 7-10-15 have been revised pursuant Chair's request. Below is the link to those minutes:

<http://www.fora.org/Board/2015/Minutes/071015Minutes.pdf>

As to item 2 – All correspondence received from September 8th thru this weekend will be posted on FORA's webpage on Monday, October 5th

Thank you!

Maria Buell
Deputy Clerk/Executive Assistant
Fort Ord Reuse Authority (FORA)
920 2nd Ave., Suite A, Marina, CA 93933
Office: 831.883.3672 - Fax: 831.883.3675 www.fora.org

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From: PETER LE [mailto:peter381@sbcglobal.net]
Sent: Friday, October 02, 2015 2:56 PM
To: FORA Board <board@fora.org>
Subject: Comments on Board Agenda Items - October 9, 2015 Meeting

October 2, 2015

Dear FORA Board Members:

I have the following comments on the October 9, 2015 Board agenda items:

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Peter Le
FORA Ex-Officio Member

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Rosalyn Charles

From: PETER LE <peter381@sbcglobal.net>
Sent: Friday, October 02, 2015 4:49 PM
To: Maria Buell; FORA Board
Subject: Re: Comments on Board Agenda Items - October 9, 2015 Meeting

Dear Ms. Buel:

I have read the minutes listed on the website for the meeting of July 10, 2015 and it was correct.

But the minutes for the September 11, 2015 did not indicate any requested corrections spoken at this meeting for the July 10, 2015 were noted. Should this item be worded as "Approved the minutes of July 10, 2015 as corrected?" so that the public knows that the corrections spoken at the September 11, 2015 meeting were noted and reflected?

Peter Le

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From: Maria Buell <Maria@fora.org>
To: Peter Le <peter381@sbcglobal.net>; FORA Board <board@fora.org>
Sent: Friday, October 2, 2015 3:45 PM
Subject: RE: Comments on Board Agenda Items - October 9, 2015 Meeting

Dear Mr. Le.

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<http://www.fora.org/Board/2015/Minutes/071015Minutes.pdf>

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Thank you!

María Buell
Deputy Clerk/Executive Assistant
Fort Ord Reuse Authority (FORA)
920 2nd Ave., Suite A, Marina, CA 93933
Office: 831.883.3672 - Fax: 831.883.3675 www.fora.org<<http://www.fora.org>>

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From: PETER LE [mailto:peter381@sbcglobal.net]
Sent: Friday, October 02, 2015 2:56 PM
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Subject: Comments on Board Agenda Items - October 9, 2015 Meeting

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Peter Le
FORA Ex-Officio Member

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