

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: April 12, 2012	Time: 1:30 P.M.	Agenda Item No.: 1
Project Description: A Use Permit to allow two separate special events: 1) Police Activities League "PAL" 510/10k running event scheduled on April 15, 2012; and 2) "Hoof Trek" equestrian event scheduled for 3 consecutive days beginning on May 18 through May 20, 2012.		
Project Location: Monterey County's Fort Ord Youth Camp property at Watkins Gate Road and West Camp Street (adjacent to and westerly of East Garrison subdivision at Fort Ord)		APN: A portion of Assessor's Parcel Number 031-161-002-000 (COE Parcel #'s L20.2.2 & L20.2.3.1 (Travel Camp Parcels)
Planning File Number: PLN120219		Owner: Monterey County Parks
Planning Area: Fort Ord Master Plan within the Greater Monterey Peninsula Area		Flagged and staked: No
Zoning Designation: : "Public Facility/Institutional (Youth Camp District within Reservation Road Planning Area of Fort Ord Master Plan)		
CEQA Action: Categorically Exempt pursuant to CEQA Section 15304(e)		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit B**) to:

- 1) Categorically Exempt pursuant to CEQA Section 15304(e);
- 2) Approve PLN120219, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**):

PROJECT OVERVIEW:

The Monterey County Parks is requesting to host two special events on Monterey County property at Fort Ord, formerly known as the "Army Travel Camp" located between Inter-Garrison Road and Watkins Gate Road, just westerly of the East Garrison subdivision and West Camp Road. The property is the proposed location of the Monterey Bay Youth Camp (MBYC), a use that is cited in the Fort Ord Master Plan within the 2010 Monterey County General Plan, Youth Camp District, "...the district is designated for public facilities and is envisioned to be a youth camp to be operated by the County or an outside agency.

During an interim time prior to the Fort Ord Reuse Authority (FORA) property-transfer of the former Army Travel Camp to the County, FORA and neighboring Bureau of Land Management (BLM) property owners have been granting special "rights-of-entry" to sponsors of various events occurring in the backcountry of Fort Ord that included the staging of special events at the former Travel Camp. FORA no longer grants rights-of-entry to the now County-owned Travel Camp. While the County is negotiating with the 501 c3 non-profit MBYC Board of Directors to develop and operate a youth camp at the site, the County Parks Department would like to honor previous FORA and BLM rights-of-entry onto the former Army Travel Camp.

The two special events that require immediate attention include a 5K/10K ½ day running event sponsored by the Police Activities League (PAL) and is scheduled for April 15, 2012; and a "Hoof Trek" equine event that is scheduled for three consecutive days beginning May 18 through May 20, 2012.

The PAL event will be using only a 1.4 kilometer long route through the Youth Camp that will be marked with decomposing orange chalk. No other use of the camp is proposed for the ½ day event. In addition a BETA Team made up of marshals will be monitoring the runs to keep the runners on track. 50 to 60 people are expected to participate in the event.

The Hoof Trek Competitive Trail Ride (CTR) will be held on Fort Ord Public Lands. Participants are required to arrive on May 18, set up camp and spend the night with their horses. The following day, May 19, the trail riding portion of the competition will occur. The start and finish of the ride will be the Youth Camp on land currently owned by Monterey County. There will be three checkpoints on route, which can all be manned by the same group of people, due to the structure of the competition. The CTR will use the Youth Camp for the nights of Friday, May 18 and Saturday, May 19. The competition will be completed on 19 May, but many participants will stay over night and help with clean-up of the Youth Camp and BLM trails on Sunday, May 20, 2012.

There are no unresolved issues.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- ✓ RMA - Public Works Department
- ✓ Environmental Health Bureau
- Water Resources Agency
- ✓ Monterey County Regional Fire District

Agencies that submitted comments are noted with a check mark ("✓"). Conditions recommended by Environmental Health Bureau and RMA Planning have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

The project was not referred to a Land Use Advisory Committee (LUAC) because there is no committee that represents this area and based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC.

Note: The decision on this project is appealable to the Planning Commission and the Board of Supervisors

/S/ Elizabeth Gonzales

Elizabeth Gonzales, Associate Planner
(831) 755-5102, gonzalesl@co.monterey.ca.us
March 27, 2012

cc: Front Counter Copy; Zoning Administrator, Salinas Monterey County Regional Fire District; Public Works Department; Environmental Health Bureau; Water Resources Agency; Wanda Hickman, Planning Services Manager; Elizabeth Gonzales, Project Planner; Carol Allen, Senior Secretary; David Lutes, Monterey County Parks Department; Planning File PLN120219

Attachments: Exhibit A Detailed Project Description for the two special events
Exhibit B Draft Resolution, including:
1. Conditions of Approval
2. Site Plan,
Exhibit C Vicinity Map

This report was reviewed by Wanda Hickman, Planning Services Manager *WH*
Monterey County Parks (PLN120219) Page 2

EXHIBIT "A"

Monterey County Parks



David Lutes, Parks Planning Manager

855 E. Laurel Dr., Salinas, 93905 - P.O. Box 5249, Salinas, 93915

831.755.4911 - Email: lutesd@co.monterey.ca.us

PROJECT DESCRIPTION

for

TWO SPECIAL EVENTS ON COUNTY PROPERTY AT FORT ORD

- 1. Police Activities League ("PAL") 5K/10K running event, April 15, 2012;**
- 2. Hoof Trek equine event, May 18 – 20, 2012**

Property identified for the future "Monterey Bay Youth Camp:"

The Monterey County Parks Department is requesting special event permits on Monterey County property at Fort Ord, formerly known as the "Army Travel Camp" located between Inter-Garrison Road and Watkins Gate Road, just westerly of the East Garrison subdivision and West Camp Road (Assessors Parcel Number 031-161-002-000, Army Corps of Engineer parcel numbers L20.2.2 and L20.2.3.1). The property is the proposed location of the "Monterey Bay Youth Camp (MBYC)," a use that is cited in the

- Installation-Wide Multispecies Habitat Management Plan for Former Fort Ord, California [HMP], U.S. Army Corps of Engineers, April 1997: Parcels L20.2.1 and L20.2.2, HABITAT CORRIDOR/RECREATIONAL VEHICLE PARK/YOUTH CAMP, "...Development will be concentrated in the existing campground in parcel L20.2.1, with potential future expansion of the campground based on USFWS and DFG approval. Uses such as low-impact programs for youth, outdoor nature education, resource management activities, and trails will occur outside of the developed campground in parcel L20.2.1...." pg.4-35
- Fort Ord Reuse Plan, EDAW, June 13, 1997: Program E-1.5, "The Youth Camp District in the Reservation Road Planning Area (Polygon 17b) is intended for rehabilitation of the existing travel camp...." Pg. 272
- Draft Installation-Wide Multispecies Habitat Conservation Plan [HCP], ICF International, Chapter 3, Section 3.3.2.5 County of Monterey – Habitat Corridor/Youth Camp, "The eastern portion of the HMA is designated as the Youth Camp and covers 145 acres that includes the former Army RV park/family camp." pg. 3-29
- Monterey County General Plan, RMA-Planning Department, 2010, Fort Ord Master Plan, Greater Monterey Peninsula Area Plan, Reservation Road Planning Area, Youth Camp District, "...The District is designated for Public Facilities and is envisioned to be a youth camp to be operated by the County or an outside agency." Pg. FO-10.

During an interim time prior to the Fort Ord Reuse Authority (FORA) property-transfer of the former Army Travel Camp to the County, FORA and neighboring Bureau of Land Management (BLM) property owners have been granting special "rights-of-entry" to sponsors of various events occurring in the backcountry of Fort Ord that includes the staging of special events at the former Travel Camp. *FORA no longer grants rights-of-entry to the now County-owned Travel Camp.*

Immediate requests for outsider use of the County Youth Camp property:

While the County negotiates with the 501 c3 non-profit Monterey Bay Youth Camp (MBYC) Board of Directors to develop and operate a "Monterey Bay Youth Camp" at the site, the County Parks Department would like to honor previous FORA and BLM rights-of-entry into the former Army Travel Camp that have already been permitted by both FORA and BLM on contiguous lands. The special events that require immediate attention are the following:

- 1. Police Activities League ("PAL") 5K/10K running event, April 15, 2012;**
- 2. Hoof Trek equine event with 45 horse/rider teams; 60 people total when including judges and volunteers, but no spectators., May 18 – 20, 2012**

Because the Youth Camp property is without electrical, water and sewage infrastructure, the two (2) proposed events are required to be self-contained, providing their own water source and port-a-potties. The Hoof Trek event will host overnight camping in the locations shown on a map attached to their project description.

The previous FORA requirements for right-of-entry shall apply to the subject County property:

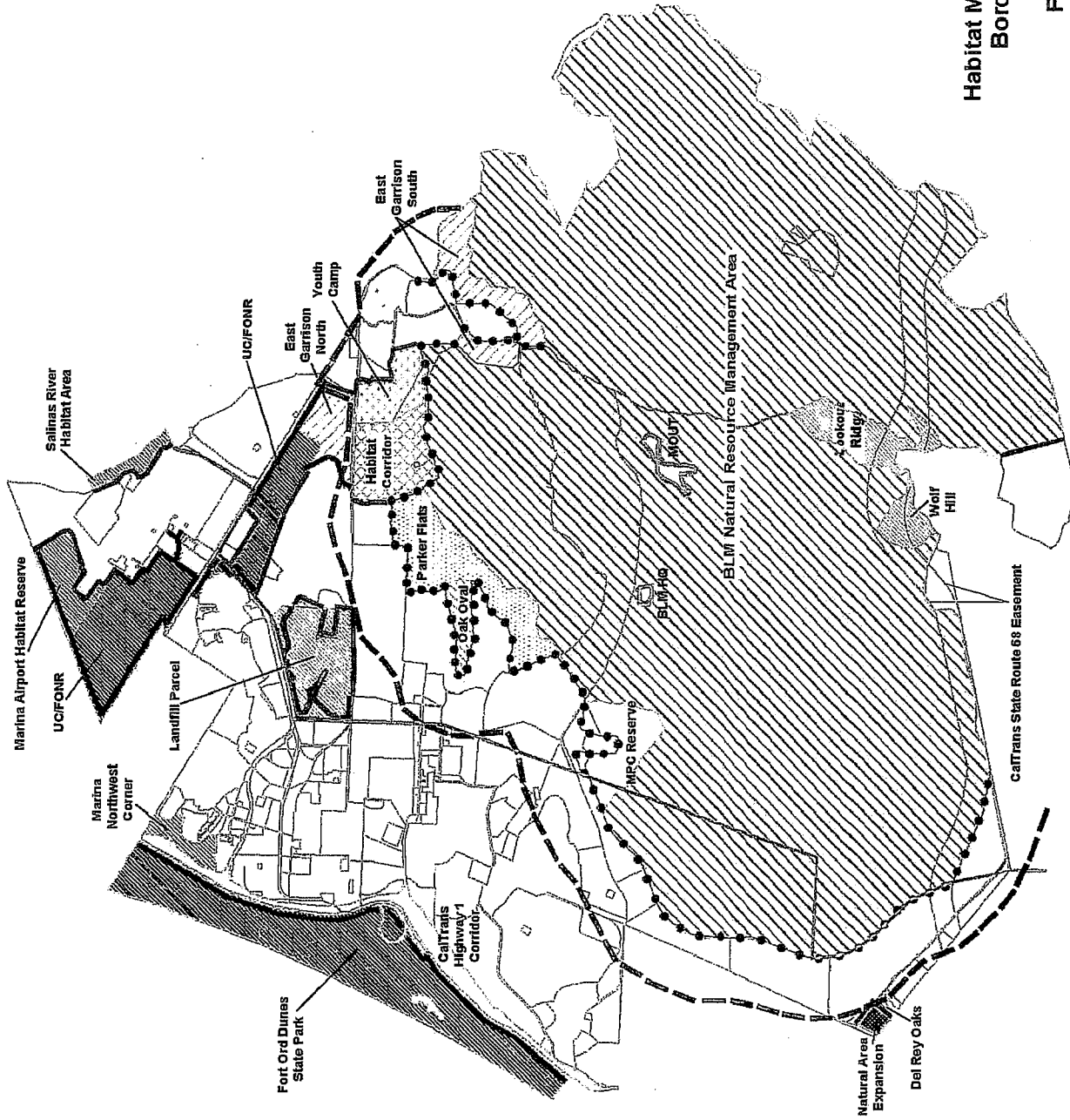
1. The event sponsor accepts responsibility to inspect the facilities prior to use to determine that the premises are safe and suitable for the proposed activities;
2. The event sponsor agrees to defend, indemnify, and hold the County harmless from and against any and all liability, loss, expense, including reasonable attorney fees, or claims for injury or damages arising from their respective activities;
3. The use of Gigling Road and Watkins Gate Road is subject to the terms and conditions described in the Covenants Restrict Use of the Property (CRUPS). The event sponsors road use must comply with federal and/or State of California Biological Opinions or protections from impact to endangered species. In addition to these requirements, the event sponsor agrees to adhere to the existing requirements described in the 1997 Fort Ord Installation-Wide Multi-Species Habitat Management Plan prior to and following the sponsor's event.
4. The event sponsor agrees to provide County with proof of insurance and add County and its agents as additionally insured.
5. The event sponsor agrees to provide traffic control during set up for the event, during the event and during take down after the event to separate event participants and other recreational hikers, bikers, equestrians and walkers from conflicts.
6. The event sponsor agrees to pick up a FORA Right-of-Entry permit and a BLM Back Country Access Permit if FORA and BLM properties are to be used.

7. The event sponsor agrees to comply with the following CRUPS language for the Fort Ord Roads:
 - a. **Evacuation Restriction.** *The event sponsor, its successors and assigns, shall comply with Monterey County Code Chapter 16.10 when conducting or permitting others to conduct any ground disturbing or intrusive activities (e.g. digging, drilling, etc.). The event sponsor, or any approved contractor, shall not construct ,make, or permit any alterations, additions or improvements to the Property in any way that may violate this restriction.*
 - b. **Excavation Restriction.** *The event sponsor, its successors and assigns, shall not conduct or permit others to conduct any ground disturbing or intrusive activities (e.g. digging, drilling, etc.) to depths of greater than one foot below ground surface without complying with Monterey County Code Chapter 16.10. The event sponsor, its successors and assigns, or any approved contractor, shall not construct, make or permit any alterations, additions, or improvements to the Property in any way that may violate these restrictions.*
8. The event sponsor shall submit a copy of service contract to the Monterey County Division of Environmental Health prior to commencement of operation to demonstrate that an adequate number of portable toilets shall be provided and maintained so as not to create a public nuisance and shall be maintained by a permitted liquid water hauler. Portable units shall provide handwashing capacity.

Attachments:

Attached are the following:

1. Maps of the Youth Camp Parcel;
 - a) Aerial map showing proposed Youth Camp activity areas;
 - b) Contextual map showing Youth Camp in relation to Inter-Garrison and Watkins Gate Road on Fort Ord;
 - c) Fort Ord Habitat Management Areas on Fort Ord, showing Youth Camp as a "Borderland" property serving as a buffer between protected habitats and more urban developed areas.
2. HOOF TREK special event proposal;
3. POLICE ACTIVITIES LEAGUE ("PAL") special event proposal.
4. FEE WAIVER REQUEST



- RESPONSIBLE PARTY:**
- BLM
 - State Parks
 - UC
 - Monterey County
 - City of Marina
 - Monterey Peninsula College
 - Monterey Peninsula Regional Park District
 - Monterey County Line
- HABITAT MANAGEMENT AREAS:**
- Category 1
 - Category 2
 - Category 3
 - Category 4
 - Firewise Planning Zone



Scale: 1" = 6100'

Habitat Management Areas and Borderland Categories Monterey County Fort Ord, California

HOOF TREK SPECIAL EVENT on COUNTY PROPERTY at FORT ORD (Location of future proposed Monterey Bay Youth Camp)

I. Event Overview

The Hoof Trek Competitive Trail Ride (CTR) will be held on Fort Ord Public Lands on May 18 - 19, 2012. Participants are required* to arrive on May 18, set up camp and spend the night with their horses. The following day, 19 May, the trail riding portion of the competition will occur. The start and finish of the ride will be the Youth Camp on land currently owned by Monterey County. We will have three checkpoints on our route, which can all be manned by the same group of people, due to the structure of the competition – see below. The CTR will use the Youth Camp for the nights of Friday, 18 May and Saturday, 19 May. The competition will be completed on 19 May, but many participants will stay over night and help with clean-up of the Youth Camp and BLM trails on Sunday, 20 May.

The Hoof Trek ride will be a benefit ride for the Pregnant Mare Rescue (PMR), a 501(c)3 public charity registered in California.

A. Description of a Competitive Trail Ride (CTR)

A Competitive Trail Ride (CTR) is a paced event where both the rider and the horse are judged independently – so it's possible for the horse to win and the rider to come in last. There are two routes, one for novice horses that is between 15 and 25 miles, and one for more experienced horses that is between 25 and 35 miles. Novice horses are expected to maintain a pace of 3.5 mph, experienced horses, 5.0 mph. We will also have a third class, Competitive Pleasure, which takes the shorter route, but at the faster pace. Since CTR is a paced event, rather than a race, there is no premium put on speed; judging is on fitness and manners of the horse, and safety and equitation for the rider. The CTR begins directly after check-in of Friday, so participants are judged on the "stabling" of their horses, as well as how they go down the trail.

B. North American Trail Ride Conference (NATRC)

NATRC is the sanctioning body for Competitive Trail Riding. NATRC certifies horsemanship judges, sets judging criteria, sets safety standards, and provides an insurance capability through Equisure for sanctioned rides. The Hoof Trek sanction is in process.

II. Participants and observers

A. Number of Participants

We will limit the number of participants to 45 horse/rider teams. In addition to the 45 riders, there will be judges, volunteers, etc. We anticipate approximately 60 people in Ride Camp. There will be no spectators.

B. Camping Arrangements

CTR participants use a variety of camping arrangements; most use RVs or campers, some use tents. Because ride management will be responsible for clean-up of the site, we will request that all participants "check-out" before leaving so that we can ensure that their campsite is free of garbage, hay, or horse manure.

C. Garbage

We will distribute garbage cans around the Travel Camp. When the ride is over, we will collect the garbage and take it to the dump. We will use an empty horse trailer to collect the garbage.

D. Human waste

NATRC suggests one port-a-potty for each 25 women or one for each 40 men. We anticipate a mixed group, so we will provide 3 port-a-potties in Ride Camp. We will use a local contractor to provide the port-a-potties.

E. Water

Participants will be required to bring their own water to Ride Camp. We will truck water in for the horses.

F. Food

Participants will provide their own food, with two exceptions:

- The PMR people will provide a BBQ dinner that participants can purchase on Saturday, between ride completion and awards, and
- Ride management traditionally provides Saturday breakfast for the veterinarians and judges.

G. Vehicles

1. In Travel Camp

We anticipate that that many horses will share trailers for the trip, but our volunteers may arrive alone. Based on those assumptions, we anticipate about 50 cars total in ride camp. We will discourage any in/out of the camp in order to minimize traffic on the FORA owned roads. Access to the Travel Camp will be from the corner of 8th Avenue and Gigling, on Gigling Road to Watkins Gate Road to the Travel Camp.

2. Access to Camp

A volunteer will be posted at the 8th and Gigling gate from mid-day on Friday, 18 May until approximately 6 PM, and from approximately 3:00 PM on Sunday until 8:00 PM. The volunteer will be responsible for opening the gate for incoming participants and closing it after them to ensure that only participants are allowed to enter.

We will be issued a Master Vehicle Access Permit to enable some vehicles to travel in the FORA area, for safety purposes. The Master Vehicle Access Permit will provide for Hoof Trek to issue a Subordinate Vehicle Access Permit for each Vehicle use by Hoof Trek participants. The Vehicle Access Permits will list the minimal safety precautions that participants must follow when using their vehicles in the areas of the former Fort Ord otherwise closed to vehicle traffic.

III. Horse-keeping

A. Trailers, portable corrals

According to NATRC rules, all horses must be in-hand or securely tied when in camp. In this case, while in competition, all horses in camp will be tied to trailers. After the competition is over, some participants may erect portable corrals for their horses, but in all cases, the horse will be secured.

B. Veterinarian on call

The veterinary judge is not to be considered a treatment vet, so a local vet will be contracted with to be on-call.

C. Water

Water will be trucked into Travel Camp for the horses. Participants will be required to bring their own water in Travel Camp.

D. Manure disposal

A trailer will be provided for participants to put their manure in. Ride management will do any cleaning after the awards and on the following day, as required.

IV. Route

A. Wet and Dry Routes

Both wet and dry routes will be planned and submitted for both Novice and Open. In both cases, we will favor roads over singletrack, in order to interfere with normal hiking and biking as little as possible. The routes have undergone initial review with BLM. Four minor changes are required to the wet map of the Open route. The updated map will be included in the final package to BLM.

B. Route out of Youth Camp

There will be two routes, as described above. Both routes will exit Youth Camp onto Border Road. The Novice route will turn from Border Road onto Addington Road. The Open Route will continue on Border Road until it turns into Trail 14.

C. Flagging and signage

Each route will be flagged with different colored ribbons. The ribbons will be attached by clips to available trees. Turns will be indicated by triple ribbons prior to the turning point. In addition, each participant will be furnished with the BLM's map of the Ft Ord Public Lands with the route highlighted and a written description of the route.

In order for riders to meet pacing requirements, NATRC rules require that there be signs at several points through out the ride that state the minimum elapsed time that the rider should have at that point. We will have five such points. The signs will be 8.5 x 11 paper (in a protective folder, if it is wet). The paper will say "xx miles, y hours, z minutes".

V. Posting of event at access points

The weekend prior to the event, we will post notices that we will be on the trails and describe our routes. We will post such a notice at the 8th and Gigling entrance to the Public Lands.

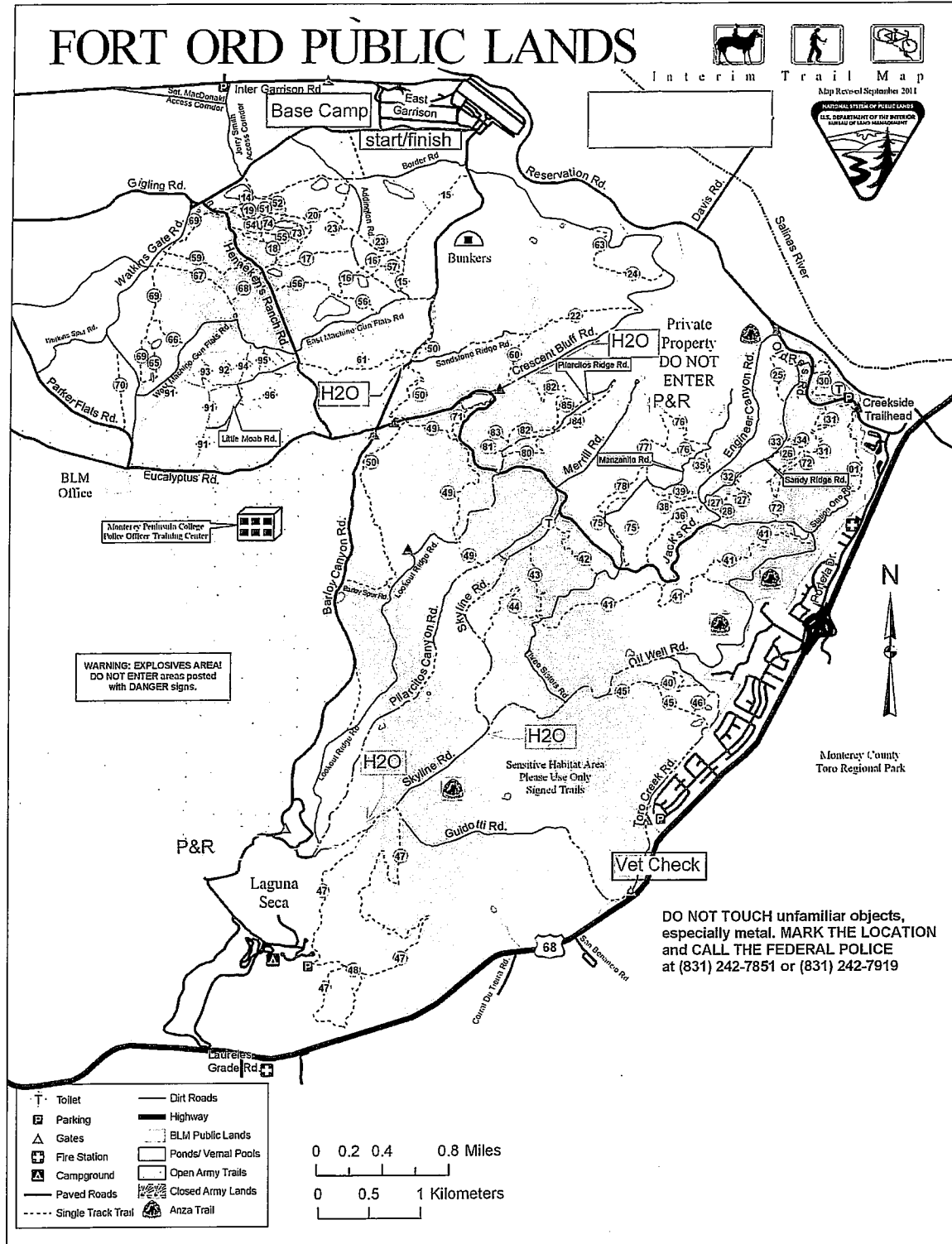
VI. Communications Plan

Communications for the Hoof Trek ride will be with cell phones. Fort Ord has been unofficially surveyed for cell phone coverage and most of the Public Lands are covered by one or more major carriers. All Safety Riders, Judges, and Volunteers will be required to carry cell phones to use in case of emergency. In addition, riders will be encouraged to carry their cell phones, as well. There will be a "call list" that contains any additional numbers beyond 911 that should be called in an emergency: ride management, BLM personnel (if they desire), etc. If desired, FORA will be furnished with the call list, which will include key points of contact for the ride.

Figure 1: Youth Camp Usage – Campsite Location and Exits



Figure 2: Proposed Novice Route



FORT ORD PUBLIC LANDS

Interim Trail Map
Map Revised September 2011

NATIONAL SYSTEM OF PUBLIC LANDS
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Base Camp start/finish DW 35

Bunkers

H2O Private Property DO NOT ENTER P&R

Creekside Trailhead

H2O

N

Monterey County Toro Regional Park

Vet Check

DO NOT TOUCH unfamiliar objects, especially metal. MARK THE LOCATION and CALL THE FEDERAL POLICE at (831) 242-7851 or (831) 242-7919

T Toilet	Dirt Roads
P Parking	Highway
G Gates	BLM Public Lands
F Fire Station	Ponds/Vernal Pools
C Campground	Open Army Trails
Paved Roads	Closed Army Lands
Single Track Trail	Anza Trail

0 0.2 0.4 0.8 Miles

0 0.5 1 Kilometers

**DO NOT TOUCH unfamiliar objects,
especially metal. MARK THE LOCATION
and CALL THE FEDERAL POLICE
at (831) 242-7851 or (831) 242-7919**

HORSE TREK EVENT

Completed by: Donna Stidolph, 31 Jan, 2012

email: donna@stidolph.com Phone: 831-427-3646

I. General Information

Name of Event: Hoof Trek Monterey

Event Dates:	May 18, 2012	May 19, 2012
Times:	11:59 AM – 11:59 PM	12:00AM – 6:00 PM
Total Daily Attendance	60	60
# Participants	60	60
# Spectators	0	0
Overnight Camping Attendance	60	60
Total # of Ambulances per day	0	0
Total # of EMS standby personnel	0	0

Description of Event:

The BLM Special Recreation Permit Application is in process, and will be forwarded to Steve Brooks when completed.

Hoof Trek Monterey is a Competitive Trail Ride, in which horse and rider are judged independently on their ability to go down the trail safely and efficiently. Riders are penalized for racing – participants are required to set and maintain a specific pace, typically a walk or trot, rather than go as fast as they can. There will be a short route of approximately 20 miles for novice horses and riders, and a long route of approximately 30 miles for experienced teams.

Registration will be limited to 45 riders; we anticipate about 35 signing up.

What radio frequency will EMS personnel be utilizing?

We do not plan to have professional EMS personnel available. Our safety riders and volunteers will all be required to carry cell phones.

Overall Event Contact:

Name: Donna Stidolph
Address: 420 Isabel Drive, Santa Cruz, CA 95060
Telephone: 831-427-3646
Fax: 831-295 – 6177

Event First Aid Coordinator:

Name: Donna Stidolph

Address: 420 Isbel Drive, Santa Cruz, CA 95060
Telephone: 831-427-3646
Fax: 831- 295 - 6177

II. Spectator Medical Operations Plan -- N/A

We do not anticipate any spectators; all attendees will be either participants or ride personnel.

III. Participant Medical Operations Plan

Participant Medical Contact Person:

Name: Donna Stidolph
Address: 420 Isbel Drive, Santa Cruz, CA 95060
Telephone: 831-427-3646
Fax: 831- 295 - 6177

Potential Participant Medical related hazards/problems anticipated:

Hoof Trek Monterey is a horse ride and, even though a premium is place on safety (riders are judged on trail safety), accidents can happen. Horse-related injuries could include head injuries, broken bones, scrapes, cuts, and bruises. In addition, the ridership of CTR events is typically middle-aged, so medical emergencies such as heart attacks are possible.

Participant Sanctioning Body:

Name of Organization: North American Trail Ride Conference (NATRC)
Contact person: Laurie DiNatale
Title: Executive Administrator
Address: PO Box 224, Sedalia, CO 80135
Telephone: 307-688-1677
Fax:

Medical requirements of sanctioning body:

NATRC does not have specific medical requirements. They have safety requirements for a sanctioned ride, which I will provide if requested. In addition, they describe a general process for dealing with accidents, which relies on alerting emergency personnel.

Participant First Aid/Medical Stations: Yes: X No:

Are they separate from the spectator medical stations: N/A

Contact Person:

Name: Donna Stidolph
Address: 420 Isabel Drive, Santa Cruz, CA 95060
Telephone: 831-427-3646
Fax: 831-295-6177

Participant Ambulances: Yes: ☐ No: ☒

Air Ambulances: Yes: ☐ No: ☒

IV. Event Medical Coverage:

Note all locations on the event site plan:
When our routes are settled, they will be provided to EMS Monterey.

Date: 18 May

Teams arrive at Travel Camp and no sanctioned rides are planned. First aid supplies will be available at the ride check-in point from 9:00 AM through 6:00 PM on 19 May.

Date: 19 May

On 19 May (ride day) there will be first aid kits at Travel Camp and in all the support vehicles, probably five trucks. In addition, all safety riders and support personnel in the trucks will be required to carry cell phones and, in the pre-ride briefing, will be directed to call 911. They will also have a call list so that ride management can be alerted.

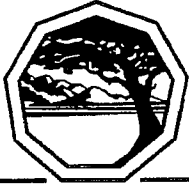
This will offer good coverage of the participants because of the nature of the sport: it is desirable to judge the horse/rider teams at the same point in the ride and at the same time of day, as much as possible. Also, as mentioned previously, the rides are paced – so the horses are going pretty much the same speed. As a result, the teams do not get separated by long periods of time. This allows the judges to predict where the bulk of the teams will be at any given time and go there to observe them. This applies to emergency medicine in that it allows us to be at the scene relatively quickly. These measures will be in effect until the last horse returns to Travel Camp.

V. Agreement with Local Policies: N/A

Approved by Monterey County EMS Agency: ☒ Yes ☐ No

Signature: 

Name Printed: STEVE BROOKS



FORT ORD REUSE AUTHORITY

920 2ND AVENUE, SUITE A, MARINA, CALIFORNIA 93933

PHONE: (831) 883-3672 - FAX: (831) 883-3675

WEBSITE: www.fora.org

March 5, 2012

Monterey County Police Activity League
19122 Marjorie Lane
Prunedale, CA 93907

RE: Right of Entry for Monterey County Police Activity League Fort Ord Foray 5K and 10K Event,
April 13 thru 15, 2012.

Dear Monterey County PAL:

This Right of Entry (ROE) outlines terms of use for certain Fort Ord roads in support of the Monterey County Police Activity League (PAL) proposed event to be held on April 13 thru 15, 2012. The host Monterey County PAL, its Directors, agents and assigns will conduct event setup, events, cleanup and routine maintenance (as indicated on the attached reference road map), on properties which are currently owned by the Fort Ord Reuse Authority (FORA). (See the attached map for course and parking locations).

FORA is removing Munitions and Explosives of Concern (MEC) on portions of the former Fort Ord through contract with ARCADIS, Inc. ("ARCADIS"), Weston Engineers, and Westcliffe Engineers. These properties are restricted by Covenants Restricting Use of Property (CRUPS) that requires FORA to secure regulatory approval for the types of access and use during and before the remedial actions. This ROE outlines the terms of use for the Monterey County PAL event as approved by FORA, the U.S. Environmental Protection Agency (EPA), and the California Department of Toxic Substances Control (DTSC) to protect the health and safety of Monterey County PAL event s personnel, staff, volunteers, and contractors utilizing the trails and roads. Use of portions of these roads not owned by FORA will be coordinated with the Army, BLM and the County of Monterey as applicable.

The use of the described FORA roads for the Monterey County PAL event is permitted under the following terms, conditions, and representations:

1. FORA makes no representation as to the condition of these properties/facilities. Monterey County PAL, its Directors, agents and assigns accept responsibility to inspect the facilities prior to use to determine that the premises are safe and suitable for the proposed activities.
2. Monterey County PAL, its Directors, agents and assigns agrees to defend, indemnify, and hold FORA, EPA and DTSC, their officers, employees, contractors and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys fees, or claims for injury or damages arising from Monterey County PAL activities.
3. Use of Gilling Road and Watkins Gate Road is subject to the terms and conditions described in the Covenants Restricting Use of the Property (CRUPS). The Monterey County PAL road use must comply with federal and/or State of California Biological Opinions or protections from impact to endangered species. In addition to these requirements, Monterey County PAL agrees to adhere to the existing requirements described in the 1997 Fort Ord Installation-Wide Multi-Species Habitat Management Plan prior to and following the Monterey County PAL event.

4. Monterey County PAL, its Directors, agents and assigns agree to provide FORA with proof of insurance and add FORA and its agents as additionally insured. This ROE will not be valid until a certificate of insurance is on file at the FORA offices.

5. Monterey County PAL, its Directors, agents and assigns agree to provide traffic control during set up for the event, during the event and during take down after the event to separate event participants and other recreational hikers, bikers, equestrians and walkers from conflicts.

6. Monterey County PAL, its Directors, agents and assigns agree to pick up a BLM Back Country Access Permit if BLM property is to be used. FORA cannot provide Monterey County PAL with permission to access BLM property.

7. All workers involved in ground penetrating activities on ESCA properties will receive (UXO) Awareness Training from a FORA contracting agent prior to any course or field work. This training can be arranged by contacting the LFR/Weston Fort Ord field office at (831) 384-3221.

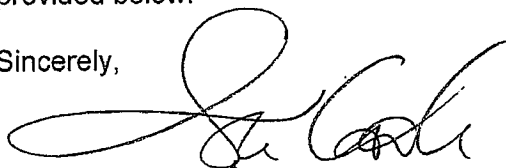
8. Monterey County PAL, its Directors, agents and assigns, agrees to comply with the following CRUPS language for the Fort Ord Roads:

***B. Excavation Restriction.** The Grantee, its successors and assigns, shall comply with Monterey County Code Chapter 16.10 when conducting or permitting others to conduct any ground disturbing or intrusive activities (e.g. digging, drilling, etc.). The Grantee, its successors and assigns, or any approved contractor, shall not construct, make, or permit any alterations, additions, or improvements to the Property in any way that may violate this restriction.*

***C. Excavation Restriction.** For the portions of the Property..., the Grantee, its successors and assigns, shall not conduct or permit others to conduct any ground disturbing or intrusive activities (e.g. digging, drilling, etc.) to depths of greater than one foot below ground surface without complying with Monterey County Code Chapter 16.10. The Grantee, its successors and assigns, or any approved contractor, shall not construct, make, or permit any alterations, additions, or improvements to the Property in any way that may violate these restrictions.*

Please indicate your agreement to the conditions of this Right of Entry by signing in the space provided below.

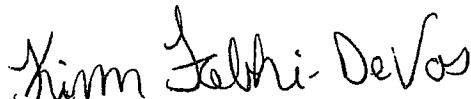
Sincerely,



Stan Cook
Real Property and Facilities Manager

Acceptance:

Monterey County PAL,



Kim Fabbri-De Vos

Date: March 5, 2012

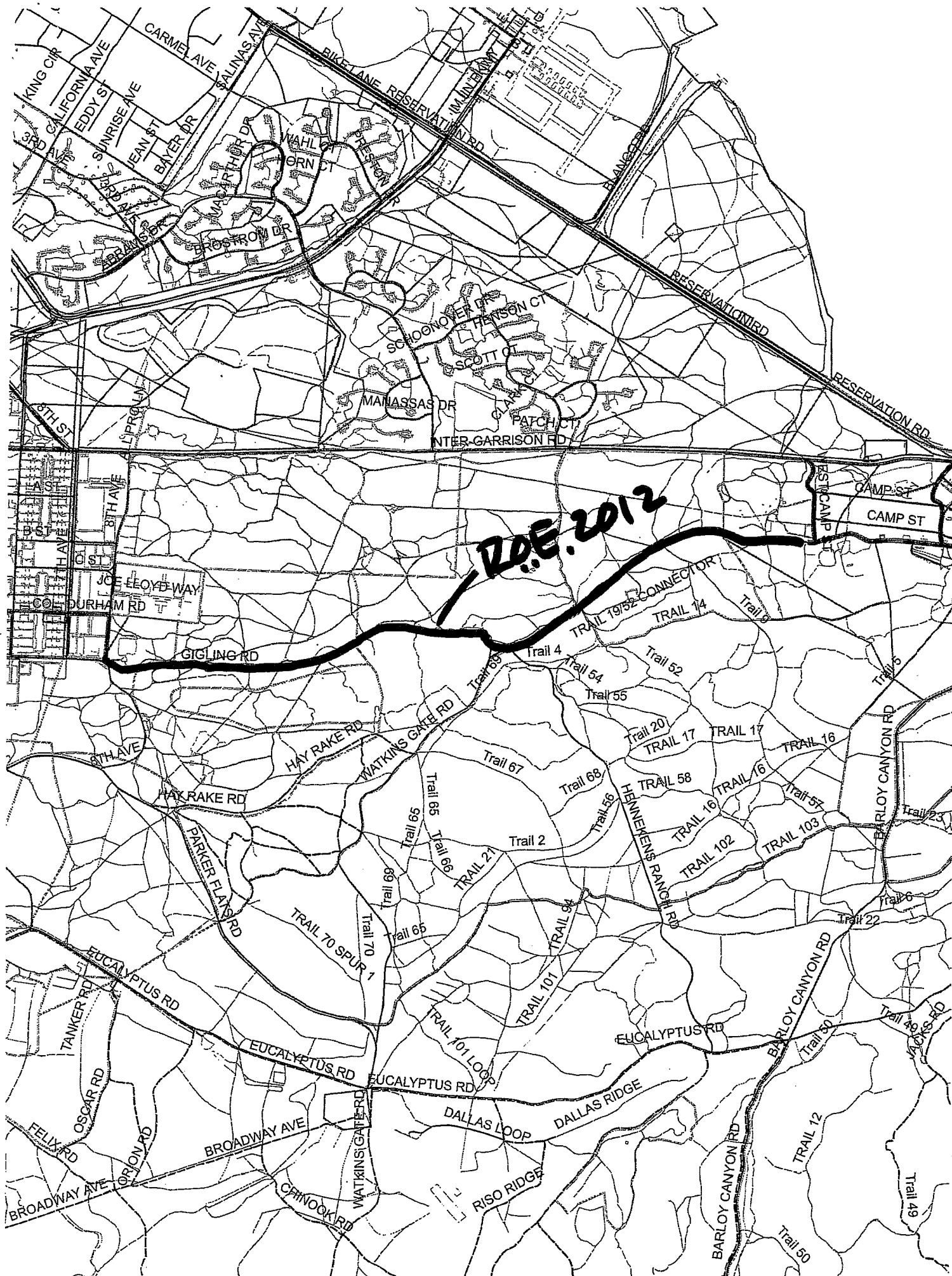


EXHIBIT B
DRAFT RESOLUTION

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

Monterey County Parks (PLN120219)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Categorically exempting pursuant to CEQA Section 15304(e);
- 2) Approving a Use Permit to allow two separate special events: 1) Police Activities League "PAL" 510/10k running event scheduled for April 15, 2012; and 2) "Hoof Trek" equestrian event scheduled for 3 consecutive days beginning on May 18 through May 20, 2012.

[PLN120219, MONTEREY COUNTY PARKS, Monterey County's Fort Ord Youth Camp property at Watkins Gate Road and West Camp Street (adjacent to and westerly of East Garrison subdivision at Fort Ord), A portion of Assessor's Parcel Number 031-161-002-000 (COE Parcel #'s L20.2.2 & L20.2.3.1 (Travel Camp Parcels))]

Use Permit application (PLN120219) came on for public hearing before the Monterey County Zoning Administrator on April 12, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 2010 Monterey County General Plan;
 - Fort Ord Master Plan;
 - Greater Monterey Peninsula Area Plan;
 - Monterey County Zoning Ordinance (Title 21);No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
b) The property is located at Watkins Gate Road and West Camp Street (adjacent to and westerly of East Garrison subdivision at Fort Ord), and is zoned Public Facility/Institutional which allows facilities having public institutional ownership or benefit. Such uses may include habitat

management, light industrial, research & development uses, corporation and maintenance yards, public utilities, training grounds, offices, educational facilities and youth camps. Therefore, the project is an allowed land use for this site.

- c) The Monterey County Parks is requesting to host two special events on Monterey County property at Fort Ord, formerly known as the "Army Travel Camp" located between Inter-Garrison Road and Watkins Gate Road, just westerly of the East Garrison subdivision and West Camp Road. The property is the proposed location of the Monterey Bay Youth Camp (MBYC), a use that is cited in the Fort Ord Master Plan within the 2010 Monterey County General Plan, Youth Camp District, "...the district is designated for public facilities and is envisioned to be a youth camp to be operated by the County or an outside agency.
- d) During an interim time prior to the Fort Ord Reuse Authority (FORA) property-transfer of the former Army Travel Camp to the County, FORA and neighboring Bureau of Land Management (BLM) property owners have been granting special "rights-of-entry" to sponsors of various events occurring in the backcountry of Fort Ord that includes the staging of special events at the former Travel Camp. FORA no longer grants rights-of-entry to the now County-owned Travel Camp. While the County is negotiating with the 501 c3 non-profit MBYC Board of Directors to develop and operate a youth camp at the site, the County Parks Department would like to honor previous FORA and BLM rights-of-entry onto the former Army Travel Camp.
- e) The two special events that require immediate attention include a 5K/10K ½ day running event sponsored by the Police Activities League (PAL) and is scheduled for April 15, 2012; and a "Hoof Trek" equine event that is scheduled for three consecutive days beginning May 18 through May 20, 2012.
- f) The PAL event will be using only a 1.4 kilometer long route through the Youth Camp that will be marked with decomposing orange chalk. No other use of the camp is proposed for the ½ day event. In addition a BETA Team made up of marshals will be monitoring the runs to keep the runners on track. 50 to 60 people are expected to participate in the event. Parks has instructed them to stay away from any of the structures at the Youth Camp.
- g) The Hoof Trek Competitive Trail Ride (CTR) will be held on Fort Ord Public Lands. Participants are required to arrive on May 18, set up camp and spend the night with their horses. The following day, May 19, the trail riding portion of the competition will occur. The start and finish of the ride will be the Youth Camp on land currently owned by Monterey County. There will be three checkpoints on route, which can all be manned by the same group of people, due to the structure of the competition. The CTR will use the Youth Camp for the nights of Friday, May 18 and Saturday, May 19. The competition will be completed on 19 May, but many participants will stay over night and help with clean-up of the Youth Camp and BLM trails on Sunday, May 20, 2012.
- h) The project planner conducted a site inspection on March 29, 2012 to verify that the project on the subject parcel conforms to the plans listed above. There is no development proposed for the two separate special

events. Staff site visit concluded no issues are involved with ESHA, viewshed and archaeological resources.

- i) The project was not referred to a Land Use Advisory Committee (LUAC) because there is no committee that represents this area and based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC.
- j) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120219.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Monterey County Regional Fire District, Public Works, Environmental Health Bureau and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended by Environmental Health Bureau and Monterey County Regional Fire District have been incorporated.
 - b) Staff determined at a site visit that there are no potential impacts or physical or environmental constraints that would indicate that the site is not suitable for the use proposed.
 - c) Staff conducted a site inspection on March 29, 2012 to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120219.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by RMA - Planning Department, Monterey County Regional Fire District, Public Works, Environmental Health Bureau and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Because the Youth Camp is without electrical, water and sewage infrastructure, necessary public facilities will be required to be self-contained. There is no need for food vendor, water or port-a-potties for the ½ day running event. However, sponsors for the three day Hoof Trek equine event will be required to provide their own water source,

food and port-a-potties. Environmental Health Bureau has conditioned the project to have 3 chemical toilets for the assumed 60 participants and volunteers at camp. Also, a temporary food facility permit or exemption is required for the Hoof Trek BBQ. A condition for separating recyclables has been added. Manure will be properly managed as indicated in email from applicant (**See Conditions # 4, #5 & #6**)

- c) Preceding findings and supporting evidence for PLN120219. See Findings #1 and #2.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on March 29, 2012, and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN120219.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15304 (e) categorically exempts minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, special events.
 - b) There will be no permanent construction and therefore, the event meets the criteria for a categorical exemption.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on March 29, 2012.
 - d) See preceding and following findings and supporting evidence.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.

- EVIDENCE:**
- a) Section 21.80.040.A Monterey County Zoning Ordinance (Planning Commission).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Categorically exempts pursuant to CEQA Section 15304(e);
- B. Approves, a Use Permit to allow two separate special events: 1) Police Activities League "PAL" 510/10k running event scheduled on April 15, 2012; and 2) "Hoof Trek" equestrian event scheduled for 3 consecutive days beginning on May 18

through May 20, 2012. in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 9th day of June, 2011

Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 03-28-2011

EXHIBIT "B" |

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN120219

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Use Permit is to allow two separate special events: 1) Police Activities League "PAL" 510/10k running event scheduled on April 15, 2012; and 2) "Hoof Trek" equestrian event scheduled for 3 consecutive days beginning on May 18 through May 20, 2012. The project is located at Monterey County's Fort Ord Youth Camp property at Watkins Gate Road and West Camp Street (adjacent to and westerly of East Garrison subdivision at Fort Ord) and was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Use Permit (Resolution Number ____.) was approved by the Zoning Administrator for Assessor's Parcel Number 031-161-002-000 (COE Parcel Nos. L20.2.2 & L20.2.3.1 (Travel Camp Parcels) on April 12, 2012. The permit was granted subject to 7 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."
Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD032 - PERMIT LENGTH

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This permit shall be granted for a specific period of time, and to include only those special events with the expiration date as specified in the permit.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

4. EHSP01 - PORTABLE TOILETS

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Chapter 15.20.050, an adequate number of portable toilets shall be provided and maintained so as not to create a public nuisance and shall be serviced and cleaned by a permitted liquid waste hauler. Portable units shall provide hand washing facility. During special events, a minimum of 1 portable toilet per 40 people shall be supplied.
(Environmental Health)

Compliance or Monitoring Action to be Performed: During the duration of the event: Provide an adequate number of portable toilets for special events.

5. EHSP02 - FOOD PERMITS FOR SPECIAL EVENTS

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: In the event that food and/or beverages are intended to be served at a special event that is not catered by a business with a current health permit from the Environmental Health Bureau (EHB), the property owner shall apply for a temporary food facility permit from EHB and comply with all conditions of that permit, pursuant to California Health and Safety Code, Division 104, Part 7, Chapter 1 (California Retail Food Code). (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to the event:
1) The property owner shall ensure that any caterer serving food and/or beverages at a special event have a current health permit from the Environmental Health Bureau (EHB).
OR
2) Obtain a temporary food facility permit from EHB.
OR
3) Submit a Non Profit Event Fee Exemption Request for review and approval at least 10 business days prior to event.

6. EHSP03 - SEPARATE RECYCLABLES

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: All persons shall separate recyclables from other solid waste generated during the event and shall place such recyclables into a different approved container to facilitate segregation at a solid waste facility pursuant to Monterey County Code 10.41. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to events: Submit a written plan on how recyclables will be collected and stored to Recycling and Resource Recovery Services of Environmental Health Bureau for review and approval.

7. FIRESPO1 - CAMP AREA SAFETY

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

Camp sites shall be set up and maintained with the following general precautions against fire:

- a. Trash Containers - Trash containers shall be non-combustible and shall not be used for the disposal of charcoals or other cooking medium.
- b. Charcoal and Ash Disposal Containers - If cooking with charcoal or small "hibachi" style barbecue devices is permitted by the Applicant, separate non-combustible, covered containers shall be provided and maintained for the safe disposal of charcoal and ash. Such containers shall be labeled in a distinctive manner for their use in order to prevent their use for the disposal of trash.
- c. Designated Smoking Areas - If permitted by the Applicant, smoking shall be permitted only inside of recreational vehicles and in designated outdoor areas where appropriate receptacles have been provided for smoking materials. Signage shall be provided to instruct visitors regarding the location of any designated smoking areas which have been provided.
- d. Fire Safety Information for Visitors - All visitors using the camp sites shall be provided with written information that outlines the fire safety requirements during their use of the camping facilities.
- e. Camping Space Identification - All camping spaces shall be clearly identified with a sign with reflective letters or numbers.
- f. Emergency Procedures - Emergency procedures shall be established and posted to inform visitors of the following information for use when reporting an emergency: (1) address of the facility; (2) telephone number to dial when reporting an emergency; (3) name and telephone number of the entity managing the camp facility. This information shall be provided in writing in the visitor information and shall be posted at a location that is accessible to all visitors.
- g. Vegetation Management - Trees and brush shall be trimmed and maintained to ensure vertical and horizontal clearance along fire department access roads. Additional vegetation management may be required upon inspection of the facility by the fire marshal.

**Compliance or
Monitoring
Action to be Performed:**

Prior to the event, the Applicant shall set up and maintain the general precautions against fire, and the Applicant shall obtain fire department approval of the fire safety inspection.

