



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY

HEADQUARTERS 7th INFANTRY DIVISION (LIGHT) AND FORT ORD
FORT ORD, CALIFORNIA 93941-5000

20 December 1989



Plans Division

Ms Mary Ann Matthews
California Native Plant Society
PO Box 381
Carmel Valley, California 93924

Dear Ms Matthews,

Enclosed is a signed copy of your letter of December 12th, that outlined the necessary mitigation measures required to reduce the impacts of the project to less than significant. Since the signed letter is considered a legally binding document, the following provision should be noted:

Fort Ord shall perform the activities required by the agreement, unless the performance is prevented or delayed by special circumstances. Special circumstances include, but are not limited to: Acts of God; war; insurrection; civil disturbance; extreme adverse weather; earthquake; restraint by court order or order of public authority; delays caused by compliance with public laws; and insufficient availability of appropriated funds, provided the Army made timely requests for such funds as part of the budgetary process.

The above provision is included to produce a common understanding that Fort Ord should not be liable due to circumstances over which it has little control.

We appreciate your assistance in the development of the Vegetation Management and Monitoring Plan and hope to schedule a convenient coordination meeting shortly after the holidays.

Please contact Mr. Joseph Cochran, 242-2732 for any questions regarding this letter.

Sincerely,

Leo M. Laska
Colonel, U.S. Army
Director, Engineering and Housing

Enclosure



MONTEREY BAY CHAPTER

THE CALIFORNIA NATIVE PLANT SOCIETY

DEDICATED TO THE PRESERVATION OF CALIFORNIA NATIVE FLORA

P. O. Box 381
Carmel Valley, CA 93924
Dec. 12, 1989

Col. Leo M. Laska, Director
Engineering and Housing
Fort Ord, CA 93941-5000

Dear Col. Laska:

The Monterey Bay Chapter of CNPS appreciates your letter of Dec. 5 regarding the proposed Ammunition Supply Point relocation following our meeting on Nov. 27 and submits the following response outlining our understanding of the agreement. This letter includes the mitigations listed in your letter and several refinements which we feel are necessary to assure that the impacts of the project are reduced to less than significant and that they will be carried out over the long term.

1. Four new plant reserves of approximately 100 acres total will be set aside as a mitigation for the area of maritime chaparral that will be destroyed by the project. Boundaries for the reserves as well as the 10 original reserves are to be marked with stakes and signs and shown on the Fort Ord Master Plan map and Training Facilities map. The reserves are to be located approximately as shown on the map enclosed with the CNPS letter of Sept. 27, 1989. While normal Army training use is not constrained, the signs will indicate that no construction, grading, ditching, filling, clearing of vegetation, or use of tracked vehicles is allowed. It is vital to preserve the natural hydrology of these reserves; insofar as possible, therefore, the boundaries should follow watershed lines to minimize the possibility that "upstream" development could alter the drainage pattern.
2. It is the intention of CNPS that the plant reserves are to include at least as many of the *Ericameria fasciculata* and *Arctostaphylos montereyensis* as would be lost to the project. We believe that to be the case, but in view of the statement on p. 8 of your letter that "few, if any.....are growing on the four new sites..." we do need to request a field trip to pinpoint boundaries and make sure we are talking about the same areas, and it is possible that some adjustments may be needed. We also request the cooperation of the Army in eliminating certain invasive exotic plants that appear to be gaining ground in the reserves.
3. A Vegetation Management and Monitoring Plan will be prepared as soon as feasible in consultation with CNPS. This project will be funded to include at least five years of monitoring. As recommended in the botanical survey, the plan will provide for protection of several plant rarities found during the survey and will be designed to minimize the loss of maritime chaparral. It will also include a Dune Restoration Plan for the old ASP bunker area utilizing appropriate native dune plants. Dune revegetation is to be included in the funding for removal of the abandoned ASP sites. In addition, the plan will provide specific

performance standards for restoring any areas in the reserves that may be damaged by activities prohibited by this agreement.

4. The Erosion Control Plan for the ASP should be designed to minimize removal of native vegetation and utilize native grass species to the extent possible. Invasive non-native plants will not be used in revegetation or erosion control. *Ehrharta* will be specifically omitted from the plant list. CNPS is to receive a copy of the plan for review when it has been completed.

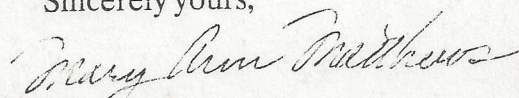
5. Fire suppression measures that will result in soil disturbance, such as fire roads, will not be permitted in the plant reserves. Maintenance of existing roads to prevent erosion is acceptable. Because periodic natural fire is beneficial to the maritime chaparral community; controlled burns should be used when conditions permit to reduce fire hazard, create a mosaic of different-aged burns, and rejuvenate aging shrub communities. Around the perimeter of the ASP, the use of large mowers as described in our letter of Aug. 13, 1989 should be considered as an environmentally superior alternative to conversion to grassland.

6. If the plant reserves should be damaged in a manner that is contrary to the terms of this agreement, then the Army will restore the area in accordance with the Vegetation Management Plan. Because there is no adequate monetary compensation for loss of habitat, we understand this agreement to provide for specific performance of duties prescribed in the Vegetation Management Plan; and although it is unlikely to be necessary, we will expect the Army to compensate CNPS for reasonable attorney fees and costs should CNPS prevail in litigation to achieve the Army's specific performance of duties prescribed in this agreement or in the Vegetation Management Plan.

I am signing this letter on behalf of the Monterey Bay Chapter of CNPS, which will consider this agreement finalized and will thereby withdraw its request for an Environmental Impact Statement upon receiving your signature on the enclosed copy.

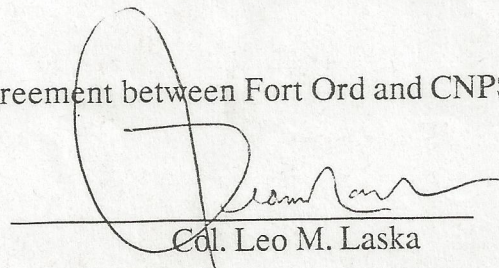
The chapter wishes to express its appreciation for the courtesy and cooperation shown by Fort Ord representatives during our discussions of the ASP issues.

Sincerely yours,



Mary Ann Matthews
Conservation Chairman

The above letter constitutes the agreement between Fort Ord and CNPS.


Col. Leo M. Laska

20 December 1989