

ANNUAL REPORT TO U.S. FISH AND WILDLIFE SERVICE
U.S. Army, Base Realignment and Closure Office, Former Fort Ord, California
February 2011

Background

On October 19, 1993, the Presidio of Monterey (POM) received a Biological Opinion (BO) from the U.S. Fish and Wildlife Service (Service). The BO required the Army to develop and implement an Installation-Wide Multispecies Habitat Management Plan (HMP). The HMP was completed and signed by the Installation Commander and the Service in February 1994. The goal of the HMP is to “promote preservation, enhancement and restoration of habitat and populations of special-status species while allowing implementation of a community-based reuse plan that promotes economic recovery after the closure of Fort Ord.” This goal is being accomplished by transferring the larger contiguous and biologically diverse habitat parcels to natural resource management agencies such as the Bureau of Land Management (BLM) and the California Department of Parks and Recreation (CDPR). This allows other numerous small, fragmented parcels within and adjacent to disturbed areas to be developed for economic recovery.

In April 1996, representatives from the Army, Service, Fort Ord Reuse Authority (FORA), University of California and BLM agreed that a modification to the HMP was necessary to reflect changes in species listings, changes to the FORA Base Reuse Plan and changes in Army pre-disposal activities. As a result, the 1994 HMP was revised with input from FORA, University of California, BLM, California Department of Parks and Recreation (CDPR) and others with resource conservation requirements. In April 1997, the Army and the Service signed the revised HMP. The HMP has been submitted to other signatory agencies. The HMP has been signed by the following agencies: BLM, California Department of Transportation, University of California @ Santa Cruz, City of Marina, Marina Coast Water District, Monterey Peninsula College, Monterey Peninsula Regional Park District, FORA, Monterey County, York School, and CDPR.

The Army has re-initiated formal consultation six times since the HMP was published in April 1997. These consultations resulted in the Service issuing the following current opinions: *Biological and Conference Opinion on the Closure and Reuse of Fort Ord, Monterey County, California (1-8-99-F/C-39R, March 30, 1999)*, *Biological Opinion on the Closure and Reuse of Fort Ord, Monterey County, California, as it affects Monterey Spineflower Critical Habitat (1-8-01-F-70R, October 22, 2002)*, *Biological Opinion for the Fort Ord Outfall Removal and Stormwater Diversion Project (1-8-03-F-25, August 8, 2003)*, *Biological Opinion on the Cleanup and Reuse of Former Fort Ord, Monterey County, California, as it affects California Tiger Salamander and Critical Habitat for Contra Costa Goldfields (1-8-04-F-25R, March 14, 2005)* and *Amendment to Biological Opinion 1-8-04-25R, for the Cleanup and Reuse of Former Fort Ord, Monterey County, California, June 1, 2007*. The Service is currently evaluating the Biological Assessment submitted in March 2009 and a Biological Opinion is expected to be issued in 2011 which will replace the opinions listed above.

Coordination with the Service in 2010

On February 17, 2010 the Army informally consulted with the Service to allow the mastication of 128 acres of Burn Units 15 and 21 and 70 acres in Units 32 and 34 to serve as primary containment lines for the prescribed burns. The Draft Burn Plan for 2010 was provided to the Service as part of the informal consultation. The Army also provided the Service with periodic updates on the status of prescribed burns.

As required by the BOs, the Army has submitted annual reports documenting habitat monitoring results, property transfer status, and cleanup project updates to the Service and California Department of Fish and Game (CDFG) since 1994. The enclosed reports describe actions taken in 2010 to implement requirements identified in the HMP, BOs, and subsequent informal consultations. Two additional reports (FORA's Environmental Service Cooperative Agreement (ESCA) Annual Biological Monitoring Report and the Operable Unit)Carbon Tetrachloride Plume (OUCTP) Annual Biological Monitoring Report will be sent under separate cover. The following is a summary of Army actions that occurred in 2010.

Implementation of the HMP and BOs

1. Landfill (OU2)

The landfill is identified in the Site 39 Inland Ranges Record of Decision Amendment to receive additional contaminated soil from Site 39 excavations for consolidation of contaminated soil on former Fort Ord. Transportation of contaminated soil began in November 2009 and is continuing until the approximately 125,000 cubic yards of soil is placed on the former Fort Ord Landfill (operable Unit 2). As of December 2010, approximately 75,000 cubic yards have been excavated and placed on Cell E and will be covered with an impermeable cap to ensure protection of human health and the environment beginning in the fall of 2011. Work at the landfill associated with Site 39 is expected to continue through 2013.

Monterey County has shown interest in requesting a Right-of-Entry to the Landfill (Cell D) for habitat restoration as a condition of a sand gilia take permit issued by CDFG. The City of Marina's developer (Marina Heights) is also expected to request a Right-of-Entry to use the landfill (Cells B and C) to restore habitat as a condition of a sand gilia take permit issued by CDFG. The Army has not yet received any requests for a Right-of-Entry to use the former Fort Ord landfill.

The Army continues to fund BLM to provide invasive species' control on Army owned lands including the landfill parcel. The Army also awarded a new Environmental Services contract which has been tasked to evaluate the relocation of the OU2 Groundwater Extraction and Treatment System from its current location off of 12th Street in Marina to the OU2 Landfill parcel.

2. Site 3 (Beach Ranges)

The Army, U.S. EPA, and California DTSC signed a Record of Decision documenting that the site is protective of ecological receptors including rare, threatened, and endangered species. The Army finalized a Habitat Restoration and Monitoring Plan that will be implemented over the next five years by CDPH to fulfill the ecological monitoring requirement in the ROD. The second annual monitoring report has been finalized and is available in the Administrative Record. Monitoring results from next year will be documented in the 2012 five year review (August, 2013) which will describe cleanup actions taken at former Fort Ord under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and will document whether the remedy at Site 3 remains protective of ecological receptors including listed species.

CDPH has conducted invasive weed control on the portions of Beach Ranges (Ranges 5 and 7) that were selected for habitat restoration and monitoring as described in the Site 3 Habitat Restoration and Monitoring Plan. Native dune species were also planted in the restoration portions of the ranges in the fall/winter of 2008 and 2009. The results of the restoration are documented in the 2010 Habitat Restoration and Monitoring Report, Non-Remediated Areas, Fort Ord Dunes State Park (CDPH, 2010). Based on the current monitoring results, there is no evidence that residual levels of metals in the non-remediated areas are inhibiting the recovery or sustainability of the native species.

The Army transferred the Beach Range parcels to the Department of Interior (DOI) in 2006. The DOI transferred the parcels to CDPH in 2008.

3. Contaminated Soil (Site 39)

All but 14 acres of the 53 acres of Site 39 Ranges containing Central Maritime Chaparral in designated Natural Resource Management Areas (NRMA) were disturbed in 2010 as a result of contaminated soil remediation. Excavations resulted in the excavation of 75,000 cubic yards of contaminated soils from approximately 39 acres. Excavations will continue through 2011 which will result in the remainder of the 53 being disturbed. The remediated areas will be passively or actively restored in accordance with the Habitat Restoration Plan Site 39 Inland Ranges (Record Number BW-2450). The remediated areas will be monitored for erosion and invasive weed incursions and control actions will be conducted as necessary. It is anticipated that chaparral restoration will begin in 2011 and continue through 2013 until the remediation areas have been restored in accordance with the Site Specific Restoration Plans which are prepared per the HRP. The first annual meeting to discuss restoration progress will be held in the winter of 2011.

4. Munitions and Explosives of Concern (MEC)

In April 2008 the Army, U.S. Environmental Protection Agency, and California Department of Toxic Substances Control signed the Record of Decision for the Track 3 Impact Area Munitions Response Site which identifies the remedial alternative for 6,560 acres of the former Impact Area. The decision document identifies prescribed burning as the method for vegetation clearance within Central Maritime Chaparral to facilitate safe access to conduct MEC remediation. The MEC remedial actions will result in the removal of MEC from the surface of

the entire site with subsurface removal on approximately 10% of the site (Fuel Breaks and Restoration Areas). The ROD can be found in the Administrative Record at Record Number OE-0647.

The Army continued the fuel break and access road maintenance activities within the Impact Area which resulted in the mechanical mowing of approximately 20 miles of fuel breaks and the re-grading and application of base-rock to several miles of existing roads in the Impact Area. These maintenance activities were performed by the BLM under a Service Agreement with the Army.

The Army also mechanically cut vegetation within 128 acres of Burn Units 15 and 21 and 70 acres in Units 32 and 34 to serve as primary containment lines for the 2010 prescribed burns. These containment lines were 235' wide and located around the perimeter of Burn Units 15 and 21 per the 2010 Burn Plan and resulting in the burning of 468 acres of CMC. The Service concurred with the Army's containment line mowing which supported the 2010 prescribed burns. The burns were successfully burned over two days in October 2010.

FORA's contractor implementing the terms of the ESCA cut less than 50 acres chaparral habitat within the East Garrison Habitat Reserve as part of the Group 4 Munitions Response Area (MRA). The biological surveys implemented in accordance with the monitoring protocol are described in the Annual Biological Monitoring Report being provided under a separate cover.

Threatened and endangered species education briefings for ordnance and explosive cleanup personnel were conducted several times last year. In addition, Habitat Checklists, tailgate briefings, and site visits were conducted routinely to ensure habitat protection measures were being implemented in accordance with the HMP and Biological Opinions.

The Impact Area fence continues to be inspected weekly and repaired as necessary to prevent unauthorized access into the Impact Area. Access control is required by the Track 3 ROD and also prevents unnecessary impacts to natural resources within the Natural Resource Management Area (NRMA) which is future BLM land.

The Army and BLM continue to work together under a Services Agreement where the Army provides funding to BLM to conduct certain land management activities on Army owned lands including providing invasive weed control and erosion control. As a result, 3,306 gallons of 1.5% Rodeo® were applied on 1,785 acres of former Fort Ord Habitat Reserve to control the spread of Pampas grass, African ice plant, and French broom. BLM spent over 2,187 person-hours controlling the spread of invasive weeds still under Army control under the 2010 – 2011 Services Agreement.

The Army completed the MEC remedial action at Burn Units 14 and 19 which were burned in 2009. The 2010 Biological Monitoring Report for Burn Units 15, 21, 32, and 34; Burn Units 14 and 19; and Ranges 43 – 48 – Former Fort Ord is attached for your information. The monitoring results describing activities in the Environmental Services Cooperative Agreement (ESCA) will be submitted under a separate cover.

5. Groundwater Remediation Project on University of California @ Santa Cruz Property

Groundwater remediation activities continued at two OU's. Remediation activities at OU1 and OUCTP were conducted while minimizing impacts to listed species and their habitats within the Fort Ord Nature Reserve owned by the University of California – Santa Cruz. The activities were conducted in strict compliance with the Biological Opinions that address investigations, remediation and monitoring of contaminated groundwater plumes.

Two groundwater monitoring wells and one extraction well were installed for OUCTP in 2010. The OUCTP groundwater treatment pilot study was completed in 2008 to address the newly discovered contaminated groundwater plume. Although there were a couple instances that resulted in activities within sensitive areas, construction and monitoring actions continue to be monitored by biologists to reduce and avoid impacts to sand gilia and Monterey spineflower populations during groundwater investigation and remediation activities. Populations of both species within access roads and well locations continue to persist with only minor impacts – small populations impacted within low quality habitat adjacent to the northern grassland area. Results of the 2010 biological surveys will be presented in the annual report to be submitted under separate cover.

The 2010 FONR Impact Assessment and Habitat and Rare Plant Species Survey Results, Fritzsche Army Airfield Fire Drill Area, Former Fort Ord, California (HGL, 2010) is enclosed with this report. Additional wells and pipelines for OUCTP may be necessary in 2011 and will be coordinated with UCSC to ensure the actions reduce and avoid impacts to the HMP species within their property.

6. Summary of Land Transfers

A total of 19,159 acres of the total 27,827 acres of former Fort Ord have been transferred since 1994. There were no property transfers in 2010. More than 9,463 acres have been transferred to agencies responsible for managing former Fort Ord lands as habitat reserves. Another 1,660 acres have been transferred as Development with Reserves or Development with Restrictions. A total of 8,036 acres have been transferred as Development parcels.

7. Incidental Take and Sightings

No take of Smith's blue butterflies or western snowy plovers occurred in 2010 as a result of the Army's ongoing pre-disposal actions. One adult California tiger salamander was discovered on December 16, 2010 during soil remediation activities at Historical Area 39/40. The animal was collected by the approved on-site biologist per the Biological Opinion and was released unharmed into the vernal pool basin outside of the remedial action area. The incident was reported within 24 hours as required by the Biological Opinion.