

APPENDIX B
DRAFT FOSTS AND LEGAL DESCRIPTIONS
MCKINNEY GROUP C PARCELS

DRAFT
FINDING F SUITABILITY T TRANSFER (F ST)
HOUSING AUTHORITY OF MONTEREY COUNTY PARCEL
(3 BUILDINGS)
FORMER FORT ORD, CALIFORNIA

On the authority delegated to me by the Acting Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health (20 July 1995), and on the basis of an Environmental Baseline Survey (EBS) for the McKinney Homeless Act Group C Parcels, I have determined that the Housing Authority of Monterey County (HAEC) Buildings T-2793, T-2795, and T-2797 at former Fort Ord, California (Property), are suitable for transfer to HAEC for administrative purposes. The area to be assigned and transferred includes three buildings on approximately 1.5 acres (Plate 1).

A determination of the environmental condition of the Property was made by the United States Army by conducting an EBS that included reviewing existing environmental documents and making associated visual site inspections. The documents reviewed included the final Fort Ord Community Environmental Response Facilitation Act (CERFA) Report (April 1994), U.S. EPA Region IX's concurrence to the CERFA Report (19 April 1994), and various remedial investigation/feasibility studies documents. Comments received from U.S. EPA, Region IX (15 December 1995), and California EPA DTSC (18 December 1995) on the 13 November 1995 Version 1 EBS/FOST for the McKinney Group C Parcels have been reviewed and incorporated where possible. Unresolved comments are attached. The EBS indicated that the Property is environmentally suitable for transfer to HAEC. The results of the EBS are as follows:

- Three buildings, T-2793, T-2795, and T-2797, are located on the Property. The buildings were previously used as part of support services for Fort Ord and will be used for administrative offices by HAEC.
- An asbestos survey conducted by the Army shows that all the buildings contain nonfriable asbestos containing material (ACM) in good condition and that Building T-2797 also contains friable ACM in good condition. At this time, the Army does not intend to remove or repair the ACM in these structures.
- Buildings T-2793, T-2795, and T-2797 are presumed to contain lead-based paint (LBP) because of their pre-1978 (1940) construction dates. The Army does not intend to abate the LBP presumed to be present in these structures because they are not to be used for residential purposes.
- No elevated radon levels were detected on the Property during a 1990 survey at Fort Ord.
- No radiological surveys have been conducted on the Property because these buildings were not used to store radiological materials.
- No releases of PCB-contaminated dielectric fluids on the Property have been reported.
- Ordnance and explosives (OE) surveys show that no potential OE locations are within or immediately adjacent to the Property.
- No underground or aboveground storage tanks or solid waste management units are present on the Property, and no studies associated with them have been conducted by the Army for the Property.
- The final CERFA report identifies the Property as a CERFA disqualified parcel because of its inclusion within Installation Restoration Program (IRP) Site 28 and the proximity to the Fort Ord landfills (OU 2) and IRP Site 2/12 groundwater contamination plumes. However, no part of the Property was included in the site characterization activities at Site 28, and the Property does not

overlie the groundwater plume exceeding OU 2 cleanup criteria or the plume from Site 2/12. The Army completed a Plug-In No Action Record of Decision (NoAROD) for all No Action sites (including Site 28) that was signed by the U.S. EPA in the spring of 1995. Documentation that site-specific no action criteria were met is provided through the Approval Memoranda process. This process is referred to as the "plug-in" process, because the Approval Memoranda plug into the NoAROD. The No Action Approval Memorandum for Site 28 was approved by the regulatory agencies in September and October 1995.

- No groundwater monitoring wells are present on the Property. Groundwater beneath the property is not believed to contain detectable concentrations of volatile organic compounds (VOCs).

On the basis of the above results from the EBS and subsequent investigations, certain terms, conditions, reservations, restrictions, and notifications are required. Disclosure of conditions and use restrictions are described below and will be included in the transfer documents.

NOTICE OF THE PRESENCE OF ASBESTOS. The Property existing on the date of this conveyance contains certain amounts of nonfriable and friable asbestos. The GRANTEE covenants and agrees, on behalf of it, its successors and assigns, that in its use and occupancy of the Property, it will comply with all applicable laws relating to asbestos, and that the GRANTOR assumes no liability for damages for personal injury, illness, disability or death, to the GRANTEE, its successors or assigns, or to any other person including members of the general public, arising from or incident to the purchase, transportation, removal, handling, alterations, renovations, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the Property described in this Deed, regardless of whether the GRANTEE, its successors or assigns have properly warned or failed properly to warn the individual(s) injured.

NOTICE OF THE PRESENCE OF LEAD-BASED PAINT. The GRANTEE is hereby informed and does acknowledge that any Property existing on the date of this Deed which was constructed or rehabilitated prior to 1978 is presumed to contain lead-based paint. The GRANTEE, its successors and assigns, shall not permit the use of any such structure for residential habitation unless the GRANTEE has received certification from GRANTOR or others that the premises are safe or GRANTEE has eliminated the hazards of lead-based paint by treating any defective lead-based paint surface in accordance with all applicable laws and regulations. Residential structures are defined as any house, apartment, or structure intended for human habitation, including but not limited to a non-dwelling facility commonly used by children under 6 years of age such as a child care center, elementary school, or playground.

On the basis of the above information, I conclude that the HAEC Parcel, Buildings T-2793, T-2795, and T-2797, should be assigned Department of Defense of Defense (DoD) Environmental Condition Category 3 and is transferable under Section (§) 120(h)(3) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The deed for this transaction will contain:

- The covenant under CERCLA § 120(h)(3)(B)(i) warranting that all remedial action under CERCLA necessary to protect human health and the environment with respect to hazardous substances remaining on the Property has been taken
- The covenant under CERCLA § 120(h)(3)(B)(ii) warranting that any remedial action under CERCLA found to be necessary after the date of transfer shall be conducted by the United States
- The clause under CERCLA § 120(h)(3)(C) granting the United States access to the Property in any case in which remedial action or corrective action is found to be necessary after the date of transfer.

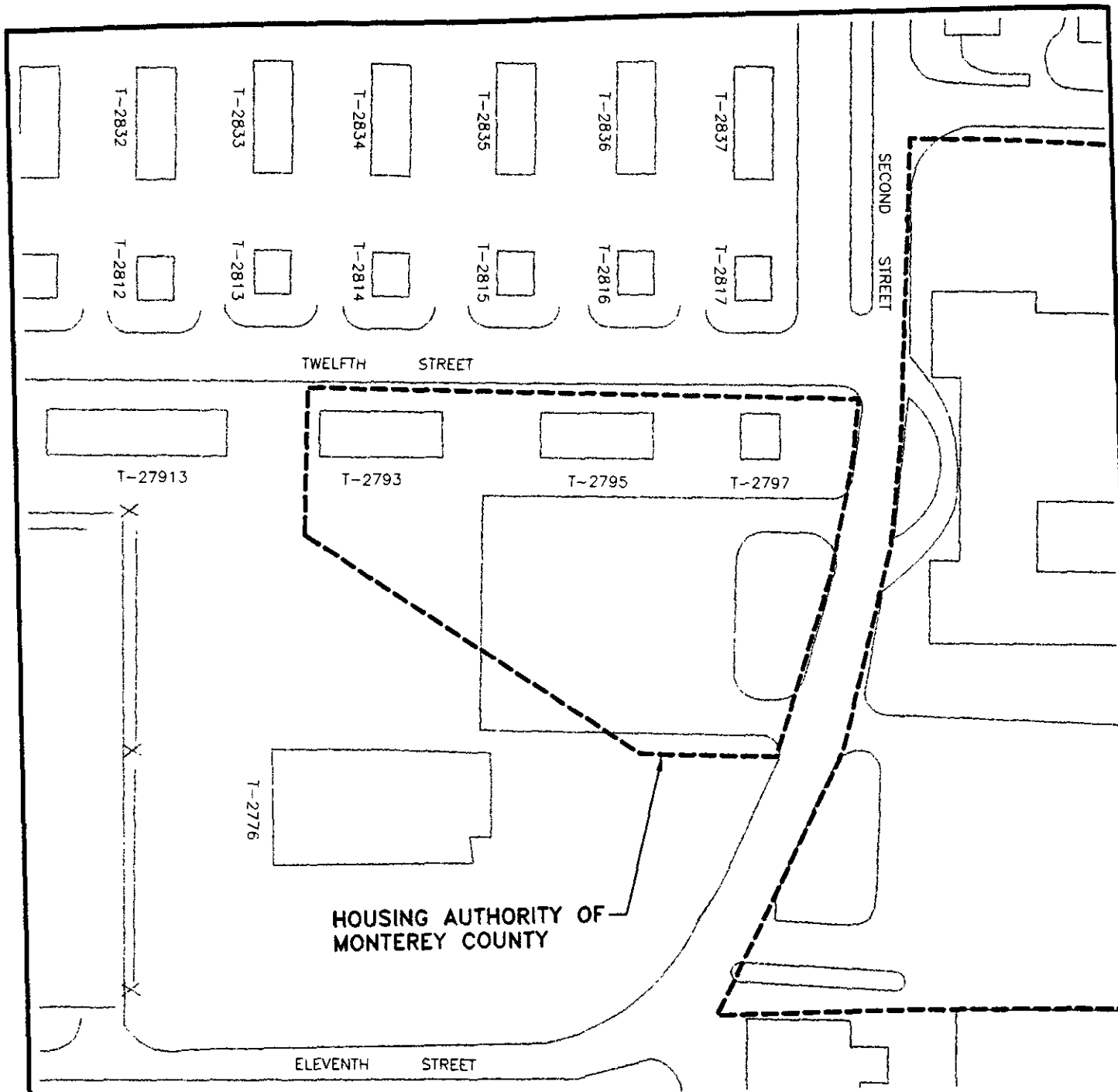
Toni B. Wainwright
Assistant Deputy Chief of Staff
Base Operations Support

UNRESOLVED AGENCY COMMENT

McKINNEY GROUP C EBS/FOSTs

US EPA 15 December 1995 Comment:

Public Law 102-484, as amended by Public Law 103-160, provides for indemnification by the military services when property on closing military bases is transferred. This law provides that the military indemnify persons and entities acquiring ownership or control of property at a closing military base from liability for personal injury and property damage resulting from the release or threatened release of a hazardous substance (such as asbestos), unless the person or entity acquiring the property contributed to the release. It is unclear whether the FOST's statements on the Army not assuming liability for the transferee's contact with asbestos are consistent with the indemnification required by law. To avoid confusion over the indemnification that the Army is required to provide, EPA recommends that the mention of future liability be deleted and that the statutory language be relied on to determine any future liability.



EXPLANATION

----- PARCEL BOUNDARY



PROPERTY BOUNDARIES INDICATED ARE APPROXIMATE AND ARE NOT INTENDED TO REPRESENT THE LEGAL DESCRIPTION OF THE PARCEL(S).



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19951113.0941

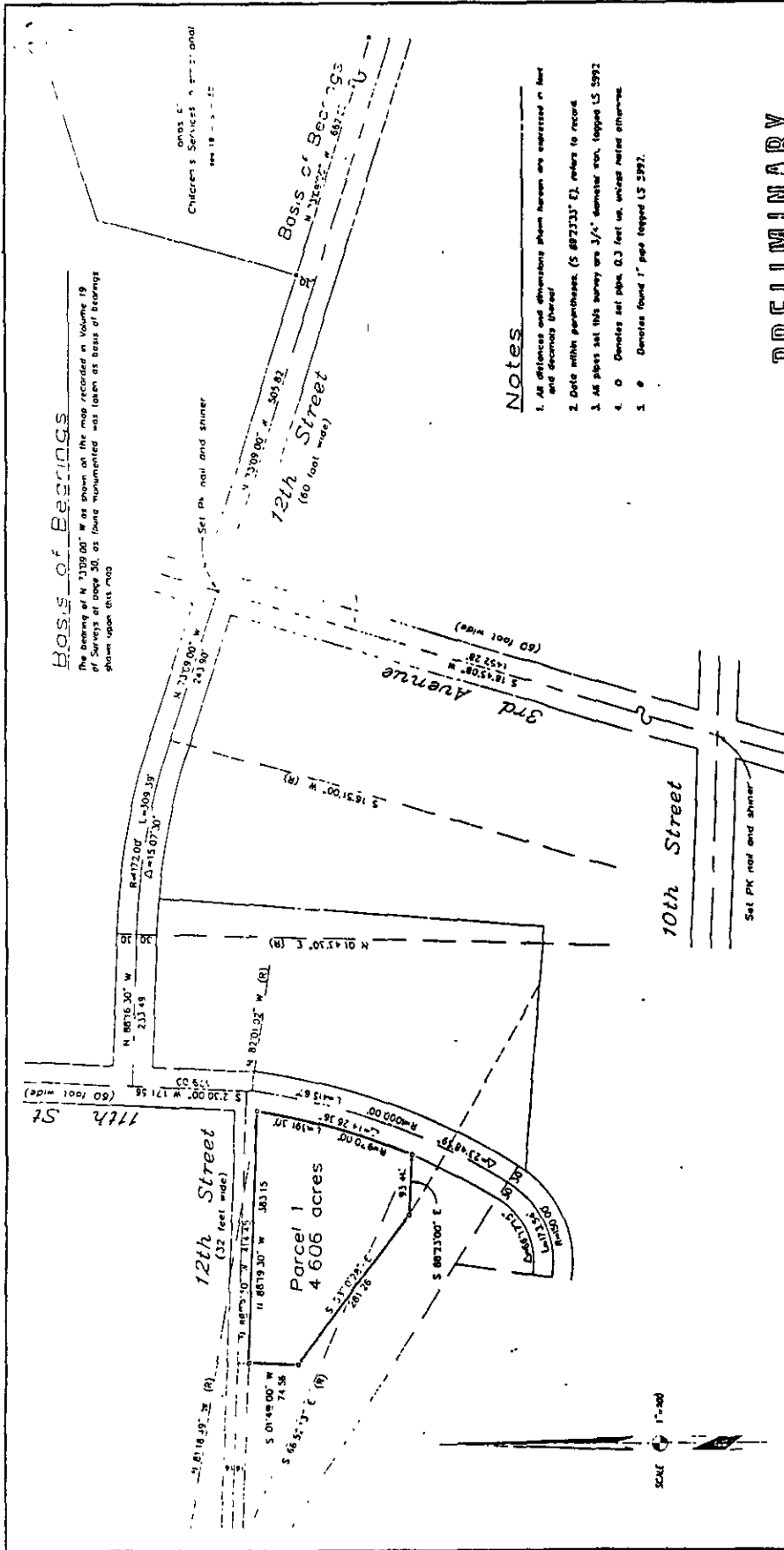


Harding Lawson Associates
Engineering and
Environmental Services

Housing Authority of Monterey County Parcel PLATE
(3 Buildings)
Finding of Suitability to Transfer
McKinney Group C Parcels
Former Fort Ord, California

1

DRAWN CSN	JOB NUMBER 25894 0017616	APPROVED <i>SLZ</i>	DATE 10/95	REVISED DATE
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Basis of Bearings
 The bearings of N 73°09'00" W as shown on the map recorded in Volume 19 of Surveys of page 50, as found monumented was taken as basis of bearings shown upon this map.

Notes

- All distances and dimensions shown herein are expressed in feet and decimals thereof.
- Date within parentheses (S 89°23'33" E) refers to record.
- All poles set this survey are 3/4" diameter iron, topped LS 5992.
- 0 denotes set pipe, 0.3 feet in, unless noted otherwise.
- 6 denotes found 1" pipe topped LS 5992.

PRELIMINARY
Record of Survey

Of first section 1319 every tract of land requested for subdivision under the Subdivision Act, and all other lands shown on the map, the County Registrar, Monterey County, California, hereby certifies that the City of Monterey, Monterey County, California, is the owner of the same.

Housing Authority of the County of Monterey



MONTEREY COUNTY SURVEYORS, J.A.C.
 230 Marine Street, Salinas, CA 94783
 Phone: (408) 755-1100 Fax: (408) 755-1101

COUNTY RECORDER'S CERTIFICATE

REC'D THIS 17th DAY OF _____ 1995
 AT THE OFFICE OF THE COUNTY RECORDER
 AT THE REQUEST OF MONTEREY COUNTY SURVEYORS, INCORPORATED.

GRACE A. REEVES
 COUNTY RECORDER
 BY _____
 COUNTY CLERK

COUNTY SUPERVISOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8174 OF THE LAND SURVEYORS ACT AND IS CORRECT.

PROF. L. WESLEY BARNHART
 COUNTY SUPERVISOR



SURVEYOR'S STATEMENT
 I, DAVID P. WHITAKER, A SURVEYOR MADE BY ME OR BY THE LAND SURVEYORS ACT, HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS RECORD IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THE DATE OF THIS SURVEY.

DAVID P. WHITAKER
 LS 5992

Sheet 119

DRAFT
FINDING F SUITABILITY T TRANSFER (FOST)
VIETNAM VETERANS OF MONTEREY COUNTY PARCEL
FORMER FORT ORD, CALIFORNIA

On the authority delegated to me by the Acting Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health (20 July 1995), and on the basis of an Environmental Baseline Survey (EBS) for the McKinney Homeless Act Group C Parcels, I have determined that the Vietnam Veterans of Monterey County (VVMC) Parcel, Buildings 2798, T-2988, T-2990, 8704-8708, 8717-8727, and 8736-8742, at former Fort Ord, California (Property), is suitable for transfer to VVMC for administrative offices and transitional housing. The area to be assigned and transferred includes 26 buildings on approximately 24 acres (Plate 1).

A determination of the environmental condition of the Property was made by the United States Army by conducting an EBS that included reviewing existing environmental documents and making associated visual site inspections. The documents reviewed included the final Fort Ord Community Environmental Response Facilitation Act (CERFA) Report (April 1994), U.S. EPA Region IX's concurrence to the CERFA Report (Memorandum, 19 April 1994), and various remedial investigation/feasibility studies documents. Comments received from U.S. EPA, Region IX (15 December 1995), and California EPA DTSC (18 December 1995) on the 13 November 1995 Version 1 EBS/FOST for the McKinney Group C Parcels have been reviewed and incorporated where possible. Unresolved comments are attached. The EBS indicated that the Property is environmentally suitable for transfer to VVMC. The results of the EBS are as follows:

- Twenty-six buildings (2798, T-2988, T-2990, 8704-8708, 8717-8727, and 8736-8742) are located on the Property. The buildings were previously used as a welcome center, support services, and family housing and will be used for administrative offices (2798), warehouses (T-2988 and T-2990), and transitional housing.
- An asbestos survey conducted by the Army shows that all the buildings contain nonfriable asbestos containing material (ACM) and that all the buildings except T-2988 and T-2990 contain friable ACM. The friable and nonfriable ACM in Building 2798 is in the form of pipe insulation with localized damage. The nonfriable ACM in Building T-2990 is in the form of flexible HVAC tubing in good condition. The remaining ACM is in good condition. At this time, the Army does not intend to remove or repair the ACM in these structures.
- Because some of the building on the Property tested positive for lead-based paint (LBP) and all the buildings were constructed prior to 1978 (1940-1962), they are all presumed to contain LBP. The Army does not intend to abate the LBP presumed to be present in Buildings 2798, T-2988, and T-2990. The proposed residential structures were constructed in 1962; therefore, the presence of LBP in these proposed residential structures will be disclosed but not be abated.
- No elevated radon levels were detected on the Property during a 1990 survey at Fort Ord.
- No radiological surveys have been conducted within the Property because these buildings were not used to store radiological materials.
- No releases of PCB-contaminated dielectric fluids on the Property have been reported.
- Ordnance and explosives (OE) surveys show that a corner of the Property adjacent to Building 8717 may be within a conjectured OE location (the 75-mm Pack Howitzer Firing Area), the boundary of which is approximate. No evidence of such activities could be found during a field investigation and archive search. Because (1) it was potentially a firing point and not an impact area and (2) no OE has been recovered as a result of grading and subsequent use of the location, the U.S. Army

Engineer Division, Huntsville, concluded that the potential for OE at this area is very low and that no OE removal action is recommended.

- No underground or aboveground storage tanks or solid waste management units are present on the Property, and no studies associated with them have been conducted by the Army for the Property.
- The final CERFA report identifies the Property as a CERFA disqualified parcel because it is partially included within Installation Restoration Program (IRP) Site 28 and the Property's proximity to the Fort Ord Landfills (OU 2) and IRP Site 2/12 groundwater contamination plumes. No part of the Property was included in the site characterization activities at Site 28. The Army completed a Plug-In No Action Record of Decision (NoAROD) for all No Action sites (including Site 28) that was signed by the U.S. EPA in the spring of 1995. Documentation that site-specific no action criteria were met is provided through the Approval Memoranda process. This process is referred to as the "plug-in" process, because the Approval Memoranda plug into the NoAROD. The No Action Approval Memorandum for Site 28 was approved by the regulatory agencies in September and October 1995.
- No groundwater monitoring wells are present on the Property; however, there are two monitoring wells immediately adjacent to the VVMC housing parcel. The Property is approximately 5,000 feet from the OU 2 landfill and is at the western edge of the groundwater contamination plume exceeding OU2 cleanup criteria. It is not believed to be impacted by Site 2/12 groundwater contamination. Groundwater beneath most of the Property is not believed to contain detectable concentrations of volatile organic compounds (VOCs). Groundwater beneath Buildings T-2988, T-2990, and some housing units may contain VOCs at concentrations of between 1 and 5 micrograms per liter. A table showing maximum VOC concentrations elsewhere in the OU2 groundwater plume is attached (Table 1).

On the basis of the above results from the EBS and subsequent investigations, certain terms, conditions, reservations, restrictions, and notifications are required. Disclosure of conditions and use restrictions are described below and will be included in the transfer documents.

NOTICE OF THE PRESENCE OF ASBESTOS. The Property existing on the date of this conveyance contains certain amounts of nonfriable asbestos. The GRANTEE covenants and agrees, on behalf of it, its successors and assigns, that in its use and occupancy of the Property, it will comply with all applicable laws relating to asbestos, and that the GRANTOR assumes no liability for damages for personal injury, illness, disability or death, to the GRANTEE, its successors or assigns, or to any other person including members of the general public, arising from or incident to the purchase, transportation, removal, handling, alterations, renovations, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the Property described in this Deed, regardless of whether the GRANTEE, its successors or assigns have properly warned or failed properly to warn the individual(s) injured.

NOTICE OF THE PRESENCE OF LEAD-BASED PAINT. The GRANTEE is hereby informed and does acknowledge that any Property existing on the date of this Deed which was constructed or rehabilitated prior to 1978 is presumed to contain lead-based paint. The GRANTEE, its successors and assigns, shall not permit the use of any such structure for residential habitation unless the GRANTEE has received certification from GRANTOR or others that the premises are safe or GRANTEE has eliminated the hazards of lead-based paint by treating any defective lead-based paint surface in accordance with all applicable laws and regulations. Residential structures are defined as any house, apartment, or structure intended for human habitation, including but not limited to a non-dwelling facility commonly used by children under 6 years of age such as a child care center, elementary school, or playground.

NOTICE OF THE PRESENCE OF CONTAMINATED GROUNDWATER. The groundwater beneath portions of the Property contains volatile organic compounds (VOCs), primarily trichloroethene (TCE). The maximum estimated total VOC concentration in the groundwater beneath the Property is less than

5 micrograms per liter. This notice is provided pursuant to Section 120(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). A pump-and-treat groundwater remediation system is in place and shown to be operating properly and successfully. No well drilling or use of groundwater will be permitted on the property.

On the basis of the above information, I conclude that the VVMC Parcel, Buildings 2798, T-2988, T-2990, 8704-8708, 8717-8727, and 8736-8742 should be assigned Department of Defense of Defense (DoD) Environmental Condition Category 3 and is transferable under Section (§) 120(h)(3) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The deed for this transaction will contain:

- The covenant under CERCLA § 120(h)(3)(B)(i) warranting that all remedial action under CERCLA necessary to protect human health and the environment with respect to hazardous substances remaining on the Property has been taken
- The covenant under CERCLA § 120(h)(3)(B)(ii) warranting that any remedial action under CERCLA found to be necessary after the date of transfer shall be conducted by the United States
- The clause under CERCLA § 120(h)(3)(C) granting the United States access to the Property in any case in which remedial action or corrective action is found to be necessary after the date of transfer.

Toni B. Wainwright
Assistant Deputy Chief of Staff
Base Operations Support

UNRES LVED AGENCY COMMENT

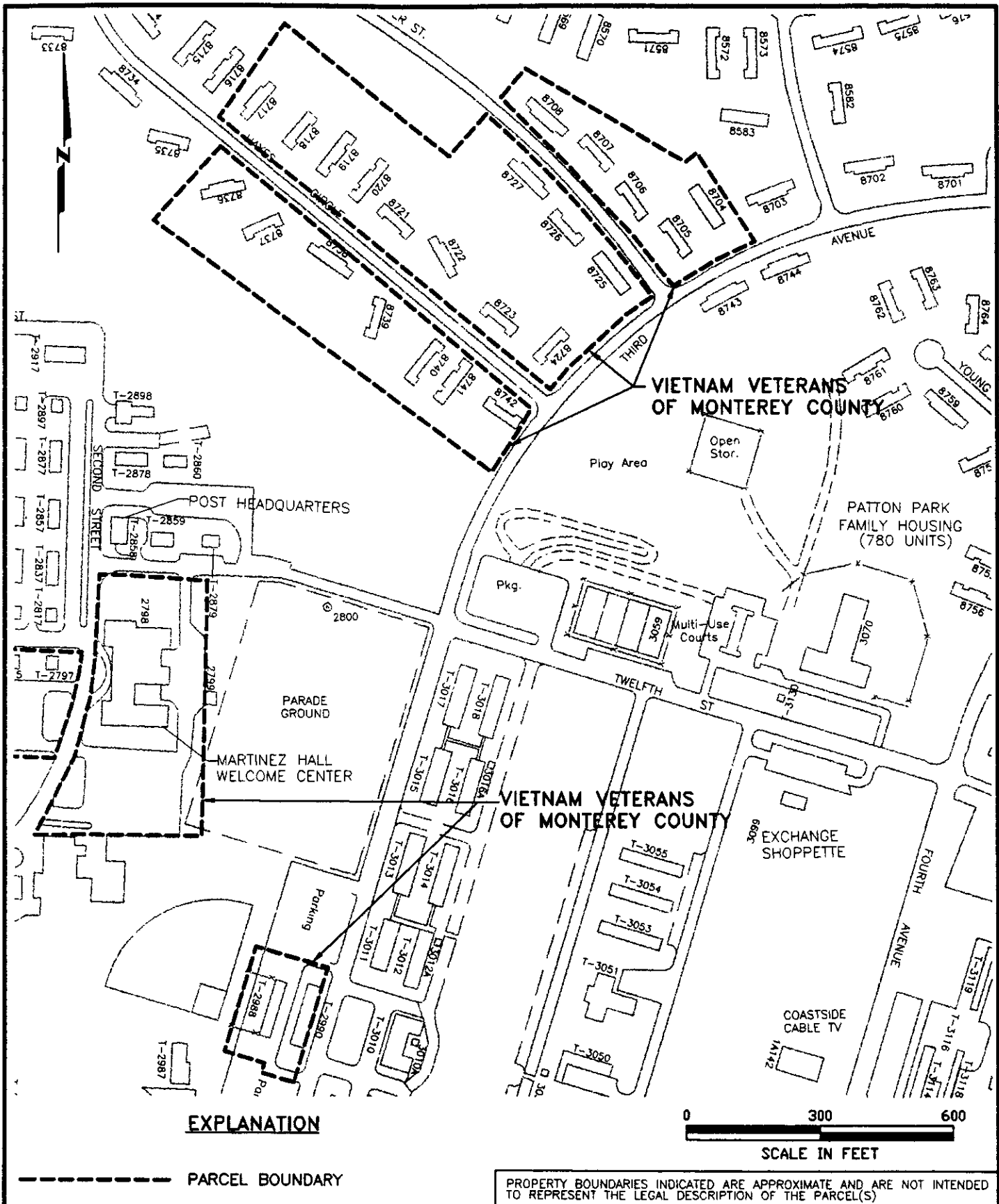
McKINNEY GR UP C EBS/F STs

US EPA 15 December 1995 Comment:

Public Law 102-484, as amended by Public Law 103-160, provides for indemnification by the military services when property on closing military bases is transferred. This law provides that the military indemnify persons and entities acquiring ownership or control of property at a closing military base from liability for personal injury and property damage resulting from the release or threatened release of a hazardous substance (such as asbestos), unless the person or entity acquiring the property contributed to the release. It is unclear whether the FOST's statements on the Army not assuming liability for the transferee's contact with asbestos are consistent with the indemnification required by law. To avoid confusion over the indemnification that the Army is required to provide, EPA recommends that the mention of future liability be deleted and that the statutory language be relied on to determine any future liability.

**Table 1. Maximum Chemical Concentration by Aquifer Zone
OU 2 Groundwater Plume
Former Fort Ord, California**

Aquifer Zone	Substance	Concentration ($\mu\text{g/L}$)
Upper Aquifer Zone	1,1,1-trichloroethane	31
	1,1,2,2-tetrachloroethane	0.6
	1,1-dichloroethane	12
	1,1-dichloroethene	4.6
	1,2-dichlorobenzene	3.7
	1,2-dichloroethane	6.9
	1,2-dichloropropane	8.6
	1,4-dichlorobenzene	4.3
	benzene	2.6
	bromodichloromethane	3.1
	bromoform	3.1
	chloroform	16
	cis-1,2-dichloroethane	54
	dibromochloromethane	4.2
	methylene chloride	130
	tetrachloroethene	8.2
	trans-1,2-dichloroethane	4.1
	trichloroethene	80
	trichlorofluoromethane	52
	vinyl chloride	8
180-Foot Aquifer Zone	1,1,1-trichloroethane	0.6
	1,2-dichlorobenzene	0.6
	1,2-dichloropropane	1
	benzene	1.4
	carbon tetrachloride	0.7
	chloroform	1.6
	chloromethane	0.5
	cis-1,2-dichloroethane	4.6
	cis-1,3-dichloropropene	1.8
	ethylbenzene	1.2
	methylene chloride	1.2
	tetrachloroethene	1.8
	toluene	0.6
	trans-1,2-dichloroethane	1.8
	trichloroethene	50
	vinyl chloride	1.2
400-Foot Aquifer Zone	1,1,1-trichloroethane	2.2
	methylene chloride	1.1
	tetrachloroethene	0.9
	toluene	2.1



EXPLANATION

--- PARCEL BOUNDARY



PROPERTY BOUNDARIES INDICATED ARE APPROXIMATE AND ARE NOT INTENDED TO REPRESENT THE LEGAL DESCRIPTION OF THE PARCEL(S)



Harding Lawson Associates
Engineering and Environmental Services

Vietnam Veterans of Monterey County Parcels
Finding of Suitability to Transfer
McKinney Group C Parcels
Former Fort Ord, California

PLATE

1

DRAWN
CSN

JOB NUMBER
25894 0017616

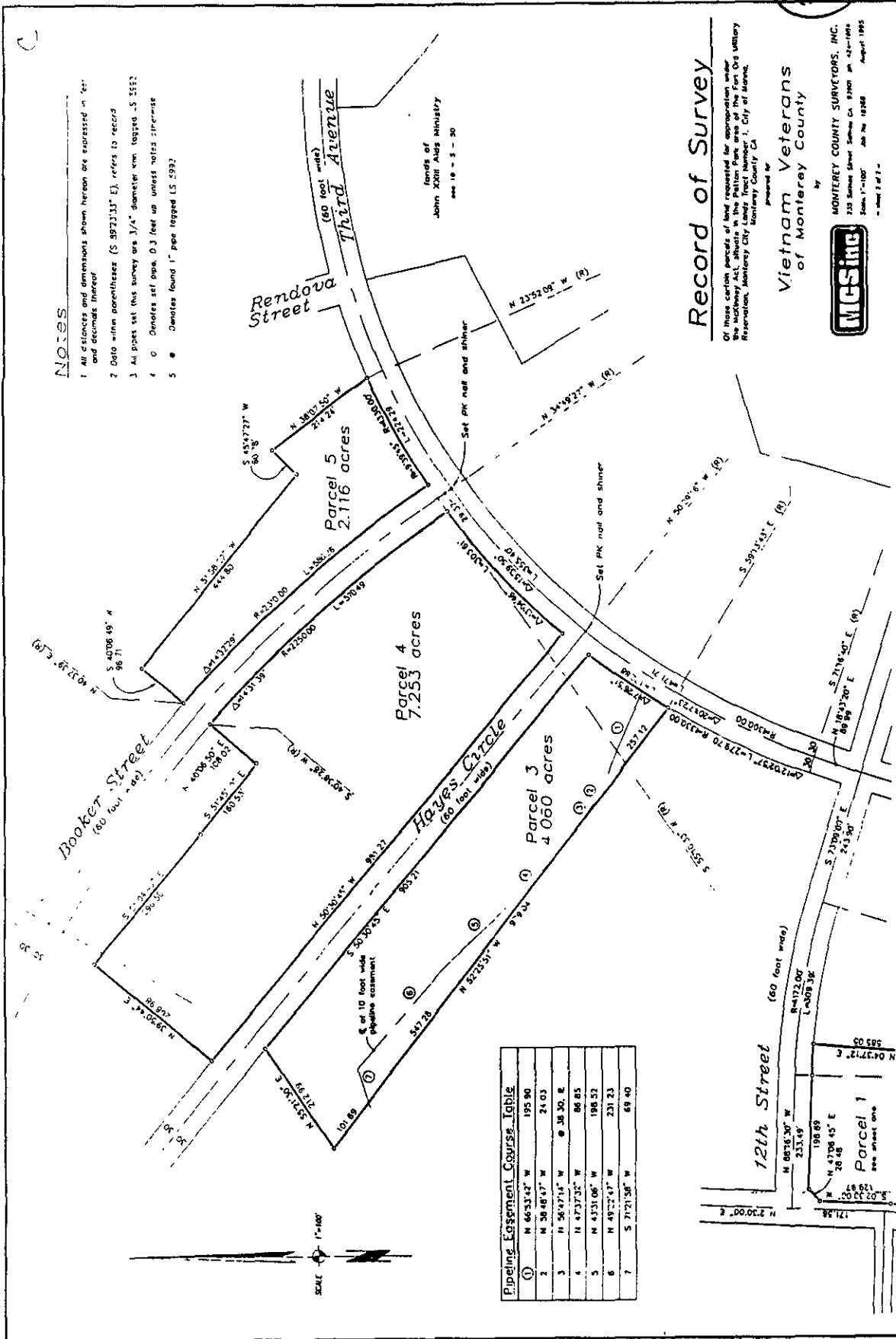
APPROVED
JR

DATE
10/95

REVISED DATE

25894234 300.0
19951113.0944

- Notes**
- 1 All stations and dimensions shown hereon are expressed in feet and decimals thereof
 - 2 Data within parentheses (S 89°23'31" E), refers to record
 - 3 All pipes set this survey are 3/4" diameter iron lagged - S 55E2
 - 4 0 denotes set pipe, 0.3 feet up unless notes circumscribe
 - 5 * Denotes found 1" pipe lagged LS 59E2



Pipelng Easement Course Table

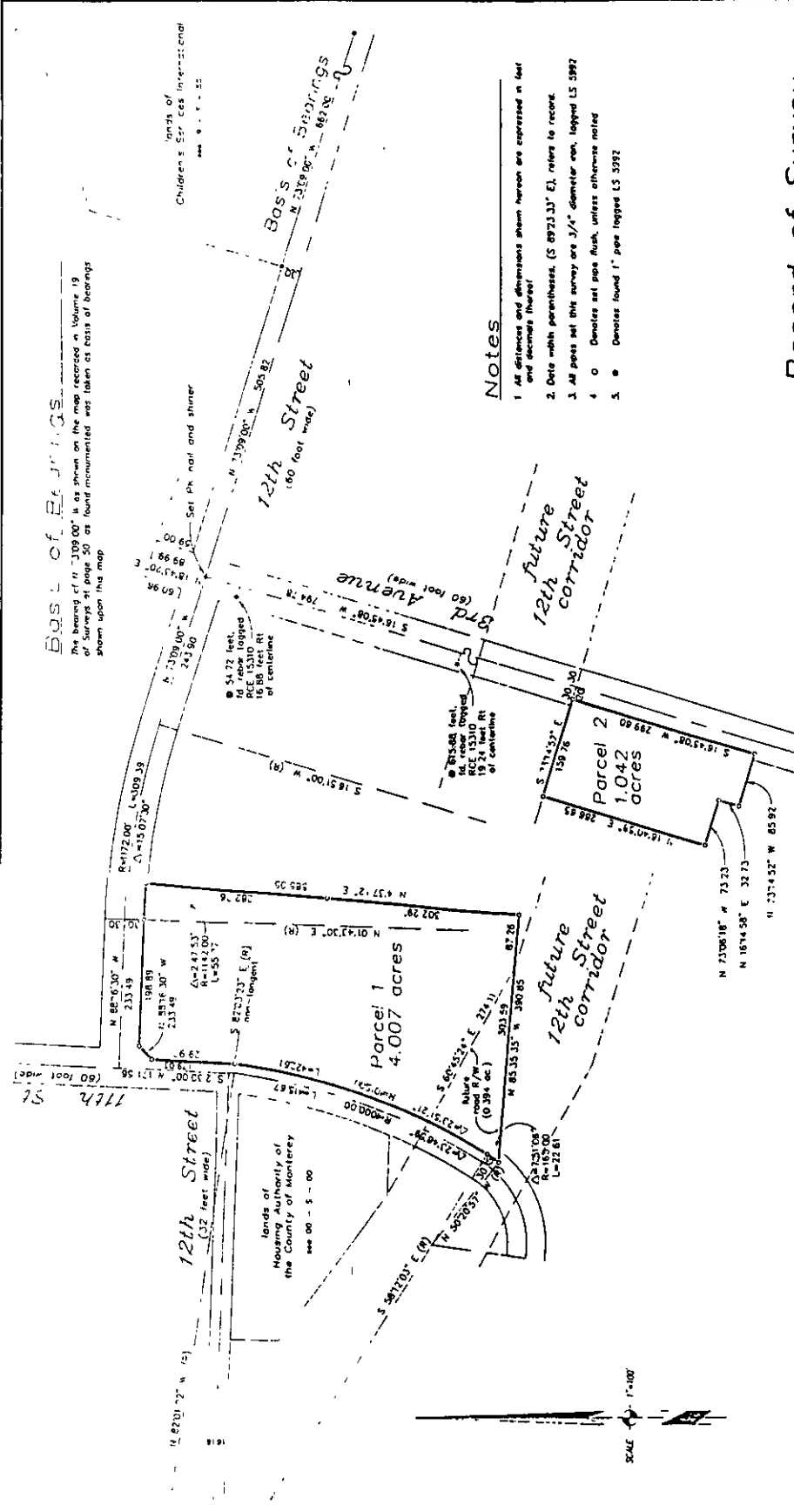
1	N 46°53'42" W	195.90
2	N 38°48'47" W	24.03
3	N 58°47'14" W	38.30, E
4	N 47°37'32" W	86.85
5	N 43°11'06" W	196.52
6	N 49°22'47" W	231.23
7	S 71°21'58" W	69.40

Record of Survey

Prepared for
Vietnam Veterans
 of Monterey County

by
MCSing
 MONTEREY COUNTY SURVEYORS, INC.
 225 Salinas Street, Salinas, CA 95001, PH 424-1664
 Since 1907 Job No. 18268 August 1995

Of those certain parcels of land requested for appropriation under the McNary Act, Situate in the Patton Park area of the Fort Ord Military Reservation, Monterey County Tract Number 1, City of Salinas, Monterey County, CA.



Base of Bearings
 The bearing of T-1309 00" is as shown on the map recorded in Volume 19 of Surveys at page 30, as found monumented was taken as basis of bearings shown upon this map.

Notes

- All distances and dimensions shown herein are expressed in feet and decimals thereof.
- Date within parenthesis, (S 89° 23' 33" E), refers to record.
- All poles set this survey are 3/4" diameter iron, topped LS 5992
- 0 denotes set pipe flush, unless otherwise noted
- denotes found 1" pipe topped LS 5992

Record of Survey

Of these certain tracts of land requested for appropriation under the McNary Act situate in the Patton Park area of the Fort Ord Military Reservation, Monterey County, California, to-wit: City of Normal, Monterey County, Ca.

presented for the
Vietnam Veterans
 of Monterey County



MONTEREY COUNTY SURVEYORS, INC
 235 Seaside Street, Seaside, Ca. 95971 Ph. 424-1864
 Sales 1-1-800 486-1878 August 1995
 1" = 400'

COUNTY RECORDER'S CERTIFICATE
 FILED HAS _____ DATE OF _____ 1995
 AT _____ VOLUME _____ OF SURVEYS AT PAGE _____
 AT THE REQUEST OF MONTEREY COUNTY SURVEYORS, INCORPORATED

Bruce A. Reeves
 COUNTY RECORDER
 RFE _____
 ST. COUNTY _____

COUNTY SURVEYOR'S STATEMENT
 THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8156
 OF THE LAND SURVEYORS ACT THIS _____ DATE OF _____

Fred L. Welsch
 DEPUTY COUNTY SURVEYOR
 LS 6497



SURVEYOR'S STATEMENT
 THIS MAP ACCURATELY REPRESENTS A SURVEY MADE BY ME OR
 UNDER MY CLOSE PERSONAL SUPERVISION AND THE MEASUREMENTS
 ON THE LAND SURVEYORS ACT AT THE REQUEST OF THE
 VIETNAM VETERANS OF MONTEREY COUNTY
 IN AUGUST OF 1995

Gary P. Wichter
 LS 5992

SCALE 1"=400'

DRAFT
FINDING F SUITABILITY TO TRANSFER (FOST)
H USING AUTHORITY OF MONTEREY COUNTY PARCEL
(10 BUILDINGS)
FORMER FORT ORD, CALIFORNIA

On the authority delegated to me by the Acting Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health (20 July 1995), and on the basis of an Environmental Baseline Survey (EBS) for the McKinney Homeless Act Group C Parcels, I have determined that the Housing Authority of Monterey County (HAEC) Parcel at former Fort Ord, California (Property), is suitable for transfer to the HAEC for transitional housing. The area to be assigned and transferred includes 10 buildings on approximately 9 acres (Plate 1).

A determination of the environmental condition of the Property was made by the United States Army by conducting an EBS that included reviewing existing environmental documents and making associated visual site inspections. The documents reviewed included the final Fort Ord Community Environmental Response Facilitation Act (CERFA) Report (April 1994), U.S. EPA Region IX's concurrence to the CERFA Report (19 April 1994), and various remedial investigation/feasibility studies documents. Comments received from U.S. EPA, Region IX (15 December 1995), and California EPA DTSC (18 December 1995) on the 13 November 1995 Version 1 EBS/FOST for the McKinney Group C Parcels have been reviewed and incorporated where possible. Unresolved comments are attached. The EBS indicated that the Property is environmentally suitable for transfer to the HAEC. The results of the EBS are as follows:

- Ten buildings (6234, 6235, 6237-6242, 6245, and 6246) are located on the Property. The buildings were previously part of the Abrams Park Housing Area and will be used for transitional housing.
- An asbestos survey conducted by the Army shows that all the buildings contain nonfriable asbestos containing material (ACM) in good condition. At this time, the Army does not intend to remove or repair the ACM in these structures.
- None of the 10 buildings is suspected to contain lead-based paint (LBP) based on representative testing for LBP in Abrams Park, and because they were constructed after 1978 (1980 through 1982).
- No elevated radon levels were detected on the Property during a 1990 survey at Fort Ord.
- No radiological surveys have been conducted within the Property because these buildings were not used to store radiological materials.
- There have been no reported releases of PCB-contaminated dielectric fluids on the Property.
- Ordnance and explosives (OE) surveys show that no potential OE locations are within or immediately adjacent to the Property.
- No underground or aboveground storage tanks or solid waste management units are present on the Property, and no studies associated with them have been conducted by the Army for the Property.
- The final CERFA report identifies the Property as a CERFA with qualifiers parcel because of the presence of ACM. The U.S. EPA concurred with the CERFA report that the Property is considered to be CERFA "uncontaminated."
- No groundwater monitoring wells are present on the Property.

On the basis of the above results from the EBS and subsequent investigations, certain terms, conditions, reservations, restrictions, and notifications are required. Disclosure of conditions and use restrictions are described below and will be included in the transfer documents.

NOTICE OF THE PRESENCE OF ASBESTOS. The Property existing on the date of this conveyance contains certain amounts of nonfriable asbestos. The GRANTEE covenants and agrees, on behalf of it, its successors and assigns, that in its use and occupancy of the Property, it will comply with all applicable laws relating to asbestos, and that the GRANTOR assumes no liability for damages for personal injury, illness, disability or death, to the GRANTEE, its successors or assigns, or to any other person including members of the general public, arising from or incident to the purchase, transportation, removal, handling, alterations, renovations, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the Property described in this Deed, regardless of whether the GRANTEE, its successors or assigns have properly warned or failed properly to warn the individual(s) injured.

On the basis of the above information, I conclude that the HAEC Parcel, Buildings 6234, 6235, 6237-6242, 6245, and 6246, should be assigned Department of Defense of Defense (DoD) Environmental Condition Category 1 and is transferable under Section (§) 120(h)(4) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The deed for this transaction will contain:

- The covenant under CERCLA §120(h)(4)(D)(i) any response action or corrective action under CERCLA found to be necessary after the date of transfer shall be conducted by the United States.
- The covenant under CERCLA §120(h)(4)(D)(ii) granting the United States access to the Property in any case in which response action or corrective action under CERCLA is found to be necessary after the date of transfer.

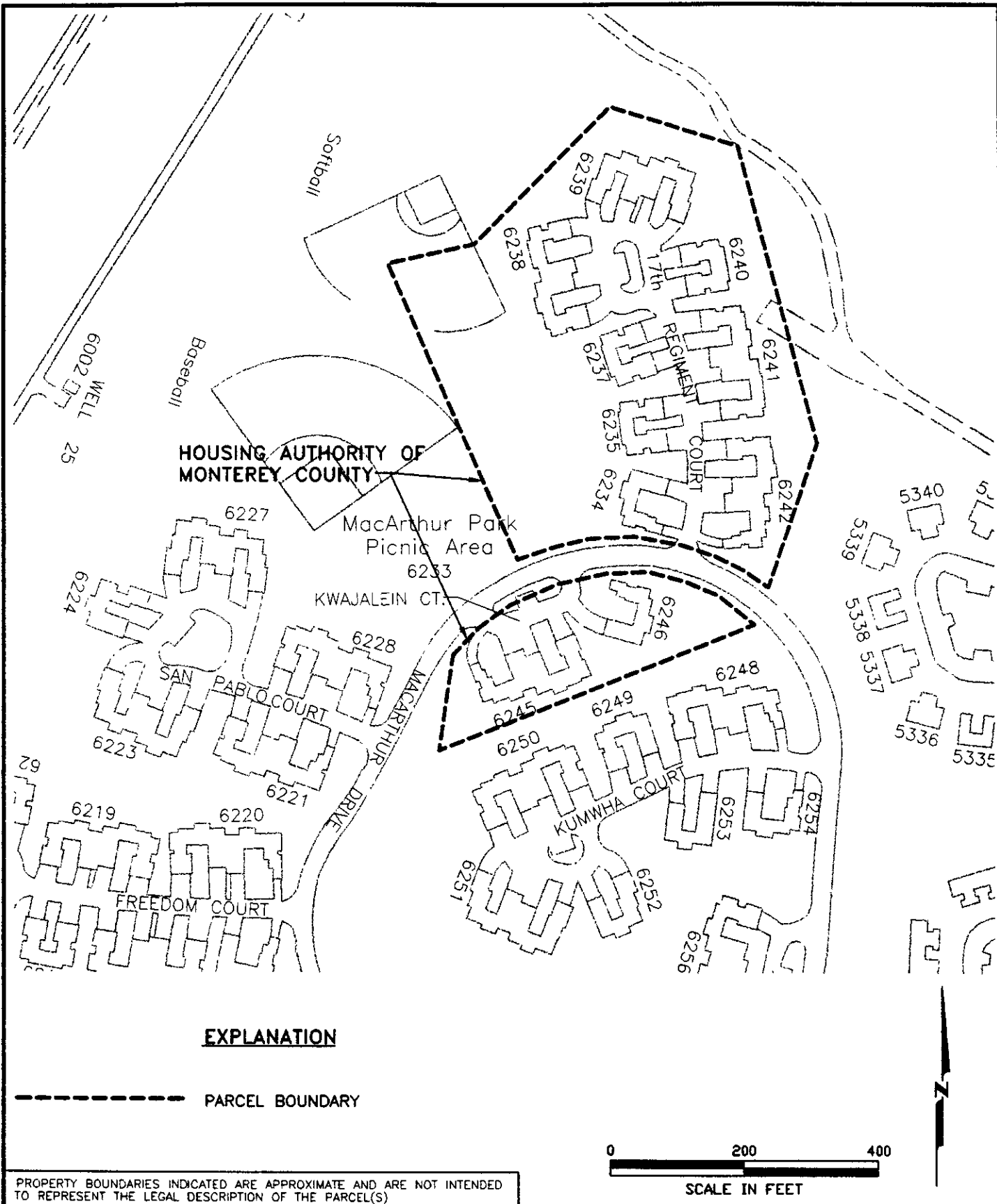
Toni B. Wainwright
Assistant Deputy Chief of Staff
Base Operations Support

UNRESOLVED AGENCY COMMENT

McKINNEY GROUP C EBS/FOSTs

US EPA 15 December 1995 Comment:

Public Law 102-484, as amended by Public Law 103-160, provides for indemnification by the military services when property on closing military bases is transferred. This law provides that the military indemnify persons and entities acquiring ownership or control of property at a closing military base from liability for personal injury and property damage resulting from the release or threatened release of a hazardous substance (such as asbestos), unless the person or entity acquiring the property contributed to the release. It is unclear whether the FOST's statements on the Army not assuming liability for the transferee's contact with asbestos are consistent with the indemnification required by law. To avoid confusion over the indemnification that the Army is required to provide, EPA recommends that the mention of future liability be deleted and that the statutory language be relied on to determine any future liability.



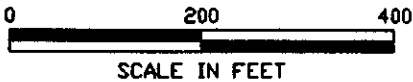
**HOUSING AUTHORITY OF
MONTEREY COUNTY**

MacArthur Park
Picnic Area

EXPLANATION

----- PARCEL BOUNDARY

PROPERTY BOUNDARIES INDICATED ARE APPROXIMATE AND ARE NOT INTENDED TO REPRESENT THE LEGAL DESCRIPTION OF THE PARCEL(S)



SCALE IN FEET



Harding Lawson Associates
Engineering and
Environmental Services

Housing Authority of Monterey County Parcel
(10 Buildings)
Finding of Suitability to Transfer
McKinney Group C Parcels
Former Fort Ord, California

PLATE

1

DRAWN CSN JOB NUMBER 25894 0017616

APPROVED

JR

DATE 10/95

REVISED DATE

959021015661
200.0
53276952

SURVEYOR'S STATEMENT:
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND MAPPERS OF THE COUNTY OF MONTEREY, CALIFORNIA, AS OF THE DATE OF THIS SURVEY.

Map No. LS 5982

CITY SURVEYOR'S STATEMENT:
 THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 21770, 21775 OF THE LAND SURVEYORS ACT AND IS CORRECT.

FRED L. NELSON
 DEPUTY COUNTY SURVEYOR

COUNTY RECORDER'S CERTIFICATE:
 THIS MAP WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER AT MONTEREY, CALIFORNIA, ON THIS DATE.

Bruce A. Reeves
 COUNTY RECORDER

BY: SV

Course Table

①	50°26'43"	N-32°	211.75
②	17°37'25"	R-303	110.8
③	51°04'34"	R-317	111.8
④	48°49'03"	R-327	112.7

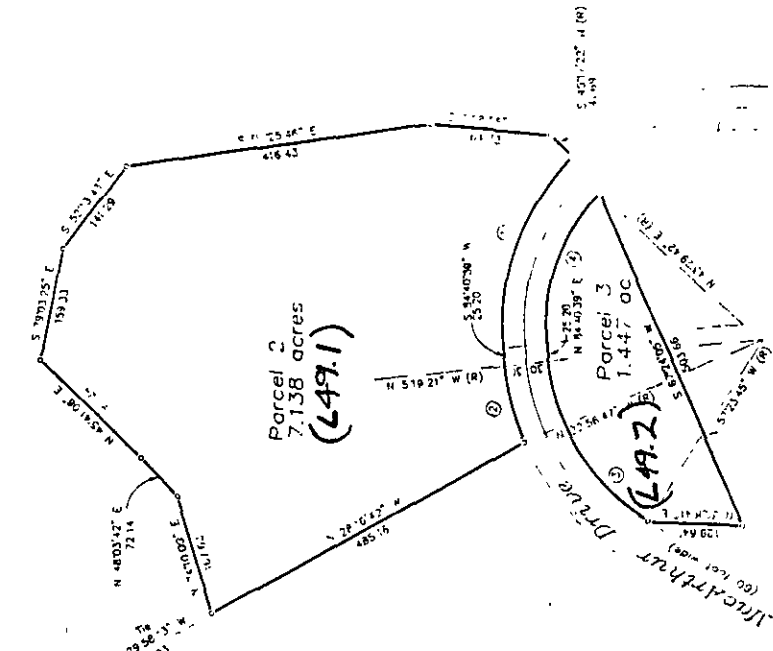
Record of Survey

Prepared by
Housing Authority of the County of Monterey

MONTEREY COUNTY SURVEYORS, INC.
 205 Marine Street, Suite C, 95061 Monterey, CA
 Phone: (408) 387-5681 Fax: (408) 387-5682



Basin of Bearings:
 The bearing of N 327°29' E as shown on the map is the true bearing of the line of Survey. All bearings are based on the true north as shown on this map.



Ed. street monument
 located at the
 corner of
 of EDWARDS

SCALE 1"=100'

- Notes**
- All distances and directions shown hereon are expressed in feet and decimals thereof.
 - Data within parentheses (S 89°23'13" E), refers to record.
 - All pipes set this survey are 3/4" diameter iron, topped LS 5982.
 - Ø Denotes set peak 0.3 feet up unless noted otherwise.
 - Denotes found monument, as noted.

DRAFT
FINDING OF SUITABILITY TO TRANSFER (FOST)
INTERIM, INC. PARCEL
FORMER FORT ORD, CALIFORNIA

On the authority delegated to me by the Acting Deputy Assistance Secretary of the Army for Environment, Safety and Occupational Health (20 July 1995), and based on an Environmental Baseline Survey (EBS) for the McKinney Homeless Act Group C parcels, I have determined that the Interim, Inc. (Buildings 6111 through 6114), Parcel, at former Fort Ord, California (Property), is suitable for transfer to Interim, Inc., for transitional housing. The area to be assigned and transferred includes four buildings on approximately 3 acres (Plate 1).

A determination of the environmental condition of the Property was made by the United States Army by conducting an EBS that included reviewing existing environmental documents and making associated visual site inspections. The documents reviewed included the final Fort Ord Community Environmental Response Facilitation Act (CERFA) Report (April 1994), U.S. EPA Region IX's concurrence to the CERFA Report (19 April 1994), and various remedial investigation/feasibility studies documents. Comments received from U.S. EPA, Region IX (15 December 1995), and California EPA DTSC (18 December 1995) on the 13 November 1995 Version 1 EBS/FOST for the McKinney Group C Parcels have been reviewed and incorporated where possible. Unresolved comments are attached. The EBS indicated that the Property is environmentally suitable for transfer to Interim, Inc. The results of the EBS are as follows:

- Four buildings (6111-6114) are located on the Property. The buildings were previously part of the Abrams Park Housing Area and will be used for transitional housing.
- An asbestos survey conducted by the Army shows that all the buildings contain nonfriable asbestos containing material (ACM) in good condition. At this time, the Army does not intend to remove or repair the ACM in these structures.
- The four buildings are not suspected to contain lead-based paint (LBP) based on testing for LBP in other representative structures in Abrams Park and their 1978 construction date.
- No elevated radon levels were detected on the Property during a 1990 survey at Fort Ord.
- No radiological surveys have been conducted within the Property because the building was not used to store radiological materials.
- There have been no reported releases of PCB-contaminated dielectric fluids on the Property.
- Ordnance and explosives (OE) surveys show that no potential OE locations are within or adjacent to the Property.
- No underground or aboveground storage tanks or solid waste management units are present on the Property, and no studies associated with them have been conducted by the Army for this Property.
- The final CERFA report identifies the Property as being within a CERFA disqualified parcel because of its proximity to the Fort Ord Landfills (OU 2) groundwater contamination plume. However, on the basis of recent and historical groundwater sampling, the Property is approximately 2,000 feet from the landfill and approximately 1,600 feet from the northern edge of the groundwater plume exceeding OU 2 cleanup criteria. The total estimated concentration of volatile organic compounds

(VOCs) in groundwater beneath the Property is approximately 1 microgram per liter or less. A table showing maximum VOC concentrations elsewhere in the OU 2 plume is attached (Table 1).

- No groundwater monitoring wells are present on the Property.

On the basis of the above results from the EBS and subsequent investigations, certain terms, conditions, reservations, restrictions, and notifications are required. Disclosure of conditions and use restrictions are described below and will be included in the transfer documents.

NOTICE OF THE PRESENCE OF ASBESTOS. The Property existing on the date of this conveyance contains certain amounts of nonfriable asbestos. The GRANTEE covenants and agrees, on behalf of it, its successors and assigns, that in its use and occupancy of the Property, it will comply with all applicable laws relating to asbestos, and that the GRANTOR assumes no liability for damages for personal injury, illness, disability or death, to the GRANTEE, its successors or assigns, or to any other person including members of the general public, arising from or incident to the purchase, transportation, removal, handling, alterations, renovations, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the Property described in this Deed, regardless of whether the GRANTEE, its successors or assigns have properly warned or failed properly to warn the individual(s) injured.

NOTICE OF THE POTENTIAL PRESENCE OF CONTAMINATED GROUNDWATER. The groundwater beneath the property may contain volatile organic compounds (VOCs), primarily trichloroethene (TCE). The maximum estimated total VOC concentration in the groundwater beneath the property is 1 microgram per liter or less. This notice is provided pursuant to Section 120(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). A pump-and-treat groundwater remediation system is in place and shown to be operating effectively. No well drilling or use of groundwater will be permitted on the property.

On the basis of the above information, I conclude that the Interim, Inc. Parcel, Buildings 6111 through 6114, should be assigned Department of Defense of Defense (DoD) Environmental Condition Category 3 and is transferable under Section (§) 120(h)(3) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). As such the deed for this transaction will contain:

- The covenant under CERCLA § 120(h)(3)(B)(i) warranting that all remedial action under CERCLA necessary to protect human health and the environment with respect to hazardous substances remaining on the Property has been taken
- The covenant under CERCLA § 120(h)(3)(B)(ii) warranting that any remedial action under CERCLA found to be necessary after the date of transfer shall be conducted by the United States
- The clause under CERCLA § 120(h)(3)(C) granting the United States access to the Property in any case in which remedial action or corrective action is found to be necessary after the date of transfer.

Toni B. Wainwright
Assistant Deputy Chief of Staff
Base Operations Support

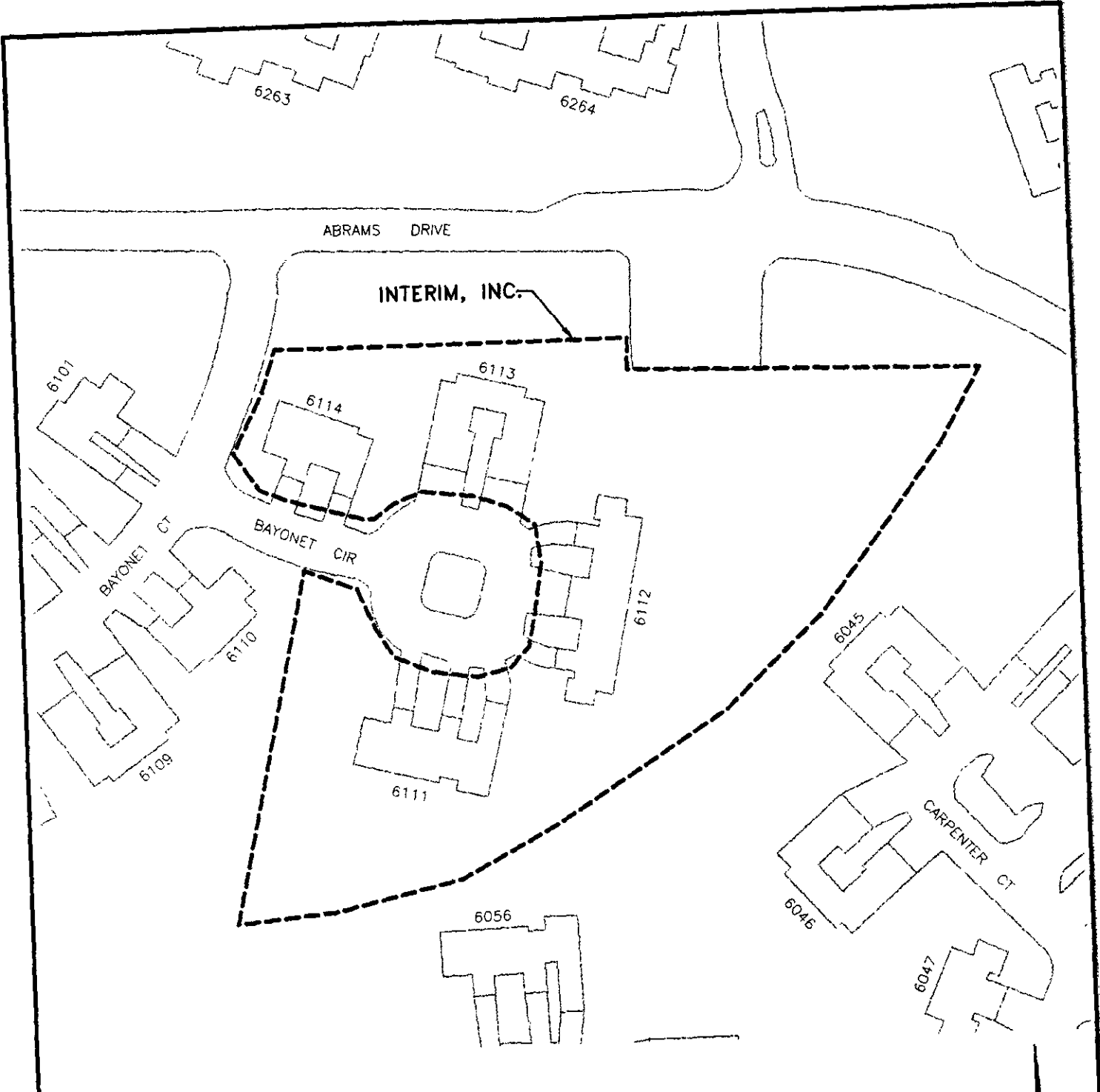
UNRES LVED AGENCY C MMENT
McKINNEY GROUP C EBS/FOST/FOSL

US EPA 15 December 1995 Comment:

Public Law 102-484, as amended by Public Law 103-160, provides for indemnification by the military services when property on closing military bases is transferred. This law provides that the military indemnify persons and entities acquiring ownership or control of property at a closing military base from liability for personal injury and property damage resulting from the release or threatened release of a hazardous substance (such as asbestos), unless the person or entity acquiring the property contributed to the release. It is unclear whether the FOST's statements on the Army not assuming liability for the transferee's contact with asbestos are consistent with the indemnification required by law. To avoid confusion over the indemnification that the Army is required to provide, EPA recommends that the mention of future liability be deleted and that the statutory language be relied on to determine any future liability.

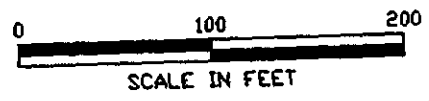
**Table 1. Maximum Chemical Concentration by Aquifer Zone
OU 2 Groundwater Plume
Former Fort Ord, California**

Aquifer Zone	Substance	Concentration ($\mu\text{g/L}$)
Upper Aquifer Zone	1,1,1-trichloroethane	31
	1,1,2,2-tetrachloroethane	0.6
	1,1-dichloroethane	12
	1,1-dichloroethene	4.6
	1,2-dichlorobenzene	3.7
	1,2-dichloroethane	6.9
	1,2-dichloropropane	8.6
	1,4-dichlorobenzene	4.3
	benzene	2.6
	bromodichloromethane	3.1
	bromoform	3.1
	chloroform	16
	cis-1,2-dichloroethane	54
	dibromochloromethane	4.2
	methylene chloride	130
	tetrachloroethene	8.2
	trans-1,2-dichloroethane	4.1
	trichloroethene	80
	trichlorofluoromethane	52
	vinyl chloride	8
180-Foot Aquifer Zone	1,1,1-trichloroethane	0.6
	1,2-dichlorobenzene	0.6
	1,2-dichloropropane	1
	benzene	1.4
	carbon tetrachloride	0.7
	chloroform	1.6
	chloromethane	0.5
	cis-1,2-dichloroethane	4.6
	cis-1,3-dichloropropene	1.8
	ethylbenzene	1.2
	methylene chloride	1.2
	tetrachloroethene	1.8
	toluene	0.6
	trans-1,2-dichloroethane	1.8
	trichloroethene	50
	vinyl chloride	1.2
400-Foot Aquifer Zone	1,1,1-trichloroethane	2.2
	methylene chloride	1.1
	tetrachloroethene	0.9
	toluene	2.1



EXPLANATION

----- PARCEL BOUNDARY



PROPERTY BOUNDARIES INDICATED ARE APPROXIMATE AND ARE NOT INTENDED TO REPRESENT THE LEGAL DESCRIPTION OF THE PARCEL(S)

PLATE



Herding Lawson Associates
Engineering and Environmental Services

Interim, Inc. Parcel
Finding of Suitability to Transfer
McKinney Group C Parcels
Former Fort Ord, California

1

DRAWN CSN	JOB NUMBER 25894 0017616	APPROVED <i>SL</i>	DATE 10/95	REVISED DATE
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25894236 1000
199510101334

11

Notes of Bearings

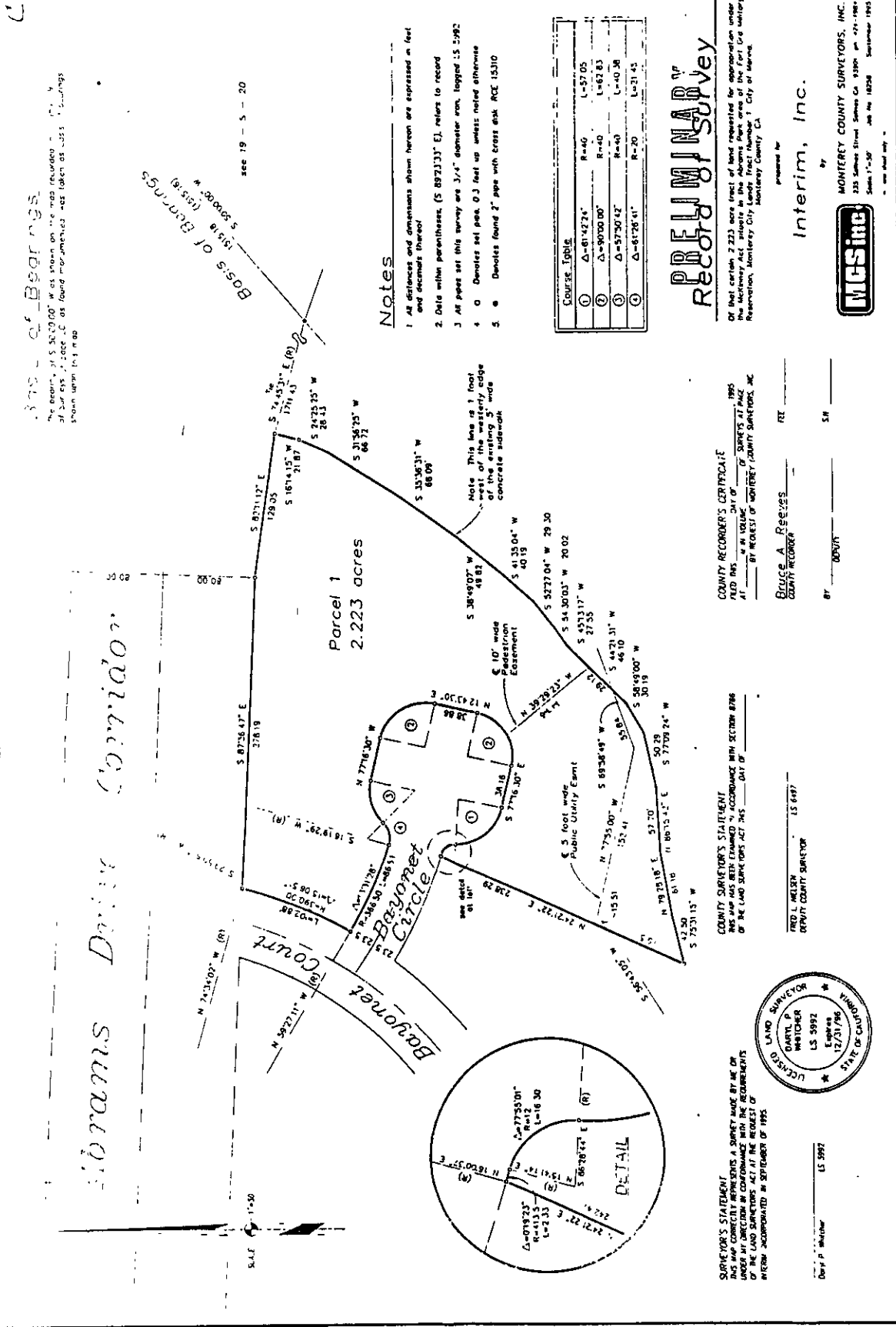
The bearing of S 30° 00' 00" W as shown on the map recorded in Map 17 of the 1955 Volume 12 of the Public Records of Monterey County, California, as found by the method was taken as the true bearing shown upon this map.

Basis of Bearings
 1918 (1918)
 1918 (1918)
 1918 (1918)

see 19 - S - 20

Siobrans Drive Corridor

Parcel 1
 2.223 acres



Notes

- All distances and dimensions shown herein are expressed in feet and decimal thereof.
- Data within parentheses, (S 89° 23' 33" E), refers to record.
- All poles set this survey are 3/4" diameter iron, topped LS 2492.
- 0 Denotes set pole, 0.3 feet up unless noted otherwise.
- Denotes found 2" pipe with cross disk PCE 15310.

COURSE	ANGLE	RADIUS	CHORD	BEARING
1	Δ=81° 42' 24"	R=40	L=57.05	
2	Δ=90° 00' 00"	R=40	L=62.83	
3	Δ=57° 50' 42"	R=40	L=40.38	
4	Δ=81° 28' 41"	R=20	L=31.45	

REDFIELD SURVEY

OF THAT CERTAIN 2.223 ACRE TRACT OF LAND REQUESTED FOR APPROPRIATION UNDER THE MONTEREY ACT LOCATED IN THE ABOVE DESCRIBED AREA OF THE PORT OF MONTEREY RESERVATION, MONTEREY CITY, MONTEREY COUNTY, CALIFORNIA.

prepared by
 Interim, Inc.
 by
 MONTEREY COUNTY SURVEYORS, INC.
 235 Salinas Street, Salinas, Ca. 93901, on 2-1-1987
 Scale 1"=50' Job No. 18258 September 1985



COUNTY RECORDER'S CERTIFICATE

FILED THIS 24th DAY OF SEPTEMBER 1985
 AT MONTEREY, CALIFORNIA
 BY REQUEST OF MONTEREY COUNTY SURVEYORS, INC.

Bruce A. Reeves
 COUNTY RECORDER
 Fee \$100.00
 BY DONUT \$10

COUNTY SURVEYOR'S STATEMENT
 THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8796
 OF THE LAND SURVEYORS ACT AND IS CORRECT AS SHOWN.

Fred L. Nelson
 DEPUTY COUNTY SURVEYOR
 License 15 6497



SURVEYOR'S STATEMENT
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR
 UNDER MY SUPERVISION IN CONFORMANCE WITH THE REQUIREMENTS
 OF THE LAND SURVEYORS ACT, AT THE REQUEST OF THE
 PERSON ACCOMPANIED IN SEPTEMBER OF 1985.

Don P. Shelton
 License 15 5997

