

**Munitions Response (MR) Base Realignment and Closure (BRAC) Cleanup Team (BCT)
Meeting Minutes
13 May 2022**

Members/Invited Attendees

Maeve Clancy, EPA
Lynne Baumgras, DTSC (phone)
Brett Leary, DTSC
Bill Collins, Fort Ord BRAC
Eric Morgan, BLM
Curtis Payton, USACE
Bridget Floyd, USACE
Jolie Higgins, USACE

Melissa Broadston, City of Seaside
Ben Havens-Stokes, City of Seaside (phone)
Derek Lieberman, Ahtna
Aaron Kochman, Chenega
Bart Kowalski, Chenega
Chieko Nozaki, Chenega
Cary Stiebel, Chenega
Val Valdez, Chenega (phone)

Acronyms

BLM Bureau of Land Management
DTSC California Department of Toxic Substances Control
EPA U.S. Environmental Protection Agency
USACE U.S. Army Corps of Engineers

Agenda

<u>Item</u>	<u>Action</u>	<u>Comment</u>
Community Relations	Update	by Chieko Nozaki
Property Transfer	Update	by Derek Lieberman
Environmental Services Cooperative Agreement (ESCA)	Update	by City of Seaside
Site Security Program	Update	by Chieko Nozaki
Fieldwork/Impact Area Munitions Response Area	Update	by Curtis Payton
Report Status	Update	by Chieko Nozaki
Federal Facility Agreement (FFA) Schedule	Update	by Chieko Nozaki
Action Items	Review	by Chieko Nozaki
Next meetings	Schedule	by Chieko Nozaki

Community Relations - The Army provided an update on community outreach.

1. Recent Activities: Technical Review Committee (TRC) meeting was held 2/15. Associated Press issued an article on Fort Ord on 2/23. In March, the online Community Involvement Workshop (CIW) was extended to May. BRAC continued to respond to community questions on the information line and online comment form. In May, mailed/emailed to the interested parties the invitations to the 5/14 guided walk event. Online registration opened on 4/22 and closed on 4/25. In March, a fact sheet about a scheduled drone flight was prepared, and munitions safety training fact sheet was updated in April. BRAC participated in an Earth Day event in Seaside on 4/30 and Defense Language Institute Language Day on 5/13.
2. Upcoming Activities: Publication of the public comment period for Findings of Suitability to Transfer (FOST) Number 11, Amendment No. 1 in local newspapers is tentatively planned. A guided Nature Walk in the Impact Area MRA is scheduled for 5/14. The next CIW will be an open house on 7/23. TRC meeting is scheduled for 7/26.

Property Transfer - The Army provided an update on recent property transfer actions.

1. Finding of Suitability to Transfer (FOST) 6: Parcel F2.7.2
 - a. This parcel includes Site 33, the Golf Course Maintenance Area at Bayonet and Black Horse Golf Course. The Remedial Investigation (RI) Sites Record of Decision (ROD) selected remedy is a deed restriction on residential use. In 2021, the site developer completed additional remedial actions and requested DTSC to remove the restriction. DTSC has approved the remedial action report and subsequently terminated the Covenant to Restrict the Use of Property (CRUP) that removed the state's residential use restriction. The Army can remove the deed restriction after the other regulatory agencies provide concurrence. EPA has indicated a memo to file or other post-ROD change may be needed to address the change under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
 - b. BRAC met with a representative of the site developer in May 2022. The developer will produce an Explanation of Significant Differences (ESD). It will be subject to agency review per the FFA process for primary documents, and a public comment period will be required. The developer requested expedited reviews.
2. FOST 11: Parcels L2.3 and L2.4.1
 - a. The FOST had been signed (in 2017) prior to the change that ended Army's participation in the State CRUP process. There is a need to amend the FOST to document the changes. The amendment will remove the reference to Army participation in the State CRUP process and update the processes for response to incidental munitions discoveries and annual reporting of land use controls.
 - b. The Army will hold a 7-day public comment period for the FOST amendment. Based on a review of draft FOST amendment in 2021, BCT agreed to develop a memorandum to file to document the change as a minor change to the ROD. DTSC and EPA provided comments on the draft memorandum on 10/26/2021. A revision to the memorandum to file is in progress. The 7-day public comment period will be held after the execution of the memorandum.
 - c. The Army will provide the draft deed to EPA and DTSC for review after USACE Headquarters (HQ) review. The draft revised deed has been sent to the City of Seaside. The Army will execute the deed after DTSC has a CRUP in place with the City of Seaside. DTSC had reported the CRUP was ready for execution pending FOST amendment resolution and property transfer. Environmental Condition of Property (ECP) recertification is required. The target for the transfer of the property is 9/30.

3. FOST 12: Parcels E20.c.1 and S2.1.2
 - a. For S2.1.2, a process similar to FOST 11 may be required because the Operable Unit 1 (OU1) ESD states a CRUP will be established between the Army and the State.
 - b. For E20c.1, the Army is considering the option to transfer the property under CERCLA section 120(h)(4). In January 2022 Fort Ord BRAC submitted a letter to EPA requesting concurrence. EPA disagreed in a letter dated 4/14. The Army is evaluating CERCLA 120(h)(3) and section 120(h)(4) requirements to determine a path forward.
4. FOST 13: Parcel L36
 - a. Draft deed is in progress. Comments from USACE Office of Counsel and the City of Seaside have been addressed. Environmental Law Division (ELD) is coordinating with Office of General Counsel (OGC) regarding a deed language.
 - b. USACE Sacramento District (SPK) Real Estate (RE) will send the transfer package to USACE HQ. ECP recertification is required. The target for the transfer of the property is 9/30.
5. FOSET 1 CERCLA Warranty:
 - a. Parcel L5.1.1 (Public Benefit Conveyance): SPK-RE is working with City of Marina to determine the process to complete the documentation.
 - b. Parcel L5.1.1.1 (FAAF MRS-34): SPK-RE is scheduled to send the disposal package to USACE HQ 5/13.
6. FOSET 4 CERCLA Warranty: SPK-RE is collecting all previous conveyance documents from the City of Del Rey Oaks to complete the disposal package.
7. FOSET 5 Non-ESCA CERCLA Warranties (ESCA CERCLA Warranties were recorded on 6/26/20):
 - a. City of Marina Parcels E4.3.2.2, E4.7.1, E5a.1, and L5.10.1 (property overlying Operable Unit Carbon Tetrachloride Plume [OUCTP]): SPK-RE is scheduled to send the disposal package to USACE HQ 5/13.
 - b. County of Monterey Parcel E4.7.2 (property overlying OUCTP): SPK-RE is scheduled to send the disposal package to USACE HQ 5/13.
8. Letter of Transfer: Parcel L20.4
 - a. The letter of transfer had been staffed for signature in 2013. The letter of transfer was updated and resubmitted to ELD in May 2021. An ECP update is required. SPK-RE sent an updated Letter of Transfer package to USACE-HQ in December 2021. The target for the transfer of the property is 6/30.

ESCA Update - City of Seaside provided an update.

1. Seaside ESCA is working with Monterey County to address DTSC comments on the land use control (LUC) annual report. A meeting with DTSC is scheduled for 5/18. The County plans to update its GIS/database that display the property boundaries and associated land use restrictions.
2. Meetings:
 - a. ESCA is conducting quarterly Long-Term Obligations (LTO) meetings to discuss land use control implementation. Recent meetings occurred on 3/1 and 5/4. The next meeting will be held on 6/1.
 - b. ESCA is in the process of scheduling LUC implementation plan training sessions with local jurisdictions.
 - c. City of Seaside is coordinating with local jurisdictions to obtain a replacement Pollution Legal Liability insurance.
3. Trespassing:

- a. Monterey Peninsula College provided a report on its follow-up measures related to an illegal “pump track” that had been discovered in November 2021 in the Parker Flats Munitions Response Area (MRA). The bridges have been removed. “No Digging” and “Stay on Trails” signs will be installed.
 - b. Seaside ESCA continues to monitor the area of previous discoveries of illegal encampments in the Seaside MRA. City of Seaside has conducted repairs on nearby fence along General Jim Moore Blvd.
4. Upcoming property transfer: City of Seaside transferred/sold the Nurses Barracks area to the developer, Glover/Parker Plats Apartments. In April, the entire property was placed on the Multiple Listing Service to announce purchase availability.
5. Construction and ground-disturbing activities:
 - a. Programmatic Construction Support Plan for Seaside Roadways and Utilities:
 - i. Pure Water Monterey Phases 3 and 4 in the Seaside MRA: The work is ongoing. A report on a completed task has been submitted.
 - ii. General Jim Moore Blvd. shared pipeline bypass project: The work is expected to complete in June 2022.
 - b. Construction Support Plan for Pure Water Monterey Phase 4 in the Parker Flats MRA: The project is in the bid process. Work is expected to start in late 2022.
 - c. Programmatic Construction Support Plan (anomaly avoidance) for Military Operations in Urban Terrain (MOUT) parcel: Fence construction is in the planning process. Work is expected to start by the end of 2022.
6. Other activities:
 - a. Removal of old signs, replacement with new signs, and clean up of sign-related debris, are ongoing.
 - b. City of Seaside cleared vegetation off Parker Flats Cutoff gate and Parker Flats gate. Installed gravel path for non-vehicular access.
 - c. ESCA continues to support the online munitions safety training program.
 - d. ESCA provided a quarterly update to the Seaside City Council on 4/21.
 - e. ESCA participated in the Earth Day event in Seaside on 4/30.
7. City of Seaside plans to open its portion of Eucalyptus Road to recreational parking. Additional signs will be installed. An opening ceremony is planned for 5/21.

Site Security Program – The Army provided a description of recent munitions, trespass, and security incidents, community education events, and related training.

1. Munitions Response Site (MRS) Security Program annual report was submitted 4/20.
2. Surveillance of MRS continued, including: Presidio of Monterey (POM) Police Department (PD) and BLM Law Enforcement Impact Area MRA patrols; BRAC site inspections; and BRAC monitoring using six motion-activated cameras at rotating locations.
3. Maintenance of Impact Area MRA fence, signs and gates: BLM perimeter fence inspection and repairs continued. Vegetation has been cut along Blue Line Road to improve fence visibility. Ranges gates has been updated and additional reinforcement with concertina wire is planned. Two large UXO signs will be updated.
4. Anticipated issues and actions in the near future:
 - a. Deterring and/or citing trespass into restricted areas with explosive hazards. BRAC issued a website news item informing the community about the 4/3 trespassing incident that resulted in citation. BRAC continued to follow up with law enforcement agencies on trespass incidents when detected.

- b. The Parker Flats Road gate is being prepared for eventual closure. City of Seaside has implemented physical preparation of the gate area. A test weekend closure is planned for June 2022.
 - c. City of Seaside plans to open its portion of Eucalyptus Road for recreational parking.
5. BLM described its recent work on fuel breaks roads, which are important for the overall protection of the lands. Broadway Bypass, where subsurface removal had been completed, was recently hardened making it drivable. Base rocks are due to be delivered week of 5/16 and will be used to maintain Oscar and Felix Roads (bordering the Interim Action Ranges MRA).

Fieldwork / Impact Area Munitions Response Area – USACE provided an update on the status of upcoming fieldwork.

1. 2021 surface monitoring fieldwork was completed in December 2021. The report is anticipated to be submitted in June 2022. The 2022 surface monitoring fieldwork is expected to occur in July-August.
2. Unit 5 vegetation mastication was completed in December 2021. Discovery of one of the items led to new safety arc distances. An update to the safety submission is in progress. Field activities are anticipated to recommence in June 2022.
3. Field work planned for 2023 include intrusive investigation of remaining anomalies in two fuel break roads, and subsurface removal utilizing advanced geophysical classification (AGC) in 16 grids in Unit 12 as part of continuation of the field study. Annual surface monitoring of Impact Area units will occur mid-year.

Report Status – The Army provided a review and update. FFA schedules are current.

1. Draft Final Impact Area MRA Non-Burn Fuelbreaks Technical Information Paper, Volumes 1 and 2, issued on 11/15/2021, has been finalized without revision.
2. MRS-BLM Unit 5 (2021 Unit) MEC-QAPP Addendum was issued as final on 4/13. The Army received a community comment letter on 4/24 and responded to it on 5/10.
3. MRS-BLM Unit 5 (2021 Unit) SSWP Addendum MEC Remedial Action was issued as final on 4/13.
4. Impact Area MRA Surface Remediation Area Annual Monitoring Report (2021) is scheduled to be issued in June.
5. Track 2 BLM Area B & MRS-16 Annual LUC Monitoring Report (2021) was submitted on 4/26.
6. The MRS Security Program Annual Report (2021) was submitted on 4/20.
7. Deed releases and CERCLA warranty document status will be tracked

Action Items – Due action items were described as complete and pending items were reviewed.

The next meeting of the MR BCT was scheduled for 9/21/2022.

Finalized 6/6/2022