



DEPARTMENT OF THE ARMY  
ARMY BASE REALIGNMENT AND CLOSURE, FORT ORD OFFICE  
P.O. BOX 5008, BUILDING #4463 GIGLING ROAD  
MONTEREY, CA 93944-5008

REPLY TO  
ATTENTION OF:

FEB 25 2009

Base Realignment and Closure Office

Doug Cooper  
U.S. Fish and Wildlife Service  
2493 Portola Road, Suite B  
Ventura, California 93003

Dear Mr. Cooper:

Enclosed are biological monitoring reports documenting results of surveys and mitigation implementation for Army cleanup actions conducted at former Fort Ord in 2008. These reports are provided in accordance with the requirements of the Installation-Wide Multispecies Habitat Management Plan (HMP) and Biological Opinions (1999, 2002, and 2005).

The enclosed information includes: 1) an update of consultation history; 2) HMP and Biological Opinion implementation summary; 3) summary of land transfers; 4) and; a summary of incidental take.

If you have any questions regarding this information, please contact me at (831) 242-7920 or email <william.k.collins@us.army.mil>.

Sincerely,

A handwritten signature in cursive script that reads "William K. Collins".

William K. Collins  
Wildlife Biologist  
Base Realignment and Closure Office

Copies Furnished  
Patty Valez, CDFG

**ANNUAL REPORT TO U.S. FISH AND WILDLIFE SERVICE**  
**U.S. Army, Base Realignment and Closure Office, Former Fort Ord, California**  
**February 2009**

**Background**

On 19 October 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 a modification to the HMP was necessary to reflect changes in species listings, changes to the FORA 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, State Parks 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 five times since the HMP was published in April 1997. These consultations resulted in the Service issuing the following 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*.

## **Coordination with the Service in 2008**

In 2008 the Army coordinated with the Service on issues including informal consultation to mechanically cut 49 acres of Central Maritime Chaparral within Burn Units 18 and 22 to prepare the units for prescribed burning. The Army provided periodic updates to the Service on the status of prescribed burns.

As required by the BO's, 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 (2008 FONR Impact Assessment and Habitat and Rare Plant Species Survey Results, Fritzsche Army Airfield Fire Drill Area, Former Fort Ord, California, and the Non-Environmental Services Cooperative Agreement Portion of Ranges 43-48 Biological Monitoring Report, Former Fort Ord) describe actions taken in 2008 to implement requirements identified in the HMP, BO's, and subsequent informal consultations. Two additional reports (Environmental Service Cooperative Agreement Annual Biological Monitoring Report and the Operable Unit (OU) Carbon Tetrachloride Plume (CTP) Annual Biological Monitoring Report will be sent under a separate cover. The following is a summary of Army actions that occurred in 2008.

## **Implementation of the HMP and BO's**

### **1. Landfill (OU-2)**

The landfill is identified in the Amendment to Selected Remedy for Site 39 Inland Ranges to receive additional contaminated soil from Site 39 excavations for consolidation of contaminated soil on former Fort Ord. Transportation of contaminated soil is expected to occur on the existing network of haul roads. The Final Feasibility Study Addendum identifies the preferred remedial alternative for Site 39 and will result in the excavation of approximately 125,000 cubic yards of contaminated soil to be placed on Cell E and covered with an impermeable cap to ensure protection of human health and the environment. Work is expected to begin in 2009 following completion of the Site 39 Record of Decision Amendment.

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 continues to fund BLM to provide invasive species' control on Army owned lands including the 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 has finalized a Habitat Restoration and Monitoring Plan that will be implemented over the

next 5 years by CDPR to fulfill the ecological monitoring requirement in the ROD. The monitoring will document whether the remedy remains protective of ecological receptors including listed species.

CDPR 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 planted in the restoration portions of the ranges in the fall/winter of 2008. These restored areas will be monitored over the next five years to evaluate the success of the restoration as required by the Site 3 Habitat Restoration and Monitoring Plan.

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

### **3. Contaminated Soil (Site 39)**

No Central Maritime Chaparral in designated Natural Resource Management Areas (NRMA) was disturbed in 2008 as a result of contaminated soil remediation. The Army prepared an Ecological Risk Assessment (ERA) for Site 39 (<http://www.fortordcleanup.com/adminrec/ar%5Fpdfs/AR%2DBW%2D2226U/>) which determined the cleanup levels for metals and explosive constituents in soil. The Final Site 39 ERA is included as a reference document for the re-initiation of formal consultation the Army is preparing in 2009 to describe the residual levels of these chemicals and the potential impacts to listed species and critical habitat in accordance with Section 7 of the Endangered Species Act. The ERA was prepared to help select the preferred remedial alternative in accordance with the Comprehensive Environmental Response, Compensation and Liability Act.

Excavation of contaminated soils within the Impact Area is expected to continue in the summer of 2009 once the ROD Amendment is signed. Once contaminated soils are excavated and removed to the Landfill, the remediated areas will be passively or actively restored in accordance with the Habitat Restoration Plan Site 39 Inland Ranges (<http://www.fortordcleanup.com/adminrec/ar%5Fpdfs/AR%2DBW%2D2450/>). 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 2010 – 2011 following the range remediation activities.

### **4. Munitions and Explosives of Concern (MEC)**

The Army completed the MEC remedial action at Munitions Response Site (MRS) 16 where 80 acres of Central Maritime Chaparral within Habitat Reserve was prescribed burned in 2006. The year-three habitat monitoring is schedule to occur in 2009.

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 (<http://www.fortordcleanup.com/adminrec/ar%5Fpdfs/AR%2DOE%2D0647/>).

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 49 acres of primary containment lines surrounding Burn Units 18 and 22 located within the Impact Area. These containment lines were 200' wide and located around the perimeter of the two Burn Units that were prescribed burned in 2008 (150 acres). The Service concurred with the Army's containment line mowing which supported the 2008 prescribed burns. The 150 acres were successfully burned over a two-day period in December 2008.

FORA's contractor implementing the terms of the ESCA mechanically cleared approximately 81 acres of Habitat Reserve within the Parker Flats Munitions Response Area (MRA). The Parker Flats MRA is comprised primarily of coast live oak woodland. However, a total of 26 acres of Central Maritime Chaparral was mechanically cut to facilitate the investigation of MEC within the ESCA portions of Parker Flats designated as development parcels. The vegetation clearance activities began following the baseline biological surveys which will continue to be monitored in accordance with the monitoring protocol to determine if there were any impacts to HMP species.

Habitat monitoring results are included in the attached reports documenting survey results in both the ESCA portions and Non-ESCA portions of Habitat Reserve within Ranges 43 - 48. This was the 3rd monitoring event since the site was burned in 2003. Monitoring was conducted in accordance with the Draft Vegetation Monitoring Protocol (Burleson Consulting, 2006) and the HMP and Biological Opinions.

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 Habitat Reserve.

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, approximately 533 gallons of Roundup Pro® were applied on 1,265 acres of former Fort Ord and over 1,116

person-hours were spent controlling the spread of invasive weeds from both habitat and development parcels still under Army control.

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

Groundwater remediation activities continued at two OU's. Remediation activities at OU-1 and OU-CTP 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.

Twenty-six groundwater monitoring, injection, and extraction wells were installed at OU-CTP in 2007. The OU-CTP groundwater treatment pilot study was completed in 2008 to address the newly discovered contaminated groundwater plume. Quarterly groundwater monitoring continues to be implemented at both OU's within the Northern Reserve Area with minimal impacts to HMP species. Access roads and Well sites impacted for these activities were monitored to determine impacts to sand gilia and Monterey spineflower populations within the UC Reserve. Populations of both species within access roads and well locations continue to occur where previously mapped.

## **6. Infrastructure Development Projects**

In 2008, FORA continued to construct the realignment of General Jim Moore Boulevard and Eucalyptus Road. These road projects occur within development parcels with no HMP resource or conservation measures. However, the 2005 Biological Opinion for the California tiger salamander required mitigation measures to minimize and or reduce impacts to the threatened salamander. FORA implemented the applicable Terms and Conditions in the 2005 Biological Opinion as required by the Army's Right-of-Entry to construct the road realignment. Approximately 35 acres of upland habitat for the California tiger salamander were affected by the road construction. No California tiger salamanders were encountered during the construction. The project is expected to continue for the next couple years.

## **7. Summary of Land Transfers**

A total of 15,219 acres of the total 27,827 acres of former Fort Ord have been transferred since 1994. A total of 11.37 acres were transferred in 2008 (see attached map). More than 8,140 acres have been transferred to agencies responsible for managing former Fort Ord lands as habitat reserves. Another 1,386 acres have been transferred as Development with Reserves or Development with Restrictions. A total of 5,693 acres have been transferred as Development parcels.

## **8. Incidental Take and Sightings**

No take of Smith's blue butterflies, western snowy plovers or California tiger salamanders occurred in 2008 as a result of the Army's ongoing pre-disposal actions.