

**Munitions Response (MR) Base Realignment and Closure (BRAC) Cleanup Team (BCT)  
Meeting Minutes  
1 May 2020  
Conference Call**

Members/Invited Attendees

Maeve Clancy, EPA (phone)	Stan Cook, FORA (phone)
Brett Leary, DTSC (phone)	Cary Stibel, Chenega (phone)
Roman Racca, DTSC (phone)	Melissa Broadston, Chenega (phone)
Noel Shrum, DTSC (phone)	Tom Ghigliotto, Chenega (phone)
Bill Collins, Fort Ord BRAC (phone)	Aaron Kochman, Chenega (phone)
Eric Morgan, BLM (phone)	Betsy Hibbits, Chenega (phone)
Curtis Payton, USACE (phone)	Bart Kowalski, Chenega (phone)
Duane Balch, USACE (phone)	Chieko Nozaki, Chenega (phone)
Derek Lieberman, Ahtna (phone)	Val Valdez, Chenega (phone)

Acronyms

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

Agenda

<u>Item</u>	<u>Action</u>	<u>Comment</u>
Community Relations	Update	by Melissa Broadston
Property Transfer	Update	by Derek Lieberman
Environmental Services Cooperative Agreement (ESCA)	Update	by Stan Cook
Munitions Contract	Update	By Curtis Payton
Site Security Program	Update	by Betsy Hibbits
Report Status	Update	by Chieko Nozaki
Federal Facility Agreement (FFA) Schedule	Update	by Chieko Nozaki
Action Items	Review	by Chieko Nozaki
Next Meeting	Schedule	by Chieko Nozaki

**Community Relations** – The Army provided an update on community outreach:

1. Long term actions underway: The Army is analyzing the results for the 2019 Community Surveys and the 2019 – 2020 Community Involvement Activities.
2. Recent activities included: Updated website to include messaging on maintaining social distances in the Fort Ord National Monument and announcing the postponement of the May 2 Nature Walk. Discussed outreach program with new USEPA Community Involvement Coordinator, Gavin Pauley; updated website and fact sheets with his information; 16 April Monterey County Weekly article: SquidFry, Darwin Award regarding trespassing incident that included use of metal detector; 23 April Monterey County Weekly Article: Forever Chemicals, Army report analyzed the risk of PFAS chemical contamination on Fort Ord; updates to Frequently Asked Questions regarding access in the northern portion of the Fort Ord National Monument are in progress.
3. Upcoming activities: 2 May guided nature walk in the Impact Area (postponed), 8 May Presidio of Monterey Language Day Information Booth (cancelled), 18 July Community Involvement Mobile Workshop is still planned followed by Technical Review Committee on 21 July.

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

No change since last month except that deed modifications are going through Office of General Counsel (OGC) and Environmental Law Division (ELD) review.

1. FOST 11 (Parcels L2.3 and L2.4.1): USACE Sacramento District Real Estate (SPK-RE) submitted draft deed to FORA on 1/18/2019. Amendment to Memorandum of Agreement (MOA) for Economic Development Conveyance (EDC) transfers is at Office of Deputy Assistant Secretary of the Army (ODASA), under review at OGC. On 2/4/2020 FORA provided partial comments on draft deed; on 4/2/2020 FORA provided additional comments.
2. FOST 13 (Parcel L36): No change. The amendment to EDC MOA includes L36 and is pending execution by DASA. The draft Finding of Suitability to Transfer (FOST) was submitted to ELD on 4/22/2020.
3. FOST 12 (Parcel E20c.1 to FORA): No change. ELD is coordinating with OGC whether Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) notice will be included.
4. FOST 12 (Parcel S2.1.2 to University of California [UC]): BRAC-D executed Environmental Condition of Property (ECP) recertification on 5/10/2019. SPK-RE requested full list of comments on 1/15/2019 and followed up on 12/9/2019, 1/23/2020, 2/4/2020, and 4/8/2020. UC is working on necessary documentation for internal approvals.
5. FOSET 1 & 4 CERCLA warranty documents: original deeds were submitted to ELD on 4/14/2020.
6. FOSET 5 CERCLA warranty for non-ESCA parcels (City of Marina and County of Monterey parcels): original deeds were submitted to ELD on 4/14/2020.
7. FOSET 5 CERCLA warranty for ESCA CSUMB Parcel S1.3.2 (Group 2): Revised draft was resubmitted to ELD on 7/23/2019. It was provided to SPK-RE on 10/17/2019 and to FORA. When complete, it will be used as a template for other CERCLA warranty documents.
8. FOSET 5 CERCLA warranties for other ESCA parcels (listed by planned deed modification): In progress. ELD is working with SPK-RE to confirm the format of the warranties.

**ESCA Update:** FORA provided a handout and an update.

1. A copy of ESCA monthly long-term obligations activity report for April was provided. FORA is meeting with local jurisdictions' management staff quarterly, and with police, planning, permitting and property management staff quarterly. FORA is also conducting quarterly property inspections.
2. FORA refreshed the ESCA No Trespassing signs by refacing with decals that had a new design reviewed by BLM and City of Seaside.
3. The City of Seaside is coordinating with FORA, BLM, and the Army about gate access and security on Parker Flats and Parker Flats Cutoff Roads near the Central Coast Veterans Cemetery.

4. Department of Defense Office of Economic Adjustment recognized the City of Seaside as the Local Redevelopment Authority (LRA) Successor-In Interest for the purposes of maintaining the Army/FORA Economic Development Conveyance (EDC) Memorandum of Agreement at Fort Ord.

**Munitions Contract Update** – USACE provided an update on the status of the munitions contract.

1. Due to constrained funding, a new 5-year multimillion dollar contract to continue prescribed burns and MEC cleanup will not be awarded in FY20 or FY21.
2. The previous munitions contract expired on 3/31/2020. Outstanding documents are being completed under a partnership with Leisnoi as the prime contractor and Kemron in a subcontractor role until 6/30/2020.
3. The Army is planning to solicit a new large contract in 2022 for award of a 5-year contract for MEC cleanup.
4. A short term “Interim MEC” contract will be solicited for completion of Annual Surface Monitoring, UXO support (escorts, construction support, and MEC find identification and disposition), maintenance of the license for the Explosives Storage Locker, and other potential small scale MEC issues. Optional tasks may be included: encampment cleanups, guarding of certain munitions finds, and other actions requiring rapid response for which a pre-funded exercise of option can be performed verbally. Contract is expected to be awarded in July of 2020 and would be available for three to five years.

**MMRP Safety and Site Security** – The Army provided a description of recent MEC, trespass, and security incidents, community education events, and related training:

1. Trespass Incident Reports. All fence breaches have been repaired. The Army works with BLM to repair fences within days.
  - a. Last 42 days since prior BCT meeting (3/14/2020 – 4/27/2020): 12
    - i. On 3/16/2020, BLM Law Enforcement found evidence of trespass through the Impact Area fence along South Boundary Road. Concertina wire was pushed back; no damage to fence.
    - ii. On 3/23/2020, BRAC staff found evidence of trespass through the Impact Area fence near the Laguna Seca South gate. Concertina wire was cut and pushed aside; no damage to fence.
    - iii. On 3/23/2020, BLM staff found the fence breach hidden behind trees discovered on 3/10/2020 was opened up again.
    - iv. On 3/30/2020, BLM staff found evidence of trespass through the Impact Area fence between the Nowhere and Broadway West gates. The bottom 3 strands of wire and concertina were cut. This is within 100 feet north of trespass incidents on 3/10/2020 and 3/23/2020.
    - v. On 4/15/2020, BLM staff found evidence of trespass through the Impact Area fence along Barloy Canyon Road north of Laguna Seca. The top wire strand was cut.
    - vi. On 4/17/2020, BRAC staff found evidence of trespass through the Impact Area fence near Laguna Seca (between Impossible Canyon South Gate at South Boundary Road and Hugo Gate). The top three wires were loose and were twisted together to make space for access. Same location as similar 3/23/2020

- incident.
- vii. On 4/19/2020, BLM Law Enforcement found evidence of trespass into the Impact Area MRA: fresh bicycle tracks on Impossible Canyon Road near the MOUT site from Wildcat Ridge Rd to Hawkeye Rd. No other tracks observed and no one was found inside the MOUT site.
  - viii. On 4/19/2020 BLM Law Enforcement found evidence of trespass into the Impact Area MRA: fence pushed down just north of the Bitter Gate.
  - ix. On 4/21/2020 BLM Law Enforcement found evidence of trespass into the Impact Area MRA within 2 fence lengths east of the MOUT gate (Impossible Canyon Gate on Eucalyptus Rd). Concertina had been pushed down and footprints were present.
  - x. On 4/24/2020, BRAC staff found evidence of trespass into the Impact Area MRA just south of Bitter Gate. Concertina wire had been pulled up onto the fence t-posts and the ground was dug out to make space to pass under the barbed wire. A baseball cap was found on the ground on the Impact Area side of the fence.
  - xi. On 4/26/2020 at 1558, BLM Law Enforcement found evidence of trespass into the Impact Area MRA near the MOUT. Fresh bicycle tracks were found going up Riso Ridge Road from the MOUT, south of Hawkeye Road. Tracks turned around before Mercury Road. Different tire tread than found on 4/19/2020 on Impossible Canyon Road.
  - xii. On 4/27/2020 BLM Law Enforcement found evidence of trespass into the MOUT site and the Impact Area MRA. A trail of fresh footprints led from inside the MOUT site up the hill. Broken vegetation indicated repeated use. A stuffed animal was lying on the ground (wasn't there during last visit on 4/21/2020).
- b. 2020 trespass incidents year to date (1/1/2020 – 4/27/2020): 22
    - i. January: 2 incidents (Impact Area MRA)
    - ii. February: 2 incidents (BLM Area B)
    - iii. March: 10 incidents (Impact Area MRA)
    - iv. April 1-27: 8 incidents (Impact Area MRA)
2. Munitions Incident Reports
- a. Last 42 days since prior BCT meeting (3/14/2020 – 4/27/2020): 2
    - i. On 4/8/2020 a hiker reported finding suspicious metal exposed by recent rains on county trail C-62. BRAC Safety Manager located item and identified it as non-munitions related (pipe cap).
    - ii. On 4/26/2020 University of California Santa Cruz Fort Ord Natural Reserve in Marina found a suspected expended signal illumination flare. BRAC Safety Manager inspected the item and identified it as munitions debris (MD). Item was removed to be scrapped.
  - b. 2020 munitions incidents year to date: 3
3. Security Incidents
- a. On 4/10/2020, BLM Law Enforcement detained an individual who was using a metal detector off-trail in ESCA property north of the CCC Veterans Cemetery (Monterey County jurisdiction). He was in possession of a metal detector, a large sieve, a handheld “pinpoint” metal detector, trowel, and gloves. The individual had collected approximately

20 spent and unspent cartridges and other used ammunition items from the vicinity. BLM Law Enforcement informed him that he was not allowed to use a metal detector in this area due to potential explosive hazard. BLM Law Enforcement collected evidence and forwarded the case to the Monterey County Sheriff's Office. The County was unable to issue a citation on this case.

- b. On 4/19/2020 BLM received a report from a bicyclist that an individual was metal detecting somewhere on or around the former Travel Camp or East Garrison south of Watkins Gate Road, "on the other side of the barrier." This area is owned by Monterey County so would not be considered a trespass case into Army property. BLM Law Enforcement investigated and no suspects were found.
4. Community Education Participants
  - a. 1/1/2020 through 4/24/2020: 0
5. Munitions Recognition and Safety Training Participants
  - a. 1/1/2020 through 24 April 2020: 34
6. Since the local shelter-in-place order became in effect, there has been a significant increase in numbers of visitors in and near the Fort Ord National Monument. Eric Morgan informed the participants that BLM trails are open while official parking areas have been closed. The increase in visitors has led to more trash and illegal parking. Several reports of evidence of trespassing were recorded since the last BCT meeting. BCT members discussed the security measures that are currently being implemented, and planned measures recommended by the MRS Security Committee. The Army described weekly regular field visits and data collection program.
7. The Army described a regular field visit program aimed at continuing staff presence in sites where munitions responses are in progress, and to detect and record act or evidence of trespassing. The Army provided a map showing the location of field visits.

**Report Status**—The Army provided a review and update. The changes to the previous status report are:

1. Draft MRS-BLM Non-Burn, Technical Information Paper (TIP) for the Impact Area fuel breaks is scheduled for submittal in May.
2. MRS-BLM Non-Burn Structure Removal Report was issued 20 February. EPA and DTSC commented. Final version is scheduled to be issued on 2 May.
3. Draft Ranges 43-48 South Remedial Action Report (RAR) is in development and will be provided to agencies for review in May.
4. Final MRS-BLM Unit 23 MEC Risk Reduction Activity Technical Memorandum (TM) was issued on 30 March.
5. Draft Final MRS-BLM Unit 23 RAR was issued on 28 March. DTSC provided a letter of no comment. CAG comments of 28 April will be addressed.
6. Draft final MRS-BLM Unit 31 TIP was issued on 28 February. DTSC provided a letter of no comment. CAG commented on 6 April.
7. Impact Area MRA Surface Remediation Area Annual Monitoring Report was issued on 31 January. Updated version with corrected page 6 was provided on 28 February 2020. EPA comments were received and were addressed. Revised report was issued on 24 April.
8. BLM Area B Unit B TIP for public access on trails. Revised version addressing EPA and community comments was issued on 25 March. CAG commented. DTSC provided a letter of no comment.
9. Draft BLM Area B RAR is planned to be issued in early May.
10. Draft final BLM Area B Unit A (2018 Unit) TIP was issued on 19 March. DTSC provided a letter of no comment.
11. Track 2 BLM Area B & MRS-16 Annual LUC Monitoring Report (2019) was issued on 21 April.
12. Track 2 BLM Area B & MRS-16 Interim LUCIP Update of 30 April will be submitted.

13. MRS Security Program Annual Report (2019) is scheduled to be issued in May.
14. MRS Security Program 2020 Update is in progress and is scheduled to be issued in May.
15. Deed modification and CERCLA warranty document status will be tracked.

**FFA Schedule** – The regulatory agencies had approved revisions to the FFA schedules for the Ranges 43-48 South RAR and BLM Area B RAR (2017-2019). The Army will finalize the schedules.

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

**Other topics**

1. EPA announced selection of Fort Ord for the 2020 Federal Facility Excellence in Site Reuse Award.
2. The Army described draft version of Munitions Dashboard web application. It is intended as a tool to communicate previous munitions response results and munitions-related land use controls in transferred parcels. The application also shows land use restrictions in State Covenants to Restrict the Use of Property (CRUP), data compiled by Monterey County.

The next meeting of the MR BCT is scheduled for 7/17.

BH 6/22/2020