

**MARE ISLAND NAVAL SHIPYARD
RESTORATION ADVISORY BOARD (RAB) MEETING MINUTES
HELD THURSDAY, APRIL 28, 2005**

The Restoration Advisory Board (RAB) for former Mare Island Naval Shipyard (MINSY) held its regular meeting on Thursday, April 28, 2005, at the J.F. K. Library, Joseph Room in Vallejo, California. The meeting started at 7:14 p.m. and adjourned at 9:30 p.m. These minutes are a transcript of the discussions and presentations from the RAB Meeting. The following persons were in attendance during this month's RAB meeting.

RAB Members in attendance:

- Myrna Hayes (Community Co-Chair)
- Jerry Karr (Community Member)
- Paula Tygielski (Community Member)
- Kenn Browne (Community Member)
- Carolyn d'Almeida (EPA)
- Chip Gribble (DTSC)
- Gary Riley (RWQCB)
- Jerry Dunaway (Navy Co-Chair)
- Cris Jespersen (Weston Solutions)
- Dwight Gemar (Weston Solutions)
- Sheila Roebuck (Lennar Mare Island)
- Steve Farley (Lennar Mare Island)
- David Godsey (Navy)
- Michelle Trotter (DTSC)

Community Guests in attendance:

- Josh Sternberg
- Dennis Kelly

RAB Support from CDM:

- Regina Clifford
- Doris M. Bailey (Stenographer)
- Wally Neville

I. WELCOME AND INTRODUCTIONS

CO-CHAIR HAYES: Hi, good evening. My name is Myrna Hayes, and I am the community co-chair for the Restoration Advisory Board for Mare Island Naval Shipyard. And tonight is the anniversary, and it just slipped my mind, it's the 14th -- no, the 11th year of the Mare Island Restoration Advisory Board meeting once a month, and almost always in this room. So it's starting to feel an awful, way too much like home. And Dennis Kelly is back for that celebration, right? Dennis was the base conversion trans something.

CO-CHAIR DUNAWAY: Transition coordinator.

CO-CHAIR HAYES: Transition coordinator. No. Anyway, so welcome back. And I'm going to at this point hand the microphone over to the co-chair from the Navy, Jerry Dunaway.

CO-CHAIR DUNAWAY: Thank you, Myrna. And yes, welcome to our Restoration Advisory Board meeting for the month of April. We have a good presentation tonight on the cleanup

progress at one of our big cleanups the Navy has been focusing on for actually the last couple of years, and planning it as far back as 2003. Plus, we'll be talking a little bit about some redevelopment activities at that site also following the cleanup status. But first, why don't we start with introductions.

(Attendees introduced themselves as requested.)

II. PRESENTATION: *Update on Cleanup Progress and Redevelopment Activities at the Marine Corps Firing Range Site*

Presented by Mr. Dwight Gemar, Weston Solutions, Inc.; Mr. Josh Sternberg, Lennar Mare Island; and Mr. Jerry Dunaway, BRAC Program Management Office.

CO-CHAIR DUNAWAY: So Dennis did not fully introduce himself. He is returning to the Mare Island program after a, I don't know, a couple years hiatus. He is now the new installation coordinator for the Navy's contract work with Tetra Tech. Basically Tetra Tech is our primary contractor that provides the bulk of our support for the environmental program the Navy has here at Mare Island. Well, with the introductions there – and welcome back -- why don't we go into the presentation. And with that, I'll welcome Dwight Gemar from Weston Solutions, that will be the first presentation talking about the landfill. And Weston is doing that cleanup work on behalf of the Navy.

CO-CHAIR HAYES: The landfill?

MR. GEMAR: Firing range.

CO-CHAIR DUNAWAY: I apologize, the firing range.

MR. GEMAR: Thanks, Jerry. This will be kind of a part refresher and part update on some minor differences between the work as planned for this summer, well, this spring and summer. But just as a refresher, this is the Marine Corps Firing Range. And these are the pistol ranges. And this is the area known as the historic four south outfall. This is a 500 yard firing range for rifles. And this was, again, small arms. There has been a fair amount of work out at the site already by a previous contractor. And you'll see some kind of black rectangular shapes here, those are plastic covered stockpiles. And basically those stockpiles were generated by excavation of soil that exceeded the cleanup criteria for some metals, and they are stockpiled on the site. The objectives of the work are two-fold. One is the remediation of the small arms ranges which includes the rifle range and the pistol ranges. And then secondly, we're going to be performing some investigation work and removal work of potential munitions and explosives of concern, or MEC, in this area of the old outfall. Again, just for a refresher, back in the old days when the ships came into port, oftentimes they discarded unused or unwanted ammunition overboard. And then when the Navy dredged the Mare Island Strait they pumped the slurry to dredge ponds. And oftentimes that slurry picked up, in some cases munitions items that had been thrown overboard, and they ended up out here in these dredge ponds.

And you can see a large dredge pond out here. This particular dredge pond had a lot of material coming from the strait, and so over time they kept extending the outfall further to the west. And the outfall out in this area had been previously cleaned up, but the historic part of the outfall

still needed to be finished, and so that's going to be part of the scope for this phase of the work. As I mentioned, there's already a lot of soil that's been excavated and stockpiled on site. And so most of the characterization work has been completed, however there are some grids that were inaccessible during the previous work, so there will be some additional characterization work done in those grids. It's a relatively small portion of the site. And again, we'll be checking for lead, copper, and antimony, although lead is the driver out there, basically it's the primary contaminant from the bullets. We'll be excavating all soil, of course, that exceeds the cleanup criteria which is 200 parts per million for lead. And then we'll be characterizing the waste for leachability. And leachability is basically a measure of how soluble the metal is. And if that solubility or leachability exceeds a certain value, we will add chemicals to reduce that leachability or solubility before we transport the excavated soil to a nearby staging area.

And you probably can't see it too well, but again on this map here this is the rifle range, and over this area is another area that's a former landfill area. We're going to be transporting the soil from here over to that landfill area which is now a couple of thousand feet or so, and staging that at that location for possible future reuse as fill. And then the last major activity we'll be performing is sampling some groundwater within that rifle range area. So this is a busy slide. But again, this is the rifle range and the pistol ranges here. The red grids indicate areas that have been previously identified as having soil with metals concentrations that are high enough that they warrant removal. The yellow grids indicate some areas that were previously inaccessible and still need to be sampled. So there's some grids up here, a few down here and over here that will be sampled by Weston. And if the resulting concentrations exceed the cleanup criteria we'll remove that soil as well. These grids are fifty by fifty feet.

And then once we excavate these grids, the red and, if necessary, the yellow grids, we'll be performing what's called confirmational soil sampling. And that basically means we'll sample the bottom of the hole. And if the criteria -- or the metals concentration still exceeds the cleanup criteria, we'll dig some more soil. And if it passes at that point then we'll be done with the excavation at that point. There is a couple minor differences in the work that's planned for this spring and summer versus the previous work. One of the changes has been looking at a, an alternative method for determining leachability of the metals in the soil. Again, leachability determines the solubility of metals in the, in the matrix, which in this case is soil.

Primarily from a purely regulatory standpoint, and all the agency folks are well aware of this, there's a couple of primary methods that are utilized to determine leachability. And I won't bore you too much with these. But one is what's called a TCLP test, and that's under the RCRA rules. And the other is the California rules which uses a test that they call the STLC. And the main difference is that these particular procedures use a low pH media to extract metals from the soil. And as I indicated here, the lower pH is designed to simulate the conditions that you might experience if you were exhuming soil or contacting soil with the decomposing municipal solid waste. So basically decomposing municipal solid waste oftentimes has acids associated with this decomposition process, and so these tests are designed to simulate that. However, in the area where the soil is going to be stockpiled, which is area H1 that I indicated earlier, which is in this area here, the pH of the water is essentially neutral which, if you, you know, made it to chemistry class that day, the neutral pH is seven. Typically the PH's range from one to fourteen; one being very acidic, and fourteen being very alkaline or very caustic, if you will; and seven is basically neutral which is typically, pure water is a pH of seven. And therefore, because of the fact that

the pH in area H1 is neutral, it really is different than what the other testing procedures that I've listed here are designed to simulate. So, therefore, the TCLP and the STLC were determined to not be appropriate for the H1 storage area.

So what was decided with the agencies was to use the, what's called the deionized WET test. Again, WET is an acronym for waste extraction test. And the DI water is -- or the DI is an abbreviation for deionized water. And the deionized water WET test, as you might expect, uses the deionized water as the extracted medium. And basically the soil samples are crushed, deionized water is added at a ten to one ratio, and then it's tumbled for, I believe, an eighteen hour period if I recall correctly. And then at the end of that eighteen hour period, the resulting liquids are analyzed for metals. And we believe that this is a more appropriate test for the site conditions that would be experienced over at area H1.

And the other potential benefit from using the DI WET is that it eliminates the potential unnecessary treatment of soil using alkaline based treatment, which are typically used to counteract the low acidity from these other tests. And I've got a little simplified chart on the next page which, again, without boring you too much, the axis along here is pH, which is again a measure of the acidity of the media. Again, a lower pH is acid, and a high pH is alkaline. And the lead has this U-shaped solubility curve which is not unique, but it's somewhat unusual. And basically, if you're in this low pH range you can extract or the lead is very soluble; but conversely, if you're in the high pH range, lead is also very soluble.

So what you want to shoot for is this kind of sweet spot which is right around neutral pH. And so then -- and that's also, as it turns out, is about where the pH of the water is, groundwater at investigation area H1. So we believe that that, again, is one of the reasons why we would expect very little solubility of the lead if it came into contact with groundwater at area H1.

MS. D'ALMEIDA: Dwight, you said seven is the average pH of H1 groundwater, what's the range?

MR. GEMAR: It varies slightly from about 6.8 to about 7.2. You know, it kind of balances just on either side of seven. But it's not a very big range. And that's based on the weekly sampling that we've been doing from the extraction trench. Yes, Paula?

MS. TYGIELSKI: You don't have the vertical axis number?

MR. GEMAR: Right. This is just really meant to be an illustration. This is typically like a log scale. These levels here are extremely low, like parts per billion, and then here it's, you know, it's tying --

MS. TYGIELSKI: it's still low?

MR. GEMAR: Yeah. This is just kind of an illustration. I didn't want to get into the details or didn't list these values because they, depending on which kind of lead compound they have it can vary a little bit. But again, it's a huge range, it's many orders of magnitude.

CO-CHAIR DUNAWAY: What's the highest you've gotten, 200 to --

MR. GEMAR: In terms of?

CO-CHAIR DUNAWAY: The highest is like 8,000 --

MR. GEMAR: Total parts per million?

CO-CHAIR DUNAWAY: -- of lead if I remember?

MR. GEMAR: Yeah, I mean the total parts per million is on the order of several thousand parts per million. The, I think leachability ranges, you know, typically, you know, from five to, I think I've seen it as high as 25 parts per million. But down at this level you're in the parts per billion range, typically less than fifty. So it's very, very insoluble at those neutral PH's.

The other area that we'll be working at is the outfall. And again, that's the historic four south outfall. And we're going to be doing some systematic geophysical survey work in that area. And we'll be screening, mechanically screening the soil that we excavate from that area.

And again, the objective is to remove any munitions items. And typically the ones that we expect to see are twenty millimeter anti-aircraft type munitions, that's the most prevalent type of munition that we've seen out at the outfalls in the past, so we would expect to see those. We also may see some small, low level radiological buttons or placards that they used to use on the submarines that glow in the dark basically. So if we find any of those items we'll, of course, remove those as well. Once we do the clearance work, again as I noted, we'll mechanically screen the soil to remove the MEC, and then we're also planning to transport that soil for potentially use as grading material to the H1 area. Once we get to a point where we think we have removed the anomalies, the metal anomalies, we'll also provide, do a final geophysical survey to verify that we have removed the MEC anomalies. And the final activity that we'll be doing is any items that we do find, they will be stored over in the magazine building, which is A180 located in the Western Magazine area on Mare Island. And we'll be thermally treating these items as well at the end of the project.

And this is a schematic of what the screening operation will entail. The soil from the excavation of the existing stockpiles will be conditioned, if required. And by conditioning we basically mean we'll dry the soil so that it can be easily screened by disking it. And then we will feed it through a large screen, or a screen with large openings, six inch openings, it's called a grizzly screen. And that will take out anything that's over six inches, which would then be considered reject material that would be manually checked for any MEC or RAD items. Anything that's less than six inches would go under a electromagnet. And again, any ferrous debris would be considered reject and would also be manually screened for MEC. And once it goes through the magnet, it would go through a vibratory screening, and anything greater than three quarters of an inch would be sent to a clod reducer. And the reason we have this piece of equipment in the loop is that in the past oftentimes you get large clods of clay, dirt, because there's a lot of clay out at Mare Island. So they need to be broken down to smaller sizes so they fit through the screen. So they'll, we'll go through an impact pressure or the clod reducer, and come back and go back through the system. Anything less than three quarters of an inch, which is smaller than a twenty millimeter projectile, would go through another magnet just as a quality check; and then would go through the, go through a conveyor and then be transported to the area H1. So the primary

differences from prior activities is that we're adding the magnets; we're adding the clod reducer; and, if necessary, we'll do the soil conditioning just to make the screening process go a little faster.

And then the last slide is what we plan for our schedule. We've already sampled the existing stockpiles and we should be receiving results shortly on this DI WET test, which is again the leachability test. Starting in early May we'll be hauling our, the existing stockpiles to area H1. Again assuming that the leachability test results meet the objectives. Then we'll also be, in June, starting to excavate the remaining grids in the ranges. And then once the ranges work is completed, then we will start work on the outfall which will occur in July. And we believe that we'll finish the work at the outfall in the August to September timeframe. So that is the update. And I can entertain any questions. You're scared of pH? Thank you very much.

CO-CHAIR HAYES: I wish I'd had him for a teacher.

MR. GRIBBLE: So the main difference in what you're doing now from the current plan, which is approved from the original plan, is the, is the change in the leachability test? That's essentially the difference?

MR. GEMAR: Right.

MR. GRIBBLE: And as I understand it, your anticipation is that that would result in very little soil needing to be treated or stabilized versus under, using the old original plan you figured that most of the soil would need to be stabilized. So in doing that you're, you're, you're anticipating a big savings in cost there.

MR. GEMAR: And time.

MR. GRIBBLE: And time.

MR. GEMAR: Right. Because most of the soil, especially the soil on the berms, the impact berms are heavily contaminated with lead, and the TCLP test is a fairly aggressive test, and most likely that would exceed the regulatory limit.

MR. GRIBBLE: Okay. Thank you.

CO-CHAIR DUNAWAY: Thank you, Dwight. And yes, DTSC has been working with us closely on this new approach, if you will, really a minor change to the original plan. And I'm sorry, Dwight, every time I see Dwight I think of landfill, no offense but -- yes. The Marine Corps Firing Range work is new for Weston, it's a contract we just awarded actually a few months ago, and we've been working this minor change in the work plan with Weston's assistance. And we received DTSC's approval for that just like two weeks ago. So we're ready to charge forward and, again, complete that work this year.

On the same site, this site is owned by the Navy still and we have full control over it, but there's a part of it that's fairly clean, and the City of Vallejo and Lennar have asked the Navy if we can work with them on their access of this portion that is not part of the cleanup work Weston is doing that Dwight just described. And it's this area down here, the green shaded part that, if you

look at this length right here, this is the long rifle range over here where the pistol range is. And the Marines shot from various stations here, this one being the longest. This was the last firing station. There's a tower right at the back here where the sergeant would yell at the troops and tell them to cease fire and resume firing and all that. The part back here is part of the Navy's property but never really had any activities on it related to the firing range.

The city and Lennar asked if they could access that property to do some redevelopment activities before they actually get the property, before the Navy actually finishes the cleanup and transfers the property. So we've been working with them on a strategy to let them have access to it to do this limited work. And then I'm going to talk about that. And then Josh is going to come up from Lennar and talk about what activities they are actually planning. So I'm starting with just a general overview of the leasing strategy. And basically these arrangements will allow for some redevelopment activities to occur in that clean portion of the Marine Corps Firing Range. But what we are doing is we are preparing a finding of suitability to lease the entire site, but it will, of course, have use restrictions on the entire site, including the green area.

From that, that FOSL -- actually at the same time as that FOSL is being developed, we are issuing a license for Lennar to go out and sample that green area. And that's just to do kind of a real due diligence effort to make sure there's no serious problem out there before we enter into a lease. And while that's going on, we're issuing a FOSL for public review, and I'll get into the details on that. And ultimately we'll enter into a lease with the City of Vallejo. The City of Vallejo will sublease to Lennar.

So starting with the finding of suitability to lease. We have several of them on Mare Island. I've actually never worked on any of those, and in all that I'm doing for the Navy I haven't really worked on any FOSL's, so this is a new experience for me. We're preparing this, and actually Lennar is doing it because they want the property, and we said we really don't have time to do it ourselves, they took it upon themselves to prepare the FOSL on our behalf. We plan to issue it for public review in May. Now, we normally issue these for somewhere between fifteen and thirty days for a public review period. And when that goes out we'll obviously mail some kind of notice. It's a fairly small document. We may even be able to do a CD or something to mail out and get it to the RAB members, and obviously have copies here at the library or at the RAB library.

The FOSL will restrict any intrusive work as well as access to the site without prior approval until it's demonstrated that such work or such access is not a risk. And then the FOSL, once completed, will be the basis of a lease, or what's called a lease in furtherance of conveyance, I'm just going to call it a lease.

In the meantime, while that FOSL is being developed, the Navy is issuing a license. One is being finalized right now this week. This one will allow them to have access to that green area, to go out and do surface sampling.

And if you remember, at the end of last year, Lennar was also doing a, kind of a investigation of the former shoreline, the, what's it called, the paleo shoreline, the historic shoreline of Mare Island, and they were finding some interesting things along that old shoreline. That old shoreline runs through this green area. So they're also going to do non-intrusive geo investigation, metal

detection type work and see if there's similar problems in that area. Under this license they're not allowed to do any permanent improvements, and we do issue licenses to the City of Vallejo, Vallejo sublicenses to Lennar. Is that clear? Are there any questions on that? Chip?

MR. GRIBBLE: Yeah, I have a question. You're talking about up at the, at the, in the green area, I don't know what else to call it. But there are other parts of the paleo shoreline where, on the Lennar side last year they excavated out MEC debris, and then they stopped at the fence line because that was basically a property delineation of sorts, and they didn't continue that, their excavation beyond the fence line. But there's still a need to excavate the remainder of that type waste beyond the fence line. I was under the impression that they were going to do that also in the course of their license, I guess.

CO-CHAIR DUNAWAY: My understanding is they stopped at the fence line but the fence line is not really the property line. Is that correct, Josh?

MR. STERNBERG: That is correct.

MR. GRIBBLE: So when will that get done? If you're not going to do it now --

CO-CHAIR DUNAWAY: What if Josh answers that when he talks about the activities later on after I get through kind of the process, the administration stuff?

MR. GRIBBLE: Sure.

CO-CHAIR DUNAWAY: There isn't any actual digging going on under the license, at least at this point. We want to make sure that the soil doesn't have any problems, so that we don't have potentially contaminated soil being pushed around on the site. So it's just surface soil sampling, and then the geophysical survey for the potential shoreline issues or debris. And once the FOSL is completed under the lease, we will allow, well, let me back up a little bit. Under the license we may also, if the lease isn't yet in place, could allow for the actual excavation, digging of anything they find of the, from the geophysical survey work.

And if anything is found we can issue another license to allow them to dig that up, assuming there's no problems with the soil from a chemical standpoint, to see what the metal anomalies are; and that would be also under a license. But we could have the lease completed by then too. The lease would be based off of the FOSL, and any permanent redevelopment activities such as roadway construction, utility pipelines, that would be allowed under this lease but it would require Navy approval. And that's really the, kind of the process we're getting the access issues in place. Let's see. Why don't I bring Josh up to talk about the activities they have planned.

One of the issues, I guess real quickly, one of the reasons why we wanted to lease the entire site is that we have a feeling that as we clean up the firing range, these areas will be clean for redevelopment purposes, but we won't yet have the ability to transfer the property, we'll have more things to do, paperwork to complete. That's why we're leasing it all at once, doing a FOSL all at once; so as more areas are cleaned up, Lennar can also justify moving into other areas of this site if they want to do any additional redevelopment work, and it would be doable underneath this lease arrangement. So that's it for now. But at this point the green is what we're

focusing on right now until, essentially, Dwight finishes what he's doing for the Navy on the cleanup side. So Josh.

MR. STERNBERG: Thank you.

MR. GRIBBLE: One more question, Jerry, before you get too far away from the microphone. And I don't, I can't recall, but I'm sure you know the answer to this one. So what's the timeframe for, that you currently program to get to a final remedy or final decision for that property and then the actual transfer?

CO-CHAIR DUNAWAY: Well, with all things going well we'll finish the removal action by the end of the year, September, October timeframe. It will probably take us six months, four months minimum to get regulatory approval that that cleanup work was completed properly. If that happens, we then have to discuss what's next. At this point we've discussed an RIFS, and if we need to do that we're talking a minimum of a year before we get to a final remedy. And then we can do a finding of suitability to transfer.

MR. GRIBBLE: So it's dependent somewhat on the results of the data at the site after the removal action?

CO-CHAIR DUNAWAY: And a little bit of, you know, what your expectations are, you know. We've done removal actions, I'm finishing one up at Tuscan right now where DTSC has allowed us to go right to a finding of suitability to transfer right from a removal action. If things are looking good and if you agree to that, that could take out a whole year out of the schedule. So at this point if we're doing RIFS, my guess is 2007.

MR. STERNBERG: Great. And I will get back actually to a slide for a minute just to actually touch base on Chip's question, although I'll address it a little more in the future or in a few minutes. But, yeah, we are talking about the green section and the license agreement. But I think part of that puzzle is certainly the lease arrangement. And Chip, it was a little bit of a miscommunication. Not all of the areas were either on our property or off our property as far as where we terminated the excavation during the MEC exploration. There's really two spots that we terminated. One was in sort of this area, and one was over in this area, and both were terminated because of the fence orientation. Two of the three locations actually went off of our property into Navy property.

One of those locations the road was there, where we had worked with the Navy so we put the fence on our property such that the Navy would have all other access to the roads. There is a swath of, you know, maybe 40 feet that's still on our property where we terminated that excavation. And I'll talk back to this slide in a moment, but I believe the lease or the license that's part of the bigger picture here goes directly to what sort of activities we can do to continue our exploration on that paleo shoreline. And I'll touch right back on it in a few minutes.

CO-CHAIR DUNAWAY: And Josh, remember that we have two members of the public who might want to know all of the abbreviations or acronyms.

MR. STERNBERG: Lease, there you go. So license agreement, non-permanent improvement, temporary allowance, traditionally a year. A lease, longer than a year, you can do permanent

Improvements if the Navy approves, so basic difference between the two. And they're sequential in this manner, or in this instance that we would do a lease agreement followed by a lease, followed ultimately by conveyance from the Navy through the city of Vallejo to Lennar Mare Island. So just to help. And I apologize, if anyone has any question or I use acronyms, I may slip into doing that, so just stop me, raise your hand, whatever, if anyone has any questions. I do apologize.

So what development activities are we doing? Well, it's two-fold. One is the proposed sampling activities that I'm going to talk about in a moment under a license agreement; and then the anticipated redevelopment activities, and I think that also goes to a continuation of work that we had done along the paleo shoreline.

This goes to the heart of it. Here's the paleo shoreline. And I don't know about you guys, but if you worked around paleo shorelines, what would strike me is some concerns. There's little inlets, there's areas that typically have been found to be dumping sites along Mare Island in other areas. What we did in the past -- and I don't want to completely recreate the presentation.

CO-CHAIR HAYES: Don't complete redo it because for these guests --

MR. STERNBERG: I'm going to talk about what we did in the past -- sorry.

I was asked to talk about what a paleo shoreline is and make sure everyone understands exactly what we're talking about. But this is the old shoreline, the western shoreline of Mare Island. And traditionally in the past, this has nothing to do with Mare Island, whether you're on the east coast, west coast, whether you're talking about Native American situations, whether you're talking about military, it has been the tradition over the past many hundred years to dump things off of a shoreline, whether that's trash, whether it has any contamination or not. In most cases in our experience we haven't found contamination, we have found an abundance of trash deposits, wood, metal, debris.

And what we found, interestingly enough, while we were working in this zone, was actually MEC. We found eight inch rounds, five inch -- munitions and explosive of concern. These were dummy rounds. They were found to be inert, no fuses, no anything that would actually lead to a charge. But I believe there were twenty-nine MEC, or munitions and explosives of concern, found in this paleo shoreline. It was actually, in my mind, a somewhat successful endeavor. We did a bunch of geophysics work which I'll talk about here in a minute, followed by intrusive work excavations, things of that nature, discovered these areas, then worked with DTSC, Chip specifically but also other members of the DTSC, to go through a process to make sure that we were sure that we had cleaned up all the of the paleo shoreline. And we would sift through any debris that came up through those excavations and made sure and ensured that a hundred percent of that material was removed from the site. Geophysical investigations. I won't go too far into it, but if anyone has taken, you know, one course in college on geophysics, you've talked about the uniqueness, you're talked about the problem with geophysics.

Well, we actually found a methodology that seemed to work fairly well given the strata and the type of, you know, stratigraphy and geology that we were dealing with. It's a combination of three things; GPR, or ground penetrating radar; we used magnetometers; and we also used

recessivity. I mean we cross-referenced all three such that we could somewhat mitigate the uniqueness without, you know, you take a magnetometer, there's something really small on the surface, looks like something really big deep down. So if we wanted to cross-reference various methodologies that would do two things; one, find any anomalies, trash, wet spots, anything like that. Metal, that would obviously be in a MEC type situation, munitions of explosive concern. But also understand stratigraphy of the underlying geology.

And that's very important because what a paleo shoreline is it's the connection here between the bedrock which is uphill and the bay mud or the bay deposits, the Marshy type deposits downhill. And it's very important for us, from a redevelopment perspective, that we can identify where that point is and we can mitigate across it. And what I mean by that is we can make sure we're not building where one side of the road is found in the bedrock and one side of the road is found in compressible bay mud. We want to make sure that everything is found by similar type material, and that we won't have in this differential settlement or other situations that could occur given that scenario. So we're going to do on the green area -- now going back to what Jerry pointed out. On the green area we're going to do the same methodology that we had done on the other portion of the paleo shoreline, and we're going to go through the same ideas of the geo -- the same methodology of the geophysics that we had done prior.

On top of that, we are also going to do soil sampling. Jerry pointed out we're not going to do intrusive sampling, we're not going to do excavations and things of that nature. We have to work through this, but probably a combination of geoprobes, CPT, cone penetrations and things of that nature. Pushing technology such that we don't create the spoils of a rotary drill type system because of these concerns. The whole point of that is to do two things: One, again, to understand the geomorphology of the area. We understand where that bay mud, where that bedrock line is so that we understand how to mitigate it. But also such that we can get soil samples, as Jerry correctly pointed out, to make sure that we're not getting into an area that has potentially contaminated constituents within it.

If we did obviously find those things during the license agreement that would clearly change the direction that the lease is going. Our assumption is, and we'll move down to -- I'll come back to this slide in a second. But our assumption is -- and I apologize, this resolution isn't wonderful.

But this is a blowup of the whole area. This would be the area of the lease for the second action that includes all of the Marine Corps Firing Range. And this is a blowup of the area of the license agreement. And I'll go back and talk about some of these zones. But the reason I skipped to this is this is the old five hundred yard shooting marker. So our assumption is that no one was shooting backwards. And so there shouldn't be, and there is no known contamination to the east of this 500 yard shooting line.

And so what we want to do is we will go out and prove that assumption. We want to prove that we don't have contaminants, that we can clearly go in there and do redevelopment activities, that the Navy and Lennar are both on the same page -- and the regulators for that matter, excuse me -- are all on the same page that this is a safe activity to go forward with. Going back. Redevelopment activities under the lease. This is after we've done our sampling, after the Navy has approved and the regulators have approved that we haven't found anything of concern, and that we are clearly outside the area of concern, we want to go forward with permanent

improvements. And what those really are two-fold. One is sort of permanent, one is permanent. One is a may bud mitigation. In that area, much like the other parts of the paleo shoreline -- if people remember, not to bring you back too far to a couple of years ago to 9th and Tisdale, which was just north of this area, we had a very large excavation that started as environmental remediation lead by the Regional Water Quality Control Board for some TPH or petroleum hydrocarbons, but led to a clean geotechnical removal of the bay mud. And that is very similar, excluding hopefully the TPH that we found, very similar to the activities that we planned in that green area.

We're going to excavate down to bedrock. The purpose of that is to bring in clean fill, not clean from an environmental perspective, although certainly it would be, it's on-island fill but, more importantly, geotechnically. We don't want to build on that bay mud. We're going to go all the way down to bedrock, clean out all that paleo shoreline, and then we're going to bring it back up with clean full. Once we get to a certain elevation that is coincident with the grade of the sewer line, we would like to install permanent infrastructure. Now, going back to the next slide, you know, I apologize, we probably should have included a bigger picture. But if you've been out to Mare Island recently, this is where the first development is going on. And from an investigation area perspective it's called IA D-2, if you recollect the investigation areas around Mare Island. There are model complexes currently going up. This is the next area that's being developed right now, and the purpose is we have to crunch through what used to be called the residential parkway, and today it's called flash and dry.

What's vitally important about that? Two things. Sewer. You gotta get the sewer to go downhill. Second of all, joint trench. Gas, electricity, telecommunications, cable, all of those things go up flash and dry to what was called the Coral Sea area of Mare Island. And so this is a vitally important hub of infrastructure, and so we really did want to work, and we talked with the DTSC and with the Navy over the last year and a half about the Navy's schedule for cleanup such that we could get into this area to put in the critical infrastructure.

It's important to note that no homes would be built over either -- well you couldn't do it under a license, but certainly no homes would be built under a lease.

Even though this shows that there are planned home sites, we would put in the infrastructure and we would grade those areas out such that they were ready, but we would have to wait until we owned the property in fee, thus subsequent to any decision by the DTSC that the, you know, cleanup action was appropriate. And then we would be in a position that we could start building vertically on those home sites.

It's just that while you're plumbing utilities, it's very difficult to, you know, stop midway through the road, so you like to do that all the way through. So those are really the two activities. Now getting back to Chip's question, which is a good one. Because we told Chip and everyone else right away that when we found the past MEC that we wanted to continue that exploration, not because of an environmental consideration, but again because of just trash and geotechnical and everything else. And what we'd like to do is, not under the license agreement clearly, because the license agreement is just for this area, but as Jerry pointed out, once we have the lease, if you're out of the way, cleanup activities that the Navy are doing and the DTSC and the Navy are on the same page, that we can go into those areas, we would like to come into these areas and do

two things: One, continue the removal of any trash. Hopefully we won't find any MEC, but we're going to do the exact same thing, geophysical work and investigation, you know, with the test pits and things of that nature to make sure that we don't. And quite frankly, if we can get into that area after we're sure that we've mitigated the subsurface, I would like to build surcharges.

This area is underlaid by compressible bay mud, and we probably have a one to two year residence period, which means how long you have to leave a surcharge out there. And without taking you too far down the road, what this means is, compressible bay mud is kind of like a sponge, and the sponge is filled with water. And eventually you're going to build a house on that sponge with water, and the house is going to weigh ten pounds. Well, you gotta go up in front, put twenty pounds on that sponge, pre-consolidate at half the level that it will consolidate under the anticipatory loads of the future home, and then you can remove it and build your future home. And there's all sorts of studies about rebound and all sorts of things to make sure that this is a sound practice. But it's very important to start moving throughout that area.

If you've been out on Mare Island recently you'll notice that we have very large stockpiles of material here and here, with really the idea that once the Navy is ready for us to do it, we'll start moving material from the firing range. Again, this is, in my mind, the beauty of this deal. What the Navy is going to do is, as Jerry correctly pointed out, there's going to be a year or two towards ultimate closure and conveyance. But if everyone thinks the final remediation or mitigation is taking place at that point, we have the ability, while the paperwork is still going back and forth, to run a parallel path on the geotechnical mitigations which are the surcharge. So those are the two areas in question. And that's really all that we're going to be doing in that area. So I'd be happy myself, Jerry, Dwight, you probably all have different, you know, perspectives on the activities that are going on there, I'm sure we'd be happy to answer any questions that may be out there, or not.

MS. D'ALMEIDA: Have you got the housing area plotted yet --

CO-CHAIR HAYES: Oh, microphone.

MR. STERNBERG: Myrna's on it tonight.

MS. D'ALMEIDA: Have you got the housing area plotted yet for what you're going to put on the Marine Corps Firing Range, or that hasn't even been proposed yet?

MR. STERNBERG: No, that's actually been proposed. May of 2000, that was the first time that that was proposed and put up in the city hall, and it's consistently been at the City of Vallejo, and presented to the DTSC and the regional water board and parts of the EPA. For the last three or four years, I'll be honest though, the removal into the firing range requires what's called a specific plan amendment and supplemental EIR. Both of those documents are supposed to be certified and codified by the end of this year.

But currently reuse area seven, which is the firing range, does not allow for residential. So part of, you know, reuse area ten and the redistribution of residential around the whole island led to a mild encroachment on the northern side, which is really just into the levee, but a slightly more substantive encroachment into the southern side of the firing range. So yes, we have proposed it,

but there's no tentative maps, there's no boundary documents that specifically outline the roads, it's just in proposed form.

MS. D'ALMEIDA: About how far out are you proposing to build?

MR. STERNBERG: It's a really good question. We haven't -- you sort of sound like my board of directors. We, I try not to commit on anything on that because in the past, and this is certainly not a slight on the Navy or anybody, we have thought the Marine Corps Firing Range was going to be cleaned up before, and we had kind of projected when we would get out there with the surcharge.

So currently I've talked about 2007, 2008, things of that nature. But it's directly a function of two things; how quickly we can get out there to build a surcharge. And how quickly the Navy and the regulatory agencies can move forwards towards acceptance of a, you know, final remedial action. But we haven't exactly programmed when, for example, those home sites are going to be built. We just don't know enough yet.

MS. D'ALMEIDA: What about the north area of the island? I think Jerry had mentioned that there were plans to build homes on the north side of the island too.

MR. STERNBERG: There are no plans currently to build homes on the north side of the island. The approved specific plan calls for 1.2 million square feet of development in the north island. It's a combination of a small component of office, a lot of commercial, some warehouse, and some light industrial. We just entered into an exclusive negotiating agreement -- just? -- several months ago with the City of Vallejo, and we are entertaining a lot of thoughts. As a lot of people can probably tell you, the north island is very challenging from a financial perspective. So we are, no one has accepted our suggestion, but we have certainly talked about, for example, where the dorm units are on the north island, right across from the Rodman Center, if you're familiar with that area, where geotechnically you're kind of on some bedrock outside of IR 17 and then some city-owned property. We have talked about the possibility of creating a mixed use center that might be, you know, retail on the first floor, office on the second floor, residential on the third floor. But I've got to tell you, that is completely conceptual, and no one at the City of Vallejo has said; A: that jives with any sort of approved entitlements; Or, B: that anyone has said that that acceptable. That's just where our thought process is. So if Jerry mentioned, he's probably heard correct that we've been thinking about ideas, but it's very conceptual at this point.

MS. D'ALMEIDA: Thanks.

CO-CHAIR HAYES: You might consider a Wal-Mart.

MR. STERNBERG: We will not do a Super Wal-Mart, thank you very much. (LAUGHTER.)

CO-CHAIR HAYES: Well, the City of Vallejo had a mixed unit development well under way conceptually, whenever somebody they think is important calls on them, they immediately jump, so --

MR. STERNBERG: Don't worry about that.

CO-CHAIR HAYES: It's just such a good idea, gosh. Bad. I have one question following up on -- oh, and don't you plan to, predominately for the Marine Corps firing range to be a community park?

MR. STERNBERG: Yeah, roughly 23 and a half acres of it which is a vast majority.

CO-CHAIR HAYES: Out of how much?

MR. STERNBERG: 26?

CO-CHAIR DUNAWAY: 25 right now.

MR. STERNBERG: Just a little over 25 acres, I think. And only a couple of acres are being encroached upon, I believe around 23 acres, I certainly can't give an exact number. This whole area -- again, this only encroaches right up to the edge on the levee. This encroaches about this like this. This area and all of this area is a future community park that we will build as soon as we get access to the property. We're actually required, through our development agreement, as soon as we have access to this property, to develop that park.

CO-CHAIR HAYES: The only reason I was commenting on that is because of, to follow up on Caroline's question about, you know, having heard that part of this was planned for housing. It's a very small part that you're --

MR. STERNBERG: That's correct.

CO-CHAIR HAYES: -- considering.

MR. STERNBERG: That's correct.

CO-CHAIR HAYES: Then -- and I guess that was going to be my next two questions is, one, the area that you would possibly put some housing on that would encroach slightly on this area, will the Navy be cleaning up to a satisfactory environmental cleanup level for you to be able to place houses there, or would you expect to have to do a little additional, possibly additional remediation?

MR. STERNBERG: I'll let Jerry answer that.

CO-CHAIR DUNAWAY: The cleanup agreement or the cleanup goal that we agreed to with regulatory agencies is for residential standards across the entire site. So even though the majority of this site is slated for open space, which would normally be a less stringent cleanup level, we just went ahead and said, "Let's clean up to 200 parts per million lead so that it meets residential standards, and there's no question about where residential starts and ends."

MR. GRIBBLE: Well, with one exception, which is the 4S outfall.

CO-CHAIR DUNAWAY: Correct. The 4S outfall that Dwight mentioned, we may get to 200 parts per million cleanup for lead, but the potential concern there is if there's any remaining MEC of concerns. Even if it's just a unconfirmed suspicion that it's there, we're most likely going to

put a land use control that would limit that. But it wouldn't really be based on known chemicals; it would just be a precautionary land use condition. Knowing that that area is already slated for a park, we don't see that as a conflict with the reuse plan.

CO-CHAIR HAYES: And will you have any special conditions concerning no dig on that portion of the park or in the 4S area?

CO-CHAIR DUNAWAY: Well, even in an area that has some munitions, it's not an outright you can't do anything at all, it just means you can't do certain land uses, in this case, no houses, hospitals, daycare centers, schools. And if you needed to do any digging in there, maybe utilities need to go through there, there's a storm drain that I'm not sure what Lennar's plans are, but if they need to go through there they just have to have extra precautions in their work plans to deal with material that may include munitions, and screen it accordingly.

CO-CHAIR HAYES: But there will be a deed restriction on that portion of the parcel?

CO-CHAIR DUNAWAY: Correct. These land use controls would be recorded and included in the deeds to run with the land, as well as a sufficient buffer area around the area of concern.

MR. STERNBERG: If I can just comment on the 4S outfall. Both the DTSC and the Navy have been very consistent in telling us and informing us what the potential situations around the 4S outfall is, and understanding that things like the storm drain we've been able to work to, you know, move things out of the 4S outfall. So I think whatever comes out of the Navy and DTSC would be compatible with our program. And we would definitely try to just stay away from that area, except for the superficial improvements, which would be putting more fill on it, contouring, creating the passive recreation that's planned for that area of the park.

CO-CHAIR HAYES: I guess the reason I'm going on and on about 4S is because on the, it would have a similar profile, I would think, to the dredge, the rest of the dredge outfall areas and the rest of the levees. And there are some pretty specific prescriptive requirements that go with that deed restriction on those levees.

Will that same restriction be applied to that 4S area? And if so, that's, I'd just refresh people's memory maybe about what some of those restrictions are. Maybe Dwight can since he's more familiar with that for the other areas. And if it isn't the same, why it wouldn't be considered the same?

CO-CHAIR DUNAWAY: I might need to tap into Dwight's head to figure out what those land use restrictions are, just because I don't know what they are.

But really right now I can't predict the future. I can't predict what the cleanup activities and the results of those cleanup activities will result in. With any luck there may be a slight chance, but maybe we remove everything. I really doubt that. And so it really depends on how much we clean up, what depth they're at, how much cover soil would be over them. And at that point we'd work with the regulatory agencies and determine the specific land use controls.

When I talk about land use controls now, they're very conceptual, they're very general. But from what I know, you have only the inspection, quarterly inspection requirements on the levees only,

not in the dredge ponds themselves where the outfalls really existed. And I don't think they have an outright no dig restriction, because I think they can push soil around the dredge ponds as part of the dredge ponds management. But maybe Dwight you can summarize what are those restrictions on the former outfalls or the other outfalls in those dredge ponds?

MR. GEMAR: Well, yeah, we do have a soil and groundwater management plan. And actually we're not allowed to do much in the way of digging without a work plan to Chip. You know, if we're digging up a fence post or doing some, you know, erosion control type work, that's kind of considered routine, you know, diminimus kind of activity. But if we're doing any significant kind of excavation we would submit a work plan to Chip, you know.

The one difference here might be that because it's a relatively small area, I suppose if you put enough dirt on top of it after we've done our clearance, you know, you've provided some additional buffer area there, that we don't have any outfall because we didn't put dirt back in the outfall and we're done clearing it. So in this case, depending on what the final grading plans are and whatnot, you might be able to say that, hey, we've got ten feet of known MEC-free dirt on top of what used to be the outfall and, therefore, you know, you can relax the restrictions. But again, not knowing what the final plan is, but I would think that perhaps, you know, we would work something out like that. It may be a little less stringent than what we have out there, you know, at the dredge ponds.

CO-CHAIR DUNAWAY: And that's one of the advantages that we saw in choosing Weston to finish this work was their experience on the other outfalls and the dredge ponds.

CO-CHAIR HAYES: Well that brings up a point that Dwight has made is that those other dredge ponds are primarily intended to be a commercial operation and industrial operation and not have park lands in those outfall areas. So one question here too, is this firing range completely within the boundary of the eastern early -- well, it wouldn't be the eastern early transfer -- but Lennar boundary? Or is the 4S fall in the state, west of the joint survey line, and will this land ultimately be transferred, hopefully to the state, the State of California? And, if so, what requirements will they have for that property?

CO-CHAIR DUNAWAY: I can speak to what the property boundary is and what the Navy's current legal obligations are with the property, and maybe Josh can talk about any issues of how Lennar may get access or title to it. The joint survey line I believe crosses right about here. And to the east of it, this area here, that would transfer to the City of Vallejo directly from the Navy. The property to the left of it or to the west is state reversionary property. At this time the Navy's obligation is to return it to the State of California, under deed as reversionary property, once we are done with our cleanup work.

And the way the property to the north and some of these pieces here kind of south of the rifle range, those were in a similar situation, and this is where Josh can talk to it. Some of that the state just said, you know, we don't want it, let the city take it, but Josh, why don't you --

MR. STERNBERG: What we're talking about is, you know, anything in something that we'll call gap lands, and a host of other things between the eastern early transfer parcel and the western early transfer parcel. And what happened with the State Lands is, you know, it was

basically determined between 2000 -- 1999 or 2000 and 2002 that all the State Lands, all the work that the City of Vallejo and Lennar did with State Lands to figure out what the ultimate disposition of the island would be relative to public trust properties, State Lands properties, things of that nature. So having that negotiation was that things like use area ten, a great example on the south side of the island, was decided to be State Lands property. Certainly State Lands made quite a claim on the waterfront, and then obviously there's some areas on the western side and the development that's State Lands.

Part of that also was the understanding of the reuse plan put forward by the City of Vallejo and the ultimate disposition of the property, such that these areas that we're looking at that are outside of the joint survey line to the west, and so it wouldn't go directly from the navy to the city to Lennar, are planned to go from State Lands directly to Lennar. It might actually go to the city, excuse me, to the city and then to Lennar, essentially simultaneously. And this is part of, there are, without going too far into it, all over Mare Island there are things called trust termination parcels, public trust parcels, a whole host of things that, you know, there's probably fifteen of these all over the island, that are all intermingled to figure out how State Lands would essentially get their goals for certain waterfront property, not just, you know, a hundred or two hundred feet in, for example with reuse area ten it was that whole hundred acres. So this was all part of that negotiation that happened at that time.

But specifically, Myrna, to address one of your questions, most all of the 4S outfall is in the property that would come to Lennar which would be part of the park. I can't speak to the alluvial fan that might be at the outfall, the 4S outfall, and how distal that goes into the dredge ponds. But the actual outfall itself, and a certain several, you know, hundred or so feet past that is with maybe, is within the land that will come to Lennar, and would, after we ultimately understand what the cleanup activities were and what the ultimate disposition of the property from an environmental perspective is, we have to figure out whether it's, like Dwight said, do we cap it relative to grading plans? Do we put restrictions; whether they need a deed restriction, or you can dig but for some sort of groundwater management protocol or plan; those are all things that I'm not related to for the 4S outfall so I just don't know.

CO-CHAIR HAYES: So the, it sounds like that's not a swap land, so that will be, you will not get it in fee title, you will get a long-term --

MR. STERNBERG: No, no, no, excuse me. That is a swap land, we will own it in fee.

CO-CHAIR HAYES: Okay.

MR. STERNBERG: Yeah, we will own that in fee. The areas, what happened with the swaps and everything, was the areas that weren't reuse area ten, waterfront western area, we actually get in fee. But if you're looking at reuse area ten, for example, that goes to State Lands, and through the City of Vallejo we get a 99 year lease, for example, on it.

So there are areas that are just like what you describe. But this area would be in fee, and then we, in turn, would dedicate it back to the City of Vallejo as open space, you know. So we would do an open space dedication back to the City of Vallejo for the 23 acres throughout that park land. So it's a little weird in the sense that it goes, you know, from the Navy to the State Lands

to the City of Vallejo to Lennar, improve it, back to the City of Vallejo, but that's the way it works.

CO-CHAIR HAYES: So that land was part of a swap?

MR. STERNBERG: Yes.

CO-CHAIR HAYES: Okay.

MR. STERNBERG: It was part of the original transaction between State Lands and the City of Vallejo actually.

CO-CHAIR HAYES: And then one last question. The condition, the reason you fast tracked this Marine Corps Firing Range cleanup in the first place was because, I think it was Chip's boss' boss' boss' boss, or somebody like that.

MS. D'ALMEIDA: It was and --

CO-CHAIR HAYES: Well, Tony.

MR. STERNBERG: That's pretty high up there. (Thereupon occurred simultaneous discussion.)

CO-CHAIR HAYES: No, Arnold's right hand man, Tony Landes. And he, I thought he had decreed that you couldn't get this, some of your housing built until the Marine Corps Firing Range was cleared or -- whatever happened with that deal? Wasn't there something like that? He was going to hold up the building in D-2 until the Marine Corps Firing Range was cleaned up?

MR. GRIBBLE: Well, to my knowledge --

CO-CHAIR HAYES: And that's why it's a time critical removal action?

MR. GRIBBLE: No.

CO-CHAIR HAYES: No?

MR. GRIBBLE: It started out with, and we still have the same concern. We have redevelopment or development occurring adjacent to contaminated properties. And there's a potential there for real conflict, imagined or otherwise. And with people, people moving in north of this firing range here, in, as I understand it, as early as June, there could be a perceived concern. And I guess in all fairness I'd have to say a real concern that you'd have fugitive dust, dust clouds blowing, contaminated soil blowing off of the Marine Corps Firing Range onto these people living in these new houses. And then you've got quite a public outcry or public issue happening.

Now, quite frankly, it's my firm opinion that we don't have to worry about fugitive dust the way the plan is written, and more than that, contaminated fugitive dust. But there could still, that doesn't mean that there couldn't be a perception by people there. And so we have just conflicts

that are potential conflicts adjacent to this site, and several other contaminated sites that we have to clean up with the reuse going on next to it.

And in this one in particular, when you're talking about residential use adjacent to it, we're particularly concerned about that and the potential for conflict, and so it was the department's, it has been in the department's interest for some time to get this done as soon as possible to avoid that conflict, to minimize the overlap of the cleanup going on here while people are living adjacent to it.

So as the schedule is currently with Weston to clean up the firing range, the soil cleanup part for the firing range, which should finish at the end of June, whereas people will begin moving in at the beginning of June, so there will be some overlap, but it's not nearly as bad as it could have been. In addition to which we're paying very close attention to ensure that we don't have a fugitive dust condition. So -- oh, and then, but actually that doesn't answer your question. The RAB ROD for the housing area north of here was not, as I understand it, was not tied to this area being cleaned up first, that that has been, that that RAP ROD was long ago signed and the property has been certified as clean, and the development has obviously been allowed to proceed without any restriction from DTSC.

Going back to your comments about the 4S outfall. It might be helpful to, it's my understanding that, based on the grading plans from Lennar, that the 4S outfall, when Lennar is done with it, will have several feet at least of additional fill, clean fill on top of the 4S outfall area when they're done with it. And so even though we're anticipating there's going to be a deed restriction for the 4S outfall, and that would be probably the same or similar restrictions to what we have out in the dredge ponds which is basically, you can't dig without approval. And then we have a much more significant margin of error out there with that additional several feet of clean fill. It may be clean enough when Weston is done that it could be, that we might be able to get to a no restriction remedy conclusion for that area, but I'm not, I'm not anticipating it. And I think that even though it may be, in fact, to be able to, for us to certify it that way would require perhaps some extra additional effort and time and cost and money, and I'm not sure that the Navy is going to go that extra step, especially when the developer is close to the development. So we, we may wind up with a no restriction for the entire site, but we'll have to see. I'm not expecting it.

I have a question. So it just occurred to me that the boundaries here, even though this is what we're calling the boundaries of the 4S, or excuse me, the Marine Corps Firing Range removal action, are not actually the boundaries of the parcel that we are casually calling the Marine Corps Firing Range. So it's, as I understand it, the property boundary between State Lands, and this is to the west, State Lands, the current property boundary between State Lands property and Navy property, in other words, west of the pistol range, the small arms range, is actually west of that purple, or shall we say as the paper goes, up and to the left? Is that right? In other words, that that part is not included in that colored outline.

CO-CHAIR DUNAWAY: You know, I can't really talk to that point. I think that what's shown here is the actual property boundary, I think what you're referring to is maybe the historic pistol range that extends into the dredge pond.

MR. GRIBBLE: When I look at the handout, on the last page of the handout from Josh here, and in that figure as the page is oriented, so at the top of the shaded area it shows a berm, and that berm, as I understand it, was not included in the western early transfer parcel.

CO-CHAIR DUNAWAY: Oh, you know, I wanted to make --

MR. GRIBBLE: So that makes it still Navy property. And the point of that is that when we process this in terms of RIFS, RAP, ROD, closure certification, transfer, that we want to go all the way to the, to that western boundary so we don't have something in between that's left behind.

CO-CHAIR DUNAWAY: On the black and white I believe that's correct. I wanted to touch on that. And if this real estate transaction hasn't been more complicated than flying to the moon, this is another piece to it. For the western early transfer to carve out the 4S area here, we also took out a buffer portion of pond 4S, and I believe there's a dog leg section here that I don't believe Lennar is interested in taking, but I believe Weston has an interest in getting it to, I guess, restore what used to be the original boundary of the pond 4S.

And so there is a kind of a dog leg, L shape right here that is potentially going to the State Lands Commission and staying with the State Lands Commission, but then through a series of lease back arrangements, going back to Weston for the dredge ponds facility. I'm not an expert on that. I don't have that specific knowledge to say that's exactly right, but I think that addresses your part. This is the boundary, this purple area, I believe, is the boundary of the property that we would do the final RAP on, and includes that parcel. So thanks for pointing that out. Any more questions? I thought the cleanup was going to be the difficult part. But any final questions? Okay. Well, with that, I want to go ahead and start our break here, and hurry back, this latter part did take a lot longer.

But if you all remember, we had a little going away party for Diana last month, and what we did is print out one of the pictures from last month and put it on here. We'll circulate this around, it's kind of a card for her, a large format card, maybe we can get it framed up, and I think that's our intent is to frame this, put it behind some glass, and send it to Diana. So let me get a different pen though, and maybe what you can do is come up to the projector table here and sign it during the break. So with that, why don't we take about a ten minute break?

(Thereupon there was a brief recess.)

III. ADMINISTRATIVE BUSINESS (Myrna Hayes, Jerry Dunaway)

CO-CHAIR DUNAWAY: We need to get back to the table to finish up for tonight. One of the things that I wanted to follow up on following last month, and the theft situation that we had after the RAB meeting at the end of the meeting. There is security here at the library, and if there's any concern about people walking out by themselves, walking particularly to the back parking lot where it's dark, they have security here at the library and you can go to the staff and ask to be escorted. Last month one of our RAB members had a purse snatched, and it happened right outside the glass doors so, and it just happened she was walking out by herself a little bit

earlier than the rest of us. So if anybody needs to walk out early, I do recommend that if you have any concern at all, ask the library to have the security guard escort you.

Onto some administrative business. March 31st meeting minutes are in your packet, so if you have any comments there's a form for any corrections, and we'll make those, and they will be published on the RAB website.

The next two meeting dates are changed for May and for June. Those are a month earlier to avoid the Memorial Day weekend as well as the Fourth of July weekend.

MS. TYGIELSKI: A month earlier or a week earlier?

CO-CHAIR HAYES: A week earlier, not a month.

IV. FOCUS GROUP REPORTS

a) Community (need to select a new group leader)

CO-CHAIR DUNAWAY: Not a month, a week earlier than their normal Thursday. Thank you, Myrna. And now into the focus group reports. The community focus group, with the loss of Diana resigning from the RAB last month we need to select a new group leader. And I'm not sure how the Board wants to handle that. I haven't really been around when we've had a new community focus group leader nominated. So if there's any discussion about that we can do that right now, or maybe think about it for next month.

CO-CHAIR HAYES: Yeah, we'll do it next month.

CO-CHAIR DUNAWAY: Natural resources, Jerry Karr.

b) Natural Resources (Jerry Karr)

MR. KARR: Nothing to report.

CO-CHAIR DUNAWAY: Thank you, Jerry. And technical, Paula.

c) Technical (Paula Tygielski)

MS. TYGIELSKI: Nothing to report.

d) City Report (Ray Leftwich)

CO-CHAIR DUNAWAY: Thank you. The city report. I had left a message with Gil regarding Ray Leftwich, he has not gotten back to me. I'm not sure where Ray has vanished to, he's been gone all year, and I think the last one or two meetings at the end of last year, but I'll follow up on that again. The Lennar update from Steve.

e) Lennar Update (Steve Farley)

MR. FARLEY: There's a handout, hopefully everybody got a copy of it. If you didn't, there should be some over here. Just to sort of highlight the organization of this again. The left side of the map is showing some of the major areas that we're working in, and the IA areas as well.

The photographs in the upper right corner just highlight some of the types of, the typical activities that we're working on right now. And maybe one thing to point out is that a lot of the work that we're currently doing is relatively small scale, very, very localized kinds of activities, PCB sites, you know. We're moving a concrete pad, we're doing relatively small scale excavations around some older buildings, that sort of thing. And those are some of the things depicted here. And then in the lower right corner, some of the major documents that are in review or upcoming, milestones we've achieved. Starting with milestones. Since the last RAB meeting we've been successful in closing an additional eleven PCB sites, so we're now at about 358 of the 570 PCB sites have now been closed.

Some upcoming public comment periods. The main one here is the upcoming public comment period for the IA C3 remedial action plan. There is one caveat to that, we're working with the agencies right now to determine some additional site characterization requirements for IA C3, and I'm sure those two will mesh just fine. But that, that remedial action plan is a major document for us.

The other thing is in the documents in review, the second one there, the land use covenant and implementation and enforcement plan for IA H2, and similarly the land use covenant and implementation plan for IA D1.2, those are two very, very important documents that we're working on very, very closely with the agencies in hopes of having them approved and behind us by the end of the calendar year.

CO-CHAIR DUNAWAY: Thanks.

MR. GRIBBLE: So a question, when are you thinking of in terms of for a public meeting for the C3 area, area C3?

MR. FARLEY: I think it's probably not for another at least sixty days. It's not imminent. And primarily because of the thing I mentioned about some additional characterization that has to be done, that's going to affect when the public comment period is going to occur.

MR. GRIBBLE: And then as I look at your map here, the southern part of C3 which includes pier, some --

MR. FARLEY: 21, pier 21?

MR. GRIBBLE: Pier 21. How are you defining that? Are you defining that only as the pier and not below the water or down through to the sediment?

MR. FARLEY: Yes. It's, although I don't, I don't have the specifics for the configuration of that pier, it's typically to the quay wall along the waterfront. So I would assume that it's a similar kind of surface which would mean a vertical surface along the edge of the pier.

MR. GRIBBLE: But not to include the sediment underneath it?

MR. FARLEY: That's correct. That's correct.

CO-CHAIR DUNAWAY: Anymore questions for Steve on the Lennar update? Thank you, Steve. How about we move to Cris on the Weston update?

f) Weston Update (Cris Jespersen)

MR. JESPERSEN: Thanks. I think I pretty much caught everybody at the table, you can hand it out if anybody was missed, or folks in the audience you can hand that out. A number of items here on our update are kind of ongoing work that we've been briefing the RAB on for a number of months. First up would be the area H1 wetlands mitigation status. And actually yesterday the Navy had a meeting with U.S. Fish and Wildlife Service, some of the regulatory agencies, and Weston staff to discuss some of the potential mitigations that would be required under biological assessment for the potential destruction of wetlands X, which was within the area H1 footprint, and would likely be covered as part of the final remedial action to put a cap in the area. That I think was a very promising meeting. We look forward to getting a biological opinion from the Fish and Wildlife Service. Also, recently Weston has hired a consultant to look at the wetlands X habitat as a potential for containing the salt marsh harvest mouse, it's a protected species, threatened species under federal law.

Under California law it's a fully protected species, there's no trapping allowed, and so we've been working with the State Fish and Game folks and our consultant to allow for a period of trapping to verify whether or not any mice are in the area, and then modify our consultant's permit to allow relocation of any salt marsh harvest mouse that would be encountered during the trapping process to an area of suitable habitat outside of wetlands X which was, I think, an important win for us.

On the area H1 remedial investigation feasibility study and remedial action plans, we have had a number of ongoing working sessions between the regulators the Navy and Weston staff. Most recently there was one to review some potential issues with the ecological risk assessment on the area H1 remedial investigation. We've got some good feedback from the regulators. Our staff has gone back and taken a second look at some of the risk calculations, and within the next couple of weeks we'll have some information back to the regulators, and maybe finally bring the RI to closure.

Additional geotechnical data collection from area H1 containment area. This is in response to some requests from DTSC to look at the potential for the proposed landfill cap to consolidate a number of test borings. We've looked at some soils data, we've looked at seismic stability. As you can see in the photos, we've been doing the test borings. Just like the post office, neither rain nor snow nor sleet nor lieu of night stops us, but mud really messes us up big time. And again, we'll be presenting some of that data back to the DTSC

folks for their final review and concurrence as to the final geotechnical issues associated with the cap.

I mentioned this the last couple of months, we did put our groundwater extraction trench in operation back in February. We've extracted 4.5 million gallons of groundwater. We've been able to depress groundwater elevations at some locations between four and seven feet from where we started, and so it's very positive. The containment walls are working and they're doing a very good job.

We're moving once within the containment wall, and we're doing weekly monitoring. And so far all the groundwater is discharged to the Vallejo Sanitation and Flood. I think Dwight mentioned briefly earlier, and I know I mentioned at the tail end of the meeting last week when we were eating cake and celebrating Diana's unfortunate departure from RAB, but we're in the process of beginning to place two feet of soil cover on the eastern base of the dredge pond levees.

That goes back to the final RAP assigned in 2002 for the western early transfer parcel. DTSC required Weston to place an additional two feet of cover and suspenders to make sure that if any munitions or explosives of concern items were missed doing our two prior removal actions, there was sufficient cover that would make it extremely unlikely for a member of the public to encounter those items.

We just began grubbing those eastern levees this week. We've been stockpiling the clean fill material for the last week and a half, two weeks, and we hope to begin placement of that two foot cover material here in the next week, ten days.

And then finally, Dwight didn't put this on our update, but at the last meeting we mentioned that we had just kind of a tribute to Diana, contributed some money, and that was matched by Lennar to help restore the Spirit Ship up on top of the hill on the park land at the southern end of Mare Island. And associated with that, Weston agreed with contributing some sweat equity. We have had a number of crews up there mowing and knocking back the weeds and brush, and mowing around some of the historic homes in the production manufacturing area. And we did discover one thing that those signs on the eleventh fairway saying, "Beware of rattlesnakes if you're searching your ball in the rough," are true.

CO-CHAIR HAYES: They are true. We saw one like that.

MR. JESPERSEN: And I was relating to Jerry earlier, one of our equipment operators has this big fear of snakes, and he actually found one. He was riding a 150 pound excavator, and he saw a snake run across in front of the excavator and he hopped out of the cab and ran away. So we took him off of snake duty.

MR. KARR: Better give him in some enlistment papers.

CO-CHAIR DUNAWAY: Thank you, Cris, that was very informative.

MR. JESPERSEN: Probably more than you wanted to know.

CO-CHAIR DUNAWAY: Any questions for the Weston update?

CO-CHAIR HAYES: Well I have a very quick question. So on this wetland X that's been such a drama for so many months here, with the salt marsh harvest mouse, does this mean that if you were to find, I don't know what's your threshold, how many salt marsh harvest mice are you expecting to find that would run you over the limit as to how many, I mean as to moving them away? I mean I don't see anything there that talks about any kind of mitigation other than trapping and moving them. Would you not be required to do any kind of mitigation?

MR. JESPERSEN: Since I haven't been attending those meetings, maybe I'll defer that question to Dwight who has been.

CO-CHAIR HAYES: And there he is.

MR. GEMAR: Yeah, you're correct, Myrna. There is mitigation required for the mouse. As Cris mentioned, the State of California does not allow any killing or harassment of mice. And so the only real alternative for wetland X is to trap and relocate any mice that we do find.

There is a small wetland area in the northwest corner of the containment area near pond one, which is close enough that Fish and Game prefers to just remove vegetation by hand with the assumption that the mice will relocate on their own because they don't want to do trapping if they can avoid it. They would prefer that you remove the vegetation and allow the mice to relocate on their own. That's their preference. And so basically the problem with wetland X though is it's so isolated that if they attempted to move on their own they would likely be taken by a raptor of some type most likely.

So in the case of wetland X, Fish and Game is kind of struggling with what would be a threshold there. Like I say, they would prefer not to do the trapping, but they recognize that that's probably the only alternative. So they're looking at some data right now. My guess is that they'll give us kind of an unofficial number that if you, you know, trap more than X number of mice in the first couple of nights, then maybe we need to take another look at it and see if we can, you know, herd 'em out of there. It's unlikely that we'll find many mice. The area was trapped once before many years ago, so it's hard to say. But in that case I think they found just a few animals, salt marsh mice.

But we did have the meeting yesterday, as Cris mentioned, and Fish and Game was there, Fish and Wildlife Service was there, there was a lot of discussion about the mouse and how best to remove the mouse. And I think that everybody pretty much came to we would just remove vegetation in the wetland further to the northwest. And then in terms of mitigation, that's related to the wetland mitigation. Since we're going to lose 7.2 acres of old impact wetlands, we're going to create about 8.2 acres of new wetlands. And out of that 8.2, 6.4 acres are proposed for new pickleweed areas. And that's to replace about two acres that are pickleweed now within the 7.2. Because that 7.2, a lot of that is just degraded seasonal wetland, not much habitat value. So there's only about two acres of pickleweed. And so we're going to replace that with about 6.4 acres of pickleweed. And there's about a half acre

of ponded water that are used by waterfowl now, and we're going to replace that with about eight and a half within the new area. At least that's the proposal. So through that we'll also be connecting some isolated wetland areas into a larger contiguous area which should also benefit the mouse.

CO-CHAIR DUNAWAY: And just to follow up on that. Yesterday's meeting was the first opportunity we have had to have any technical discussions with the service and with their natural resource counterparts like Fish and Game on mitigation requirements that will ultimately lead to a biological opinion, that will dictate the specific mitigation, minimization, avoidance requirements for impacts to this species. And so we're just getting into that part of it, and hope to get that finished up so that we can hopefully do something during the optimal period of moving this mouse, which is in the July, August timeframe.

CO-CHAIR HAYES: Well, not to waste too much time here on this topic, maybe we need to have some other presentation on it. But my understanding, going way back when, was that this wasn't an issue that was being driven exclusively by, I guess the driver is the environmental cleanup and the need to make the cap, which will make it necessary to have that loss of wetlands. And so it sounds to me like it's a much more complex issue than either of you have described in terms of other players.

And so I can understand you focusing on the salt marsh harvest mouse because that's a federally listed endangered species, but I would just be interested at some point in seeing a presentation, you know, on all the agencies that I assume are going to have to be at the table to take that wetland out of operation.

CO-CHAIR DUNAWAY: I'd be very interested in that too. Because we're just beginning the consultation process, I don't know all the details, and it's, I'm relying on my biologist to work out those details. The process, specifically between the Navy and the U.S. Fish and Wildlife Service through the Section 7 consultation process, Fish and Wildlife Service dictates who they need to talk to figure out who else is involved as stakeholders through the natural resource that's under consideration.

CO-CHAIR HAYES: That again is just for the salt marsh harvest mouse. And so what I was talking about was, Dwight had talked something about some of the other wetlands that would be lost, that sort of thing. I would just be interested in having your biologist or representatives from all of the agencies that will be involved in that permit maybe giving us a presentation or a, I don't know if it merits a focus group meeting, but I know it's not just the Fish and Wildlife Service endangered species unit or ecological services that would be driving this.

CO-CHAIR DUNAWAY: It kind of is. When you say wetlands, that's the Army Corps. That will not be dictated in the biological opinion.

CO-CHAIR HAYES: I'm not saying it is. I know, I'm actually a layperson, but I know the difference between those. I'm just saying that you're focusing on telling us tonight about the salt marsh harvest mouse negotiations you have, and I completely honor that process. However, at some point, regarding our involvement in the environmental cleanup and

containment at the landfill, I would be interested in getting an update, a presentation on all the other cast of characters that I recall are going to be weighing in on this CERCLA action.

CO-CHAIR DUNAWAY: Oh, you're correct. And we just have made very little progress with both the Army Corps of Engineers from the wetland impact and mitigation standpoint, as well as the water boards, not Gary, but I guess other people in Gary's office regarding those same wetland issues. We're just not as far along with them as we are with the Fish and Wildlife Service, which is not very far at all in itself.

MR. RILEY: That's true. We've yet to receive a project description or application for, filling of wetlands in California requires water quality certification and waste discharge requirements from the regional board, as well as certification to the Army Corps permit. So the Army Corps is involved in federal wetlands, that needs to be certified by the state. And then in California we have a more inclusive definition of what we consider to be wetlands in California. So impacts to wetlands in California need to be mitigated in a manner that's acceptable to the regional board.

And that -- and you're correct, Myrna, that that lies outside of the specific habitat for the salt marsh harvest mouse is the pickleweed habitat, and that's what the Section 7 consultation is centering on is the mitigation for that. Just speaking for the Water Board alone, we have an interest, not only in that, but also in the total wetland fill and mitigation and replacement and monitoring plan for that. So we'll look forward to finding out more about that ourselves.

CO-CHAIR DUNAWAY: Now I did hear, I think, something about another special status species that was brought up yesterday. I don't recall, I don't know, Dwight, do you recall any other species that was brought up?

MR. GEMAR: No, I mean in terms of the timing, there is discussion about migratory birds, because if we remove vegetation to encourage the mouse to move on to other places, they wanted us to look into timing in terms of nesting waterfowl. So we're going to check with the biologist from the refuge on that and get a better feel for what the appropriate timing would be.

CO-CHAIR DUNAWAY: Okay. So that, again it's not another endangered species --

MR. GEMAR: No.

CO-CHAIR DUNAWAY: -- or threatened or special status?

MR. GEMAR: No.

CO-CHAIR DUNAWAY: But that's for complying with the Migratory Bird Treaty Act?

MR. GEMAR: Right.

CO-CHAIR DUNAWAY: If I understand that correctly?

MR. GEMAR: Right.

CO-CHAIR DUNAWAY: So just one more box we need to check. Anymore questions on the Weston update? All right. Let's move onto the regulatory agency update. Chip, Carolyn, and Gary.

MR. GRIBBLE: I'm just going to, in my report here I want to talk about the wetlands mitigation plan. So it is our understanding at this point, best we can figure, meaning the regulatory agencies, EPA, water board, and DTSC, that the best we can figure out is what's supposed to happen, what the Navy is planning to do out there is to trap for the mouse, then thereby being able to conclude that there is no endangered species. Then remove the wetlands or remove the vegetation, thereby concluding that there's no wetlands. And then all of this would be done this summer which is before we ever got to a RAP meeting.

CO-CHAIR DUNAWAY: I have to correct you on that, we're not talking about --

MR. GRIBBLE: Wait a minute, this is the best that that I can figure. Now, you can't correct the best that I can figure. You maybe can correct the facts that the Navy is planning to do. But we've been asking you to do that, and you won't meet with us, you won't discuss this, and you've not told us anything. But let me give a little background on that. Last summer, as best as I can figure the timing, the Navy and Weston gave a presentation at this RAB meeting about their plans to do wetland mitigation last summer. And at that RAB meeting, if you recall, we raised some questions about that in terms of the legality, in terms of the process, and meeting other, the regulatory agency regulations and laws. And it was soon after that that the Navy said well, that's probably true, and so we're not going to go forward with that the summer of '04, but we'll follow -- my understanding is that the Navy then said they will follow the CERCLA process, that they will do this in the context of the cleanup. And so we've been going along with that understanding for quite some time. But no meetings, no, nothing happening on this until last winter when, at our urging, we finally had a meeting with the Navy and all the regulatory agencies involved.

It was our, it was our belief and it still is our belief, regulatory agencies, that this is very complex, from a regulatory context, and that the only way to get through this successfully, without making mistakes and having to back up and start over, is to do it with all the regulatory agencies together with the Navy at once. And we work through the whole thing with all of us participating.

And the Navy does not agree with that strategy. They want, they've pursued this independently with other agencies only, and does not want to meet with all the regulatory agencies, and won't include some of us. And we had a meeting with regulatory agencies last week finally to, cause we still have our obligations, regulatorily speaking. In terms of CEQA, DTSC has an obligation to ensure that the impacts of this are minimal. And we're looking at a possible EIR as a, as part of this project, and we would like to stay away from that as much as possible. That in itself could take us a lot of time and a lot of cost to it. So we have an interest, if nothing else, to shape this project in a way that minimizes impacts. And that requires that we work closely with the other agencies and with the Navy, except that the Navy does not want to meet with us on this, they want to meet with Fish and Wildlife and other agencies.

So we did have a meeting with the regulatory agencies last week. And then a couple days ago the Navy had a meeting with the Fish and Wildlife Service on their, you know, getting the biological assessment with them. And at this point we're not allowed to continue working outside of the Navy because, I guess the, or at least the Fish and Wildlife Service is uncomfortable moving forward because they feel they have some, as I'm told, they have some obligation to not talk without the presence of the Navy, that's what the Navy has told the Fish and Wildlife Service following that meeting. So we're very frustrated in our lack of ability to get this going in terms of a meeting and working with all the agencies and the Navy concurrently.

So, we're left with, what I started out with at the beginning, which is that's what the best we can divine as to what's going on, which is going back to what the Navy was trying to do last summer, which is to work this out without all of the agencies involved and outside of the CERCLA process. Now, if that's not correct, we would be very happy to begin meeting with you and to talk this out and work it out so that all agencies come up with a, work with the Navy to come up with a plan that is satisfactory to all regulatory agencies.

CO-CHAIR DUNAWAY: Well, to follow up on that, we meet with you every month. The endangered species issue is something that we resolved with Fish and Wildlife Service by formally submitting a request for a formal consultation early this year. And that's a process between the Navy and Fish and Wildlife Service. What you did last week was meet with them without informing us. And really what we think is going to result from that are delays, and I'm just going to leave it at that.

We have more work to do now to satisfy the Fish and Wildlife Service due to issues that you raised that don't have anything to do with the species. So with that, why don't we move on to --

CO-CHAIR HAYES: Well, I only want to say one thing. I had no idea that you guys were at loggerheads here. But the purpose, one purpose of the Restoration Advisory Board is the public's involvement, those who serve on the board from the community perspective, our involvement early and often in the process that, as it concerns environmental cleanup.

And if you really are at some kind of a logjam here, this sounds like the time for a focus group meeting or some way of bringing the community, affected community members into, into the mix. Yeah, I know something about endangered species law and the Section 7 consultations between two federal agencies, but in this process that's in the context of an even larger issue that I think seriously affects this community, and that is the ultimate disposition of the Mare Island landfill, a portion of which is a RCRA site. And this community in general has not been engaged by, sufficiently in the decisions that are being made concerning the landfill and the direction that it's going. And it might as well get involved now. And we've had great reports, we've had great site visits, I'm not getting down anybody's throat, I think Weston is doing a superb job, but the truth of the matter is this issue did come up many, many, many, many months ago, if not a year ago, and we haven't been kept abreast about what's going on. And if there really is a logjam here, let's get the community involved and see what we can do to also be informed at least, or to possibly even work in some of the ways that we can.

If you're having a problem with getting back any information back from the Corps, I mean we know people who actually live in this town who work in the wetlands unit of the Corps. You know, call on us as community members, as stakeholders in this process I would say to all of you who are involved in the project.

CO-CHAIR DUNAWAY: Well, we appreciate that, and we can certainly take that and use your help in that. But as I described, and as Weston described, our first meeting to discuss endangered species was yesterday. Chip took it upon himself to meet with them in advance of our first meeting with the service, and I really do believe it's going to result in another significant delay of completing the cleanup of the landfill and making it safe for the community. I can't really say more than that because the damage has already been done and we're going to have to work at correcting that.

So, are there any other questions? I can talk with Weston, see what we can do as far as getting a community focus group together, but I really have no other information. Yesterday we literally handed a revised biological assessment to the Fish and Wildlife Service, we really haven't gotten much farther than that. And what concerns Chip had, I don't know. We haven't got any agreement from the service on what we're doing, so we don't know what we're doing. We have ideas. He knows what they are. We meet with him every month.

But Chip, I really do think that was something that really disappoints me, especially yesterday's meeting when, Tuesday I recommended highly that you do not attend yesterday's meeting and you did. So with that, other regulatory updates? More questions? How about Carolyn?

MS. D'ALMEIDA: Well Jerry, I was just wondering what damage you felt was actually done by the regulators having a meeting prior and just getting to know each other. And half that meeting we spent just talking about who does what and what's your role here. So I don't know what you feel was damaged as far as you're concerned.

CO-CHAIR DUNAWAY: Well, the service now has perceptions that we don't tell you guys information, and that's just a hard one for them to now get over thinking that we're not sharing information with you. We meet with you every week -- or every month, and we tell you what we're doing. But the feedback I got from my biologist is that she now has a real hard job. And I don't know much more than that. I've just gotten that information this morning, without having the full benefit of really assessing that situation because I had to come here. So I'll get back to you on that.

g) Regulatory Agency Update

MS. D'ALMEIDA: Okay. All right. I'll be really brief. I've got some fresh baked comments here, baked fresh this morning, and they haven't even gone in the mail yet, you might have it in your e-mail box. This is regarding the draft ECA and removal action or plan for the DRMO scrapyard, which is going to be the subject of next month's RAB meeting, if Jerry gets his way. Anyway, I'm just going to pass my comments around. I've got maybe ten copies. Just pass those around and make sure Jerry gets a copy. And that's it for me.

CO-CHAIR HAYES: I just want to clarify that Jerry doesn't get his way, that's not how we set agendas. We have at least a bit of democracy in the process. Gary?

MR. RILEY: I don't have anything to report.

CO-CHAIR DUNAWAY: Let's move on to our co-chair reports. Myrna, do you want to go first?

CO-CHAIR HAYES: I have nothing to report today -- oh, yes, I do. That I was asked by the Secretary of Defense to participate as a judge in their Environmental Stewardship Awards, their annual awards, the Secretary's Environmental Award. And I judged in a category of cultural resources management in the installation division. So if anybody wants to send me to the Pentagon's Executive Dining Room on May 4th, I don't have a ticket to go, but I did my public service on your behalf. You can give me your extra miles and I'll fly out there, for the RAB, of course.

V. CO-CHAIR REPORTS

CO-CHAIR DUNAWAY: If you don't mind taking three legs on Southwest Airlines, I think I've got a free roundtrip. That's a nice dining room too, I was in it, it was just after it was remodeled.

Well, my report is something that should have been passed around and you got a copy of it. It's got a picture of the USS Vincennes on it, home port in San Diego. Guided missile frigate or cruiser, I don't know which one. Cruiser. And it summarizes a variety of things.

First and foremost is the DRMO removal action. Well, it talks about the Marine Corps Firing Range. We heard about that earlier today. The DRMO removal action is another project that we're hoping to get to clean up this year that we've been dying to get out there and do cleanup on for a couple of years now. And that cleanup will focus on lead contamination and PCB contamination from the transformer fluids. The DRMO scrapyard was kind of a place where things went to for reutilization, recycling, and it took in a lot of metals, and we know that's where the lead came from. Probably batteries. But the PCB contamination came from transformers that went through there and the fluids that leaked out of them or were disposed of on the site.

With the planned public meeting in May, that will get us to a position to get to the cleanup later this year. The document that will be proposed for public comment is the engineering evaluation and cost analysis. It's not described in any great detail, but we hope to get that out about a week prior to it, get copies of it in the RAB library, you'll see a newspaper notice, and a copy of the transmittal letter just went out today. But what we're doing with DTSC is they're doing a preview of it before we take it out to the public for review. And we hope to hear good news from DTSC on that to allow us to move forward.

Section three talks about document submittals. And EPA had a really busy month. We got five comments from them. And let's see -- no, I think we got, I think we got somewhere on the order of three or four comment letters from the EPA, a couple from the water board, and one from DTSC. We issued a couple of documents and they're summarized there. So we've had a very busy month. We also at the Navy issued the final site management plan which is the schedule for cleanups that has been rather problematic in getting regulatory agreement on for a couple

years now. That is issued in final, in final form. We're hoping to get DTSC and the water board's agreement on that early in May.

The last section talks about the potential for early transfers, and there's been a change. We got a little bit more detail on that and talked about it in the paragraph there. Essentially there was a new law that was issued in 2002. The law was to facilitate reimbursement agreements with our state regulatory agencies. Unfortunately, it included some language that prohibited cleanup of any kind of agreement that related to cleanup that extends beyond two years. And as many of you know, our ESCA or cleanup agreements that we've implemented here in Mare Island, actually in 2001, cover multiple year payments. And now the lawyers are trying to figure out how to fix that.

So right now our early transfer discussions are on hold until that's resolved. A couple of new updates. As of this week we've had yet another surprise inspection at the landfill two days ago. All indications are that things are okay. The inspection focused on training records and site conditions.

The offshore munitions work in the south shore is something we also took another look at and changed the approach there. Because of some timing, you guys heard last month what we were planning to do, we have a short window of opportunity that starts in May, it goes through August, when those super low tides are in effect.

Well, as it stands, with all of our cleanup work ongoing, our team really wasn't prepared to get the work plan out to the agencies with enough time for their review to get us out to the field next month. We're going to push off that field work portion of the work, we're still going to submit the work plan next month, and we're going to focus on doing some sampling that DTSC identified as problematic for them. We'll be doing that this month or this year, the remainder of this year once we get the work plan approved.

And then next year we'll do the actual intrusive investigation of the anomalies to determine what those anomalies were that we found last year. So there will be a little bit of a delay with that project. With that, are there any questions about any of these? All right. Well, I'm sorry this went so long tonight.

MR. FARLEY: Jerry, I have one thing I'd like to add if I could. This is really fast. I just wanted to publicly say how much I appreciate and CH2M HILL appreciates the folks over at the CSO office. They've been really very, very helpful for us for a long time. But in particular Bob Palmer has been very, very, very helpful in answering some questions that we've come up with in response to agency comments or questions on documents, and I just want to make sure that you guys all know how much I appreciate, in particular, Bob's support for answering those questions quickly and efficiently. So thank you, Bob.

CO-CHAIR DUNAWAY: I'll pass the word on. Thanks, Steve. All right. With that, meeting adjourned.

(Thereupon the foregoing was concluded at 9:30.)

LIST OF HANDOUTS

The following handouts were provided during the RAB meeting:

- Presentation Handout – Update on Cleanup Progress and Redevelopment Activities at the Marine Corps Firing Range Site
- Weston Solutions Mare Island RAB Update April 2005
- Lennar Mare Island Mare Island RAB Update April 2005
- Navy Monthly Progress Report Former Mare Island Naval Shipyard April 2005

CDM Transmittal

CDM.

9444 Farnham Street, Suite 210
San Diego, California 92123
(858) 268-3383
(858) 268-9677

To: Diane Silva
Organization/Address: Navy SWDIV
1220 Pacific Hwy, ~~Bldg 120~~
San Diego, CA 92132
Phone: (619) 532-3676

From: Regina Clifford
Date: August 24, 2005

Re: Mare Island Information Repository – Final Minutes for March, April, and May 2005 RAB Meetings

Job #:

Via: *Mail:* *Overnight:* Fedex 2-day *Courier:*

Enclosed please find:

For your information

X

For your review

For your signature

Approved

Approved as noted

Returned to you for correction

● **Message:**

Diane,

Enclosed please find two copies each of the final RAB meeting minutes from the March, April, and May 2005 RAB meetings at Mare Island Naval Shipyard for the administration record/information repository. Please call me with any questions

Thank you,

Regina Clifford
Project Manager

Signed

