

Responsiveness Summary for Proposed Plan Site 27 Northern Channel Former NAS Moffett Field Moffett Field, California

PART I Summary Report

Introduction

This Responsiveness Summary was prepared to address comments received from the community and other interested parties regarding the proposed remedial action selected for Site 27, the Northern Channel drainage ditches, berms, and associated debris pile, at the former Naval Air Station (NAS) Moffett Field, Moffett Field, California. Part II of this Responsiveness Summary provides a matrix with all comments received during the Site 27 Proposed Plan public comment period and the Navy's responses to those comments. Part I of the Responsiveness Summary provides an overview of the community's views on the proposed remedy for Site 27 and documents how the Navy considered public comments during the decision-making process.

Section 1 Overview

Alternative 2, Excavation and Off-site Disposal, was selected as the preferred alternative to achieve the overall remedial action objective of limiting exposure of ecological receptors to impacted sediments and soil. The preferred remedy will include permanently removing sediments and soil with chemical concentrations above established cleanup levels to protect bird species that are the most sensitive ecological receptors at the site. By protecting the most sensitive ecological receptors, the remedy also protects human health and other organisms.

Based on public comments, the preferred alternative is acceptable as a remedy to address contaminated sediments and soil at Site 27. Three commenters wished to see more detail in the plan with regard to the protection of the Western Pond Turtle colony and its habitat and would like assurances that these concerns will be considered during remedial design and remedial action. This issue is discussed in more detail in Section 3 below.

Section 2 Public Participation

The public comment period for the Site 27 Proposed Plan was held from May 4 to June 4, 2004. A public meeting was held on Thursday, May 20, 2004, at the Mountain View City Council Chambers located at 500 Castro Street, Mountain View, California 94041, from 7:30 to 9 p.m. The formal public meeting was preceded by an open house that began at 6:30 p.m. on the City Hall second floor. Ten community members attended the public meeting; two provided oral comments and one filled out and submitted a written comment form. The meeting and all oral comments were transcribed.

The Navy has had active community outreach in the environmental process at Moffett Field since the conversion of the Technical Review Committee to a Restoration Advisory Board (RAB) in 1994. The RAB is a volunteer committee that reflects the diverse interests of the local community. The RAB is chaired by the Navy and is co-chaired by a member of the community elected by the RAB. The Moffett Field RAB includes members representing the following agencies and organizations:

- Bamm Park Association Foundation
- California Native Plant Society (CNPS)
- California Regional Water Quality Control Board, San Francisco Region
- Center for Public Environmental Oversight
- City of Mountain View
- City of Sunnyvale
- Environmental professionals
- Middlefield, Ellis, Whisman (MEW) consultants
- National Aeronautics and Space Administration (NASA)
- Private citizens
- Santa Clara Valley Water District
- U.S. Environmental Protection Agency (EPA)
- Wetlands Advisory Group (WAG)

Board members serve as a liaison with the community and are available to meet with community members and groups. The RAB meets every alternate month and reviews and comments on plans and activities related to the ongoing environmental studies and restoration activities at Moffett Field. RAB members are well educated and informed about the environmental activities at Moffett Field and in the surrounding area.

In addition to an active RAB and other avenues for public involvement in the environmental process, the local media have followed the progress of environmental activities and provide a conduit for information flow to the community. Also, the Moffett Field environmental program team maintains a mailing list of over 1,820 individuals. This list is used regularly to mail notices of all environmental milestones and to disseminate information about major activities, project updates, and RAB and public meetings.

Section 3 Summary of Comments Received

As stated in Section 1 above, Alternative 2, Excavation and Off-site Disposal, was the remedy selected for removing contaminated sediments and soil from Site 27. In all, eight individuals provided comments on the Site 27 Proposed Plan. Two comments were provided orally at the public meeting and three via comment form; three comments were submitted via U.S. Postal Service (mail). In addition, one of the commenters who provided oral comments at the public meeting also e-mailed written comments.

One individual asked if and how recent federal funding decisions would impact the project; another made a statement pertaining to redevelopment; two expressed concerns about disposal, specifically, that contaminated materials removed from the site are disposed of in a safe and

responsible way; one requested information about responsibility for, and level and duration of monitoring of site revegetation efforts; and three expressed concerns about the preservation and management of the western pond turtle, a California Species of Special Concern, and restoration of its habitat upon completion of the project. A list of concerns pertaining to the western pond turtle is provided here.

- The western pond turtle colony at Site 27 is a viable colony, said to be the only such colony in Santa Clara County, and its preservation needs to be assured.
- A thorough understanding of the western pond turtle mobility, feeding and nesting habits as well as its predators and other issues critical to its survival will be necessary to recover, protect and conserve the western pond turtle and restore its habitat before, during and after the project.
- The Proposed Plan for Site 27 is deficient without a Habitat Conservation Plan. A conservation plan would include appropriate fencing to allow the western pond turtle adequate egress and access and protective measures during excavation, dredging and dewatering.
- A plan should be implemented to ensure adequate habitat (water, land, nesting area, etc.) for the western pond turtle during construction and cleanup. A new channel might be developed or Jagel Slough might provide an interim habitat so that the western pond turtle colony could be moved during the remedial work.
- The Proposed Plan for Site 27 is deficient without a restoration plan to be implemented upon completion of the project. This would include addressing such habitat factors as slope, compaction, soil and sand materials, accessibility, etc.

One set of comments included requests that the Navy consider project impacts on local traffic and involve and inform local municipalities and other agencies in planning the remedial design and conducting the remedial action; consider excavating transects 2 and 4 to levels that would achieve remaining concentrations of polychlorinated biphenyls (PCBs), dichlorodiphenyltrichloroethane (DDT) and lead more in line with other transects; spread confirmation sampling locations more evenly to obtain a more complete picture of the site; and hold a public workshop be held during the remedial design/remedial action phase.

In addition to the concerns described above, several commenters indicated that, as a conceptual level plan, the Proposed Plan lacked sufficient information about remedial design and remedial action and resulting impacts for them to provide specific comments. An earnest interest in receiving and reviewing design plans was expressed to obtain a full understanding of specific impacts to a variety of issues.

Section 4 Remedial Design and Remedial Action Concerns

This section provides a summary of concerns received during the public comment period regarding design and implementation of the remedial action.

Western Pond Turtle

The Navy should ensure that all aspects of western pond turtle protection are given full and thorough consideration during development of the remedial design to minimize disruption to the local colony and its habitat. Care should be taken and protective measures incorporated

during remedial design and remedial action to ensure the health and viability of the western pond turtle are maintained. This may include implementing a habitat conservation plan and/or the creation and use of an interim western pond turtle habitat to ensure that the colony is safely protected during remedial action. The Navy should consult with the San Francisco Bay National Wildlife Refuge for information pertaining to the western pond turtle.

PCB, DDT and Lead

The Navy should consider excavating Transect 2 for PCBs and Transect 4 for PCBs, DDT and lead to levels that would achieve remaining concentrations more in line with other transects. The Feasibility Study shows that remaining concentrations of these constituents will be higher than at other transects, although below the cleanup goals.

Confirmation Sampling Locations

The Navy should conduct confirmation sampling at locations different than the remedial investigation/data gaps sampling locations in addition to confirmation samplings at the remedial investigation locations, if necessary. Such spreading of the sampling locations will provide a more complete understanding of the site.

Public Workshop

The Navy should consider holding a public workshop or meeting during the remedial design/remedial action phase of the project. Such a meeting could serve to provide information about issues not addressed in the Proposed Plan and to receive comments from the public on issues that are not currently known, but may be known when the remedial design is developed (i.e., specific impacts to the western pond turtle and traffic, and other details about the cleanup activities).

Traffic

The Navy should coordinate with local agencies and municipalities during remedial design and remedial action to manage the extent to which traffic impacts local communities.

Off-Site Disposal

The Navy should ensure that contaminated materials removed from Site 27 during the remedial action are disposed of safely and responsibly.

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**PART II
Response to Comments Matrix**

**Responsiveness Summary
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Written on: 30 April 2004

Received on: 05 May 2004

From: John R. Carter, Sr., Mountain View, California

Submitted Via: Public comment form

Affiliation/Agency: Public member

GENERAL COMMENTS

Comment 1: In all of the proposed alternatives, no mention was made as to where the removed contaminated soil would be sent to. I am as concerned about that as I am about contaminants locally.

I am interested in knowing how the contaminants can be neutralized - aside from dispersing them evenly throughout the globe. (scrubbing techniques)

Response 1:

All soil and sediment removed during the project will be laboratory tested for hazardous constituents. Material containing constituents at concentrations that are determined to be representative of hazardous waste will be transported for final disposal to a United States Environmental Protection Agency- (EPA-) approved hazardous waste landfill permitted under the Resource Conservation and Recovery Act (RCRA). Material containing hazardous substances at concentrations that require removal, but at concentrations below what is considered hazardous waste, will be transported for disposal to an EPA-approved RCRA solid waste landfill permitted to accept this material. There are several permitted and EPA-approved RCRA hazardous and solid waste landfills in California.

There are no viable means of neutralizing the contaminants in place. One of the alternatives (Alternative 4) evaluated covering or capping some or all of the contaminated sediments and soil in place to reduce the potential for exposure; however, this does not remove or lower the concentrations of contamination and would require ongoing maintenance of the cap to prevent migration of the contaminants. Another alternative (Alternative 3) proposed removing the contaminated materials and treating them on site to lessen their toxicity. There are various forms of treatment that could be applied to stabilize the contaminants within the soil matrix once it has been excavated, but this material will still need to be placed somewhere (such as a controlled

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	landfill) where it will not leach contaminants into the environment over time.
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Written on: 08 May 2004 From: Andrew John, Mountain View, California Affiliation/Agency: Public member	Received on: 11 May 2004 Submitted Via: Public comment form
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GENERAL COMMENTS	
Comment 1: I agree Alternative 2 is the best. So when can we start building houses or condos? We should build towers so rich retirees can look over the bay and pay big taxes to the City of Mountain View.	Response 1: The Navy appreciates your concurrence with the preferred alternative. Once the remedial action has been completed and approved by EPA, the Navy will have fulfilled its responsibility for environmental cleanup for this site. With respect to use-related issues, the National Aeronautics and Space Administration (NASA) is the federal property holder, pursuant to the Navy's federal transfer of the former NAS Moffett Field facility to NASA in 1994.

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Written on: 20 May 2004

From: Mavis E. Petra, Campbell, California

Affiliation/Agency: Public Member

Received on: 20 May 2004

Submitted Via: Public comment form

GENERAL COMMENTS

Comment 1: I heard that President Bush has pulled funding for Superfund sites. Is this information accurate and, if so, how does it impact this project?

Response 1: The Navy does not possess sufficient information to confirm the accuracy or inaccuracy of your statement regarding the Superfund; however, the Navy receives funding for environmental cleanup of its closed facilities through the Department of Defense's (DoD's) Base Realignment and Closure program, which follows the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) process. While some of these facilities (including former NAS Moffett Field) are on the National Priorities List (NPL), or "Superfund" list of the nation's most contaminated sites, the DoD funding is not tied directly to the EPA's "Superfund" oversight program. The Navy is confident that sufficient funding from the DoD will be available to complete the cleanup of Site 27 once the Record of Decision for the site is completed and approved, which is the next step in the cleanup process.

Written on: N/A

From: Libby Lucas, Los Altos, California

Affiliation/Agency: RAB Member

Received on: 20 May 2004; 29 May 2004; 04 June 2004

Submitted Via: Public Meeting (oral); e-mails to Andrea Espinoza

GENERAL COMMENTS

Comment 1: [oral] This was going to be a question, but I guess I'll phrase it differently. Basically, as I was speaking to staff before the meeting. I'm concerned about the Western Pond Turtle, and it's very important that they not be fenced off from their normal roaming ground. They need sandy banks to do their nesting in if you're going to have a really viable colony. You may just have a colony that is not reproducing young turtles. So I certainly hope, when

Response 1: The habits and migration patterns of the Western Pond Turtle provide a very high degree of confidence that the cleanup actions will have minor impacts on the colony, if at all. Important information about the species is provided here. Western Pond Turtles in a stream or drainage environment are highly variable in their movements. Some individuals nest, aestivate, or over-winter considerable distances (e.g., 400 meters [m]; Personal Communication

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GENERAL COMMENTS

you do your habitat conservation plan, that you do it ahead of time; and maybe that debris pile -- I'm not sure how toxic it is -- but maybe that's where they're using some of their refugia, their nesting capability. So I think it's very important that you check out all the necessary aspects of their survival before you do anything as far as removing something that may be a little toxic, but may not be a problem to them. It certainly would be beneficial to leave them some survival capability, because as things get more and more civilized -- I mean, the golf course and everything else -- they're going to have fewer and fewer options; and since this is the one pond turtle colony in Santa Clara County that's surviving, it's terribly, terribly important that everything that you can do to keep this group of turtles viable is very essential, I think.

Brent Helm, 2003; California Department of Fish and Game [CDFG], 1994; Storer, 1930; Rathbun et al., 1992; 1993) from their resident stream or drainage environment. Western Pond Turtles have been documented migrating significant distances (at least 2 kilometers [km]) if the local aquatic habitat changes (e.g., disappears), and adult turtles can tolerate at least seven days without water (Personal Communication Brent Helm, 2003; CDFG, 1994; Storer, 1930; Rathbun et al., 1992; 1993). Within 305 m of the potentially affected habitat, other features suitable to the Western Pond Turtle habitat exist.

The Western Pond Turtle is a California State Species of Concern; it is neither a State nor Federal Endangered Species Act listed candidate, threatened, or endangered species. It is not anticipated that the proposed actions will result in a "take" of any Western Pond Turtles as defined by the CDFG or Federal Endangered Species Act. However, since the Western Pond Turtle is a California State Species of Concern, it has and will continue to receive special consideration, e.g., construction timing restrictions and monitoring. The avoidance and conservation measures will reduce potential adverse impacts to the local Western Pond Turtle population. Project actions will be minimized to the maximum extent practicable during the breeding season (April to August) and hatching season (late summer to early fall). The drainage features that could be potentially impacted are upland features that have been excavated for water conveyance.

LITERATURE CITED AND COMMUNICATIONS

- California Department of Fish and Game (CDFG). 1994. Amphibian and

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GENERAL COMMENTS

Reptile Species of Special Concern in California. Inland Fisheries Division 1701, Nimbus Road, Rancho Cordova, CA, under contract (8023).

- Jennings and M. Hayes, Eds. Storer, T.L. 1930. Notes on the range and life history of the pacific fresh water turtle, *Clemmys marmorata*. University of California Publications in Zoology 35(5): 429-441.
- Rathbun, G.B., N. Siepel, and D.C. Holland. 1992. Nesting Behavior and movements of western pond turtles (*Clemmys marmorata*). The Southwestern Naturalist 37(3): 319-324.
- Rathbun, G.B., M.R. Jennings, T.G. Murphey, and N.R. Siepel. 1993. Status and Ecology of sensitive aquatic vertebrates in the lower San Simeon and Pico Creeks, San Luis Obispo County, CA. Unpublished Report, National Ecology Research Center, Piedras Blancas Research Station, San Simeon, CA, under Cooperative Agreement (14-16-0009-91-1909 Brent Helm, PhD. 2003. Professor at Sacramento State College and Independent Herpetologist. Possess a valid California Department of Fish and Game Permit to handle and relocate Western Pond Turtles.

Comment 2: [oral] I guess my other thought would only be if there was any way to vacuum out the toxic sediments out from under the cleaner ones on top. But I guess you obviously have thought of every possible option, and that would not be feasible. So I guess I won't even think about that. That's it, thank you.

Response 2: During the Feasibility Study, 21 different alternatives were evaluated. These included excavation and off-site disposal. One of the proposed methods in the Feasibility Study was hydraulic dredging. This method uses suction hoses to remove sediment; however, there is no way to differentiate the clean sediment from the contaminated sediment below the water surface during dredging. This method is significantly more expensive than conventional excavation and would not accomplish the task of leaving the clean sediment in place after dredging. The final method for removing the

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GENERAL COMMENTS

Comment 3: [e-mail] Please consider this an addendum to my May 29, 2004 submittal to you in regards the final remedial plan for the Moffett Field - Northern Channel - Site 27 cleanup.

Since the Habitat Conservation Plan for the Western Pond Turtle is not incorporated into the proposed toxics cleanup plan for Site 27, which includes Northern Channel, Marriage Road Ditch, Patrol Road Ditch and North Patrol Road Ditch, it is necessary to implement an HCP and recovery program before the remedial work is initiated. As stated earlier, the initial Environmental Impact Statement for Moffett Field located the colony of Western Pond Turtle here in the Northern Channel, and identified it as a California Species of Special Concern. It is the only Western Pond Turtle colony known to exist in Santa Clara County.

As all the alternatives for the cleanup of Site 27 appear to omit any consideration of how to preserve the health and survival of adults and juveniles of Western Pond Turtle in the project site, it seems imperative to establish a self-contained recovery program on site, preliminary to any approval of the proposed toxics cleanup plan. Thus, my suggestion of an addendum to the proposed Moffett Field - Site 27 - Northern Channel Plan is to create a parallel new channel outboard of the present Northern Channel, in the salt ponds of the Don Edwards National Wildlife Refuge, and to move the colony of Western Pond Turtle there during remedial channel work. This would entail the creation of a dirt mound equivalent to the structure, volume and potential of refugia of the present debris pile at the western end of the new channel. It would appear

sediment will be determined during the remedial design phase.

Response 3: The Western Pond Turtle is a California State Species of Concern; it is neither a State nor Federal Endangered Species Act listed candidate, threatened, or endangered species. No formal habitat conservation plan - Section 10 or Section 7 Federal Endangered Species Act - consultation is required for the proposed action.

The Federal Endangered Species Act and its implementing regulations prohibit the "take" of any fish or wildlife species that is federally listed as threatened or endangered without prior approval pursuant to either Section 7 or Section 10(a)(1)(B) of the Act. In the federal sense, "take" is defined in the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Federal regulation 50 Code of Federal Regulations (CFR) 17.3 further defines the term "harm" in the "take" definition to mean any act that actually kills or injures a federally listed species. Section 10(a) of the Act establishes a process for obtaining an "incidental take permit," which authorizes non-federal entities to incidentally take federally listed wildlife or fish subject to certain conditions. "Incidental take" is defined by the Act as take that is "incidental to, and not the purpose of, the carrying out of an otherwise lawful activity." Preparation of a Habitat Conservation Plan is required for all Section 10(a) permit applications. The United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) have joint authority under the Act for administering the incidental take

Additionally, once the ROD is completed, further study and assessment of management options associated with the local Western Pond Turtle colony will

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that present fencing that surrounds the Northern Channel and debris pile still enables the turtles to access the wetlands of North Patrol Road, Patrol Road and Marriage Road Ditches. It may also protect the turtles from predation by red fox. It is essential that the recovery program and Habitat Conservation Plan preserves this protection and yet provides ease of access to surrounding wetlands. It needs to be established just how the turtles get around or under fencing, how large an opening is needed to pass the larger ones and yet protect juveniles from incoming predators.

Circulation will also have to be designed so that the turtles can pass through the present debris pile site, not only after it is removed, but probably during excavation of the channel and pile? What were the results of the field studies that it was implied would be conducted at the time of the original environmental review? Does there need to be seasonal migration route consideration incorporated into the channel work?

This proposed habitat conservation plan for the Western Pond Turtle colony should probably result in a Bay Trail alignment that would provide sufficient habitat buffer for the turtles yet still leave them visible [sic] for observation and appreciation.

As I have come away on vacation without my official mail-in forms from the public meeting on Moffett Field - Site 27, please accept this and my previous submittal of May 29 as my comments on the proposed clean-up plan for the Northern Channel. Thank you for your continued kind consideration.

be conducted by the Navy in conjunction with local resource specialists.

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GENERAL COMMENTS

Comment 4: [e-mail] Ever since reading the original EIR/EIS for the Moffett Field remedial restoration, I have been waiting to see an HCP (Habitat Conservation Plan) for Western Pond Turtle. The Western Pond Turtle is presently now found here as a viable colony, and appears to have historically lived in this Northern Channel Site 27 and its preservation needs to be assured. This is said to be the only Western Pond Turtle colony in Santa Clara County, and as a California Species of Special Concern, it is mandatory that it be an indicator species in the Habitat Conservation Plan for the Northern Channel, North Patrol Road Ditch, Marriage Road Ditch, and Patrol Road Ditch.

As the Proposed Plan for Site 27, the Northern Channel, does not include any such HCP nor is one used to evaluate any of the alternatives for clean-up, I find the Site 27 Proposed Plan deficient. An analysis must be made of the excavation staging process necessary to assure that a sufficient acreage of water oriented habitat is maintained for Western Pond Turtles during dewatering of channel and ditches, and removal of contaminated soils. Then, the debris pile is an essential element in this Western Pond Turtle habitat, for nesting and refugia, and this must be replicated by similar habitat for the viability of the species. Not to have included any documentation of this habitat restoration, as to method or location of a permanent dirt pile, is a fatal deficiency in this proposed plan.

The steepness of slope in the banks of the Northern Channel is mentioned but there appears to be no scientific data presented on the degree of slope and compaction of bank that will be designed for, in the remedial restoration plan. This is a deficiency. Will appropriate criteria be defined that will insure [sic]

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The habits and migration patterns of the Western Pond Turtle provide a very high degree of confidence that the cleanup actions will have minor impacts on the colony, if at all. Important information about the species is provided here. Western Pond Turtles in a stream or drainage environment are highly variable in their movements. Some individuals nest, aestivate, or over-winter considerable distances (e.g., 400 m; Personal Communication Brent Helm, 2003; California Department of Fish and Game [CDFG], 1994; Storer, 1930; Rathbun et al., 1992; 1993) from their resident stream or drainage environment. Western Pond Turtles have been documented migrating significant distances (at least 2 km) if the local aquatic habitat changes (e.g., disappears), and adult turtles can tolerate at least seven days without water (Personal Communication Brent Helm, 2003; CDFG, 1994; Storer, 1930; Rathbun et al., 1992; 1993). Within 305 m of the potentially affected habitat, other features suitable to the Western Pond Turtle habitat exist.

It is not anticipated that the proposed actions will result in a "take" of any Western Pond Turtles as defined by the CDFG or Federal Endangered Species Act. However, since the Western Pond Turtle is a California State Species of Concern, it has and will continue to receive special consideration, e.g.,

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that the pond turtles (old and young) will be able to access and egress the Northern Channel and adjacent Moffett Field Ditches? What is the particular soil type recommended for these banks and the dirt pile for the Western Pond Turtle? What amount of present soils can be retained? What measures will be incorporated into the excavation plan so that large and small turtles will not be sucked up into the dredging equipment or into dewatering pumps? Will there be enforceable [sic] regulatory criteria in the project contract to assure that the Northern Channel and the Ditches will not be dewatered simultaneously? Will some continuity of access for the Western Pond Turtles be maintained between the deep water and the hauling-out or sunning banks?

Can the Western Pond Turtles navigate under or around the extensive fencing that is presently along the Northern Channel? Will equivalent ease of access be retained in the fencing of the proposed replacement habitat? Will the replacement/restoration nesting and refugia dirt pile be made equally accessible? The proposed alignment of the Bay Trail runs along the bay levee outboard of the Northern Channel. Will this be the recommended Bay Trail location, or will it be considered as too close in proximity to this colony of Western Pond Turtles?

Please consider this a place holder for my serious concerns on this Proposed Plan. I will try to file further comments by mail in time to meet the June 4 deadline. Thank you for your kind review and for the public workshop on the Northern Channel.

construction timing restrictions and monitoring. The avoidance and conservation measures will reduce potential adverse impacts to the local Western Pond Turtle population. Project actions will be minimized to the maximum extent practicable during the breeding season (April to August) and hatching season (late summer to early fall). The drainage features that could be potentially impacted are upland features that have been excavated for water conveyance.

Additionally, once the ROD is completed, further study and assessment of management options associated with the local Western Pond Turtle colony will be conducted by the Navy in conjunction with local resource specialists.

LITERATURE CITED AND COMMUNICATIONS

- California Department of Fish and Game (CDFG). 1994. Amphibian and Reptile Species of Special Concern in California. Inland Fisheries Division 1701, Nimbus Road, Rancho Cordova, CA, under contract (8023).
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<p>GENERAL COMMENTS</p>	
	<p>Report, National Ecology Research Center, Piedras Blancas Research Station, San Simeon, CA, under Cooperative Agreement (14-16-0009-91-1909 Brent Helm, PhD. 2003. Professor at Sacramento State College and Independent Herpetologist. Possess a valid California Department of Fish and Game Permit to handle and relocate Western Pond Turtles.</p>
<p>Comment 5: [e-mail] Thank you for acknowledging receipt of last two communiqués on Moffett Field - Site 27 - Northern Channel, and afraid I have one more postscript...</p> <p>As an interim habitat for the Western Pond Turtle colony, while the Northern Channel and adjacent drainage ditches are being dredged, perhaps Jagel Slough would offer the best wetlands habitat for the turtles. (If the Northern Channel is at 12:15 Jagel Slough is at 12 noon, so it is really close by and should be comparable habitat.) The only drawback would be that the slough is already in the Wildlife Refuge and so the fencing requirement would have to be a special condition. In recent years a red fox den was noted in this inboard location on Jagel Slough, I believe, so the predator protection element must be included. Then, a debris pile/dirt mound with some equivalent structure that can be burrowed into for turtle nests, would also have to be constructed at the inboard end of Jagel Slough, and also included in the fenced area. Access to the historic wetlands of the three ditches, North Patrol Road, Patrol Road and Marriage Road, should be made available when ditches are not being worked on. This would be reviewed in the Habitat Conservation Plan as a seasonal need, and might affect the excavation schedule for toxic cleanup of the site.</p> <p>Do think this will be an important interface with the South Bay Salt Pond</p>	<p>Response 5: The habits and migration patterns of the Western Pond Turtle provide a very high degree of confidence that the cleanup actions will have minor impacts on the colony, if at all. Important information about the species is provided here. Western Pond Turtles in a stream or drainage environment are highly variable in their movements. Some individuals nest, aestivate, or over-winter considerable distances (e.g., 400 m; Personal Communication Brent Helm, 2003; California Department of Fish and Game [CDFG], 1994; Storer, 1930; Rathbun et al., 1992; 1993) from their resident stream or drainage environment. Western Pond Turtles have been documented migrating significant distances (at least 2 km) if the local aquatic habitat changes (e.g., disappears), and adult turtles can tolerate at least seven days without water (Personal Communication Brent Helm, 2003; CDFG, 1994; Storer, 1930; Rathbun et al., 1992; 1993). Within 305 m of the potentially affected habitat, other features suitable to the Western Pond Turtle habitat exist.</p> <p>The Western Pond Turtle is a California State Species of Concern; it is neither a State nor Federal Endangered Species Act listed candidate, threatened, or endangered species. It is not anticipated that the proposed actions will result in a "take" of any Western Pond Turtles as defined by the CDFG or Federal Endangered Species Act. No formal habitat conservation plan, Section 10, or Section 7 Federal Endangered Species Act consultation is required for the</p>

**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

Written on: N/A

From: Libby Lucas, Los Altos, California

Affiliation/Agency: RAB Member

Received on: 20 May 2004; 29 May 2004; 04 June 2004

Submitted Via: Public Meeting (oral); e-mails to Andrea Espinoza

GENERAL COMMENTS

Restoration Plan and will be very important as a showpiece of inter-agency cooperation. International tour busses are already dropping tours off to visit the adjacent Mountain View Shoreline Park and Palo Alto Baylands, so this salvaging of the Western Pond Turtle Colony will be extremely valuable to International public relations as well as to this California Species of Special Concern. Thank you again for your consideration of these concerns on the Northern Channel.

proposed action. Preparation of a Habitat Conservation Plan is required for all Section 10(a) permit applications pursuant to Federal Endangered Species Act requirements. However, since the Western Pond Turtle is a California State Species of Concern, it has and will continue to receive special consideration, e.g., construction timing restrictions and monitoring. The avoidance and conservation measures will reduce potential adverse impacts to the local Western Pond Turtle population. Project actions will be minimized to the maximum extent practicable during the breeding season (April to August) and hatching season (late summer to early fall). The drainage features that could be potentially impacted are upland features that have been excavated for water conveyance.

Additionally, once the ROD is completed, further study and assessment of management options associated with the local Western Pond Turtle colony will be conducted by the Navy in conjunction with local resource specialists.

LITERATURE CITED AND COMMUNICATIONS

- California Department of Fish and Game (CDFG). 1994. Amphibian and Reptile Species of Special Concern in California. Inland Fisheries Division 1701, Nimbus Road, Rancho Cordova, CA, under contract (8023).
- Jennings and M. Hayes, Eds. Storer, T.L. 1930. Notes on the range and life history of the pacific fresh water turtle, *Clemmys marmorata*. University of California Publications in Zoology 35(5): 429-441.
- Rathbun, G.B., N. Siepel, and D.C. Holland. 1992. Nesting Behavior and movements of western pond turtles (*Clemmys marmorata*). The

**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

<p>Written on: N/A</p> <p>From: Libby Lucas, Los Altos, California</p> <p>Affiliation/Agency: RAB Member</p>	<p>Received on: 20 May 2004; 29 May 2004; 04 June 2004</p> <p>Submitted Via: Public Meeting (oral); e-mails to Andrea Espinoza</p>
GENERAL COMMENTS	
	<p>Southwestern Naturalist 37(3): 319-324.</p> <ul style="list-style-type: none"> ▪ Rathbun, G.B., M.R. Jennings, T.G. Murphey, and N.R. Siepel. 1993. Status and Ecology of sensitive aquatic vertebrates in the lower San Simeon and Pico Creeks, San Luis Obispo County, CA. Unpublished Report, National Ecology Research Center, Piedras Blancas Research Station, San Simeon, CA, under Cooperative Agreement (14-16-0009-91-1909 Brent Helm, PhD. 2003. Professor at Sacramento State College and Independent Herpetologist. Possess a valid California Department of Fish and Game Permit to handle and relocate Western Pond Turtles.

<p>Written on: N/A</p> <p>From: Richard Eckert, Los Altos, California</p> <p>Affiliation/Agency: RAB Member</p>	<p>Received on: 20 May 2004</p> <p>Submitted Via: Public Meeting (oral)</p>
GENERAL COMMENTS	
<p>Comment 1: I guess all my comment is based on what I've been reading today and what we've heard in the past. So far, I feel that the Navy is doing the right thing. One of my concerns is, when they pick up and move large amounts of material that is already hazardous, that it be disposed of in a safe way and doesn't leave a problem someplace else. Other than that, I think that you've got the right idea and are doing the right thing, and I'll continue to support you on it.</p>	<p>Response 1: All soil and sediment removed during the project will be laboratory tested for hazardous constituents. Material containing constituents at concentrations that are determined to be representative of hazardous waste will be transported for final disposal to a United States Environmental Protection Agency- (EPA)-approved hazardous waste landfill permitted under the Resource Conservation and Recovery Act (RCRA). Material containing hazardous substances at concentrations that require removal, but at</p>

**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

	<p>concentrations below what is considered hazardous waste, will be transported for disposal to an EPA-approved RCRA solid waste landfill permitted to accept this material. There are several permitted and EPA-approved RCRA hazardous and solid waste landfills in California.</p> <p>There are no viable means of neutralizing the contaminants in place. One of the alternatives (Alternative 4) evaluated covering or capping some or all of the contaminated sediments and soil in place to reduce the potential for exposure; however, this does not remove or lower the concentrations of contamination and would require ongoing maintenance of the cap to prevent migration of the contaminants. Another alternative (Alternative 3) proposed removing the contaminated materials and treating them on site to lessen their toxicity. There are various forms of treatment that could be applied to stabilize the contaminants within the soil matrix once it has been excavated, but this material will still need to be placed somewhere (such as a controlled landfill) where it will not leach contaminants into the environment over time.</p>
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**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

Written on: 01 June 2004

Received on: 08 June 2004

From: Kevin Woodhouse, Environmental Management Coordinator

Submitted Via: U.S. Postal Service (mail)

Affiliation/Agency: RAB Member representing the City of Mountain View

GENERAL COMMENTS

Comment 1: The City of Mountain View appreciates the opportunity to comment on the Site 27 -- Northern Channel -- proposed plan. City staff has reviewed the proposed plan and is conceptually supportive of the preferred clean-up alternative, "Alternative 2 -- Excavation and Off-Site Disposal." However, successful implementation of this alternative will depend on many details that need to be addressed either now or during the remedial design phase of the project. Therefore, City staff would like to submit the following comments for the record that should either be addressed during consideration of modifying the preferred alternative before the record of decision is finalized or during remedial design of the alternative:

1. *Traffic Impacts:* Off-site hauling and disposal of the excavated sediments and hauling of clean backfill soil will generate approximately 7,000 to 8,000 truck trips. Traffic impacts of this magnitude need to be coordinated with surrounding jurisdictions, including the City of Mountain View, the City of Sunnyvale and Caltrans, particularly in light of the major Highways 85/101 interchange project currently under construction.
2. *Remaining PCB, DDT and Lead Concentrations:* Transect 2 for PCBs and Transect 4 for PCBs, DDT and lead on Figure 6-1 in the feasibility study show anticipated remaining contaminant concentrations significantly higher than other transects. These transects are proposed for sediment removal to 1' below surface. Despite these concentrations being below the clean-up goals, consideration should be given to excavating these transects to levels that would achieve remaining concentrations more in line with other transects.
3. *Locations for Confirmation Sampling:* Confirmation samplings should be

Response 1:

1. The Navy recognizes the need to coordinate with Caltrans, the City of Mountain View, and the City of Sunnyvale to mitigate traffic impacts related to the preferred alternative. A detailed traffic plan will be provided with the remedial design and will describe mitigation measures addressing impacts of trucking operations. The effects of the construction on the 85/101 interchange will be included in the traffic plan.
2. Approved cleanup levels have been established for the site that are protective of human health and the environment. Conservative assumptions were employed to develop these levels. Therefore, removing soil with contaminant concentrations below the approved cleanup level would not be appropriate.
3. A confirmation sampling plan will be provided with the remedial design. It will be structured to provide appropriate coverage to ensure that the approved cleanup levels have been achieved. The use of additional locations, other than those previously used, will be evaluated during development of the sampling plan. This confirmation sampling plan will be available for comment prior to being finalized.
4. The Navy understands the importance of ensuring successful revegetation of the impacted area and a plan to address this need will be developed as a part of the remedial design. This plan will identify plant species of interest, method and techniques of revegetation, time

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for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

Written on: 01 June 2004

Received on: 08 June 2004

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Submitted Via: U.S. Postal Service (mail)

Affiliation/Agency: RAB Member representing the City of Mountain View

GENERAL COMMENTS

taken at locations different from (perhaps spread equidistant between) the remedial investigation/data gaps sampling locations in addition to confirmation samplings at the RI locations, if necessary. Such spreading of the sampling locations will give a more complete picture.

4. *Monitoring of Revegetation:* Ongoing monitoring responsibility for successful revegetation of the channel is not addressed in the proposed plan. Will the Navy monitor revegetation, and for how many years, to ensure proper plant species and growth occur? Or will NASA undertake this ongoing responsibility as part of their storm water system management?
5. *Western Pond Turtle:* More analysis about the western pond turtle's habits, habitats and relocation feasibility should be conducted by appropriate experts before selecting a clean-up alternative that requires them to be relocated.
6. *Public Workshop During RD/RA Phase:* Consideration should be given to holding a public workshop meeting during the remedial design/remedial action phase of the project to inform and get input from the public on many of the issues, such as those addressed above, that are important to the success of this project but are not addressed in sufficient detail in the proposed plan.

period for mitigation and the responsible parties.

5. The habits and migration patterns of the Western Pond Turtle provide a very high degree of confidence that the cleanup actions will have minor impacts on the colony, if at all. Important information about the species is provided here. Western Pond Turtles in a stream or drainage environment are highly variable in their movements. Some individuals nest, aestivate, or over-winter considerable distances (e.g., 400 m; Personal Communication Brent Helm, 2003; California Department of Fish and Game [CDFG], 1994; Storer, 1930; Rathbun et al., 1992; 1993) from their resident stream or drainage environment. Western Pond Turtles have been documented migrating significant distances (at least 2 km) if the local aquatic habitat changes (e.g., disappears), and adult turtles can tolerate at least seven days without water (Personal Communication Brent Helm, 2003; CDFG, 1994; Storer, 1930; Rathbun et al., 1992; 1993). Within 305 m of the potentially affected habitat, other features suitable to the Western Pond Turtle habitat exist.

The Western Pond Turtle is a California State Species of Concern; it is neither a State nor Federal Endangered Species Act listed candidate, threatened, or endangered species. It is not anticipated that the proposed actions will result in a "take" of any Western Pond Turtles as defined by the CDFG or Federal Endangered Species Act. However, since the Western Pond Turtle is a California State Species of Concern, it has and will continue to receive special consideration, e.g., construction timing restrictions and monitoring. The avoidance

**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

Written on: 01 June 2004

Received on: 08 June 2004

From: Kevin Woodhouse, Environmental Management Coordinator

Submitted Via: U.S. Postal Service (mail)

Affiliation/Agency: RAB Member representing the City of Mountain View

GENERAL COMMENTS

and conservation measures will reduce potential adverse impacts to the local Western Pond Turtle population. Project actions will be minimized to the maximum extent practicable during the breeding season (April to August) and hatching season (late summer to early fall). The drainage features that could be potentially impacted are upland features that have been excavated for water conveyance.

LITERATURE CITED AND COMMUNICATIONS

- California Department of Fish and Game (CDFG). 1994. Amphibian and Reptile Species of Special Concern in California. Inland Fisheries Division 1701, Nimbus Road, Rancho Cordova, CA, under contract (8023).
- Jennings and M. Hayes, Eds. Storer, T.L. 1930. Notes on the range and life history of the pacific fresh water turtle, *Clemmys marmorata*. University of California Publications in Zoology 35(5): 429-441.
- Rathbun, G.B., N. Siepel, and D.C. Holland. 1992. Nesting Behavior and movements of western pond turtles (*Clemmys marmorata*). The Southwestern Naturalist 37(3): 319-324.
- Rathbun, G.B., M.R. Jennings, T.G. Murphey, and N.R. Siepel. 1993. Status and Ecology of sensitive aquatic vertebrates in the lower San Simeon and Pico Creeks, San Luis Obispo County, CA. Unpublished Report, National Ecology Research Center, Piedras Blancas Research Station, San Simeon, CA, under Cooperative

**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

Written on: 01 June 2004	Received on: 08 June 2004
From: Kevin Woodhouse, Environmental Management Coordinator	Submitted Via: U.S. Postal Service (mail)
Affiliation/Agency: RAB Member representing the City of Mountain View	
GENERAL COMMENTS	
	<p>Agreement (14-16-0009-91-1909 Brent Helm, PhD. 2003. Professor at Sacramento State College and Independent Herpetologist. Possess a valid California Department of Fish and Game Permit to handle and relocate Western Pond Turtles.</p> <p>6. The Navy agrees that the public may have significant comments on aspects of the remedial design which cannot be addressed in detail at the Proposed Plan stage. The Navy has always supported forums to entertain and address such comments. Public workshops, RAB meetings, RAB subcommittee meetings and other venues will be considered to determine the most effective way to facilitate future public comments on this project.</p>

Written on: 04 June 2004	Received on: 21 June 2004
From: James M. Fiedler, Chief Operating Officer, Watersheds	Submitted Via: U.S. Postal Service (mail)
Affiliation/Agency: Santa Clara Valley Water District	
GENERAL COMMENTS	
Comment 1: The Santa Clara Valley Water District (District) is the primary water resources agency for Santa Clara County, providing watershed stewardship, flood protection and water supply throughout the five major watersheds of the County. The District serves 1.7 million residents, and oversees 700 linear miles of streams that drain 1,300 square miles. In the vicinity of Site 27 -- Northern Channel, the District owns property and operates facilities at the former Carrill salt evaporator Pond A4 to the east of the site, as	Response 1: The Navy understands that details which will be provided in the remedial design allow for a more comprehensive evaluation of the proposed remedial alternative. However, it would not be practicable to develop remedial designs for all of the alternatives evaluated in the Feasibility Study. The CERCLA process identifies a tiered process in which a number of alternatives are evaluated in the Feasibility Study using prescribed criteria to determine the most favorable alternative. After this

**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

Written on: 04 June 2004

Received on: 21 June 2004

From: James M. Fiedler, Chief Operating Officer, Watersheds

Submitted Via: U.S. Postal Service (mail)

Affiliation/Agency: Santa Clara Valley Water District

GENERAL COMMENTS

facilities at the former Cargill salt evaporator Pond A4, to the east of the site, as well as Sunnyvale West Channel, which drains the land to the south and empties into Moffett Channel.

On behalf of the District, I would like to thank you for the opportunity to review the Former NAS Moffett Field Site 27 -- Northern Channel Proposed Plan (April 2004). The District understands that Alternative 2 (Excavation and Off-Site Disposal) has been selected as the preferred alternative and that this is a conceptual level plan, which will be followed by a remedial design phase that will address the specific details of conducting the cleanup activities.

At this time, our main concern is that the conceptual level alternatives do not contain sufficient detail to allow the District to assess potential implications for our facilities in the vicinity. Without this level of detail, it is difficult for the District to support any of the four alternatives listed in the plan. We understand that the development of specific project details during the remedial design phase will provide the level of detail desired by the District, but only for the preferred alternative. Providing more detail on the other alternatives at that stage may be helpful for garnering support for the project from others, as well as from the District.

evaluation, the process is designed to focus on the preferred alternative from the Proposed Plan phase through to the Record of Decision, which legally documents the proposed remedy.

**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

Written on: Unknown	Received on: 08 June 2004
From: Florence LaRiviere, Chair	Submitted Via: U.S. Postal Service (mail)
Affiliation/Agency: Citizens Committee to Complete the Refuge	
GENERAL COMMENTS	
<p>Comment 1: We appreciate the efforts of the Navy to clean up contaminated sites from the Moffett Field area and we are especially interested in Site 27. This area is especially noteworthy because it is home to a rare Western Pond Turtle colony.</p> <p>This species is state listed as a Species of Special Concern but we are respectfully requesting that we be supplied with detailed comments on the species on this site by the US Fish and Wildlife Service because it is managing surrounding lands under new ownership arrangements.</p> <p>We suggest consultation with Ms. Joy Albertson of the San Francisco Bay National Wildlife Refuge, telephone number (510) 792-0222. She could assess the chances of survival of the established colony, or places to which it could be removed.</p> <p>It would appear that the work projected in Site 27 and the surrounding channels will severely disrupt the habitat currently used by the species. Perhaps an alternate site could be found for the animals to insure their survival.</p>	<p>Response 1: The habits and migration patterns of the Western Pond Turtle provide a very high degree of confidence that the cleanup actions will have minor impacts on the colony, if at all. Important information about the species is provided here. Western Pond Turtles in a stream or drainage environment are highly variable in their movements. Some individuals nest, aestivate, or over-winter considerable distances (e.g., 400 m; Personal Communication Brent Helm, 2003; California Department of Fish and Game [CDFG], 1994; Storer, 1930; Rathbun et al., 1992; 1993) from their resident stream or drainage environment. Western Pond Turtles have been documented migrating significant distances (at least 2 km) if the local aquatic habitat changes (e.g., disappears), and adult turtles can tolerate at least seven days without water (Personal Communication Brent Helm, 2003; CDFG, 1994; Storer, 1930; Rathbun et al., 1992; 1993). Within 305 m of the potentially affected habitat, other features suitable to the Western Pond Turtle habitat exist.</p> <p>The Western Pond Turtle is a California State Species of Concern; it is neither a State nor Federal Endangered Species Act listed candidate, threatened, or endangered species. It is not anticipated that the proposed actions will result in a "take" of any Western Pond Turtles as defined by the CDFG or Federal Endangered Species Act. However, since the Western Pond Turtle is a California State Species of Concern, it has and will continue to receive special consideration, e.g., construction timing restrictions and monitoring. The avoidance and conservation measures will reduce potential adverse impacts to the local Western Pond Turtle population. Project actions</p>

**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

will be minimized to the maximum extent practicable during the breeding season (April to August) and hatching season (late summer to early fall). The drainage features that could be potentially impacted are upland features that have been excavated for water conveyance.

Additionally, once the ROD is completed, further study and assessment of management options associated with the local Western Pond Turtle colony will be conducted by the Navy in conjunction with local resource specialists.

LITERATURE CITED AND COMMUNICATIONS

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- Rathbun, G.B., N. Siepel, and D.C. Holland. 1992. Nesting Behavior and movements of western pond turtles (*Clemmys marmorata*). The Southwestern Naturalist 37(3): 319-324.
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With regard to your request for detailed comments from USFWS on the

**Responsiveness Summary
for Proposed Plan
Site 27, Northern Channel
Former NAS Moffett Field
Moffett Field, California**

	Species of Special Concern, the Western Pond Turtle, it is recommended that you contact that agency directly.
--	---



TETRA TECH FW, INC.

October 21, 2004
FWSD-RAC-04-2774

Mr. Scott Gromko
Remedial Project Manager
Base Realignment and Closure
Program Management Office West
1230 Columbia Street, Suite 1100
San Diego, CA 92101-8517

**SUBJECT: RESPONSIVENESS SUMMARY FOR PROPOSED PLAN SITE 27
NORTHERN CHANNEL, FORMER NAS MOFFETT FIELD, MOFFETT
FIELD, CALIFORNIA**

Dear Mr. Scott Gromko:

Enclosed please find the Responsiveness Summary for Proposed Plan site 27 Northern Channel. If you have any questions or require additional information, please do not hesitate to contact me by phone at (619) 471-3570 or e-mail at bmaidrand@tffwi.com for any reason.

Sincerely,

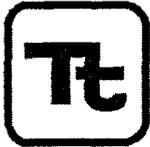
A handwritten signature in black ink, appearing to read 'B. Maidrand', is written over a light blue horizontal line.

Brian Maidrand
Project Manager

Enclosure: Responsiveness Summary for Proposed Plan Site 27 Northern Channel, Former NAS Moffett Field, Moffett Field, California



1230 Columbia Street, Suite 500; San Diego, CA 92101
Tel (619) 234-8696 Fax (619) 234-8597



TETRA TECH FW, INC.

TRANSMITTAL/DELIVERABLE RECEIPT

Contract No. N68711-98-D-5713 (RAC III)

Document Control No. 04-2774

File Code: 5.0

TO: Contracting Officer
Naval Facilities Engineering Command
Southwest Division
Ms. Beatrice Appling, 02R1.BA
1220 Pacific Highway
San Diego, CA 92132-5190

DATE: 10/21/04
CTO: 0069
LOCATION: Moffett Fed Airfield

FROM: [Signature]
Neil Hart, Program Manager

DESCRIPTION: Responsiveness Summary for Proposed Plan Site 27 Northern Channel,
Former NAS Moffett Field, Moffett Field California, 10/21/04

TYPE: [] Contract/Deliverable [x] CTO Deliverable [] Notification
[] Other

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ADMIN RECORD: Yes [x] No [] Category [] Confidential []
(PM to Identify)

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Basic Contract File (02R1) M. Schnieder
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*See Attached Cover Letter

Date/Time Received

REVISED DRAFT
RESPONSIVENESS SUMMARY FOR
PROPOSED PLAN
SITE 27 NORTHERN CHANNEL

IS APPENDIX B OF THE DRAFT RECORD OF
DECISION SITE 27, NORTHERN CHANNEL

DATED 14 OCTOBER 2004

AND FILED AS ADMINISTRATIVE RECORD NO.
N00296.003358