

December 5, 1995



Mr. Ronald Yee
Remedial Project Manager
Engineering Field Activity West
Naval Facilities Engineering Command
900 Commodore Drive, Bldg. 206
San Bruno, CA 94066-2402

Subject: Transmittal of December 21, 1995, Restoration Advisory Board Meeting Agenda and November 16, 1995, Meeting Minutes

Dear Mr. Yee:

At the request of the Navy Co-Chair, Mr. Richard Pieper, please find the enclosed agenda for the December 21, 1995, Restoration Advisory Board (RAB) meeting. Also enclosed for your review are the draft minutes for the November 16, 1995, RAB meeting. Submit any comments in writing at the December 21, 1995, RAB meeting or send your comments to Mr. Pieper at the following address:

Mr. Richard Pieper
Code 092, Building IA-15
Naval Weapons Station Concord
10 Delta Street
Concord, CA 94520-5100
Fax: (510) 246-2003

Also enclosed are the minutes from the November 16, 1995, Procedures Committee meeting and the action items developed at the November 17, 1995, Public Relations Committee meeting. Note that the Public Relations Committee recommends that the RAB create a speakers forum. The Public Relations Committee would like to encourage the RAB members to participate in this program. Please call Mr. Henry O'Hagan, Public Relations Committee Chair, at (510) 676-6701, if you are interested in the speaker's forum.

Please call me at (415) 222-8309 or Mr. Pieper at (510) 246-5650 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Tatiana Roodkowsky".

Tatiana Roodkowsky
Community Relations Specialist

Enclosures

cc: Mr. Richard Pieper, WPNSTA Concord
Mr. Ronald Yee, EFA West
File

AGENDA

NAVAL WEAPONS STATION CONCORD RESTORATION ADVISORY BOARD MEETING

Thursday, December 21, 1995

7:00 p.m. - 8:30 p.m.
Ambrose Community Center
3105 Willow Pass Road
Bay Point, California

- | | |
|-------------|--|
| 7:00 - 7:05 | WELCOME AND INTRODUCTIONS |
| 7:05 - 7:35 | COMMITTEE REPORTS <ul style="list-style-type: none">• Document Review Committee• Finance Committee• Procedures Committee• Public Relations Committee<ul style="list-style-type: none">- First Reading of Recommendations for Conducting Public Outreach |
| 7:35 - 8:00 | SECOND READING AND VOTE OF THE FOLLOWING ITEMS: <ul style="list-style-type: none">• Rotation Of RAB Co-Chair• RAB Meeting Format• Membership Application• Legal Committee <p>(For further description of these four items, refer to the October 12, 1995, minutes of the Procedures Committee meeting, included in your RAB mailing.)</p> |
| 8:00 - 8:10 | BREAK |
| 8:10 - 8:25 | FUTURE AGENDA TOPICS |
| 8:25 - 8:30 | PUBLIC COMMENT |
| 8:30 | ADJOURNMENT |

DRAFT**DRAFT****16 NOVEMBER 1995 MEETING OF THE PROCEDURES COMMITTEE OF THE RESTORATION ADVISORY BOARD FOR NAVAL WEAPONS STATION CONCORD****MEETING LOCATION: Ambrose Community Center, Bay Point 6:00pm****COMMITTEE ATTENDEES:** David Kory, Chair
Rich Cox
Ed Gardner
Tony Jorgenson
Larry Myers**COMMITTEE ABSENTEES:** John Fuery
Clint Mayfield
Catie Roy
Keath Woods
Wil Zukeran**Next Procedures Committee Meeting & Location:**

Thursday, 7 December 1995, 7:00pm @ I.D. Badging Office, NWS Entrance Port Chicago Hwy

1. The PC discussed the membership application, and agreed that the PC would receive and review any applications for new members, and make recommendations to the RAB. This process would need to be approved by a vote of the RAB, after approval of the actual application.
2. The creation of a Mission Statement for the RAB and/or committees was discussed per the request of Community Co-Chair Herb Schwartz. After consideration and discussion, the PC decided that a Mission Statement was not appropriate at this time. Mr. Schwartz may choose to remind the RAB of it's focus at the start of meetings as he deems necessary.
3. The PC discussed ways of determining when a non-active RAB member could or should be dropped from the membership. It was generally agreed that after missing 2 consecutive RAB meetings the member would be contacted by the PC to determine if they are still interested in participating. If the PC cannot make contact, and the member does not contact the RAB to indicate a continuing interest, that member may be removed after missing the 3rd consecutive RAB meeting. This procedure will require approval through a vote of the RAB.
4. The possible cancellation or date change of the 21 December 1995 RAB meeting was discussed due to some members' concern of it's proximity to Christmas. The PC decided to recommend not changing the date or time, as much effort has been expended securing the location and educating members and the public about the "3rd Thursday at 7:00pm" meeting schedule. The PC felt a less ambitious agenda might be appropriate for the December RAB meeting, so as not to exceed our planned time commitments, and due to expected smaller than usual turnout.
5. The PC discussed it's continuing role as a committee, and generally agreed that as the basic operating procedures for the RAB fall into place, the committee may choose to meet on an "as needed" basis, discussing and deciding issues as they arise.
6. The meeting adjourned at 6:45pm.

To: Naval Weapons Station Concord Restoration Advisory Board (RAB)
From: Henry O'Hagan, Chair, Public Relations Committee
Date: November 17, 1995
Subject: Action Items Developed by the Public Relations Committee

The Public Relations (PR) Committee met on Friday, November 17, 1995, to discuss public relations strategies. Three action items were discussed and approved by the PR Committee:

Action Item 1: Develop a monthly newspaper column to appear in local newspapers. The PR Committee will approach the Contra Costa Times, the Daily Ledger, the Transhipper, and the San Francisco Chronicle.

Discussion Points:

- A. The PR Committee recognizes that time lags may occur due to time needed for Navy and regulatory review.
- B. The PR Committee also recognizes that time is of the essence.

Action Item 2: Create a speakers forum.

Discussion Points:

- A. The PR Committee recommends the creation of a speakers forum as a vehicle to inform the community through service clubs, civic and business organizations, and church groups.
- B. The PR Committee recommends that volunteer speakers be knowledgeable.
- C. The PR Committee will encourage volunteers from the regulatory, Navy, and community RAB members.

Action Item 3: Expand RAB membership to reflect diversity representative of the neighboring communities.

Discussion Points:

- A. The PR Committee recommends a strategy of targeting community by community.
- B. The PR Committee suggests that this strategy include contacting local mayors and city councils, and civic organizations.

The next meeting of the Public Relations Committee will be held on Friday, January 5, 1996, at noon, at Sylvia Kotecki's office, 1470 Wharton Way #D, Concord, CA (510) 685-5762.

**NAVAL WEAPONS STATION CONCORD
RESTORATION ADVISORY BOARD**

MEETING MINUTES

**Ambrose Community Center
3105 Willow Pass Road
Bay Point, California**

THURSDAY, NOVEMBER 16, 1995

I. WELCOME AND INTRODUCTIONS

The Naval Weapons Station (WPNSTA) Concord Restoration Advisory Board (RAB) met at 7:00 p.m. on November 16, 1995, in the Ambrose Community Center in Bay Point, California. The purpose of this meeting was to brief the RAB on (1) the ecological assessment being conducted at the Litigation Area and (2) the community relations plan.

Community Co-Chair Mr. Herb Schwartz began the meeting by introducing himself. He then asked the RAB members and the members of the public to introduce themselves. After the introductions, Mr. Schwartz discussed the purpose of the RAB. He stressed that the RAB will consult with and advise the Navy regarding environmental cleanup activities at WPNSTA Concord.

Mr. Schwartz stated that the RAB will work in collaboration with the Navy to provide consultation and advice and plan strategies for the cleanup process. In particular, Mr. Schwartz stressed that he will do his best in his position as community co-chair to make sure the public has a voice in the cleanup and restoration process. He also noted that his role is to facilitate the monitoring of the cleanup process, the discussion of pertinent issues, including land use, risk assessment, waste management, and environmental restoration.

Mr. Schwartz explained that he is committed to tracking the action items discussed at the RAB meetings. He mentioned that a binder providing the status of all actions items will be available at the RAB meetings.

These minutes summarize the items discussed during the RAB meeting; they are not a verbatim transcript. Attachment A is a list of the participants, Attachment B is the meeting agenda, and Attachment C is a summary of the handouts produced for the November 16, 1995 RAB meeting.

II. ECOLOGICAL ASSESSMENT, LITIGATION AREA SITES

A. Presentation by Dr. Mire

Mr. Schwartz introduced Dr. June Mire, PRC Environmental Management, Inc. (PRC), who briefed the RAB on the status of the ecological assessment being conducted at the Litigation Area. Dr. Mire is an ecologist and is overseeing the Litigation Area ecological assessment.

Dr. Mire first explained that the Navy, regulatory agencies, and natural resource trustees are jointly responsible for the ecological assessment of the Litigation Area. The ecological assessment is being conducted by a team of scientists representing the Navy, the regulatory agencies, and the natural resource trustees, including the U.S. Environmental Protection Agency (EPA), the California Department of Toxic Substances Control (DTSC), the California Regional Water Quality Control Board (RWQCB), the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, and the California Department of Fish and Game. Mr. Schwartz noted that these natural resource trustees share an extremely important duty under the law. He offered to brief the RAB on the role of these trustees and the Public Trust Doctrine, the legal theory that applies to the natural resource management of public lands.

Dr. Mire reviewed the history and previous environmental activities at the Litigation Area. She explained that the Navy acquired the property in the 1970s. The 300 acres known as the Litigation Area consist of wetland and upland areas and habitat for endangered and threatened species. The investigations conducted at the Litigation Area began in 1983 with the initial assessment study. A confirmation study was conducted in 1984, and a remedial investigation/feasibility study was completed in 1988.

Dr. Mire explained that the Navy investigated the contaminants at the Litigation Area. She noted that the contaminants are from multiple sources. During Dr. Mire's presentation, questions arose concerning the Navy's environmental investigation. The Navy decided to litigate to recover costs. The current monitoring investigation phase includes some toxic substances and metals that may have migrated onto the site from pollutants generally distributed in the air and bay water. General air pollutants arise from the operation of vehicles and use of chemicals in house and industry.

A record of decision was signed in 1989, and the remedial action is ongoing at the Litigation Area. The handouts from the October 19, 1995, RAB meeting provide more detailed information on the previous investigations.

Activities at the Litigation Area are being conducted to:

- Remediate or clean up contamination by removing most of the soil where metals contamination exceeds decision criteria and minimize habitat loss
- Restore functional habitat for animal species that use the wetland and upland habitats in the Litigation Area
- Monitor the success of the remediation and restoration in reducing risk and restoring habitat
- Evaluate the risk of (or potential for) contaminants remaining in place to cause injury to plants, animals, or functions (ecological assessment)

Dr. Mire emphasized that the above activities are being conducted for several reasons, including the following:

- To fulfill legal requirements
- To assess releases of hazardous materials at the site
- To evaluate and reduce risks to the environment from these releases

- To protect critical habitat for threatened and endangered species, including the salt marsh harvest mouse, California clapper rail, California black rail, Suisun song sparrow, and salt marsh common yellowthroat
- To protect habitat for other native California species, including herons, egrets, migratory waterfowl, hawks, grey fox, and river otter

During the remedial action and site restoration phases, contaminated soil over an 18-acre area was removed to a depth of 3 feet. The area was then restored by filling in excavated areas with clean soil and replanting native plants. Dr. Mire noted that only the most highly contaminated soil was removed, because too much wetland habitat would be destroyed if all contaminated soil was removed. The decision to remove only a portion of the contaminated soil was made in conjunction with the regulatory agencies and natural resource trustees.

The Navy recently completed field work for the monitoring program and ecological assessment, which were being conducted concurrently. The monitoring program will evaluate if contaminants are migrating off site or back into clean areas. The ecological assessment will determine if contaminants other than metals are present at the site and will characterize potential risk to plants and animals in the Litigation Area. In addition, the ecological assessment will help focus future monitoring activities.

Dr. Mire explained that site contaminants are being evaluated by conducting various tests, including chemical analyses, bioassays (refer to bioassay handout from the October 1995 RAB meeting), and tissue residue studies. Results of these tests will be used to estimate the daily dose of contaminants that animals may obtain from food and soil at the site. The dose estimates and results of the various tests will then be used to characterize risk to plants and animals at the site. Attachment D, a chart prepared by Dr. Mire, illustrates this process.

Dr. Mire explained that the data collected for the ecological assessment will be analyzed and presented in a draft ecological assessment report. This report is scheduled for distribution in July 1996, and the RAB will have an opportunity to review and comment on the report. In addition, the RAB will be able to provide comments during presentations on the preliminary results of the monitoring program and ecological assessment. These presentations are also scheduled for mid-1996.

B. Questions and Answers

Mr. Raymond O'Brien asked who were the litigants involved in the lawsuit concerning the financial liability of the environmental cleanup. Mr. Richard Pieper, Navy co-chair, stated that about 11 litigants were involved, but that two primary litigants paid the bulk of the cleanup costs. These two companies were Allied Signal Corporation and ESI Chemical, located on Nichols Road, Concord.

Susan Gladstone stated that the law does not specifically require that the contamination must be cleaned up, but long term exposure to those contaminants must be considered. (Following the meeting, Ms. Gladstone submitted a memorandum addressed to the RAB, clarifying this issue. This memorandum is included with these minutes as Attachment E.)

Mr. John Fuery mentioned that the environmental protection laws and regulations are not necessarily based on good science. He noted that the fish migrate around the bay area, which may complicate the cleanup at WPNSTA Concord. Dr. Mire acknowledged that science and policy are not always congruent but that the decision to evaluate fish tissues at WPNSTA Concord did take fish migration into account.

Mr. Schwartz thanked Dr. Mire for her presentation and noted that the RAB's role will be to provide constructive criticism in its review of the ecological assessment report.

III. SUMMARY OF COMMUNITY RELATIONS PLAN

Mr. Henry O'Hagan, Public Relations Committee chair, introduced Ms. Tatiana Roodkowsky, PRC, who briefed the RAB on the community relations plan for WPNSTA Concord. Mr. O'Hagan explained that Ms. Roodkowsky assists the Navy at WPNSTA Concord as a community relations specialist.

Ms. Roodkowsky explained that the community relations plan is required under the federal regulations governing a Superfund site and WPNSTA Concord, as a Superfund site, is subject to these regulations. The community relations plan contains several sections that describe the site, the history of the contamination at that site, and community relations strategies. The community relations plan also provides a schedule of community relations activities, and a list of local officials and interested persons.

Ms. Roodkowsky noted that the community relations plan is based on interviews conducted with residents of the area surrounding WPNSTA Concord. A total of 35 residents from the cities of Concord, Clyde, Bay Point, Antioch, Pittsburg, Walnut Creek, and Oakland were interviewed.

Studying the demographics of the communities closest to WPNSTA Concord is important in formulating the community relations strategy. The community relations plan describes the demographics of Concord and Bay Point. Both communities have significant hispanic and asian populations. Ms. Roodkowsky stressed that the RAB has an opportunity to seek a more diverse group of RAB members. Mr. Schwartz challenged the RAB to increase the diversity of its membership, thereby reflecting the diversity of the neighboring communities.

Mr. Scott Etzel asked whether the community relations plan includes the national population median and how the local communities compare to the national median. Ms. Roodkowsky stated that the draft community relations plan does not contain these facts and analyses but that this information would be included in the final community relations plan.

Mr. Raymond O'Brien asked how the interviewees were selected. Ms. Roodkowsky explained that the selections were first made using lists of individuals interested in environmental activities. Also, civic leaders, as well as current base personnel were contacted.

Ms. Roodkowsky stated that a variety of issues were listed by the interviewees. Nearly all interviewees stated that they were concerned about the quality of groundwater and bay and fish contamination. Several interviewees mentioned that they were troubled by the infestation of ground squirrels on and near property adjacent to WPNSTA Concord. Mr. O'Brien asked if the elimination of the ground squirrels was within the jurisdiction of the RAB. Mr. Pieper explained that if the issue does not relate to the Installation Restoration Program, then it is not the RAB's concern.

Ms. Roodkowsky explained that required community relations activities include issuing public notices, fact sheets, and community relations plans, as well as conducting public meetings and maintaining an information repository. She noted that the RAB can work with the Navy to notify the public regarding environmental activities underway at WPNSTA Concord.

IV. COMMITTEE REPORTS

A. Document Review Committee Report

Mr. Marvin Mayfield, Document Review Committee chair, reported that no meetings had been held as of this RAB meeting. He asked interested members of the committee to meet with him after the RAB meeting.

B. Finance Committee Report

Mr. John Fuery reported on the possibility of establishing a non-profit organization, separate from the RAB. He referred to the non-profit organization as a "501(c)(3)" organization. He noted that the 501(c)(3) organization would enable interested members of the RAB to apply for the EPA technical assistance grant (TAG). He stated that he spoke with a consultant who is hired through TAG grants, Ms. Amy Houghton, who informed him that the TAG grant may enable the RAB through the 501(c)(3) to hire a full-time technical consultant. Ms. Houghton stated that this consultant would be useful due to the large amount of technical data produced by the Navy.

Ms. Jeanne Waggoner asked Mr. Fuery why a TAG grant would be necessary for this RAB. Mr. Fuery explained that the TAG grant would permit the RAB members to hire a technical consultant to assist with reviewing environmental documents produced by the Navy.

Mr. Schwartz asked Mr. Fuery to discuss the RAB's current access to technical experts. Mr. Fuery noted that technical expertise is available, but he stressed that members of the RAB may not have sufficient time to dedicate to reviewing complex reports. Ms. Gladstone stated that she, in her dual role as a member of the RAB and as a member of a regulatory agency, would provide some technical assistance.

Mr. Etzel asked Mr. Fuery how many other RABs applied for the TAG grant. Mr. Fuery stated that the Livermore RAB applied and received a TAG grant which allowed the RAB members to hire an independent consultant. Mr. Fuery explained that reviewing the documents will take a large amount of time, and that the TAG grant may free some time for the RAB members.

Mr. Schwartz asked the RAB members present to vote on their interest in forming a nonprofit organization to apply for a TAG grant. Mr. Etzel moved to table the discussion indefinitely. The RAB agreed to postpone the discussion of this issue indefinitely.

C. Procedures Committee Report

Mr. David Kory, Procedures Committee chair, reported that the Procedures Committee met prior to this RAB meeting at 6:00 p.m. at the Ambrose Community Center, on November 16. He stated that the Procedures Committee discussed whether to adopt a mission statement for the RAB. The Procedures Committee members decided to recommend not to adopt a mission statement.

Mr. Kory announced that the Procedures Committee would like the RAB to vote at the next meeting on its recommendations. These recommendations include the rotation of the committee chairs to serve as RAB co-chair in the absence of the community co-chair; the proposed membership application; the proposed meeting format; and the establishment of a RAB Legal Committee. These items will be discussed at the December 21, 1995 RAB meeting.

Mr. Kory announced that the Procedures Committee will meet on the first Thursday of the month. The next meeting of the Procedures Committee will be held on Thursday, December 7. He stated that Mr. Pieper was attempting to arrange a meeting room for RAB use at WPNSTA Concord's Badge and Pass office. Mr. Kory stated that he will notify the Procedures Committee members regarding the meeting location.

D. Public Relations Committee Report

Mr. O'Hagan reported that the Public Relations Committee met on Tuesday, October 21, 1995, at Ms. Sylvia Kotecki's office. At that meeting, the Public Relations Committee discussed several outreach efforts that the committee will recommend to the RAB. These efforts include the establishment of a regular monthly newspaper column and a public speaker's forum. Mr. Schwartz asked Mr. O'Hagan to discuss these recommendations at the December 21, 1995 RAB meeting.

V. FUTURE AGENDA TOPICS

A. Future Agenda Topics

Mr. Kory asked that the RAB vote on the recommendations submitted by the Procedures Committee. These recommendations will be included in the agenda for the next RAB meeting.

Mr. O'Hagan will discuss the community outreach recommendations at the next RAB meeting.

B. RAB Meeting Date

Mr. Schwartz asked the RAB to decide whether it would like to meet on its regularly scheduled date, December 21, 1995. Mr. Kory asked that the RAB adopt an abbreviated agenda for this meeting. The members present voted to meet on December 21, 1995.

VI. PUBLIC COMMENT

Mr. Schwartz invited the public to comment on the issues raised in the meeting. No comments were received.

VII. ACTION ITEMS

The action items noted during the current RAB meeting are as follows:

- Mr. Schwartz will prepare a briefing for a future RAB meeting on how the Public Trust Doctrine applies to WPNSTA Concord.
- The RAB will consider the diversity of the population surrounding WPNSTA Concord.

- At the next RAB meeting, the Procedures Committee will ask for a vote on the items listed below. These items are explained in the Procedures Committee meeting minutes for October 12, 1995:
 - RAB co-chair rotation
 - RAB meeting format
 - Establishment of a Legal Committee
 - Membership application
- Mr. O'Hagan will discuss the Public Relations Committee's recommendations for RAB community outreach.
- Mr. O'Hagan will consider the establishment of a monthly RAB column and a speakers forum.

VIII. ADJOURNMENT

Mr. Pieper adjourned the meeting at 9:30 p.m. A copy of these meeting minutes is available to the public in the information repository located at:

**Contra Costa County Library
Main Branch
1750 Oak Park Blvd.
Pleasant Hill, CA 94523
(510) 646-6434**

ATTACHMENT A

**LIST OF PARTICIPANTS
RESTORATION ADVISORY BOARD MEETING
NOVEMBER 16, 1995**

ATTACHMENT A

LIST OF PARTICIPANTS RESTORATION ADVISORY BOARD (RAB) MEETING

Thursday, November 16, 1995

1. COMMUNITY MEMBERS

Mr. Steven Bachofer; Mr. Richard Cox; Mr. Scott Etzel; Mr. John Fuery; Mr. Steve Gallo; Mr. Edward Gardner; Mr. Anthony Jorgensen; Mr. James Koeppel; Mr. David Kory; Ms. Sylvia Kotecki; Mr. Marvin Mayfield; Mr. Larry Myers; Mr. Raymond O'Brien; Mr. Henry O'Hagan; Ms. Connie Peak; Mr. John Pearson; Mr. John Rosengard; Mr. Herb Schwartz (RAB Community Co-Chair); Mr. Thomas Shirley; and Ms. Jeanne Waggoner.

2. NAVY MEMBERS

Mr. Richard Pieper, Naval Weapons Station (WPNSTA) Concord and Navy RAB Co-Chair; and Mr. Ronald Yee, Engineering Field Activity West (EFA WEST).

3. REGULATORY AGENCY MEMBERS

Ms. Susan Gladstone, California Regional Water Quality Control Board and Dr. Barbara Smith, U.S. Environmental Protection Agency (EPA).

4. OTHER ATTENDEES

Dr. June Mire, PRC Environmental Management, Inc. (PRC); Ms. Tatiana Roodkowsky, PRC; Mr. Ed Sussenguth, PRC; Ms. Barbara Sootkoos, PRC; and Ms. Lynn Valdivia, PRC.

ATTACHMENT B

**MEETING AGENDA
NOVEMBER 16, 1995**

AGENDA

NAVAL WEAPONS STATION CONCORD RESTORATION ADVISORY BOARD MEETING Thursday, November 16, 1995

7:00 p.m. - 9:20 p.m.
Ambrose Community Center
3105 Willow Pass Road
Bay Point, California

- 7:00 - 7:05 WELCOME AND INTRODUCTIONS
- 7:05 - 7:40 ECOLOGICAL RISK ASSESSMENT, LITIGATION AREA SITES
- 7:40 - 7:55 QUESTIONS AND ANSWERS
- 7:55 - 8:05 BREAK
- 8:05 - 8:20 SUMMARY OF COMMUNITY RELATIONS PLAN
- 8:20 - 8:25 QUESTIONS AND ANSWERS
- 8:25 - 8:45 COMMITTEE REPORTS
- DOCUMENT REVIEW COMMITTEE
 - FINANCE COMMITTEE
 - PROCEDURES COMMITTEE
 - PUBLIC RELATIONS COMMITTEE
- 8:45 - 9:00 SECOND READING AND VOTE OF THE FOLLOWING ITEMS:
- ROTATION OF RAB CO-CHAIR
 - RAB MEETING FORMAT
 - MEMBERSHIP APPLICATION
 - LEGAL COMMITTEE
- for further description of these four items, refer to the October 12, 1995, Minutes of the Procedures Committee meeting, included in your RAB mailing
- 9:00 - 9:10 PUBLIC COMMENT
- 9:10 - 9:20 FUTURE AGENDA TOPICS
- 9:20 ADJOURNMENT

ATTACHMENT C

**SUMMARY OF HANDOUTS AND OVERHEAD SLIDES
PRODUCED FOR THE NOVEMBER 16, 1995 RAB MEETING**

SUMMARY OF HANDOUTS AND OVERHEAD SLIDES

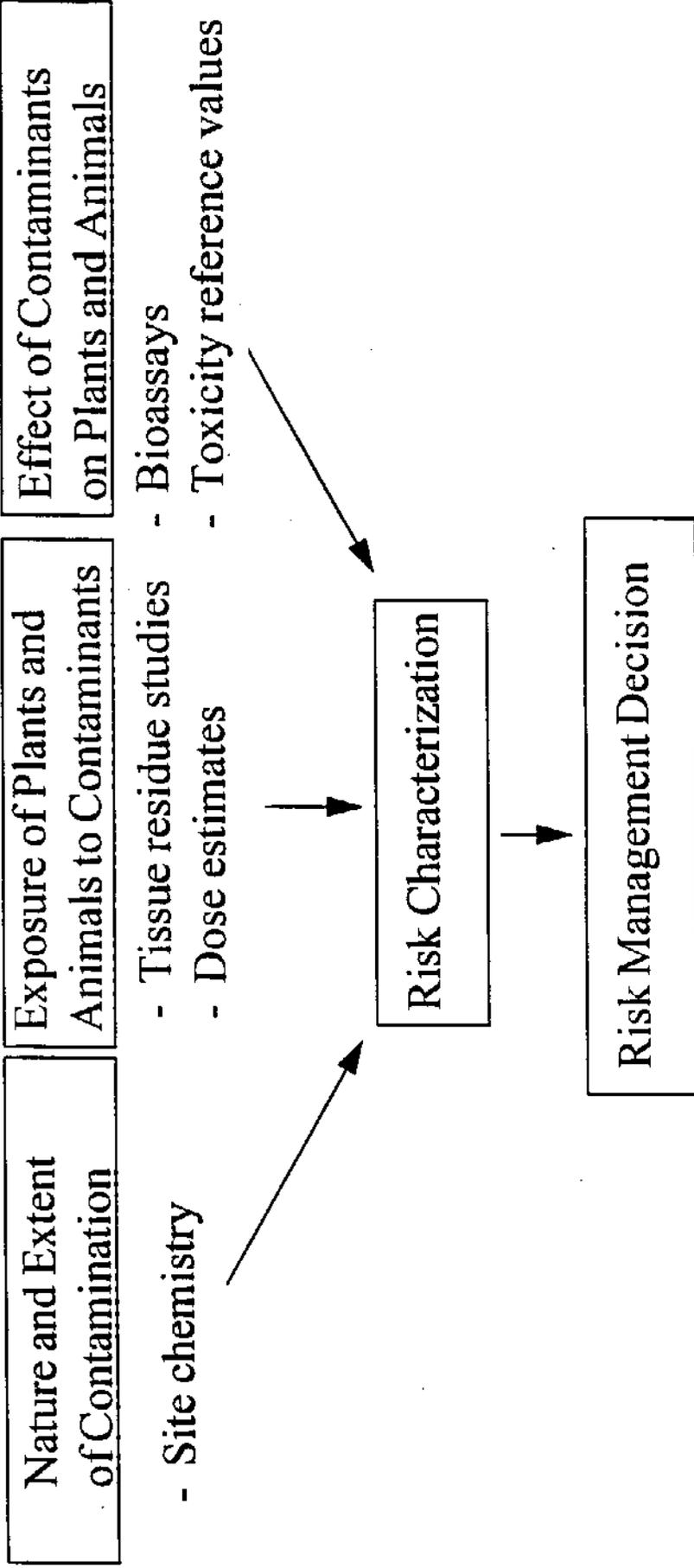
NOVEMBER 16, 1995 RAB MEETING

- **Litigation Area, Ecological Assessment**
- **Summary of Community Relations Plan**

ATTACHMENT D

**STEPS IN THE ECOLOGICAL ASSESSMENT PROCESS
AT THE LITIGATION AREA**

How do the Pieces Fit Together?



ATTACHMENT E

**MEMORANDUM FROM
MS. SUSAN GLADSTONE, REGIONAL WATER QUALITY CONTROL BOARD**

To: Naval Weapons Station Concord Restoration Advisory Board (RAB)

From: Susan Gladstone, California Regional Water Quality Control Board

Re: Clarification regarding requirements for evaluating remedial alternatives for contaminants in a wetland habitat

Date: November 20, 1995

As a follow-up to the RAB meeting of November 16, 1995, I wanted to clarify a comment I made in response to the question of what is required for cleanup when the contaminants are in a sensitive habitat, such as the wetland at the Litigation Area sites.

You may recall Dr. June Mire's discussion of evaluating the potential impact to the organisms from the contamination versus the potential impact to the organisms from the loss of habitat. You may also recall that I stated that the law doesn't say we have to clean up contamination, but that we must evaluate the type and length of contaminant exposure to those organisms. From the RWQCB perspective, I would like to clarify that while the law does not specifically state that contaminants must be removed, that is, does not specify cleanup levels, the California Water Code does say that we must protect the beneficial uses of any water body. Beneficial uses can be recreation, commercial or sport fishing, fish spawning or migration, and wildlife habitat, to name a few. A wetland habitat certainly falls into the category of beneficial uses. Because the California Water Code mandates the protection of beneficial uses, the Navy is required to evaluate any possible threats to those beneficial uses; in this case, potential effects from contaminants. As Dr. Mire mentioned at the beginning of her talk, there are a number of agencies that have a responsibility to protect human health and/or the environment, although their statutes or regulations slightly differ from the California Water Code.

If we determine that there are contaminants which may pose a threat to any beneficial uses at the Litigation Area sites, we must then decide if destruction of the habitat to remove the contaminants poses an even larger threat to those uses. As I mentioned that evening, the decision will require weighing all of the regulatory requirements and will involve input from all the regulatory agencies, the Navy, and the community.

