

**RESTORATION ADVISORY BOARD**

**Martinez, California**

**Meeting of June 2, 2003**

**Reporter's Transcript**

**NICCOLI REPORTING**

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6 **NAVAL WEAPONS STATION**  
7 **SEAL BEACH, DETACHMENT CONCORD**  
8 **RESTORATION ADVISORY BOARD**  
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12 **REPORTER'S TRANSCRIPT OF MEETING**  
13  
14 **June 2, 2003**  
15  
16 **Martinez Sheriff's Station**  
17 **1980 Muir Road**  
18 **Martinez, California**  
19 **Reported by Janine P. Gamble, RPR, C.S.R. No. 10372**  
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25 **CERTIFIED SHORTHAND REPORTERS SERVING THE BAY AREA**  
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1 **PARTICIPANTS**  
2  
3 **COCHAIRS: THERESA MORLEY - United States Navy**  
4 **MARY LOUISE WILLIAMS - Concord resident**  
5  
6 **RAB MEMBERS:**  
7 **CHRISTOPHER BOYER - Martinez Resident**  
8 **DAVID L. GRIFFITH - City of Concord representative**  
9 **EDWARD MCGEE - Martinez Resident**  
10 **LAURENT MEILLIER - Regional Water Quality Control Board**  
11 **MARIO MENESINI - Walnut Creek resident**  
12 **RAYMOND O'BRIEN - Bay Point resident**  
13 **MARCUS O'CONNELL - Concord resident**  
14 **PHILLIP RAMSEY - U.S. Environmental Protection Agency**  
15 **(EPA)**  
16 **IGOR O. SKAREDOFF - Martinez Resident**  
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1 **OTHER ATTENDEES**  
2 **AMADO ANDAL - Weston Solutions Inc.**  
3 **DAVID BAILLIE - U.S. Navy**  
4 **BETH & HARRY BYRNE - Concord citizens**  
5 **JOANNA CANEPA - Tetra Tech EM Inc.**  
6 **CAROLYN HUNTER - Tetra Tech EM Inc.**  
7 **JOHN KAISER - Regional Water Quality Control Board**  
8 **MITCH MARKEN - Tetra Tech EM Inc.**  
9 **DEAN McLEOD - Contra Costa Historical Society**  
10 **KELLY RYAN - Tetra Tech EM Inc.**  
11 **WILLIAM SCHAAL - Shaw Environmental & Infrastructure**  
12 **GREGG T. SMITH - Naval Weapons Station**  
13 **PETER STRAUSS - TAPP Grant Awardee**  
14 **STEPHEN F. TYAHLA - Department of the Navy**  
15 **---o0o---**  
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1 **MARTINEZ, CALIFORNIA, MONDAY, JUNE 2, 2003, 6:33 P.M.**  
2 **---o0o---**  
3 **MS. WILLIAMS: Can we get started, please.**  
4 **Okay. I'd like to call the meeting to order**  
5 **for the Concord Naval Weapons Station Restoration**  
6 **Advisory Board for June 2nd, 2002 -- 2003. I'm sorry.**  
7 **Are there any members of the public here?**  
8 **Okay.**  
9 **So then let's -- where's Theresa?**  
10 **Let's start with introductions, and we'll pick**  
11 **up the stragglers at the end.**  
12 **I'm Mary Lou Williams, the community cochair.**  
13 **MR. TYAHLA: Steven Tyahla, the Navy Remedial**  
14 **Project Manager.**  
15 **MR. MEILLIER: I'm Laurent Meillier with the**  
16 **Regional Water Quality Control Board.**  
17 **MR. O'BRIEN: Ray O'Brien, resident Bay Point.**  
18 **MR. SKAREDOFF: I'm Igor Skaredoff, resident of**  
19 **Martinez.**  
20 **MR. RAMSEY: I'm Phillip Ramsey with the United**  
21 **States Environmental Protection Agency.**  
22 **MR. MENESINI: Mario Menesini, resident of**  
23 **Walnut Creek, and also a member of the Board of the**  
24 **sanitary district. We flush.**  
25 **MR. MCGEE: That's a tough act to follow.**  
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1 MR. MENESINI: I hope so.  
2 MR. MCGEE: Ed McGee, Martinez resident.  
3 MR. BOYER: Chris Boyer, Martinez resident.  
4 MS. WILLIAMS: Members of the public and the  
5 other agency people.  
6 MR. STRAUSS: I'm Peter Strauss. I'm the TAPP  
7 awardee.  
8 MR. ANDAL: I'm Amado And al, environmental  
9 contractor for the Navy, Weston Solutions.  
10 MS. CANEPA: Joanna Canepa, contractor for the  
11 Navy with Tetra Tech.  
12 MS. RYAN: Kelly Ryan with Tetra Tech.  
13 MR. MARKEN: Mitch Marken with Tetra Tech.  
14 MS. HUNTER: Carolyn Hunter, Tetra Tech.  
15 MS. MORLEY: Theresa Morley, Navy cochair.  
16 MS. WILLIAMS: I think there is a few people --  
17 Oh, David.  
18 MR. BAILLIE: Hi. Good evening. Dave Baillie,  
19 environmental manager, Naval Weapons Station Seal Beach.  
20 MS. WILLIAMS: That covers everybody.  
21 Is there any comment from the public?  
22 Okay. Then we're going to move on to the  
23 approval of the agenda.  
24 Anybody have comments on the agenda?  
25 Gee, this is going to go fast.

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1 MR. MENESINI: You're doing great, Mary Lou.  
2 MS. WILLIAMS: I'm going to ask, first of all,  
3 does everybody here -- does anybody need a copy of the  
4 bylaws? Everybody's got a copy. Carolyn will always be  
5 bringing some in case you lose them or what have you.  
6 The next -- oh, then I want to announce that we  
7 have -- Janine is our new court reporter. We had her  
8 previously when we were just getting started. And I did  
9 not realize that she has to have a ten-minute break  
10 every hour. That's in their contract. It's because of,  
11 you know, their wrists and hands and everything. So  
12 every hour she must have her break.  
13 The next item is the approval of the May  
14 meeting transcript.  
15 Are there any comments, corrections, or  
16 additions?  
17 MR. STRAUSS: Mary Lou, can I make a comment?  
18 MS. WILLIAMS: Mm-hmm.  
19 MR. STRAUSS: Having read them, there was a  
20 discussion about training. And it occurred to me that a  
21 couple of years ago an organization that is now based in  
22 Washington, but it was based in San Francisco, in fact,  
23 they're still locally represented, it's the Center for  
24 Public Environmental Oversight, ran training programs  
25 for RABS. And they were a full weekend, and they

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1 were -- they funded representatives from each of the  
2 RABS. And I don't know if anybody has gone there, if  
3 anybody has attended those, but I think they were quite  
4 valuable.  
5 MS. MORLEY: The RAB decided on a four-hour  
6 training that they would go to on a Saturday, but we  
7 haven't looked at providers yet. One of the suggestions  
8 was the Berkeley Extended Education. I guess they have  
9 HAZMAT programs and things like that. So we'll also  
10 check with them and CPEO.  
11 MS. WILLIAMS: Okay. I'm sorry. I stole  
12 Theresa's thunder.  
13 MS. MORLEY: I'm not even gone yet, and she's  
14 like okay, whatever.  
15 Okay. I'll go ahead and do unresolved  
16 business. I actually have a couple of things to bring  
17 up, but before I speak, does anybody else have  
18 unresolved business or issues? Okay.  
19 And you all get to have a cookie.  
20 One thing is that -- it was brought up that  
21 the -- in the order of business in the bylaws that we  
22 should be having the Navy RPM briefing and the RAB  
23 briefing before the presentations, but, actually, in the  
24 bylaws they come after. It's the subcommittee briefings  
25 that come before the presentations. But since we don't

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1 have subcommittees yet, then we don't actually have that  
2 part. But once we get out subcommittees, then the  
3 agenda will go subcommittees, presentations, and then  
4 the RPM and RAB briefing.  
5 So I just wanted to make sure that you guys  
6 know that we looked that up, and actually the bylaws  
7 don't need to be changed. We're in the right order.  
8 And then the second thing -- Joanna, I don't  
9 know if you want to speak for Rik Lantz -- there was a  
10 couple things like the Holbrook School, the groundwater  
11 at the school.  
12 MS. CANEPA: Right. An action item was -- came  
13 up from the last meeting. It's action item six on your  
14 handout. It was to contact Holbrook Heights High  
15 School. And so he did that. And Holbrook Heights is an  
16 elementary school. But the principal of that school was  
17 contacted, and they weren't aware of any wells on that  
18 property.  
19 MS. MORLEY: And then, also, Marcus had brought  
20 up a map that -- was he able to look into that map; do  
21 you know? -- that he had said that prior to 1870 that  
22 the course was different?  
23 MS. CANEPA: I actually don't know the  
24 follow-up on that.  
25 MS. MORLEY: Okay. All right, then, if we

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1 don't have any more unresolved business, we'll go ahead  
 2 and have Kelly Ryan present on the Community Relations  
 3 Plan.  
 4 MS. RYAN: All right.  
 5 MS. MORLEY: Kelly, I'm sorry. Before you  
 6 start, I don't know -- I talked to some members as they  
 7 came in individually, but I don't know if you guys heard  
 8 that Charlie accepted the job and started on Wednesday,  
 9 and then on Friday he decided to go with Earth Tech, a  
 10 contractor, and so he's not going to work with the  
 11 government.  
 12 So you guys are stuck with me in the interim.  
 13 And that's why I brought cookies, to make it up to you,  
 14 and cupcakes. But they were in the back of Gregg's car,  
 15 and apparently he was like screaming around corners. So  
 16 Ray made them diet cupcakes. They don't have the  
 17 topping anymore. So those are back there if you want  
 18 any.  
 19 Sorry, Kelly.  
 20 MS. RYAN: My name is Kelly Ryan. I'm with  
 21 Tetra Tech. I'm the project manager for the Community  
 22 Relations Plan, and I'm here tonight to talk to you  
 23 about the draft CRP that was prepared for Naval Weapons  
 24 Station Concord, Seal Beach Detachment, the draft  
 25 document that was issued in April of this year.

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1 And I have a lot to go through in the  
 2 presentation. So if it's okay with everybody, I would  
 3 just like to hold questions until the end. It's real  
 4 possible that I might get to your question during the  
 5 presentation. So if you want, just based on your  
 6 handouts, to jot down questions, if you could do that as  
 7 we go, that would be awesome.  
 8 Just briefly, an overview of the presentation.  
 9 I'm going to talk about what goes into the plan, what is  
 10 the plan based on. That's guidance, community profile,  
 11 and the community interviews. And then the second part  
 12 of the presentation, what is in the plan; the plan,  
 13 community outreach activities, the Restoration Advisory  
 14 Board's support activities, and then resource  
 15 information that you can find in the CRP as well.  
 16 So, first off, guidance. On the left you'll  
 17 see four documents. The first, Navy Marine Corps  
 18 document, is an overall document, then the following  
 19 three are regulatory guidance documents that  
 20 specifically deal with community involvement.  
 21 So, what does this guidance cover? Well,  
 22 actually, guidance covers pretty much this whole process  
 23 of community interviews and developing the CRP. Some  
 24 examples are it covers the number and type of community  
 25 interviews that are done, the format, what type of folks

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1 are approached for interviews. It gives guidance on the  
 2 content and the format of the CRP, and it also goes over  
 3 what are the required outreach elements.  
 4 These are the requirements under CERCLA and  
 5 what are additional or supplemental activities that  
 6 could be done depending on different circumstances,  
 7 community interest, type of contamination. Those  
 8 supplemental activities will really vary from site to  
 9 site. So, that's the guidance.  
 10 The second thing that goes into the CRP is the  
 11 community profile. The goal of developing the community  
 12 profile is twofold. First is to better understand the  
 13 community, and second is to gain resource information.  
 14 And on the resource information things, I'm going to  
 15 talk about that more later in the presentation, at the  
 16 end when we talk about the different elements that are  
 17 in the CRP.  
 18 So let's start with understanding the  
 19 community. There is basically three main topics. First  
 20 is the ethnic composition of the community, the second  
 21 is the level of education, and then the level of  
 22 affluence.  
 23 Information sources that we go to to gather  
 24 this information is the census. We used information on  
 25 the community within a five-mile radius of the base,

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1 city governments, City of Concord, City of Bay Point,  
 2 Clyde, information from those city organizations,  
 3 chambers of commerce, newspapers, like the Contra Costa  
 4 Times, San Francisco Chronicle, the school district,  
 5 which in this case is Mt. Diablo Unified School  
 6 District, information from the RAB.  
 7 For example, the RAB pointed out key  
 8 communities that should be addressed would be Shore  
 9 Acres and Bay Point. The RAB also made recommendations  
 10 of folks that we could select for interviewing, and then  
 11 community interviews themselves.  
 12 Just briefly, a map of the area. I'm sure you  
 13 guys are all familiar with the area.  
 14 I do want to point out two key communities in  
 15 addition to the towns that people are familiar with is  
 16 the Shore Acres, which is the purple triangle, and then  
 17 also the Monument Corridor community, which is the  
 18 orange triangle down here by the Concord label.  
 19 In doing the ethnic com- -- looking at the  
 20 ethnic composition of the area, there is three important  
 21 ethnic populations, first being Hispanic -- first one  
 22 being Hispanic, which is about a quarter. I do want to  
 23 point out that both the Monument Corridor and Shore  
 24 Acres communities actually have more than half of the  
 25 Hispanic population in them. So if you look at the

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1 whole average, it's a quarter, but if you look at those  
2 two communities in specific, it's more than 50 percent  
3 in those communities. Second is Asian, nine percent,  
4 and African-American at four percent.

5 Community profile, education information -- I'm  
6 just going to turn to my notes here so I can summarize  
7 this a little better.

8 What you'll see in the ledger here are  
9 categorizations we use for the census. What this breaks  
10 down to is about 15 percent for folks that had -- we're  
11 talking about adults here -- that completed elementary  
12 school or some high school. More than half are high  
13 school graduates or have some college. And then 32  
14 percent, the remaining portion, have some type of  
15 college, predominantly some type of college degree,  
16 predominantly bachelor's degrees.

17 In terms of affluence, again, these are the  
18 census categories on my right there. About 20 percent  
19 make less than 35,000, about a third make 35- to  
20 \$75,000, and these are household incomes, 44 percent  
21 make 75 to 150,000, and then we had seven percent that  
22 are making more than 150.

23 So guidance, community profile. Now we're on  
24 community interviews. The goals of the community  
25 interviews are to gain a better understanding of the

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1 different organizations. We did get 25 to agree to the  
2 interviews, but we did get declined in some cases. And  
3 notably, I wanted to point out that we did contact a  
4 number of major environmental groups; however, they  
5 expressed that they had little concern and, therefore,  
6 were not interested in spending the time to do an  
7 interview with us.

8 A little bit more about the interviewees.  
9 People had lived in the area for anywhere from one to  
10 more than 30 years. On average people lived in the area  
11 for 23 years. About half of the folks were affiliated  
12 with some community organization. So the thinking,  
13 again, is that you're getting that person's opinions,  
14 and they're also reflecting perhaps a larger segment of  
15 the population.

16 Now I want to talk just about the categories  
17 you see across the top. These are profile categories  
18 that are used by both DTSC and EPA. Basically you're  
19 looking at different types of interest groups. And the  
20 goal is -- when you're doing the interviewing is to  
21 smatter your interview -- interviewees among those  
22 groups because, for example, some -- someone who comes  
23 from a business organization is going to have very  
24 different interests and concerns than somebody who comes  
25 from an environmental group.

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1 community concerns about cleanup, to get feedback on how  
2 to best inform and involve the community in the cleanup  
3 process, compile resource information that will be  
4 helpful for future community outreach activities, and  
5 then to potentially establish points of contact for  
6 two-way information sharing.

7 For example, one of the individuals that was  
8 interviewed was with the Black Family Association. Now,  
9 if anybody in her organization or her neighbor comes and  
10 asks her questions about the base, she knows who to  
11 contact. Likewise, if the Navy decided that they want  
12 to do, you know, some additional outreach and meetings,  
13 they have a contact to go to to establish -- to join in  
14 to set up a meeting and do a presentation.

15 Okay. Now I want to talk about the actual  
16 interviewees. A bunch of things to say on -- on this  
17 slide here. First off, I want to talk about the numbers  
18 of people that are interviewed. Guidance, and this is  
19 EPA guidance, says 15 to 25 is generally a number that's  
20 recommended for community interviews. It can be as high  
21 as a hundred in certain circumstances, but the general  
22 recommendation is 15 to 25. We also worked on the  
23 number of interviews that were agreed to, which was the  
24 target 25 with EPA and DTSC.

25 In this case we actually went out to 42

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1 Also along the left there are the different  
2 cities that folks broke down into. And as I said, there  
3 were 25 interviewees, but you can see the number down  
4 here is 29. That's because folks fell into more than  
5 one category sometimes, so they were counted twice.

6 Okay. Results of the community interviews.  
7 There is six slides so -- and each of them have a topic.  
8 I'll go through them.

9 First is a set of questions on cleanup  
10 knowledge, what they know about the environmental  
11 cleanup. About 50 percent, 48 percent, had a general  
12 understanding of the cleanup, about a quarter had little  
13 to none.

14 What did they know about the Community  
15 Relations Program? About three quarters didn't know  
16 very much about it. And there were a few, 12 percent,  
17 that expressed some unhappiness with the program.

18 When asked who would they contact if they had  
19 questions, folks said the Navy, elected officials,  
20 county health and emergency operations, this was like  
21 police, fire department, that kind of thing. About a  
22 quarter said they were unsure.

23 The next group of questions was on cleanup  
24 concerns. The interviewees were asked what did they  
25 think the concerns were of the general community.

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1 Interviewees felt -- 44 percent felt there was little to  
2 minimal concern. About a third felt there was some  
3 environmental concerns. And then other topics that were  
4 mentioned would be weapons storage, reuse, and just  
5 general lack of information of what might be going on  
6 with the cleanup.

7 These interviewees were also asked themselves  
8 if they had specific concerns or interests, and 48  
9 percent of them said no. The 52 percent that said yes  
10 expressed the following. And these were -- these are  
11 listed from the ones that most -- more people said to --  
12 to what fewer people said.

13 The first one, completeness of cleanup or to  
14 what standard the cleanup was done to. This means if  
15 the property was cleaned up for the use that it's being  
16 used for now, would it be -- still be okay in the future  
17 if it was used for something else. The reuse scenario.  
18 Or, you know, even on the base, if something was used  
19 for one purpose and later was used for something else,  
20 how was that tracked or -- you know, kept track of.

21 Second, community involvement, quality of  
22 cleanup. This means even if you agree that the cleanup  
23 was to go into the right level, could the cleanup really  
24 achieve those levels.

25 Groundwater, specific questions on sites or

1 people did say it depends. Most people said they were  
2 very busy. We were speaking to people who were already  
3 very active in their community and felt they already  
4 were short on time. So I wanted to add that in there.

5 When asked if the information repository was in  
6 a convenient location, we got a big resounding yes.

7 Next they were asked if they had seen any media  
8 coverage of the cleanup or any public notices, and  
9 basically about two-thirds -- or three-quarters said no.

10 It's not surprising. There were articles that  
11 were written on Concord, but they're often little,  
12 they're not on the front page, they're just not as  
13 notable. Public notices -- I'll be honest. I do this  
14 stuff all the time, and I don't read public notices.  
15 So, it's not necessarily surprising.

16 Okay. Assessment of potential activities.  
17 These are things that could be done in the future.  
18 Basically there was a list of general types of  
19 activities that were discussed, and the interviewees  
20 were asked if they felt this would be a good way for  
21 them to get information on the cleanup at Concord.

22 The top votegetters were fact sheets, newspaper  
23 articles, and site tours, followed by the Internet, and  
24 then to a little lesser degree community meetings, and  
25 then an open house or like information fair.

1 chemicals, and then reuse. And some of the questions or  
2 concerns was specific sites and chemicals came with  
3 people that are more involved with the process.

4 The next set of questions was feedback on  
5 cleanup teams. Basically folks were asked what was  
6 their level -- did they have confidence in the Navy,  
7 EPA, DTSC to do or oversee the cleanup. In the case of  
8 the Navy 68 percent said yes; in the case of the EPA 48  
9 percent said yes.

10 I want to add to that that what was also  
11 expressed there by a number of folks was this broad  
12 concern of -- not with -- at this project level, but  
13 under the Bush administration if there was really the  
14 funding or priority, and that's where you see more folks  
15 in that depends group.

16 In the case of DTSC, 56 percent said yes. Also  
17 sort of that broader concern being expressed, was there  
18 adequate funding in the state of California to conduct  
19 the oversight.

20 A series of questions then were asked on the  
21 assessment of current activities, things that the Navy  
22 is currently doing. Were they familiar with the RAB.  
23 More than half said yes. Were they interested in being  
24 a RAB member, unfortunately, everybody said no.

25 This is not really terribly surprising. Some

1 Activities with less import were the RAB  
2 meetings or workshops, again going back to what was  
3 heard a lot in interviews, people wanted information  
4 when they -- so that they could read it and use it when  
5 it was convenient to them and would be less of a time  
6 commitment for them.

7 Some key media resources that were identified,  
8 Contra Costa Times, most everybody took that paper,  
9 San Francisco Chronicle, more than half also got that  
10 newspaper. Two talk radio shows KCBS and KGO, and then  
11 a quarter -- more than a quarter of the voters said that  
12 they did watch the local cable access channel.

13 So based on guidance, the profile, and the  
14 interview information we came up with a list of outreach  
15 activities. They're broken down in two parts. First  
16 are the required activities, these are the ones that are  
17 required under CERCLA, and then the additional  
18 activities.

19 I do want to say that the Navy was doing all  
20 the required activities. There is a couple things that  
21 are recommended as enhancements to the ongoing efforts,  
22 and these are in purple.

23 And in the interest of time I'm just going to  
24 kind of go over the new things. So in your public  
25 meeting, public notices, was investigate the possibility

1 of using -- of doing public service announcements  
2 through the radio stations that were identified and  
3 through the cable public access channels serving the  
4 Concord area.

5 Under grants for technical assistance for  
6 Concord, there is already a TAG and a TAPP in place.  
7 The Navy is going to include information for future  
8 requests on the web site so that information will be  
9 available for folks looking at the Navy web site for  
10 Concord.

11 The administrative record, what we're -- what  
12 the Navy is going to do is post a flier at local  
13 libraries with information on a number of different  
14 things. And you're going to see library flier pop up  
15 throughout a lot of these different things, one of them  
16 being -- the first being the administrative record.

17 Next is the information repository. With the  
18 information repository there is going to be a formal  
19 program to update, maintain the repository, with  
20 quarterly audits to make sure everything that is  
21 supposed to be there is there. Annually the Navy is  
22 going to refresh the librarians on what's in there and  
23 how it's organized. And then, again, we're going to  
24 include information on the information repository in  
25 that library flier.

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1 conjunction with the RAB meeting, the Navy would like to  
2 hold an information fair basically an hour before the  
3 RAB meeting. There would be posters, fliers, handouts,  
4 and then an opportunity to talk with the Navy or the  
5 regulatory agencies or RAB members for the community,  
6 you know, more one-on-one, an easier, more comfortable  
7 situation, less formal.

8 Next is the Navy web site. The web site is  
9 listed up there. There is a lot of information on there  
10 already, and the Navy is planning to add a lot of  
11 additional information.

12 First off is to complete the on-line  
13 repository. And this is basically putting electronic  
14 copies of the documents on the web site. And this is an  
15 ongoing effort because it's been going on for a while  
16 now. Add the RAB meeting schedule, include notices for  
17 public meetings, add information on where the admin  
18 record is, information repository, how to get on the  
19 mailing list.

20 And then from the CRP we have a map and  
21 pictures of the IR sites that are going to be added to  
22 the information that's already available about the IR  
23 sites on the web site, include information on grants for  
24 technical assistance, and then supply the web site link  
25 to some key community web sites that we used in

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1 Still required activities. There is not going  
2 to be any change to the efforts under proposed plans and  
3 public comment periods.

4 Under the mailing list, new members are going  
5 to be added to the mailing list as a result of the  
6 community interviews, and also on that library flier  
7 will be information on how to get added to the mailing  
8 list if people are interested.

9 Now we're jumping into the additional  
10 activities that aren't required and as a result are  
11 going to be subject to things like funding and staff and  
12 whatnot, and availability. So these are activities that  
13 the Navy is planning to do.

14 Fact sheets, a minimum of two informational  
15 fact sheets annually. And right now for this year two  
16 of them are funded. The fact sheets are going to be  
17 posted to the web site.

18 In terms of site tours and information fairs,  
19 similar to what was done in December, there was a RAB  
20 tour that was extended to members of the Dana Estates  
21 group, and for the next annual RAB tour this year the  
22 Navy would like to do something similar and extend that  
23 tour to another interested community group that is  
24 adjacent to the base.

25 In terms of the information fair, in

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1 developing the community profile, Contra Costa Times,  
2 and then cities in the immediate area, Concord,  
3 Pittsburg, Bay Point, Clyde, Martinez, different city  
4 organizations that we can link into and make the Navy  
5 web site more accessible to the public.

6 Evaluate using an automatic mailing list to  
7 notify members when there has been updates to the web  
8 site or upcoming meetings. And this evaluation is also  
9 going to include looking at using the system to  
10 distribute timely information, fact sheets and whatnot,  
11 and also on that library flier include information on  
12 the Navy web site.

13 Workshops and community meetings. There's  
14 going to be a training session for the RAB and  
15 interested community members. And I think that's under  
16 discussion right now.

17 Presentation about the IR program for  
18 interested community groups. The Navy is going to  
19 develop this, and it can be given to interested  
20 community groups on request.

21 And while we have some contacts that were  
22 developed through the community interviews, we're going  
23 to develop additional contacts to better serve the  
24 Hispanic, Asian, and African-American communities.

25 Okay. That's the community outreach

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1 activities.  
2 Now I want to go over the RAB support  
3 activities. We're going to continue with all the  
4 current efforts, and in addition announce the RAB  
5 meetings on the web site, include information on the RAB  
6 and RAB meetings on the library flier. And then, as I  
7 mentioned, hold the annual RAB site tour.

8 There is going to be updates on remedial  
9 project manager meetings, an orientation binder for new  
10 RAB members, and then an acronym and term list for RAB  
11 meeting attendees, and then provide a third-party  
12 facilitator, if needed.

13 Okay. Last thing I want to go over is just  
14 real briefly -- actually, I'm just going to tell you  
15 about this stuff. This is all the resource information  
16 that's available in the Community Relations Plan.  
17 Mostly it's presented as appendices.

18 There is a variety of different information,  
19 and this information would be used to plan upcoming  
20 outreach activities, and then for a resource for the RAB  
21 members and the cleanup team working on the Concord  
22 cleanup.

23 So we talked about what the plan's based on and  
24 what the plan contains. And I'd like to open the floor  
25 to any questions.

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1 MR. GRIFFITH: You said that the  
2 interviewees -- half -- less than half have general  
3 awareness about the cleanup process or cleanup efforts  
4 at the base; 72 percent know nothing or very little  
5 about the community relations at all; and you said,  
6 thirdly, that most of the interviewees were people who  
7 were very active in the communities.

8 Does that throw up a major red flag about the  
9 Community Relations Plan itself, so little awareness  
10 about the whole program?

11 MS. RYAN: Yes; except that I hate to tell you  
12 that it's typical. It's not unusual at all. Especially  
13 not -- what was expressed by a number of the  
14 interviewees is that they didn't have a lot of concerns  
15 about the base. And when there is, you know, not high  
16 community interest, then people tend to not -- they  
17 weren't terribly interested. So, it's not really that  
18 surprising at all and, unfortunately --

19 MS. MORLEY: I'd like to add to that. It was  
20 interesting too that they -- what they were saying is  
21 it's not the Community Relations Plan but our program.  
22 And what they were saying is that we don't think that  
23 you're doing a bad job of the cleanup, but we don't know  
24 because we're not hearing about it. That was really  
25 more what their concerns were.

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1 You know, we don't see fliers. This is the  
2 first time we've heard from you. We don't see things in  
3 the newspaper, we don't see things on the television.  
4 So, it's not that that -- also that they weren't  
5 concerned, but that they just didn't feel like we were  
6 doing a good job of providing them information, and  
7 that's where they were saying that they'd like to see  
8 fact sheets and stuff.

9 MR. GRIFFITH: The reason I ask is I'm a little  
10 confused as to -- in a perfect world from the Navy's  
11 perspective, how should this be? Should the community  
12 be aware of what's going on? Should there be a higher  
13 percentage of people, you know, aware of what's going on  
14 and actively involved, or is this pretty much status  
15 quo, and that's the way it should be in terms how and  
16 where the community is? What's the comfort level from  
17 the Navy's perspective?

18 MS. MORLEY: I find that the more a community  
19 is involved is on closing bases because then it becomes  
20 an issue because they're going to inherit that land, and  
21 on an open base that's actually pretty typical.

22 We also found that most of the people were  
23 interested in receiving information, they just didn't  
24 want to take the time to be on the RAB and go to RAB  
25 meetings and stuff. So, it's not that they were

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1 uninterested; they just didn't want to put a lot of time  
2 into it. But a lot of them did express that they wanted  
3 to get fact sheets and be on a mailing list and stuff  
4 like that. That's actually pretty typical.

5 MR. GRIFFITH: There's actually a high level of  
6 trust it seems like the people have in the Navy, even a  
7 higher level of trust than the EPA. That's kind of  
8 interesting. So maybe the community might be thinking,  
9 well, the Navy has it under control, we're okay with  
10 this.

11 MS. MORLEY: Yeah. And mostly what they said  
12 was we expect that with an organization your size,  
13 you're going to do the right thing because you have to.  
14 You have people overseeing you, you've got money, you're  
15 going to do the right thing. That was kind of what most  
16 of --

17 MR. GRIFFITH: Because that reduces the concern  
18 in the first place.

19 MS. MORLEY: Right. Right. And then there  
20 were some people that said, you know, you've been here a  
21 long time, we've never had any problems, we're just not  
22 that worried.

23 But, again, going back to the EPA it was -- and  
24 it wasn't Phillip; it was the EPA in general.

25 MR. RAMSEY: After January 2000, you know,

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1 nothing surprises me.  
2 MS. MORLEY: It was really that they were just  
3 concerned that with the current administration they  
4 weren't going to get the funding. And some people had  
5 issues not related. Like one woman had -- her uncle's  
6 farm had been taken by the EPA due to endangered  
7 species. So, there was issues like that.  
8 MR. STRAUSS: So how do you account for that  
9 and then say that the Navy was 84 percent -- there was  
10 84 percent confidence in the Navy and 48 percent  
11 confidence in the EPA? That's what I don't understand.  
12 MR. RAMSEY: It wasn't that high, actually.  
13 Unfortunately, it wasn't quite that great of a spread.  
14 MR. STRAUSS: It was a big spread.  
15 MS. MORLEY: Again, most of them had said  
16 either we've been here a long time, we've never seen any  
17 problems, we've never heard of any problems, or that we  
18 think that you're big enough that you're not going to  
19 get away with doing anything bad is what they were  
20 thinking.  
21 MS. RYAN: I should mention, Theresa was on  
22 most of the interviews, so she has firsthand knowledge.  
23 MR. O'BRIEN: Kelly, you had mentioned that  
24 environmental groups were not interested in  
25 participating.

1 MS. RYAN: Yes.  
2 MR. O'BRIEN: How many people did you interview  
3 in Bay Point?  
4 MR. SKAREDOFF: I'd like to invite you to  
5 comment or make presentations to the Watershed Forum.  
6 It's sort of a county-wide watershed group that's trying  
7 to sort of build common ground between environmental  
8 groups and business groups. And I think this would be  
9 something that would be of wide interest and probably  
10 gain quite a bit more community interest if they were  
11 made more aware of this.  
12 MS. MORLEY: What's the name of that  
13 organization?  
14 MR. SKAREDOFF: Contra Costa Watershed Group.  
15 Key contact person is John Kopchik. He works for the  
16 county with the Contra Costa Community Development  
17 Department.  
18 MR. MENESINI: Along those same lines --  
19 MS. RYAN: I'm sorry, Mario. Let's do Raymond  
20 first and then you.  
21 MR. O'BRIEN: How many people did you interview  
22 in Bay Point?  
23 MS. RYAN: There were two folks. They were --  
24 let's see. We had Bay Point Residents Association and  
25 Bay Point Municipal Advisory Council. There was --

1 MS. KELLY: Uh-huh.  
2 MR. O'BRIEN: Why do you think that's so?  
3 MS. RYAN: What we heard from and you would  
4 think, Arc Ecology is a typical one that does want to be  
5 interviewed as well as --  
6 MS. MORLEY: Sierra Club.  
7 MS. RYAN: -- Sierra Club. What we got from  
8 them was that resources were stretched, and they didn't  
9 have any burning issues with Concord. There were bigger  
10 issues that they were more concerned with, and they were  
11 putting their resources to that.  
12 MR. SKAREDOFF: I have a comment on the same  
13 slide. Did the -- did Mt. Diablo Watershed Forum  
14 Resource Conservation District -- were they included in  
15 the list of the folks you asked?  
16 MS. RYAN: We did. We did contact Mt. Diablo,  
17 and they declined to be interviewed.  
18 MR. SKAREDOFF: Watershed Forum?  
19 MS. RYAN: The Watershed Forum? No, they are  
20 not on our list.  
21 MR. SKAREDOFF: And how about the Contra Costa  
22 Resource Conservation District?  
23 MS. HUNTER: Yes.  
24 MS. RYAN: They were.  
25 MR. SKAREDOFF: They were contacted?

1 there was a predominance, I'm sure you noticed, of folks  
2 that were in Concord. That had a lot to do with state,  
3 local, and federal all having their addresses at  
4 Concord. And so to hit those folks that were  
5 responsible for this area, you know, it did kind of  
6 weight the Concord group.  
7 MR. O'BRIEN: I don't understand that logic.  
8 MS. RYAN: I was just saying that in -- and  
9 maybe I should put that slide back up. I meant to say  
10 something about this at the time.  
11 You'll notice in the matrix there is quite a  
12 number of folks that were interviewed that were in the  
13 Concord area. Those folks were -- a lot of it had to do  
14 with being a state, local, or federal government agency  
15 or some of the other Contra Costa agencies that we  
16 interviewed.  
17 To answer your question, there were two -- two  
18 organizations from Bay Point that were interviewed. And  
19 then we also extended the invitation to the RAB members  
20 as a group. And I guess the RAB members that were  
21 interested were not from Bay Point.  
22 I'm sorry about that, Mario.  
23 MR. MENESINI: My concern was what about the  
24 county agencies, did they have input? And, you know,  
25 some of the folks that are involved with environmental

1 programs, health programs, were they included in some  
2 kind of a matrix?  
3 MS. RYAN: We -- we interviewed the Contra  
4 Costa Environmental Health Department, the HAZMAT  
5 program, and also the Contra Costa Environmental Health  
6 Services as part of the interviewee list.

7 Marcus.

8 MR. O'CONNELL: Besides the interview process,  
9 how was the input of the RAB incorporated, input in  
10 the -- from the RAB prior to the actual writing of the  
11 Community Relations Plan? How was it incorporated in  
12 the -- the plan?

13 MS. RYAN: Well, I attended, what was it, like  
14 three -- we had three meetings last summer, and I did  
15 listen very closely to what was discussed during the RAB  
16 meetings. And I think when we were developing the plan,  
17 we took some of the recommendations or some of the ideas  
18 as to how to do outreach.

19 MR. O'CONNELL: Can you give me an example?

20 MS. RYAN: I'm pretty sure that the RAB  
21 suggested -- I'd have to go back and look at my  
22 notebook -- that we should have a posting at the library  
23 with information on, you know, a variety of different  
24 information to contact the Navy through, and we're going  
25 to do that --

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1 MS. MORLEY: Isn't another one --

2 MS. RYAN: -- as an example.

3 MS. MORLEY: -- that you wanted people's names  
4 in there? There was no one named in there last time,  
5 remember, in the other CRP; you wanted an actual  
6 person's name?

7 MS. RYAN: Okay. But --

8 MR. O'CONNELL: We had several meetings that  
9 this was a big item on the agenda, lots of discussion,  
10 lots of ideas generated. These are relatively minor  
11 things that you're talking about. And I'm -- I'm  
12 wondering -- looking at this, frankly it -- it looks an  
13 awful lot like the Mare Island one.

14 MS. RYAN: Really?

15 MS. MORLEY: Well, they're all kind of similar.

16 MR. O'CONNELL: Huh?

17 MS. MORLEY: They're all kind of similar  
18 because they follow the EPA guidance. Every base is  
19 kind of similar with just -- probably what's the most  
20 different is the recommendations.

21 MS. RYAN: I would say what we plan in terms of  
22 outreach activities are very different from what was  
23 planned for Mare Island. But yes, in terms of format  
24 and organization it's going to look very similar because  
25 that's the guidance.

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1 MR. O'CONNELL: The second question is, how do  
2 you -- there's two ways of looking at this, people's  
3 knowledge, the level of people's knowledge and awareness  
4 about what's happening here. Let's say concern. Let's  
5 look at the relation between the concern about what's  
6 going on and their knowledge about what's going on. We  
7 say that people are generally not concerned at all, then  
8 they go on to say that people really aren't very aware  
9 at all. I'm wondering what the relationship between  
10 people's awareness and their concern is, which does not  
11 seem to come out.

12 MS. MORLEY: If I can answer this.

13 MS. RYAN: Sure.

14 MS. MORLEY: One -- one of the things -- when  
15 we asked them their concerns, we gave them a fact sheet,  
16 and we talked about the program and explained it. And  
17 after knowing more about the IR program and the base and  
18 where we were, they still were not concerned. It was  
19 just the cleanup program on the base was not an issue to  
20 them.

21 MR. O'CONNELL: Let me rephrase the question.  
22 People that have prior knowledge of the cleanup program  
23 here, what would you say -- just as a hunch, what's the  
24 relationship between their concern and their knowledge?  
25 The more they knew, the less concerned they were?

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1 MS. MORLEY: Actually, I would say it was kind  
2 of split because the people who were concerned who had  
3 prior knowledge were RAB members, and there were other  
4 people that had knowledge that were not concerned. So,  
5 it's kind of, again, up to the individual. But I see  
6 your point, Marcus.

7 MR. O'CONNELL: It would be nice to have cross  
8 caps done on some of this information that's in here.

9 MS. MORLEY: You mean for the interviewees'  
10 responses?

11 MR. O'CONNELL: Yeah. You have a lot of stats  
12 in here that are quoted, and a lot of things could come  
13 out of that, you know, preparing groups with cross caps  
14 on it.

15 MS. MORLEY: I do think that the one thing that  
16 the Community Relations Plan did point out is that we  
17 need to do a better job of informing the public. There  
18 is no question about that. I think that we haven't done  
19 a good job so far. And hopefully with these things that  
20 we're implementing we will get the message out to more  
21 people. Whether, again, they're going to be concerned  
22 enough to come to the RAB meeting, I don't know, but at  
23 least we can do a better job of reaching out to the  
24 public.

25 And we did get some good contacts, and like,

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1 you know, from the Bay Point Association, and he gave us  
2 the name of a person that we can follow up with the  
3 Monument Corridor and stuff. And we established some  
4 relationships there. So I think that's helpful.

5 MR. O'CONNELL: One of the things that came up  
6 in the discussions before, and I brought it up, was that  
7 many of the objectives here don't have, you know, any  
8 timetable attached to them, no -- there is no  
9 accountability. It doesn't say who's going to do it, it  
10 doesn't say when it's going to be done, it doesn't say  
11 how it's going to be executed, it doesn't say how  
12 you're -- how you're going to get feedback to judge  
13 whether it's being executed in real time.

14 So, you know -- I mean, my concern is we're  
15 setting up goals that sound great, we will do this, and  
16 then say something general, we're going to outreach to  
17 the media or something like that. Really the goals need  
18 to be quantified, you know, like how many inches of  
19 press or number of articles in the press or, you know --

20 MR. SMITH: Marcus, that's very difficult to do  
21 because you don't control the press.

22 MR. O'CONNELL: That's standard public  
23 relations, and this is a public relations document. And  
24 that's what people do in public relations. You get a  
25 public relations textbook, that's right in PR 101. 1

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1 there actually is an increase in public awareness, that  
2 there actually is public comment.

3 MR. SMITH: I think you just hit the nail on  
4 the head, Marcus. We need to -- when we go out and we  
5 do these plans and we say, hey, have you heard of the  
6 program, and people say no, we haven't heard of the  
7 program, that's the kind of stuff we need to fix. We  
8 need to -- so the next time we do something like this  
9 and get a bunch of people, say how many people have  
10 heard of this, we get everybody saying yes, instead of  
11 half the people saying "huh"?

12 But going for column inches -- and my problem  
13 with that specifically is -- I mean, I, you know, do a  
14 lot of press for several different Navy bases, and I can  
15 tell you it is extremely difficult getting the press to  
16 write about stuff unless it's, you know, what their  
17 editors are interested in that particular day.

18 MR. BOYER: Or you buy the ad. It's --

19 MR. O'CONNELL: Obviously you're not totally in  
20 control of that -- totally in control of that. But the  
21 idea is to look at what your goals are, have them  
22 quantified, and take corrective action so that the plan  
23 is not -- it's failing. Somehow your plan's failing in  
24 meeting your goals, that you can regroup and go ahead  
25 and do it.

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1 know because I've looked it up when we were doing this,  
2 and that was one of the standards.

3 MS. RYAN: Actually, Marcus, I did listen to  
4 that comment you gave. And if you look, perhaps it's  
5 not as detailed as you would like, but each activity  
6 does say, you know, it's going to be done on an annual  
7 basis, there is two per year. It does actually be  
8 specific. It's not just we'd like to do -- you know,  
9 there is going to be more. It is -- there was an effort  
10 made to be quantifiable understanding that there is  
11 sometimes limitations of funding where, you know, you  
12 need the additional --

13 MR. O'CONNELL: Well, I would disagree with  
14 that. My comments will reflect that. They're in  
15 writing.

16 But I think you have to be real cognizant that  
17 we had a Community Relationships Plan before, and we  
18 ended up with no -- almost zero awareness in the  
19 community after six years. And there is some reasons  
20 for that. No one was accountable at all for executing  
21 that plan. It was just we had to have one -- the Navy  
22 had to have one according to law. They had it and it  
23 sat on the shelf and collected lots of thick dust. And  
24 we don't want that to happen again. And so something --  
25 some mechanism has to be open in the plan to ensure that

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1 But the same questions were asked about  
2 people's awareness and about their concern in the last  
3 public relations plan six years ago. I mean, it's --  
4 the last one six years ago fulfilled the same  
5 requirements as this, the same standards that this has  
6 to be. Nothing happened then. I'm glad to hear you're  
7 concerned that this time it doesn't end like the last  
8 time.

9 MS. RYAN: This is based on the new DTSC  
10 guidance, new EPA guidance. And there are new  
11 requirements, and we did follow those.

12 MR. O'CONNELL: Sure.

13 MS. RYAN: This document is -- is -- I would  
14 say has a lot more resource information than the past  
15 CRP did.

16 And, again, maybe it didn't quite get to the  
17 standard that you were looking for, but there was an  
18 effort made to try to make activity as -- quantifiable  
19 so that you could measure whether or not there was --  
20 whether or not that effort was acceptable as received in  
21 your comments.

22 MR. O'BRIEN: Kelly, the geography is a little  
23 muddled here. In this particular slide you have city --

24 MS. RYAN: Right.

25 MR. O'BRIEN: There are two communities up

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1 there that are not cities.  
2 MS. RYAN: Right.  
3 MR. O'BRIEN: Okay. The other thing is you  
4 treat Shore Acres as if it's separate from Bay Point.  
5 Shore Acres is not a community. Bay Point is a  
6 community. Shore Acres is either a district or a  
7 neighborhood --  
8 MS. RYAN: Okay.  
9 MR. O'BRIEN: -- and to separate it out like  
10 that is incorrect.  
11 MS. RYAN: Is it separated out on here? I  
12 don't think so.  
13 I agree with you.  
14 MR. SMITH: On the map is what he's talking  
15 about, on the map.  
16 MR. O'BRIEN: You had a separate statistic for  
17 Shore Acres, and you said it was a community. It's  
18 really not. We need to be real clear about what we're  
19 talking about.  
20 MS. RYAN: So you're saying it would be more  
21 appropriate to call that a neighborhood?  
22 MR. O'BRIEN: Right.  
23 MS. RYAN: Okay. Thank you.  
24 MR. O'BRIEN: It's part of Bay Point.  
25 MS. RYAN: Right. Thank you.

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1 Igor.  
2 MR. SKAREDOFF: Kelly, I had a couple of  
3 comments. They're sort of related.  
4 MS. RYAN: Okay.  
5 MR. SKAREDOFF: They have to do with outreach.  
6 MS. RYAN: Okay.  
7 MR. SKAREDOFF: Just one thing I might advise  
8 would be to either -- combine the fair and tour with the  
9 other. I think that would make a pretty attractive  
10 package. You can have displays and presentations and  
11 tours together. I think that would help to bring people  
12 in and to broadcast pretty wide net when you're  
13 advertising for it or publicizing for it.  
14 And one thing is -- I think you can really do  
15 to gain public standing would be to make a special  
16 effort to go after the environmental groups. It's --  
17 I used to work in a refinery and recently did a  
18 tour of the refinery with a bunch of environmental  
19 groups, and it turned out that it was very beneficial  
20 for the refinery because they sort of demystified a lot  
21 of what was going on there. And as -- you know,  
22 problems were not dodged; they were discussed. And  
23 there was -- a tremendous amount of positive feedback  
24 came out of that. So just based on experience I think  
25 this might be applicable here.

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1 And along the same line, you might want to  
2 include in your -- include the links on your web page if  
3 they agree to it, get permission from, say, Mt. Diablo  
4 and the Watershed Forum and maybe Pine Crest, outfits  
5 like that. They have their own web pages. If they  
6 agree to have a link there, you could do that.  
7 Also, on your outreach, has anybody gone to  
8 outfits like Kiwanis, Lions Club, sort of service  
9 community groups like that, and just talked to them  
10 about the Naval Weapons Station?  
11 MS. RYAN: Has that happened recently? Not  
12 that I'm aware of.  
13 MR. SKAREDOFF: I think that would be a real  
14 fertile ground.  
15 MS. HUNTER: Actually --  
16 MS. RYAN: I'm sorry.  
17 MS. HUNTER: -- I met the head of the Rotary,  
18 the Concord Rotary, at the information fair that I went  
19 to with Mary Lou and Evelyn, and I gave him my  
20 information and stuff. And he says, oh, you know, I'll  
21 call you. So I mean --  
22 MR. SKAREDOFF: Well, sometimes it's hard that  
23 way.  
24 A lot of times they're looking for speakers,  
25 and this is right in their backyard. And, you know, if

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1 you sort of make a little bit of a pitch for it, I think  
2 it would be -- might be very worthwhile to include those  
3 in your net as well.  
4 MS. RYAN: One of the things I wanted -- I  
5 didn't mention, during the interviews -- actually, the  
6 interview team went to the Concord -- what was it? --  
7 the Concord Senior Citizens Group and kind of did a  
8 short little talk to them and tried to get somebody to  
9 do a longer interview with us, and nobody was interested  
10 at the time. But we did actually go as part of the  
11 process.  
12 MR. SKAREDOFF: I'm kind of surprised that  
13 you're finding so little public interest because a few  
14 years ago there was a meeting at the county -- Marcus  
15 was there. It was at the county board of -- board of  
16 supervisors chambers about the Naval Weapons Station,  
17 and it was very highly attended. There was a lot of  
18 interest. It went on for a couple days, I think.  
19 MS. RYAN: Well, you know, it's interesting. A  
20 few years ago I think reuse kind of was more a  
21 possibility, at least when I was reading about it. We  
22 did as part of this research on the past newspaper  
23 articles, and there was a lot of articles about the  
24 Weapons Station. It was like two or three years ago.  
25 And I don't know if the reuse idea was being kicked

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1 around then.

2 MR. SMITH: Yeah. That was right when the  
3 decision was made to put the base in the mothballs, I  
4 think there was a lot more use. And, unfortunately,  
5 9/11 kind of put a cabosh on -- on a very large percent  
6 of the potential joint-use options.

7 MS. RYAN: It seemed that there was, you know,  
8 a lot more interest at that time, and there is just not  
9 that same level, perhaps, with the use now.

10 MR. SKAREDOFF: Well, I mean, that's an  
11 obstacle, but I think that might be sort of an indicator  
12 that there is sort of latent interest out there. I  
13 think if we just stimulate it, we'll probably get a lot  
14 more awareness.

15 MS. RYAN: Mario, did you have a question?

16 MR. MENESINI: One of the easy accesses to  
17 clubs and communities is the chambers of commerce. And  
18 I don't know if you made contact with chambers of  
19 commerce, but they will have access to all of the clubs  
20 and all of the businesses and that kind of thing.

21 About five or six years ago the Environmental  
22 Alliance attended a group of task force meetings at the  
23 water dis- -- the water agency and the state, and each  
24 one of the environmental programs that we attended had a  
25 specific goal or objective interest point. And these

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1 task groups worked toward solutions, and, of course,  
2 came up with suggestions to pass on to the formation of  
3 the toxic standards for inland surface waters laws that  
4 govern the state water at this time.

5 So I -- I don't know whether this can be  
6 organized or not, but I think a series or group --  
7 groups of concept-oriented task groups to work on  
8 various problems, concerns might well establish  
9 interest.

10 I also wanted to comment on one other thing.  
11 It is very difficult to get in the newspaper. You can  
12 easily formulate some kind of dangerous concern on the  
13 property and immediately interest will rise, get  
14 publicity, but that's not fun.

15 MS. MORLEY: Right.

16 MR. MENESINI: We have at the Central  
17 Sanitation District a department that does outreach  
18 programs. They have education programs for the schools,  
19 we have various kinds of -- Mary Lou, gardening  
20 expertise. We have education from nurseries and places  
21 like that on the -- preventing the use of various kinds  
22 of harmful sprays and garden programs.

23 As much as we have put a lot of effort into  
24 these outreach programs, many times they fall short.

25 And, again -- once again, getting into the

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1 newspaper, even with announcements for programs, is  
2 difficult. So, there is no wonder that you haven't had  
3 great success with headline stories about the Naval base  
4 closing. But I would suggest some of these community  
5 task groups as one avenue for getting increased  
6 attention.

7 MS. RYAN: I just wanted to add one thing.  
8 There is an appendix in the CRP that lists all of -- a  
9 good number of local civic organizations, groups and  
10 clubs, and those were from the chambers of commerce,  
11 environmental groups, and other community organizations.

12 MS. MORLEY: We need to take our break for the  
13 court reporter. So if you have any questions, if you  
14 can hold them for ten minutes.

15 MS. WILLIAMS: We'll come back at 20 minutes to  
16 8:00.

17 (Recess from 7:30 p.m. to 7:40 p.m.)

18 MS. MORLEY: Were there any more comments or  
19 questions on the Community Relationships Plan?

20 MR. BOYER: I had one. I think that -- I was  
21 just talking to Gregg about it. I think there is a lot  
22 of lack of concern on the part of the community because  
23 there aren't a lot of health concerns wrapped around the  
24 Naval Weapons Station. We don't have cancer clusters  
25 that people are worried about, no one's well has sprung

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1 a three-eyed fish or anything like that. And so I think  
2 that the community is very unconcerned in some areas  
3 because we haven't had that sort of thing wrapped around  
4 it where other -- other bases have, especially on the  
5 East Coast.

6 MS. MORLEY: Chris, that's a good point.  
7 Because the concerns they did have were -- there were  
8 people concerned with whether nuclear weapons were  
9 stored there, there were people that didn't like the  
10 fact that we closed Port Chicago Highway. It made their  
11 traffic commute worse. So, there were concerns, but  
12 they weren't about the IR program.

13 MR. BOYER: The Port Chicago issue is what,  
14 about ten years ago now, or something like that?

15 MS. MORLEY: They asked if we were opening that  
16 back up.

17 MR. BOYER: People still hate that because of  
18 Highway 4, yeah. Yeah, okay.

19 MS. MORLEY: Okay. Thank you, Chris.  
20 Thanks, Kelly.

21 Okay. With that I'd like to introduce Mitch  
22 Marken who is a Ph.D. in archaeology from Tetra Tech,  
23 and he's going to give a presentation on CERCLA and  
24 cultural resource compliance.

25 MR. MARKEN: You can take another break, if you

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1 want.  
2 Anyway, I decided to hold questions altogether.  
3 They're at the end. It's -- actually, these guys got me  
4 scared.

5 Anyway, welcome to CERCLA and Cultural Resource  
6 Compliance Integration/Coordination. That's the topic.  
7 And I'm Mitch Marken, and I'm with Tetra Tech.

8 Okay. I'm actually new to the project. And I  
9 was actually just telling a few folks back there, I have  
10 a broad background or a wide background in environmental  
11 compliance. I'm also an underwater archaeologist by  
12 training. So when they asked me if I wanted to do a  
13 Superfund project, I thought they meant super fun and it  
14 involved travel to Hawaii, and so I said yes, yes, yes.

15 Anyway, the goal for tonight is just -- and I  
16 guess there has been a little discussion of this before,  
17 but I'm going to try to start with some very basic  
18 principles that govern this process, and then we can get  
19 to the real nitty-gritty stuff in the question period.

20 But, anyway, the goal tonight is an overview of  
21 the CERCLA process guidelines and preservation  
22 legislation that applies to cultural resources at -- at  
23 Concord.

24 Okay. You know, CERCLA process, Superfund  
25 cleanup law, is a step-by-step process where information

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1 is collected and evaluated to guide in a decision-making  
2 process. Part of the guidance for CERCLA and for  
3 cleanup sites that are governed by the EPA is to  
4 integrate cultural resources legislation, primarily the  
5 National Historic Preservation Act, which is really the  
6 backbone of all preser- -- preservation law -- I haven't  
7 been drinking, I swear -- preservation law in the United  
8 States.

9 This is the way the two actual processes look  
10 standing side by side. You can see that CERCLA is kind  
11 of a straight line down here, and cultural resources go  
12 round and round. But, actually, what this is trying to  
13 illustrate is that you need sufficient time in planning  
14 at your information gathering stage so that you can  
15 actually input evaluations and assessments of effects on  
16 cultural resources by the time you get your decision on  
17 what cleanup measures are going to do.

18 So the bottom line, running the processes at  
19 the same time, or even cultural resources before any  
20 decisions, so that you know the effect on resources that  
21 your action is going to possibly affect.

22 The backbone, like I said before, is the  
23 National Historic Preservation Act, NHPA. Now, this Act  
24 has a long history, and it started with -- in the '60s  
25 when we were tearing down neighborhoods and running

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1 highways right through really pretty scenic landscapes  
2 and things. And it was basically implemented to protect  
3 neighborhoods.

4 Basically it applies to all federal agencies  
5 and all federal actions. Now, this is a key word,  
6 "actions." I'm going to keep coming back to the word  
7 "actions." Actions can be a number of things. They can  
8 be everything from the obvious actions, which is  
9 construction or building a highway to permitting to  
10 funding. So, there's a wide range. So if something's  
11 going to happen, the law states that you actually have  
12 to consider the effects on cultural resources.

13 Now, the EPA, and this is the guidance that I'm  
14 getting from the EPA, considers CERCLA an action. So we  
15 have a catalyst for this process. And this process is  
16 commonly referred to as the Section 106 process.

17 How many people are actually familiar with the  
18 106 process? Three or four. So about 50/50. So some  
19 of you have already heard of it, and hopefully I'll --  
20 it will be a basis for, like I said, the nitty-gritty  
21 stuff. Okay.

22 Who is responsible for the Section 106 process?  
23 Well, there is a lead agency. And obviously, the EPA is  
24 the lead agency in effect; however, the EPA can assign  
25 that responsible role to an actor, somebody that's

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1 carrying out the action. And that can be the state,  
2 another federal agency, or some other responsible party  
3 that's responsible for the cleanup action. Now, for  
4 Concord we all know that it's the Navy. It's a Navy  
5 facility on Navy land. So this is important, who's  
6 responsible.

7 Okay. The process in a nutshell is kind of  
8 similar to some of the cleanup. You want to identify  
9 what you got there and otherwise identify cultural,  
10 historic, or Native American resources and evaluate for  
11 eligibility to the National Register of Historic Places.  
12 That's a catch word. More acronyms, NRHP. And I'll be  
13 talking about that in the next slide because it's very  
14 important because not all resources are equal, I guess  
15 is the best way to say that.

16 To determine project action and effects and  
17 eventually down the line mitigate adverse effects  
18 through avoidance, which is actually the preferable  
19 option. If you think about it, it's a lot less work,  
20 and everybody wants to do a lot less work.

21 Avoiding, preserving, which can mean avoiding  
22 or not doing anything, or data recovery, which is  
23 getting information when you actually have to destroy a  
24 site.

25 Okay. The National Register of Historic

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1 Places. It's very specific. These laws are great.  
2 They've been in effect for a long time. They're amended  
3 as things come up. But basically it covers an awful  
4 wide broad array of things, architecture, archaeology,  
5 engineering.

6 It can be present in districts, in other words,  
7 neighborhoods. If you have got a lot of kind of -- you  
8 know, I always like to use the word "cool," but kind of  
9 historically interesting but maybe not on their own,  
10 that's significant, but it's in a neighborhood, building  
11 structures and objects that possess -- this is the key  
12 thing -- integrity of location design.

13 In other words, you can't have, you know,  
14 Daniel Boone's log cabin in the middle of downtown  
15 Chicago because the integrity of setting has changed.  
16 And so, unfortunately, that might not even qualify in  
17 itself.

18 In addition there are very specific criteria  
19 for inclusion in the National Register and basically  
20 events, characteristics, and information. So -- believe  
21 it or not, almost everything we have is old. Historic  
22 means, by the way, for the government 50 years old. I  
23 always like to say Caltrans is doing 45 years old  
24 because the process takes about five years, you know.  
25 So -- oops. Sorry.

1 person doing all this work. They have staffs to do it,  
2 compliance staffs. And the Advisory Council on Historic  
3 Preservation is another consultation partner. The ACHP  
4 appointed -- they actually report to the president.  
5 There is two of them. There is one in Denver, and there  
6 is one on the East Coast. But they are given an  
7 opportunity to comment whenever a project will have  
8 effects on a -- cultural resources -- on a cultural  
9 resource as defined.

10 Other people in this process are other  
11 interested parties. Broad term generally meaning Native  
12 Americans for Native American sites. There is other  
13 legislation that I'll touch upon later.

14 So, it's a process that involves not just input  
15 from one source but several sources. And as you go  
16 through the process, as effects are recognized, sites  
17 are identified, a Memorandum of Understanding is usually  
18 created, not necessarily an MOA, but some type of an  
19 agreement that combines all of the input from all the  
20 different agencies on how to treat and how to -- or how  
21 to I guess mitigate adverse effects, how to avoid. So  
22 the whole process is a group effort.

23 I'm running too slow here.

24 Anyway, step one -- now, there's actually  
25 several -- several steps in the process, but I can try

1 Anyway, this is important. They have to  
2 qualify for -- according to the criteria because only  
3 sites that are eligible for this list are considered  
4 historic resources.

5 And here's another note, only the federal  
6 agency can make formal nominations to the National  
7 Register. So some sites that we may think that are very  
8 important may not actually qualify and may not receive  
9 protection under the legislation. But there is a very,  
10 very I guess broad definition and very specific criteria  
11 that's associated with it.

12 Now, wouldn't it be great for federal agencies  
13 if they were the only ones that had to make a  
14 determination. You know, we know some of them would,  
15 first of all, not have the training to do it, but  
16 secondly, it's kind of a checks-and-balances system. So  
17 you get input from more than one area.

18 The Section 106, that's a consultation process,  
19 which -- those of you that have heard this before know  
20 that includes the lead agency, which is the actor in  
21 this case, the State Historic Preservation Officer.  
22 They're commonly called the SHPO. One more acronym.  
23 And each state has a State Historic Preservation  
24 Officer.

25 And somebody asked me earlier is it just one

1 to break it down into two basic steps -- is to determine  
2 the need for identification. And before even  
3 determining the need, you have to determine whether you  
4 have an action.

5 You know, what is an action? We talked about  
6 this earlier. And actions can range from everything  
7 between changing a tire on a car, I mean, if you think  
8 about it, to, you know, large-scale soil removal. So,  
9 there has to be some type of consultation and agreement  
10 upon what an action is.

11 And as far as the guidelines from the EPA, it  
12 doesn't just concern the area where the action is taking  
13 place. It has to do with the entire area of a potential  
14 effect, which means outside cleanup areas as well, you  
15 know, staging areas for construction, your dumping soil  
16 and things.

17 So all of those are kind of things you have to  
18 consider. But you don't always have to go through this  
19 process. And one of the ways you don't have to go  
20 through the process is there has been previous work  
21 done. You're doing work in an area that's already been  
22 surveyed, and there is no resources there. That is  
23 actually satisfactory. It actually counts as  
24 consultation, if it's already been done, even if it's  
25 for another project.

1 And then, of course, to determine whether  
2 you're going in the right direction you're always, as a  
3 federal agency, able to consult with the State Historic  
4 Preservation Officer. Okay.

5 Something that's very important here, that is,  
6 for this process an action is the required catalyst for  
7 Section 106. In other words, there has to be some kind  
8 of undertaking, something like remediation, something  
9 that triggers this whole process. It just doesn't start  
10 up right all by itself. And the process, although it  
11 can go all through -- the way through data recovery,  
12 mitigation, if there's no resources or no effects that  
13 are determined through consultation, that ends the  
14 process.

15 The second step, or big step, is to identify,  
16 after you've identified evaluate and mitigate. And that  
17 flow chart that you saw that went round and round in a  
18 circle, it's great for consultants. But, anyway,  
19 evaluate for the National Register of Historic Places.  
20 If you find things that are eligible, then you have to  
21 evaluate for effect.

22 And remember I talked about integrity of  
23 location? Those are the types of things we're trying to  
24 determine whether the action has an adverse effect upon.

25 Significance, quality, integrity of location,

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1 all of the things that make it eligible are what we're  
2 trying to see. So, that doesn't mean that a buried  
3 archaeological site, for example, if you're laying -- if  
4 you're covering it, it's not affecting it because the  
5 information is still there. You still know it's a  
6 sensitive area. So, that doesn't affect its potential  
7 for inclusion on the register.

8 And, of course, if there is adverse effects,  
9 then the -- I guess the favored way to go is redesign to  
10 avoid. That's actually I think written down in the  
11 regs, protect, and if that's not possible, then plans  
12 are made to mitigate.

13 There are lots of other laws that are actually  
14 applicable here, but the backbone, the core law is NRHP.  
15 And it's important because it gives the mechanisms. And  
16 CERCLA says, look, follow this law, then it's the one  
17 law you need to know as far as cultural resources are  
18 concerned.

19 As far as Section 110, buildings, landmarks,  
20 there has been building surveys on the base. There are  
21 no -- they're listed the same way a site is. Like we  
22 said before, old laws are actually applicable,  
23 Archaeologically Historic Protection Act, that was 1906,  
24 I think, something around there, that had to do with  
25 flooding for dams. You know, you had to collect the

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1 information that was lost in these kind of government  
2 projects.

3 And, of course, Native American remains are  
4 protected under legislation. They have to be  
5 repatriated. And essentially they open the door for  
6 nation-to-nation consultation. What also applies in  
7 this instance is ARPA, and that's basically getting  
8 permits. You have to be qualified to do archaeological  
9 work. So, there's lots of other things that are  
10 triggered by their own catalyst that fall under the same  
11 umbrella.

12 I'm not actually asking that question. I'm  
13 using that. So, it's what has happened recently at  
14 Concord? And you just -- I was just asked. It was the  
15 Integrated Cultural Resources Management Plan. It  
16 was -- actually, that's a misprint. It wasn't conducted  
17 in 2002. It was completed there.

18 And what this plan does is -- for the Navy  
19 every five years they do these on their installations.  
20 They basically try to integrate the cultural resources  
21 into their current action and to their future actions  
22 over this period.

23 So, it identifies resources and states when,  
24 where, and how to make evaluations, and what are the  
25 triggers, what are things that we have to watch, what

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1 are the actions -- the ICRMP, they call it, which I  
2 always thought was good because that's just, you know,  
3 another acronym.

4 ICRMP was -- is very, very specific at Concord  
5 about what constitutes an action and what process you  
6 have to follow and who is responsible.

7 So, there are certain strategies for actions  
8 that occur in this plan. And it's a really good plan,  
9 actually. I've read a lot of them, and this one was  
10 actually a good read. Not all plans and not all  
11 information in plans are available to the public and --  
12 because the legislation also protects a specific site  
13 location.

14 So I know there has been maps distributed and  
15 things, and you're all going to watch out for those,  
16 right, and not post them because they do two things:  
17 They give people an idea where the sensitive areas are,  
18 and for people that like to collect artifacts, they're  
19 treasure maps.

20 Here's how it works in a nutshell, and then I  
21 will go to specific examples in the question period. If  
22 an action is planned, the project manager consults with  
23 the Navy cultural resources person to determine course  
24 of action. Okay.

25 And that means that -- questions like is this

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1 an undertaking. You know there is a process in place.  
2 You know I want to go take some soil samples. There is  
3 no sites there, but I want to dig like a one-foot-deep  
4 thing, or I want to dig right next to a building. That  
5 is basically the consultation that occurs as a first  
6 thing to determine this.

7 Also, this ICRMP has a very, very specific, I  
8 guess, process for additional work and future work. And  
9 one example is site specific survey. Not all of the  
10 installations have been surveyed; in other words,  
11 archaeologists walking over the land and looking for  
12 artifacts. And we're also talking, and we'll get to the  
13 subsurface. There's a lot of stuff that could be  
14 underneath that is not on the surface.

15 So, there is certain areas that are sensitive  
16 and not sensitive, and each of those different incidents  
17 has a procedure that is followed when you're going to do  
18 any kind of an action. I mean, it's written in the  
19 plan.

20 We did get one question, does environmental  
21 cleanup past, ongoing, or planned interfere with  
22 cultural resources investigation, especially in those  
23 areas identified as sensitive archaeologically and most  
24 especially where cleanup areas overlap with areas  
25 identified as culturally sensitive?

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1 I'm going to poll the audience on this one, or  
2 phone a friend. The answer to that is no.

3 Okay. You want me to explain further, then.  
4 This is the first question. It doesn't. And the reason  
5 it doesn't is because for every action there is a very  
6 specific set of responses and things that you have to  
7 do. In fact, there are five different scenarios after  
8 consulting the record search, which includes the ICRMP,  
9 of where sensitive areas are and where subsurface  
10 sensitive areas are that must be followed.

11 So, that's pretty much the nutshell ten  
12 minutes, and we ran over ten minutes. I did way longer.  
13 Sorry about that.

14 Okay. I'm open.

15 MR. O'CONNELL: Has the 106 process been  
16 triggered anywhere else besides the litigation area by  
17 CERCLA?

18 MR. MARKEN: You mean just on the installation?

19 MR. O'BRIEN: Yeah.

20 MR. MARKEN: Has the 106 process been triggered  
21 for other actions, you mean, besides that?

22 MR. O'CONNELL: Yeah.

23 MR. MARKEN: I'm not sure, because this just  
24 had to do with the remediation area. It should, though.  
25 It should. There is absolutely -- there is no

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1 exception. And what that really boils down to is --

2 Oh, I forgot to add, in this -- in this plan it  
3 says that any -- anything that may, and they leave it  
4 broad so that common sense comes into play -- anything  
5 that may cause an adverse effect or affect cultural  
6 resources has to go through this consultation process.  
7 So the bottom line is that if they're not when there's  
8 an undertaking, then they're foreclosing on this  
9 process.

10 And, to my knowledge -- no, I don't know. I'm  
11 sure there would be other actions that were Navy  
12 oriented.

13 MR. STRAUSS: What specifically in the  
14 litigation area is -- is the -- sensitive?

15 MR. MARKEN: Oh, is sensitive?

16 MR. STRAUSS: Yeah.

17 MR. MARKEN: The way they have -- we talked  
18 about the sensitivity -- the sensitive area map, but  
19 what has been produced as a result of this study -- of  
20 the five-year study were two basic sensitivity area  
21 maps. One was -- one was a subsurface sensitivity area,  
22 which is in pink, and the other one was a potentially  
23 surface sensitive area. Okay?

24 And the way that this has worked in the past is  
25 that the areas that are remediation sites, that's the

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1 right term for them -- right? -- are checked --  
2 basically were checked against the sensitive areas.

3 Can you all see that?

4 MR. BOYER: It's upside down is the problem.

5 MR. MARKEN: You should see me in the field.  
6 The compass said north.

7 Anyway, you can help me through this. I mean,  
8 it's a meeting. So, anyway can you see this at all?

9 MR. STRAUSS: Could you be more specific about  
10 subsurface or sub- --

11 MR. MARKEN: I will, but can I start with the  
12 surface ones because I've got the map right side up.

13 And so, where is a good place to see this? Can  
14 you see this? Up, like this?

15 You can see the purple area or darker areas.  
16 They're very, very specifically delineated.

17 Anyway, there are very specific areas, and the  
18 relationships to the remediation sites are also very  
19 specifically delineated. And in the -- as you can see,  
20 there is a yellow area which represents an area that has  
21 been surveyed for the surface -- for surface remains,  
22 and those have been -- let me start all over.

23 Only about eight percent of the whole facility  
24 has been surveyed, archaeologists walking around. So  
25 when there is an action, it puts the process into play.

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1 And that process involves archaeologists going out and  
2 looking at what's on the surface. But there is a huge  
3 amount of potential for subsurface sites on this  
4 installation. And that's what you're getting at; right?  
5 Those areas have been delineated. And any time  
6 there is any action that's planned for any of those  
7 areas, there is a series or process to test for  
8 subsurface. And there is also very, very specific, I  
9 guess measures, that if you're not going to go beyond  
10 2.5 feet deep, then there is no real need to, and there  
11 is no surface stuff. So everything has some kind of a  
12 path and a process that has been outlined in the plan.

13 Did that answer the question?

14 MR. STRAUSS: Well, I wanted you to give me an  
15 example. Is it an old Chinese camp, or it's an old --  
16 you know, something. I don't know what you're talking  
17 about.

18 MR. MARKEN: Oh, you mean why is it sensitive?

19 MR. STRAUSS: Yeah.

20 MR. MARKEN: Oh, okay. I probably should have  
21 had that in the presentation.

22 So basically there has been a sampling survey.  
23 I think there has been like 90. There's been several  
24 surveys that have been done, but not covering it. And  
25 the way we work, at least in the field, is to determine

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1 where sites are based on the whole surroundings.  
2 So sensitive areas are pretty much -- I said  
3 this earlier, you know, they're kind of cool places to  
4 live. You know, we want to live, like, on the shore,  
5 and we have certain -- you know, fishing and stuff like  
6 that. We have certain areas that we know through  
7 archaeology and just common sense would probably contain  
8 resources because people have been living here for  
9 thousands and thousands of years.

10 So sensitive areas are based on land form,  
11 they're based on work that's been done, some really cool  
12 stuff that goes really deep. I mean, there's some  
13 subsurface sites -- I'm starting to sound excited about  
14 this. There is some subsurface sites in the vicinity.  
15 Subsurface just means buried deep because of erosion  
16 processes. You know, there are sites that could  
17 probably date to the earliest people that were in the  
18 area. Of course, some people say that they've been here  
19 forever.

20 Sensitivity areas are basically a combination  
21 of intuitiveness, we know that they lived by streams,  
22 you know, past history. We found other sites in very  
23 similar locations. So, that's what those sensitivity  
24 areas are.

25 And they put up a big warning flag because if

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1 you're going to do anything here, you really have to  
2 take this into consideration. But the process is  
3 actually good. I mean, if we're going to do any action,  
4 they have to do a field survey over the area anyway,  
5 whether it's low or whether it's high or whatever.

6 MS. BYRNE: So, now, are you speaking primarily  
7 of Indian artifacts, or are we thinking Spanish,  
8 Chinese . . . .

9 MR. MARKEN: Well, there is obviously -- any  
10 time --

11 You know, archaeology is the study of the  
12 presence of humans there. So the major sites of concern  
13 are the prehistoric sites. They have been -- there are  
14 a couple of historic -- areas of historic interest and  
15 historic sites that have not been evaluated. I think  
16 there is only one site, and that is a prehistoric site,  
17 which means before written records, that's before  
18 contact, that has been looked at, very, very  
19 interesting.

20 And you people here know more about that  
21 specific site than I do. But since we're talking about  
22 the process, I can still kind of address it.

23 They also have to deal with our history too.  
24 Cold War is a -- is a -- I guess an era that is very  
25 important to our development. World War II. The base

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1 has been evaluated for all of its buildings and all of  
2 its structures under all of this criteria, and,  
3 actually, they found that nothing was significant. And  
4 we have -- we had to choose this -- we had to make those  
5 determinations from all over all -- all of the other  
6 installations that we have.

7 The one area, that was area Q. Does that help  
8 me with the facilities? You all know about that? There  
9 was an area that may be in the future potentially  
10 significant. So they are even looking ahead. But all  
11 of the buildings and everything that dated to World War  
12 II didn't qualify. So in a sense, you know, there is no  
13 protection.

14 MR. McLEOD: I've studied every section over  
15 there in that township for ten years. And as I reviewed  
16 all of -- all of -- reviewed the cultural resources  
17 reviews that were done I found them to be totally  
18 inadequate. The research that they did was incredibly  
19 superficial.

20 MR. MARKEN: Were they early stuff?

21 MR. McLEOD: Pardon me?

22 MR. MARKEN: Were they done a long time ago?

23 MR. McLEOD: No. There's a whole period for  
24 the last 10, 15 years.

25 MR. MARKEN: Really?

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1 MR. McLEOD: You know, I can name a specific  
2 site. You know, there are a number of sections and  
3 ranges and stuff. Section 5, section 6, section 7,  
4 they're all through that area. And the person doing the  
5 historical research wasn't able to determine any  
6 habitation prior to 1892, and I've traced all the  
7 property back to the 1850s, very early settled.

8 And so, that gives me concern, it gives me  
9 pause, as to the thoroughness of the work, the accuracy  
10 of the work. And consequently you come up with no  
11 significance because either the Navy is not providing  
12 proper funding for the person doing the historical  
13 research, or they're not giving you value for money.  
14 That's my concern.

15 And then the question becomes, what does a  
16 person -- you know -- and I have -- I have been before  
17 this organization two or three times over the last six,  
18 seven years and -- in fact, oh, six years ago I made a  
19 presen- -- a 50-page presentation where I presented  
20 detailed information about historic resources.

21 And each time I bring it up they say, oh, well,  
22 we'll do something about that, or they say, oh, really.  
23 And even though 50 copies of it went to everyone, it's  
24 probably gone all the way up and down the entire federal  
25 bureaucracy, it doesn't seem -- there is no action taken

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1 as a consequence of that. And that troubles me. So,  
2 what can we do?

3 MR. MARKEN: I'm thinking.

4 Actually, I can tell you --

5 MR. McLEOD: It's a problem with the process.  
6 It's implementation. Implementation always seems to  
7 result in no action, and as a member of this community  
8 it troubles me.

9 MR. MARKEN: Well, okay. So I guess the answer  
10 is what you can do is make sure that you're a written  
11 part of the process. In other words, make sure that you  
12 say, hey, here's information, because, unfortunately, I  
13 think one of my points was that some of this really --  
14 what we think are really cool historical, important  
15 sites don't actually qualify, and we are dealing with,  
16 you know, a not completely -- and I know this is  
17 going -- objective process.

18 There's got to be some subjectivity in it. And  
19 that's why a whole settlement on the shore of the base  
20 that dates to, say, 1820, before the Rush, could  
21 actually not qualify for a number of reasons. Because  
22 the setting isn't there, all of those characteristics  
23 come into play. And it doesn't seem right.

24 Your question was how do you actually ignore  
25 the information? I have no idea how to answer that.

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1 MR. McLEOD: At the very least it should be  
2 considered. And if it's not even discovered or  
3 mentioned in your professional studies, how can you say  
4 that there is no historic value if you're not even aware  
5 of it, or if it comes to you from a non-paid  
6 professional? And then you put it in a file and forget  
7 it and it never becomes -- it never gets incorporated  
8 into the process, even though it is a fully written  
9 document. And this has to do with cultural resources,  
10 for example, site 1.

11 MR. MARKEN: I'll tell you right now, I'm kind  
12 of agreeing with you, this whole thing. I think you're  
13 right, it should be a part of the record.

14 MR. McLEOD: I don't want to be right; what I  
15 want is something to change.

16 MR. MARKEN: But I think your point is  
17 correct -- is accurate. And I would say that making an  
18 issue of it -- I mean, that's what the environmental  
19 process is, that's the real heart of it, it's really to  
20 go to the public. And I have personal problems with  
21 this -- the ivory tower academic thing. You know, I told  
22 you I was trained in Britain, and that's where, you  
23 know, gentlemen archaeologists basically wrote all the  
24 foundations. And there is a hard breakthrough with  
25 that. But the process is there for public comments;

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1 right? Isn't that -- is that -- does everyone --

2 You can actually help me answer the question.  
3 It doesn't have to be me.

4 MR. O'BRIEN: Well, can I ask you a question  
5 about that specific point?

6 MR. MARKEN: Uh-huh.

7 MR. O'BRIEN: Is the Integrated Cultural  
8 Resources Management Plan finalized yet?

9 MR. MARKEN: I believe it is. I got a final  
10 copy.

11 MR. O'BRIEN: We made comments on that. Why  
12 aren't we getting copies of it so that we can see --

13 MR. MARKEN: You should.

14 MR. O'BRIEN: -- the responses that have been  
15 made. If this is a foundational document for planning  
16 for the Concord Naval Weapons Station --

17 MR. MARKEN: Yes, for five years.

18 MR. O'BRIEN: -- then why doesn't every member  
19 of this RAB have a copy of this document?

20 MR. MARKEN: That can be changed relatively  
21 quickly, can't it?

22 I think, yeah, that there are certain --

23 MR. O'BRIEN: Let me say this, though. It's  
24 not that easy.

25 MR. MARKEN: Yeah.

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1 MR. O'BRIEN: We have had nothing but problems  
2 getting ahold of the draft. We had to -- we had to go  
3 look at it at the library. And we're not just  
4 disinterested people. I mean, we've been actively  
5 involved in this, some of us, as was said, for six years  
6 in the previous RAB, and they didn't want to address it.  
7 MR. MARKEN: I believe, first of all, that that  
8 should be a public document. The only thing that should  
9 be excluded is site-specific information for that  
10 reason.  
11 MR. O'BRIEN: Well, it is a public document.  
12 People don't have access to it.  
13 MR. McLEOD: They couldn't afford to make five  
14 copies of the five-year cultural resources plan.  
15 MR. MARKEN: Can we fix that?  
16 MS. MORLEY: Yeah. Are you interested in  
17 getting a copy, first?  
18 MR. BAILLIE: For the court reporter, David  
19 Baillie, environmental manager for the Naval Weapons  
20 Station.  
21 You know, that -- that document is really under  
22 the base's responsibility. And so I will -- I will  
23 check with, you know, the archaeologist in terms of  
24 what's releasable and what's not releasable because some  
25 of the information is sensitive. Every aspect that is

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1 releasable, you want a copy, give us your name, we'll  
2 get a copy to you.  
3 MR. McLEOD: I have a copy, but what it took to  
4 get it.  
5 MR. MARKEN: I think --  
6 MR. BAILLIE: If you feel like, you know, there  
7 is something that's missing on it, then, you know, I  
8 don't have whatever information you're speaking of.  
9 MR. MARKEN: The only stuff --  
10 MR. BAILLIE: So if it's provided to me, I  
11 can -- that gives me an opportunity to take action on  
12 it. You know, the only thing I have is the plan.  
13 MR. MARKEN: Yeah, I think that answers a lot  
14 of questions because --  
15 You do have a copy?  
16 MR. McLEOD: Yeah.  
17 MR. MARKEN: And you think it's a decent  
18 document?  
19 MR. McLEOD: I think from -- the Native  
20 American part is excellent.  
21 MR. MARKEN: Uh-huh.  
22 MR. McLEOD: The American history portion of it  
23 is totally lacking.  
24 MR. MARKEN: Yeah, if you have information that  
25 wasn't included in there, that's -- that's actually what

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1 the process is supposed to be is getting as much  
2 information as you can to make educated decisions.  
3 So I'm not going to give a song and dance  
4 about, you know, why it's not in there. I think it  
5 should be. But that's -- but that's an easy fix if it's  
6 done diplomatically.  
7 Why did you smile? Are you not diplomatic?  
8 You guys have been way nicer than I was told,  
9 by the way. It's not over yet, huh?  
10 MR. O'CONNELL: I'd like to reiterate how  
11 difficult it was to obtain the draft of the integrated  
12 cultural resources plan. Hard copies were -- not enough  
13 hard copies were produced for the public. In fact,  
14 really no hard copies were produced for the public over  
15 and above what was put in the library. And so they  
16 ended up sending out -- I did manage to get a copy of  
17 the CP. It's not a workable situation for me.  
18 MS. MORLEY: So, Marcus, you and Ray both need  
19 a hard copy.  
20 And is anybody else interested?  
21 MR. BOYER: CD is fine. Electronic is fine for  
22 me.  
23 MR. O'CONNELL: The other thing is that a lot  
24 of it was incomplete. As Dean was saying, whoever did  
25 the thing didn't really go out and check the resources,

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1 you know, basically historical -- didn't do much  
2 research, didn't go to the historical society and start  
3 rummaging through their files and ask to look at old  
4 maps.  
5 If you contacted any historical society around  
6 here, they would point you to Dean, point to this guy,  
7 ask this guy. He's like the guy that's written the book  
8 on it essentially. He wasn't contacted. So, there was  
9 a lack of research.  
10 And the situation we have today, we have a play  
11 field being proposed in Concord, and there is -- there  
12 is glaring omission in the Integrated Resources  
13 Management Plan on that site, and it's going to cause  
14 lots of problems coming down here. Hopefully we'll be  
15 able to get around those by early involvement.  
16 But I'm wondering how -- what -- the Section  
17 106 process calls for --  
18 MR. MARKEN: I'm sorry.  
19 MR. O'CONNELL: -- calls for interested parties  
20 being involved --  
21 MR. MARKEN: Right.  
22 MR. O'CONNELL: -- from the beginning of this  
23 process, which would make things a whole -- a lot  
24 easier, if you could get your input early and start, you  
25 know, working with that rather than the final product,

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1 rather than having to come up with it at the very end  
2 after the draft was already issued.

3 And I'm wondering from your experience how --  
4 for members -- not just members of the general public  
5 but members of the public who have knowledge of an area  
6 such as the play field -- how do we get involved?

7 MR. MARKEN: Well, actually, you're kind of  
8 talking about something a little bit off the park thing,  
9 but I actually have an answer for that.

10 Can I just do it?

11 MS. MORLEY: Go ahead.

12 MR. MARKEN: You know, the remediation you're  
13 seeing, what's going on here, they're doing. And as far  
14 as the research goes on the ICRMP, though, that was an  
15 assessment of what exists. It also -- and I forgot to  
16 do it, was very, very good about pointing out where the  
17 data gaps are, and that's part of this whole management  
18 process. So yes.

19 But the sensitivity area was a result of it.  
20 It's not done. It's saying what needs to be done. And  
21 there is a lot of things that need to be done. And my  
22 point was there has to be some kind of a catalytic  
23 trigger for this to go on, for this process to start  
24 steamrolling.

25 The answer to your other question -- and I have  
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1 been spending -- I'm kind of tan because I have jobs in  
2 Hawaii, and the scoping process, the public outreach  
3 is -- that we're doing, there are nothing but native  
4 Hawaiian groups saying this is what we need to do and  
5 this is what is important, these are the things, and  
6 that goes in the public record. And it's the job of the  
7 contractors to incorporate that into the decision-making  
8 process.

9 So NHPA has a really solid foundation for doing  
10 that. I believe that your park project, if it's federal  
11 land that's being leased, that's actually considered an  
12 effect. It's not like a stretch to make it an effect.  
13 It actually writes in the law that leasing of land is a  
14 potential adverse effect.

15 MR. O'CONNELL: The site has already been found  
16 eligible for national --

17 MR. MARKEN: Okay. It sounds like you have  
18 great stuff to work with.

19 Now, if I were not wanting to deal with the  
20 mitigation or seeking to preserve, I would exclude -- I  
21 would change the area.

22 MR. BAILLIE: I think that's been done --

23 MR. MARKEN: Has it?

24 MR. BAILLIE: -- in part of that outreach area.

25 And we're getting off the topic in a way.  
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1 MR. TYAHLA: My understanding is that part that  
2 was sensitive was -- pardon me -- cut out.

3 You're saying the study is based on this input.

4 MR. O'CONNELL: The site that's been identified  
5 that's cut out has rightfully been cut out. There's no  
6 doubt about that. But the data that has been evaluated  
7 has been incomplete, in other words --

8 MR. MARKEN: The process is actually designed  
9 to incorporate what you're talking about, so I don't  
10 have any song and dance about that.

11 MS. MORLEY: I think it's -- the NHPA process  
12 is the answer to that; right? Isn't that where you make  
13 your comments?

14 MR. O'CONNELL: I'm not talking NEPA. I'm  
15 talking about interested parties and 106, not about  
16 NEPA.

17 MR. MARKEN: It has to do with when there is an  
18 action. So, it's action oriented. So you would -- if  
19 they were going to do something -- and I'm kind of --  
20 I'm just kind of brainstorming, strategizing because  
21 ultimately the process is designed for the public, and  
22 that's the way I look at it.

23 So, it's not -- it shouldn't be adversarial,  
24 although it seems to be because I know Lou, and you've  
25 known him by reputation, and, unfortunately, I know Lou  
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1 because I've worked on about 50 different projects with  
2 him, and he still probably has 50 different projects  
3 right now on his desk.

4 So, anyway, your -- your thing would come in if  
5 they were going to be doing anything in an area that you  
6 know is historic, an undertaking, I would go to the RPM,  
7 to somebody here.

8 Okay. Who's volunteering to listen?

9 MR. BAILLIE: I'm volunteering. If it's an IR  
10 issue, you go to the RPM or one of the cochairs. And if  
11 it's not an IR issue, then you go to the base. You can  
12 talk to me, the environmental director, you can go to  
13 the public affairs officer, you can go to the detachment  
14 director. Either of these entry points are valid.

15 And we'll take on board whomever the interested  
16 parties are and incorporate them into whichever the  
17 appropriate process is, the joint use, NHPA process, and  
18 it's going to be, you know, studies and so on if it  
19 involves an IR site that's going to be part of this RAB.

20 So if anyone has any historic or cultural  
21 information relative to an IR site that they believe has  
22 not been brought up in the process to the RAB or  
23 wherever, then this is the opportunity to bring that up.

24 MR. MARKEN: That was the right -- the right  
25 answer because it takes a specific action for the 106 to  
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1 start. So, in other words, if you know that they're  
2 going to be removing soil -- and some of these areas  
3 like landfill --

4 MR. BAILLIE: I just want to say, if it's not  
5 an IR site, then see me after the meeting and let's  
6 exchange information so we can get that information  
7 wired into the appropriate process.

8 MR. BOYER: That would be the question I have.

9 MR. O'CONNELL: Just a second. My question is  
10 not -- I've already put in a request to be involved in  
11 the scope of the NHPA. I've put in a request to be  
12 involved in the 106 process. So far nothing's happened.

13 MR. BAILLIE: That's right.

14 MR. O'CONNELL: I got a letter back saying tell  
15 us now everything that we're supposed to -- that we need  
16 to know. The Navy has a long history of doing that.  
17 And it's been nothing happening. And I've had a history  
18 of trying to get information about that, for instance,  
19 this play field site, which has the river (sic) flowing  
20 through it, which would make it a high priority site.  
21 None of that has ever got back to the process. We're  
22 still talking about one very small site, 680 being off  
23 limits, and that's it.

24 You know, there's a whole lot -- there's a  
25 whole lot of stuff, whole lot of information about the

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1 site that's never made the IR. That's not just clay  
2 soil, it's actually sites have been done that have not  
3 been incorporated into the evaluation.

4 MR. MARKEN: Can I throw something -- I was  
5 going to throw something in here.

6 MR. BAILLIE: On the leasing or joint-use  
7 property, that NHPA hasn't really initiated yet. When  
8 it does, I think that's when our -- the person at EFA  
9 West, their own contact gets people involved with that.

10 The first scoping meeting for that did not even take  
11 place yet, but that's on the NHPA site for reuse.

12 IR stuff, you know, if we're going to do any  
13 kind of intrusive work at the site, I walk two cubes  
14 away, and I say, okay, what do we got to do, and that's  
15 what I'm going to follow.

16 MR. MARKEN: Yeah, I just talked to Steve about  
17 this. He's asking me what do I do and how do I stay,  
18 you know, out of trouble basically. And, you know, I  
19 said, well, the easiest way to do it was actually just  
20 to follow it to, you know, the letter, to go to Lou if  
21 you have any questions about any kind of an undertaking.

22 But, yeah, the scoping process for that  
23 hasn't -- we might be involved in that. I might even be  
24 the one doing it. And I'll tell you that I think that,  
25 yeah, your input on the history of the area would be

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1 great. It's less work, you know, and also less chance  
2 for, you know, adversarial conflicts.

3 MR. O'CONNELL: We wanted to get involved  
4 early. And we're not hearing just from you but other  
5 sources, yeah, we've done the work. I say "we" -- the  
6 Navy and the city and all the other people that are  
7 involved in putting this together. The work's been  
8 done. We're going to exclude this one small area site,  
9 680. Well, you know, it's funny because the plans that  
10 they have actually look like they go right over 680.

11 MR. MARKEN: There's no way. I mean, there's  
12 no way that they would because --

13 MR. O'CONNELL: Well --

14 MR. MARKEN: Either -- either that's a mistake,  
15 which occurs, and -- but in this -- this whole NHPA  
16 document is really -- it's a process, and CERCLA makes  
17 people responsible for doing certain actions in this  
18 thing. So this whole process is a document saying you  
19 have to do this. It's kind of this agreement between  
20 all of these parties.

21 Before I forget, in the middle of your last  
22 comment, do not treat any of this stuff like it's over.  
23 This -- this management plan can be changed. You know,  
24 every -- it's supposed to be changed every five years.  
25 There is no reason we can't append something to it right

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1 now.

2 You know, it's not over and done with.  
3 Granted, large-scale projects like research things, but  
4 it's not -- I mean -- because ignoring information, you  
5 know, that's out there is just not scientific.

6 MR. O'BRIEN: Well, it's over for the  
7 litigation area, is it not?

8 MR. MARKEN: I don't know the answer to that  
9 question.

10 MR. BOYER: That's my question. Truly, if only  
11 eight percent of the base has been surveyed, how many of  
12 the sites do we -- really does the RAB here have  
13 oversight to, how many of those are affected by this,  
14 and how many have been surveyed, and how many have not  
15 been surveyed because we're -- a lot of places, like the  
16 ball field, although it's very interesting, and I'm  
17 interested in knowing that, it's not within the guise of  
18 the RAB at this point. It's not one of the sites to be  
19 remediated.

20 MR. O'CONNELL: I say it is.

21 MR. BOYER: It doesn't have a site number, so I  
22 don't see how --

23 MR. O'CONNELL: There are site numbers in  
24 there. They're not current.

25 MR. MARKEN: No, I think he's talking

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1 remediation sites, remediation archaeological sites.  
2 The answer is the RAB board is only -- can only kind of  
3 watchdog, if that's the word --  
4 MR. BOYER: The remediation sites.  
5 MR. MARKEN: -- the remediation sites. And if  
6 there is something going on on a remediation site like a  
7 large-scale soil removal that is -- that you feel has  
8 inadequate, you know, research or whatever, you can jump  
9 into that process.  
10 MR. McLEOD: I guess that's part -- you know,  
11 we've been talking about Native American or cultural  
12 resources, but the site that I was thinking particularly  
13 of was the -- was the site of the copper cane smelter  
14 that was there for --  
15 MR. MARKEN: Where is it?  
16 MR. RAMSEY: Actually, it's Seal Bluff, right  
17 where the yellow diamond is.  
18 MR. MARKEN: Here?  
19 MR. RAMSEY: Keep going. Keep going.  
20 MR. MARKEN: Oh, the yellow diamond. Yeah,  
21 right there. Okay.  
22 So, that looks like --  
23 MR. McLEOD: But the historic background was  
24 that smelter in 1994 -- '94, '95. And this was part of  
25 the material that I provided.

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1 MR. McLEOD: And I guess the important thing is  
2 that is a remedial site we're talking about.  
3 MR. BOYER: And that's what I mean. Yeah.  
4 MR. MARKEN: Absolutely. But you have to  
5 accept if there are other sites just like that somewhere  
6 that -- you know, that it just may not qualify. And if  
7 they've determined that it's not eligible --  
8 MR. McLEOD: They haven't looked at it yet.  
9 MR. MARKEN: Okay. Well, then, there you go.  
10 That's why we need the information.  
11 MR. McLEOD: That's not on your map. And this  
12 is what I've been saying all along. It's not on your  
13 map. Historically it was a smelter with a copper slag  
14 heap. So come on guys, put it on the map.  
15 MR. MARKEN: But we can't release that  
16 information.  
17 MR. O'CONNELL: It was four stories tall. It  
18 took up lots of territory. It was a huge, tall  
19 smokestack.  
20 MR. MARKEN: Sounds cool, I think.  
21 THE REPORTER: I can't report this.  
22 MS. WILLIAMS: My turn.  
23 MR. MARKEN: Isn't she like the boss or  
24 chairperson?  
25 MS. WILLIAMS: I was going to ask, anyway,

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1 MR. MARKEN: Right.  
2 MR. McLEOD: And then when we began to start  
3 the RAB up again a couple of years ago, I brought it up  
4 again, and no one had ever heard of it. They didn't  
5 know anything about it. And I guess this is what  
6 concerns me. You know, if everybody here is trying to  
7 do their job, and most of the people who are  
8 representing the Navy are new, they're here within the  
9 last year or two and, you know -- so any criticism that  
10 you hear from me isn't about the individuals that are  
11 here.  
12 MR. MARKEN: Right.  
13 MR. McLEOD: It's the frustration over seeing  
14 the process stumble simply because everyone's working  
15 the process, but they're ignoring the reality, I guess  
16 is what it seems to me.  
17 MR. MARKEN: It sounds like it was just a  
18 mistake. I mean, I can't really think that they -- that  
19 it would be intentionally adversarially left out.  
20 MR. McLEOD: But I haven't been contacted since  
21 I brought it up a year and a half ago. No one said,  
22 well, okay, send me a copy on -- on the smelter.  
23 MR. MARKEN: Actually, will you send me a copy?  
24 MR. McLEOD: Sure.  
25 MR. MARKEN: I'm serious, you know.

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1 Dean, you have referred to this 50-page document in the  
2 past --  
3 MR. McLEOD: Yeah.  
4 MR. MARKEN: Do you know how hard it is to get  
5 copies of that?  
6 MS. WILLIAMS: -- is available for us. Mitch  
7 would like a copy. But if you can get it to -- not me,  
8 you know my computer skills, but to Theresa so that we  
9 could duplicate it so everybody could read it and be all  
10 on your same page of concerns.  
11 MR. RAMSEY: I have it, Mary Lou.  
12 I just want to respond because I know when I  
13 first met Dean a couple years ago you had raised the  
14 issue about that information being lost, and I -- I was  
15 surprised. And I have actually tried for the last two  
16 years to reiterate the information you provided the  
17 whole team about the old smelter, it operated for about  
18 two years, actually one of the first industries out on  
19 Seal Bluff out there. It was a smelter that operated  
20 for a couple years.  
21 From the EPA standpoint we're looking at it  
22 from an environmental what was the pollution caused by a  
23 copper smelter. Historical preservation, I mean, the  
24 buildings, they're leveled. So, I mean, you're kind of  
25 mixing up environmental issues from old --

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1 MR. McLEOD: It isn't still there anymore. The  
 2 buildings were blown up.  
 3 MR. RAMSEY: The smelter went out of business  
 4 way -- right at the turn of the century.  
 5 MR. McLEOD: And it was used for the  
 6 lumberyards up until the depression, and then ten years  
 7 later the whole site went up in a bomb.  
 8 MR. RAMSEY: I was just trying to emphasize,  
 9 you know, there are some team members -- some of us  
 10 have -- I just want to kind of counter that we have  
 11 heard you raise this issue about important information  
 12 submitted to the team and not being captured by people.  
 13 And I certainly heard your message several  
 14 years ago, and I have responded several times in the  
 15 course of -- since that time. In fact, I've reiterated  
 16 to -- the Navy when we're looking at site 1 RODS say the  
 17 history of that site was shipbuilding. And it's like  
 18 the EPA would stand up and say Mr. McLeod had submitted  
 19 all this paperwork and there's issues about smelter and  
 20 tried to maintain --  
 21 MR. McLEOD: And that's really all I'm saying,  
 22 that the process -- you know, it's set up by the law,  
 23 but the implementation of the process isn't getting to  
 24 it.  
 25 MR. BAILLIE: I couldn't -- you know, I'm not

1 arguing any of that. I'm just saying that as  
 2 environmental manager of the base that's responsible for  
 3 maintaining the cultural plan, I don't have the document  
 4 that you're referring to. And unless I have the  
 5 document, I can't address the issue.  
 6 And that may be the fault of the previous staff  
 7 or my predecessor, the fact that I don't have the  
 8 document in my file. And I apologize for them for the  
 9 fact that I don't have that. But I don't have it. So I  
 10 share your frustration, from the other side, though, in  
 11 terms of not being able to have the information that I  
 12 need to address the issue.  
 13 So I'm definitely willing to make a commitment  
 14 to move forward with addressing this thing, just point  
 15 me in the right direction.  
 16 MR. MARKEN: That's actually great. That's  
 17 proof that this process isn't stagnant. That's also an  
 18 example of how the process is really designed to work,  
 19 new information comes in, sometimes it's left out. It  
 20 sounds like it was left out. It sounds really like it  
 21 was your stuff, and I -- you know, I'd be pissed too if  
 22 I made a point --  
 23 MR. McLEOD: I guess --  
 24 Can I express my frustration one more time,  
 25 then I'll shut up.

1 MR. MARKEN: Yes, please.  
 2 MR. McLEOD: When I made the presentation to  
 3 the RAB, I asked for 45 minutes. They said you can have  
 4 a half hour. And ten minutes into it they cut me off  
 5 and didn't want to hear it.  
 6 MS. MORLEY: If it makes you feel any better,  
 7 we only had 20 minutes for this presentation, and it's  
 8 been almost an hour.  
 9 MR. McLEOD: I was on the agenda, and they cut  
 10 me off because they didn't want to hear it.  
 11 MR. MARKEN: Let's get it in. Let's get it out  
 12 there because once it's quoted, then you kind of have to  
 13 refer to it.  
 14 MR. O'BRIEN: So, David, can you tell us about  
 15 the process that has gone on in the litigation area  
 16 where we have an overlap of possibly sensitive cultural  
 17 resource area with a cleanup area?  
 18 MR. BAILLIE: Honestly, I cannot speak to the  
 19 history of what has occurred in the past because I'm not  
 20 familiar with that. I'd be happy to look into that.  
 21 MR. O'BRIEN: That's the central question here.  
 22 MR. BAILLIE: What I can say is that any future  
 23 site action, certainly working with Steve will ensure  
 24 that -- that those things get incorporated.  
 25 MR. MARKEN: I don't have a case-by-case answer

1 for that, but I have a general procedural case. And as  
 2 Lou told me -- I asked how have you been doing this, and  
 3 he says that the project manager has the sensitivity  
 4 area sites, and they do -- there has been coordination  
 5 and consultation.  
 6 MR. O'BRIEN: Well, is there some documentation  
 7 of this consultation?  
 8 MR. MARKEN: Oh, absolutely. I'm sure there  
 9 is, whether it's phone --  
 10 MR. O'BRIEN: We haven't seen any of this. Is  
 11 that available?  
 12 MR. MARKEN: From what I've heard, some of the  
 13 stuff -- there are actions that aren't really considered  
 14 actions. But for everything that involves any kind of  
 15 ground disturbing there should be a trail, absolutely.  
 16 There should be. I don't know if there is. From what  
 17 I've heard there hasn't been a lot of stuff going on.  
 18 Am I wrong about this?  
 19 MR. O'BRIEN: A lot of stuff going on where,  
 20 what?  
 21 MR. MARKEN: In the remediation sites.  
 22 You know, somebody that's doing it, jump in.  
 23 MR. BAILLIE: You know, Raymond, I don't know  
 24 the answer to that question. I think it's a valid  
 25 question that we should take on when we get to it and

1 say, okay, of the actions that have occurred in the  
2 litigation area --  
3 You know, Joanna, do you have some information?  
4 MS. CANEPA: I just wanted to point out on the  
5 map up there, everything in yellow indicates something  
6 that has been surveyed. So, there was a survey done of  
7 the litigation area. And I -- I think the logic follows  
8 that the survey was done prior to the remediation, and  
9 that's what I think happened. I don't have the dates of  
10 when that survey was conducted, but there was a survey  
11 done of the entire litigation area prior -- I think  
12 prior to remediation.

13 MR. O'BRIEN: I'm concerned because --

14 MS. CANEPA: Because that action triggered it.  
15 That's the only reason they would have done the survey,  
16 because that action triggered it.

17 MR. O'BRIEN: But I'm concerned because in the  
18 Los Vaqueros Reservoir situation the archaeological  
19 findings were very, very deep. And that was a  
20 surprising finding, that they had go that deep to find  
21 things. And I want to know if what's been done there  
22 for remediation precludes any further archaeological  
23 investigation --

24 MR. MARKEN: No.

25 MR. O'BRIEN: -- because we do not have the

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1 that was done, all of them. Am I correct with that?  
2 But there is a long listing of reports, and that's where  
3 your answers will be, you know, and that's where the  
4 plan was based and what needs to be done.  
5 I'm -- I'm in so much agreement with you on the  
6 subsurface stuff. I think it's so really, you know,  
7 wonderful. And I know that, you know, they have to use  
8 that sensitivity map, and there is specific  
9 step-by-step, point-by-point things that they need to  
10 do.

11 MR. O'BRIEN: I can't accept what you're saying  
12 because this thing was in -- first of all, the draft  
13 only came out in 2002.

14 MR. MARKEN: Right. Yes.

15 MR. O'BRIEN: We've been having cleanup out  
16 there for years.

17 MR. MARKEN: Okay. It's very possible the  
18 steps in there that weren't developed didn't occur.

19 MR. O'BRIEN: Right.

20 MR. MARKEN: Yeah. And I'd say, yeah, specific  
21 on a case-by-case basis since 106 has been around, yeah,  
22 it's something that if you're really concerned about you  
23 can research, absolutely. You know, if you have a  
24 specific site, we can do a paper search on it and find  
25 out exactly what's transpired.

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1 story on the earliest inhabitants.

2 MR. MARKEN: You know, it doesn't because any  
3 time anything happens they have to go through this  
4 process. If they do more work and the plan --

5 Have you had a chance to look at the ICRMP yet?

6 MR. O'BRIEN: I read it.

7 MR. MARKEN: Yeah, it's pretty good. It  
8 actually says this is one of the maps that you need to  
9 consult. And for actions that are deeper than two and a  
10 half feet --

11 MR. O'BRIEN: But does that make sense now to  
12 go back and do an archaeological investigation where  
13 there has been remediation work?

14 MR. MARKEN: Well, I'm just saying that, A,  
15 she's saying that it's already been done where they've  
16 done the remediation, but I'm saying any future action,  
17 if they want to dig deeper, for example, they will have  
18 to start the process all over again.

19 MR. O'BRIEN: Well, I'd like to see that  
20 process because I have never seen anything to  
21 substantiate that there has been a real search in that  
22 area where we have a definite overlap that you -- your  
23 maps acknowledge.

24 MR. MARKEN: Yeah. In the ICRMP I believe that  
25 there is a list of every single survey report in there

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1 Okay. Sorry. That was it. Thank you. I  
2 really tried to do it as fast as I could. And I also  
3 made a promise my communication hasn't ended. You guys  
4 have my E-mail. And I'll do what I can. I think --  
5 we've got an open door, don't we, you know, for the most  
6 part to try to resolve some of these communication  
7 issues because --

8 I just want to end with this. One thing is  
9 that archaeologist -- you know, we are way more  
10 comfortable when we're dealing with dead people just by  
11 default. So, anyway, thanks a lot.

12 MS. MORLEY: Thank you, Mitch.

13 MS. WILLIAMS: The RAB report -- I've already  
14 asked Dean for a copy of his 50-page report.

15 I received in the mail last Friday this binder  
16 plus two three-inch binders, Draft Environmental  
17 Baseline Survey, and the comments are due in 30 days  
18 from I presume last Friday, which was the 30th of May,  
19 so the 30th of June we have to have comments on this.  
20 And I'm asking for volunteers. And Chris said he would  
21 be willing to help. And somebody else, please.

22 MR. O'CONNELL: Are copies of this available?

23 MS. WILLIAMS: If you take it on, I will get  
24 one. There is only one complete copy.

25 MR. O'CONNELL: Are they available?

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1 MS. WILLIAMS: Well, the RAB only got one copy.  
2 MR. O'CONNELL: Well, this is another item that  
3 we've been asking about -- I've been asking for, I think  
4 a couple other people have been asking for. I think  
5 this really does fall within the purview of some  
6 disagreement here, the Environmental Baseline Survey has  
7 nothing to do with us. It seems to me -- my  
8 interpretation federal law states it does. I think we  
9 should each have a copy of this document.

10 MS. MORLEY: How many people want copies of  
11 this document?

12 MR. BOYER: I do. Just CD is fine.

13 MR. STRAUSS: Can I make a suggestion? At the  
14 Moffett RAB they pass around a list of upcoming  
15 documents, and people who want it sign it, and it's sent  
16 out to them, and it doesn't take up the time.

17 MS. MORLEY: That's a good idea, Peter.

18 MS. WILLIAMS: Okay. Then I have one last  
19 thing. We thought that Theresa was going to be history  
20 after tonight, and she pulled a fast one on us. She's  
21 not leaving at least for a while, maybe not until the  
22 first of the year -- I wish. So we have a very  
23 thoughtful RAB member who's very computer literate. And  
24 I'd like to present this to Theresa on behalf of all of  
25 the community RAB members.

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1 It says, "Navy blue and gold."  
2 MS. MORLEY: Where is the haze gray?  
3 It says, "The Concord RAB Certificate of  
4 Excellence is hereby granted to Theresa Morley for  
5 outstanding performance and lasting contribution toward  
6 helping us work together for a productive and positive  
7 outcome."

8 Thank you very much. That's very nice.  
9 Now she wants a break.

10 MS. WILLIAMS: We have to have a break for our  
11 reporter; right?

12 Can you do on five, we're almost done?

13 THE REPORTER: That's fine.

14 MS. WILLIAMS: Five minutes.

15 (Recess taken: 8:39 p.m. to 8:44 p.m.)

16 MS. WILLIAMS: Okay. The next item on the  
17 agenda is -- do we have any RAB reports or comments?

18 And, Marcus, you're on.

19 MR. O'CONNELL: Two items, the -- we just heard  
20 about the integrated cultural management plan for the  
21 base. This involves plans for the base --

22 THE REPORTER: Can you speak up. I'm sorry,  
23 can you speak, just a little louder.

24 MR. O'CONNELL: -- which -- and that was last  
25 weekend. One of the legal notes was there was an

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1 announcement that has been finalized on that, which I  
2 guess I'm not sure it means that it's finalized or not.  
3 Maybe someone can -- from the environmental can tell me  
4 that the Navy's finalized it.

5 MR. BAILLIE: I have to check on the status to  
6 know if the agencies have signed off on it or not now  
7 that it's fully finalized. But I'd be happy to check  
8 exactly what the -- where we are in that and report back  
9 to you.

10 And, of course, once it is completed,  
11 completely signed off, then, again, it's a public  
12 document that we're happy to make available.

13 MR. O'CONNELL: Again, like the cultural  
14 resources management plan, this is one of those  
15 background documents that is a great resource, and I  
16 hope that we're all able to get a copy of.

17 The second announcement is that the EPA is  
18 holding a workshop on building -- building a  
19 constituency for wetlands. And I went -- Igor went and  
20 I went last year, and it was the finest workshop on  
21 public outreach I've ever attended. It was really  
22 terrific. And they've polished it up a little bit, and  
23 they're going to be offering it again. And I'm sure  
24 that Phillip will probably be able to provide you with  
25 some information on that and get you some announcements.

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1 It's going to be I think the last part of June,  
2 if I'm not mistaken. And it costs 25 bucks, but it is  
3 really something. We were -- at the time we were  
4 looking at the Community Relations Plan, studying what  
5 they are and stuff like that, and this process is just a  
6 cut above that. We're really going to be doing  
7 community outreach. This program that they're offering  
8 really teaches you how to do that, actually execute --

9 MR. BAILLIE: Is that held up in the Bay Area,  
10 Marcus?

11 MR. O'CONNELL: Yes; it will be in Oakland.

12 MR. SKAREDOFF: I had that in my E-mail.  
13 Anyone who wants it I can send it to. I'll send it to  
14 Theresa, and she can forward it.

15 MR. BAILLIE: Yeah, make sure I get it. Make  
16 sure I get a copy because I have an interest also for  
17 Seal Beach. We have wetlands at Seal Beach. So I have  
18 an interest for that base as well.

19 MR. O'BRIEN: Phillip, is the EPA going to be  
20 commenting -- or beyond commenting, approving the  
21 natural resources plan? I mean, are you aware of this?  
22 Is this on your radar screen?

23 MR. RAMSEY: It's a CERCLA -- a CERCLA  
24 document, no.

25 MR. O'BRIEN: So, what agencies will?

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1 ATTENDEE: U.S. Fish and Wildlife Service, and  
 2 I believe the California State Fish and Game.  
 3 MR. ANDAL: The public comment for that base.  
 4 I think so from that and get all the comment.  
 5 MR. O'CONNELL: So, there's still comments?  
 6 MR. ANDAL: Uh-huh.  
 7 MS. MORLEY: Is that it, Marcus?  
 8 MR. O'CONNELL: That's all I have.  
 9 MS. WILLIAMS: Okay. I wanted to add --  
 10 Okay, Igor.  
 11 MR. SKAREDOFF: I have a piece of information I  
 12 thought I'd share with the RAB. It's about perchlorate.  
 13 It's from the Chemical and Engineering News, a  
 14 publication of the American Chemical Society of May 5th,  
 15 and the title is "Lettuce and Rocket Fuel."  
 16 Basically there was a study done of lettuce  
 17 that was grown in the Southern California area on the  
 18 presence of perchlorate and absence of it. In one place  
 19 they found perchlorate in all the lettuce samples, in  
 20 another one they found it in four out of 22. So  
 21 basically what it's saying is that perchlorate -- a  
 22 suspected source of that is the Colorado River water  
 23 from the chemical plant that used to be upstream there  
 24 by Anderson.  
 25 I think that one blew up, didn't it?

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1 MR. RAMSEY: No. No.  
 2 MR. SKAREDOFF: Anyway, according to this there  
 3 is no definite conclusion as to whether this is harmful  
 4 or not harmful, and work is being commissioned to try to  
 5 understand more about it. And there is some debate  
 6 about what a safe level of perchlorate in drinking water  
 7 ought to be.  
 8 Originally EPA said four to 18 parts per  
 9 billion, and the military proposed 20. And I guess the  
 10 negotiations are going on. Anyway, this is the article  
 11 if anybody wants to take a look at it.  
 12 MS. WILLIAMS: I just wanted to ask Marcus to  
 13 introduce himself for the record because he came after  
 14 we did our original introductions.  
 15 MR. O'CONNELL: (indicating.)  
 16 MS. WILLIAMS: Well, you know, so she can get  
 17 it in the record.  
 18 And also Dean McLeod, a resident of Bay Point,  
 19 came, and he's already gone.  
 20 MR. O'CONNELL: And I'm Marcus O'Connell, a  
 21 community RAB member from Concord.  
 22 MS. WILLIAMS: Thank you.  
 23 MR. STRAUSS: Mary Lou, can I just follow on  
 24 with something that Igor said?  
 25 I mean, perchlorate is the -- as Mary Lou would

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1 say is the bud of the month. That is the -- and there  
 2 was an EPA presentation, and I think it was brought up  
 3 last session, somebody asked you for notes on that,  
 4 Phillip.  
 5 Anyway, it accumulates in food crops. It's  
 6 very accumulative. And what they don't know is how that  
 7 translates then to animals or humans, but they know that  
 8 perchlorate is harmful, especially for infants, and some  
 9 states have -- have adopted a one-part per billion  
 10 standard. So, it's really -- it's a whole range of  
 11 negotiation going on.  
 12 MS. MORLEY: Thanks, Peter.  
 13 If there is nothing else from the RAB, we'll go  
 14 right to the Navy RPM update.  
 15 MR. TYAHLA: All right. I'll try to keep this  
 16 brief. My typical page of notes of our activities over  
 17 the last month. And I'll explain this on the way.  
 18 6 May we met with the agencies regarding site  
 19 31, which was formerly called AOC 1, and that was to  
 20 help us with the scoping of our RI that will eventually  
 21 happen here. You know, it's one thing. But one thing  
 22 we're trying to do more of is really discuss upcoming  
 23 work with agencies, you know, earlier on in the process  
 24 and get our work plans on schedule and on track.  
 25 7 May the Navy sent tidal area revised draft --

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1 ERA draft response to comments to the agencies prior to  
 2 the meeting we had with them on the 13th of May.  
 3 The 13th of May we met with the agencies, and  
 4 we discussed the draft response comments to the tidal  
 5 area site's revised draft final Ecological Risk  
 6 Assessment. That's what ERA stands for. And the plan  
 7 would be for us to incorporate feedback on that report  
 8 and develop a revised draft final RI that -- right now  
 9 we are anticipating that to come out in July.  
 10 16th of May I had shoulder surgery. It's a  
 11 torn rotator cuff, and I'll be fine probably in about a  
 12 year, but that's why I'm wearing this. Last thing I'll  
 13 be doing is my favorite hobby of ice hockey.  
 14 28th of May we had our monthly RPM meeting. So  
 15 I was out from 16th of May to the 28th of May. So I  
 16 came back for the 28th of May RPM meeting last week.  
 17 And eventually you'll be seeing the minutes for all of  
 18 that.  
 19 The 30th of May we distributed the minutes of  
 20 our 30th April -- final minutes of 30 April RPM meeting.  
 21 And a quick update on the litigation area. The  
 22 draft Sampling Analysis Plan for the data gap that was  
 23 submitted back on the 29th of March and the comments  
 24 reviewed. 29 May we have received comments from the  
 25 agencies on that Sampling Analysis Plan for data gaps

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1 evaluation.

2 We also are still on schedule and planning to  
3 do like the supplemental Feasibility Study for three  
4 units in the RASS area 1 and RASS 3. And currently it's  
5 looking like the draft FS for that -- report for those  
6 sites will be probably in mid -- mid time December.  
7 Right now we're working on revising the Site Management  
8 Plan.

9 And, by the way, the draft annual amendment for  
10 the site management plan is due out no later than 15  
11 June for draft review. Since the 15th of June falls on  
12 the weekend, I'm sure we can get that out the door on  
13 the 12th of June for delivery on the 13th.

14 Also, the last thing I wanted to mention is  
15 that I think everybody knows back on the 30th of April  
16 we distributed a letter with the draft Sampling Analysis  
17 Plan addendum for the perchlorate groundwater sampling  
18 we were going to do at sites 13, 22. This month we  
19 received comments from the agencies on that draft  
20 addendum to that Sampling Analysis Plan. And right now  
21 it's looking like our scheduling -- because basically we  
22 got, you know, conditional approval, a couple things  
23 they want to see that were covered in comments.

24 But it's looking like right around mid June  
25 we'll be able to do that sample of four wells at site 13

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1 and one at site 22. And if we sample them mid June, it  
2 will probably be about -- you know, by the time you get  
3 the lab results back and send that to a validator, it's  
4 probably looking at about a month after we have the  
5 results.

6 And those are pretty much the highlights for  
7 now. Are there any questions?

8 MS. MORLEY: Phillip, do you have anything to  
9 add for the EPA?

10 MR. RAMSEY: Just real fast. What -- I would  
11 just add my two cents. In terms of the agency  
12 correspondence written for the month -- and I did make  
13 up for last month. We laid out my letters I had written  
14 had mentioned to folks at the last month's RAB. It was  
15 an April 15th and April 16th correspondence.

16 And just real quickly, that was -- April 15th  
17 was sort of EPA's reaction to Navy's response to agency  
18 comments on the SWMUS, Solid Waste Management Unit,  
19 draft RI report. April 16th there was comments on the  
20 site 22 RI, the supplemental sampling report.

21 So I did -- failed to bring hard copies last  
22 month. So I have those for folks.

23 MS. MORLEY: Phillip, I also E-mailed that to  
24 RAB members, those two letters.

25 MR. RAMSEY: Just to make sure we provide it in

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1 hard copy and electronic for folks.

2 So for May I have a bunch of sampling plans.  
3 As Steve mentioned, I have provided a review on this,  
4 the review on the draft final sampling plan for the  
5 Taylor Boulevard bridge and the site 1 landfill. So  
6 kind of final comments for -- just a couple of finer --  
7 final issues for the Navy to consider on this draft  
8 final SAP for, again, the Taylor Boulevard bridge site 1  
9 sampling plan.

10 May 12 issued a letter on the site 13, site 22  
11 perchlorate sampling plan. As Steve mentioned, EPA  
12 provided -- we gave them a conditional approval. They  
13 need to clarify the one well at site 22. So to expedite  
14 the sampling plan we gave them a conditional approval.

15 Also, on the 21st I provided the comments on  
16 the Area of Concern 1, which is now IR site 31, the old  
17 fertilizer plant out there near Bay Point. So we  
18 provided comments on both the removal action summary  
19 report and a soils -- soils summary -- supplemental  
20 soils sampling component, and we raised comments on  
21 those two documents for AOC 1. And then on the 29th  
22 provided comments on the litigation area, this data gap  
23 Sampling Analysis Plan.

24 And if you folks have any questions, I guess  
25 let us know. Probably kind of short on time to go

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1 through these details. But I think like the litigation  
2 area have some -- some comments, minor, no real deal  
3 breakers. The Navy should be able to respond to those  
4 issues. Just leave it at that. I mean, if folks have  
5 any questions, I know we're all out of time to go  
6 through these things --

7 MR. STRAUSS: Phillip, are you going to request  
8 that the Navy sample for perchlorate in any -- in any  
9 other location?

10 MR. RAMSEY: We have. This is all part of a  
11 bigger perchlorate issue at the base. And we will  
12 still -- I mean, the Navy's agreed to landfill. They'll  
13 do that now for this snapshot. So the Taylor Boulevard  
14 bridge, the site 1 landfill, they actually went and did  
15 that themselves. I had simply said it's on the table.  
16 We recognize that sampling plan.

17 We didn't actually do the sampling of the  
18 landfill wells for over a year. So I didn't want to  
19 come in at the last minute and say let's throw  
20 perchlorate into the issue. We put in the letter, by  
21 the way, perchlorate being discussed. We're probably  
22 going to have to do that as part of subsequent sampling.  
23 They did that for this round.

24 So we're looking at 13. We added 22 in our  
25 discussions. That was actually the Navy agreeing to do

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1 22 in response to EPA requests that they use that site  
2 to assess the broader inland area coming -- groundwater  
3 flowing onto this neighborhood to assess if there is any  
4 seepage at all from the inland area in a very  
5 broad-brush approach, again, just using site 22 as the  
6 specific -- you know, as a monitoring point to provide a  
7 good, you know, upgradient assessment of groundwater  
8 concentrations.

9 We'll continue to go -- as we move through  
10 other IR sites. I mean, we're -- the Navy's just  
11 starting to talk to us a little bit about a new program  
12 that they have, it's a munitions response program, and  
13 we're aware there are some sites that have some  
14 potential. As an example, the Navy did some detonation.  
15 They used to blow up explosives and things. So we have  
16 a couple sites that those would also be, you know,  
17 suspect.

18 So we'll continue to look through all of these.  
19 As we've said, we'll use site 13 as a site that we would  
20 suspect would have one of the greatest potentials for  
21 seeing this kind of -- this kind of contaminant given  
22 the volume of munitions and wastes that the Navy  
23 discharged at site 13. But that's not the end-all for  
24 perchlorate, as the water board actually had raised the  
25 issue, and they said we want to look at all sites.

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1 Just because we had the site 13 ROD on the  
2 table right now, this is a high priority. Let's do this  
3 first, and then we'll proceed and look at other sites  
4 also to address some water board issues.

5 MS. MORLEY: Thanks, Phillip.

6 Laurent, do you have anything?

7 MR. MEILLIER: Sure. On May 7th Board staff  
8 met with the Navy to discuss UST sites at the Concord  
9 Naval Weapons Station. And we discussed potential  
10 petroleum metrcarbon contamination at sites 22, 27 in  
11 the litigation area. We also discussed the ISR and the  
12 SCAPS. SCAPS is the methodology of characterization for  
13 underground storage tanks needed for clarification of  
14 the site conditions and where the penetrometers would be  
15 appropriately located.

16 Our staff provided comments on the UST sites  
17 820, 830, and IA24A, and the community gave those  
18 comments to -- Mary Lou, of course, also got comments on  
19 the draft addendum sampling, and SAP, which is Sampling  
20 Analysis Plan, additional groundwater investigation at  
21 sites 13 and 22. And, finally, also provided comments  
22 for the removal action for site 31.

23 And recently following the RPM meeting we had  
24 on May 28th our staff communicated a list of emerging  
25 contaminants that are a concern to the state water

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1 resources Regional Water Quality Control Board. These  
2 contaminants are perchlorate, obviously; another one  
3 being the N-Nitrosodimethylamine, which is a product of  
4 the decomposition of unsymmetrical dimethyl hydrazine,  
5 and the third one is 1,4-Dioxane, and the fourth one is  
6 1,2,3-Trichloropropane, and the fifth one is Hexavalent  
7 Chromium, and the sixth one which is the Polybrominated  
8 Diphenyl Ether. So, there are -- those contaminants  
9 actually, you know, are emerging and are a concern to  
10 the State Water Quality Regional Boards.

11 A letter has been developed by the State Board,  
12 and that letter is going to be drafted, go through the  
13 chain of command, in order to ask them if they have  
14 these probable potential sources of these constituents  
15 to provide further documentation on the possibility of  
16 finding those contaminants in groundwater and soils.

17 That's about it.

18 MS. MORLEY: Thank you, Laurent.

19 Real quickly, I wanted to talk about training.

20 We finally got our RAB support contract awarded, so we  
21 now have the money to do the four-hour training that we  
22 had discussed, and we got the subjects from everybody.

23 The next step, I'm going to be sending out  
24 potential dates. And if I could get a consensus back  
25 from everyone, once we have a date established, then we

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1 can find a place, and then the instructors -- we can  
2 contact, like you said, Lenny Siegel of CPEO, but also  
3 the University of Berkeley Extended Education  
4 professors, and maybe some other sources.

5 So the next step you'll be getting E-mail from  
6 us asking which date is best for everybody. Okay.

7 And that is all I have.

8 Does anyone have agenda items for the next  
9 meeting? Suggestions? No. We'll deal with our next  
10 upcoming site, then.

11 MR. BOYER: Theresa, one question.

12 Did we decide on a date? The next Monday is  
13 the first day after Fourth of July weekend. Do we want  
14 to move that to the second Monday of July, or have it on  
15 the first Monday?

16 MS. MORLEY: Does anybody plan on going on  
17 vacation on the 5th? That would be July 5th.

18 MR. BOYER: July -- Monday isn't a holiday, but  
19 that's a three-day weekend right before. I'd like to do  
20 it the next week.

21 MR. O'BRIEN: I'd go with the next week, the  
22 14th.

23 MS. MORLEY: Is that all right with everybody?

24 MR. MENESINI: July 14th.

25 MS. MORLEY: And that is, again, at 6:30 to

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1 8:30 here.  
2       Okay. Thank you everyone. That was very good.  
3       We're adjourned.  
4       (Off record at 9:03 p.m., 6/2/03.)

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CERTIFICATE OF REPORTER

I, JANINE P. GAMBLE, Certified Shorthand Reporter of the State of California, do hereby certify that the foregoing meeting was reported by me stenographically to the best of my ability at the time and place aforementioned.

IN WITNESS WHEREOF I have hereunto set my hand this 29<sup>th</sup> day of July, 2003.

JANINE P. GAMBLE

JANINE P. GAMBLE, RPR, C.S.R. No. 10372

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