

**BRAC Cleanup Team (BCT)
Munitions Response (MR) BCT Meeting Minutes
March 18, 2009
Fort Ord BRAC Conference Room
Final Version**

Gail Youngblood, BRAC
Roman Racca, DTSC
Judy Huang, USEPA
Lewis Mitani, EPA
Chieko Nguyen, BRAC
Lyle Shurtleff, BRAC
Peter Kelsall, SHAW
Melissa Broadston, BRAC

Eric Morgan, BLM
Chris Duymich, POM FD
Stan Cook, FORA
Rob Robinson, BRAC

Agenda Items:

<u>Item</u>	<u>Action</u>	<u>Comment</u>
Property Transfer	Update	by Derek Lieberman
ESCA (FORA Update)	Update	by Stan Cook
MR Fieldwork	Update	by Lyle Shurtleff
MRS Security Pgm	Update	by Lyle Shurtleff
Track 3	Update	by Chieko Nguyen
Track 2 Parker Flats MRA	Update	by Chieko Nguyen
Track 2 DRO MRA	Update	by Chieko Nguyen
Remaining RI/FSs	Update	by Bruce Wilcer
Report Status	Update	by Chieko Nguyen
FFA Schedule	Update	by Chieko Nguyen
Action Items	Update	by Chieko Nguyen
Calendar of MR BCT Meetings	Update	by Chieko Nguyen

Property Transfer Status: The Army submitted the following update:

FOSET 5 deeds:

1. March 2 – Email from the Assistant for BRAC DASA (I&H) stating the deeds must be to Mr. Calcara (DASA) for signature NLT March 16.
2. March 10 – Deeds approved by Army’s Office of General Counsel (OGC) and transmitted to Kutak Rock (KR, FORA’s legal counsel) for review and transmits to Mr. Calcara.
3. March 13 – Mr. Houlemard of FORA signed all nine FOSET 5 deeds and transmits to Mr. Calcara.
4. March 16 – determined KR has sent and Mr. Houlemard signed an older draft of the deeds. Current deeds were transmitted to Mr. Houlemard for signature.
5. March 17 – Mr. Houlemard signed current deeds. Signed deeds will be sent back to KR, who will add exhibits and deliver to USACE to add CRUP’s. USACE will deliver complete deed package to Mr. Calcara for signing ceremony March 19.

6. Army/CSUMB MOA for transfer of property by EDC amended to accommodate ESCA process. USACE drafted amendment January 22, KR reviewed and commented, submitted to CSUMB on February 11, CSUMB has signed.

FOST 10 deeds:

Review of draft deeds shows they conform with FOST 10 Master Deed, but not FOSET 5 negotiated deeds. Deed exhibits are being compiled.

FOSET 2 deed amendments:

Five deed amendments were issued to FOSET 2 property recipients for signature:

1. Monterey-Salinas Transit – signed and returned to USACE
2. City of Marina – reviewed by KR, comments submitted to USACE.
3. City of Seaside – reviewed by KR, comments submitted to USACE.
4. University of California (UC) – comments submitted to USACE.
5. CSUMB – tabled pending completion of FOSET 5 deed.

Army/FORA EDC MOA:

1. Kutak Rock insisted this MOA needs to be amended to include all FOSET 5 and FOST 10 parcels where recipients have rescinded PBC status.
2. Kutak Rock drafted amendment, which was reviewed by USACE and the BRAC Office. Final negotiated amendment approved by OGC on March 10 and signed by FORA on March 13.

Parcel F7.1 (FO-30, FOST 6):

Army/UC MOA states this parcel to be transferred to US, but may have been transferred to MCWD. Transfer status is uncertain because incorrect legal description was included in the deed. BRAC Office and USACE are working with UC and FORA to resolve this.

FOSET 4 and FOSET 5 deed amendments:

RODs for Del Rey Oaks and Parker Flats MRAs complete and signed; deed amendments issuing the CERCLA Warranty for FOSET 4 (Del Rey Oaks) and FOSET 5 property (Parker Flats area only) drafted, but finalization pending completion of FOSET 2 deed amendments and transfer of FOSET 5 Parker Flats parcels.

ESCA: FORA provided a summary of public participation events to date and announced the following:

1. FORA is planning a tour of work areas for Board members on April 3.
2. FORA completed a tour of pending properties (ESCA) for emergency service providers on March 11.
3. FORA will hold a meeting with regulatory agencies on the subject of Land Use Control Implementation Plan on March 19.

BLM recommended a meeting between FORA and BLM concerning public access to Skyline Rd and Pilarcitos Canyon Rd. during FORA planned road closures. FORA will arrange for a meeting to discuss alternatives.

Fieldwork Update:

The Army provided that vegetation cutting was complete in Units 18/22 effective Feb 27.

The Army described the surface removal on Units 18/22 which began on March 6 as 30 percent complete and the initiation of DGM on March 17.

Preparation actions for a prescribed burn in Units 14/19 were discussed.

Site Security Program:

MEC Incidents: None.

Trespass: The Army provided a description of two evidence of trespass incidents and one trespass incident that occurred in the previous 30 days.

Track 3 Impact Area MRA:

The status of the RD/RA work plan was described. The after action review of the prescribed burn in Units 18/22 was described as to be in draft by the end of March. A discussion of the requirements for subsurface removal actions in fuel breaks resulted in a commitment by Army to include fuel break removal requirements in the future No Burn Areas Work Plan.

The planned elements of the April Community Involvement Workshop (CIW) were discussed. Concerns expressed by FOEJN to EPA reference the process of CIW topic selection and prescribed burn presentation were described by EPA.

Track 2 Parker Flats MRA: Army announced that the draft final version of the RD/RA will be published next week.

Track 2 DRO MRA: Army announced that Federal Development has requested a meeting with Army on the preparation of the RD/RA work plan and planned development of the DRO parcel.

Remaining RI/FSSs: Army provided that an outline of the plan for moving forward on the remaining MRS sites (FTOs 001, 002, 003, 004, 005, 013 and 021) will be presented at the April CIW. BLM requested clarification of the process for input to planned work in the remaining areas so as to be compatible with reuse.

Report Status: Army provided that the draft After Action Report for the prescribed burn of Units 18/22 will be distributed next week.

FFA Schedule: Schedules will be updated to reflect the current status of documents as discussed.

Action Items: None.

Future Meetings: The next MR BCT was confirmed as an off-site meeting is scheduled for April 21-23 at Yosemite NP. Meetings for May 12 at 10:00 a.m. and June 25 at 1:00 p.m. were scheduled.

vls