Message

From: JB Kline [Personal Email / Ex. 6]
Sent: 8/13/2015 7:44:17 PM
To: Forman, Keith S CIV NAVFACHQ, BRAC PMO [keith.s.forman@navy.mil]
CC: bob.beck@sfgov.org; Jane.Kim@sfgov.org; City Administrator Naomi Kelly [Naomi.Kelly@sfgov.org]; Rongone, Marie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ed5291288f154320bef1633435810ef7-MRONGONE]; Dan Stone [Personal Email / Ex. 6]
Subject: Exposed soil & failure of LUCs for CERCLA / IR Site 12 Housing Area, NAVSTA TI.
Attachments: last time Site 12 had rel. intact ground cover April 2014.jpg; drastic loss of existing landscaping ground cover by May 2015.jpg

Dear Capt. Foreman-- I am directing my complaint to you, as Navy Environmental Coordinator and head of the Base Cleanup Team (BCT), about the Navy's ongoing neglect in the failure to properly devise, monitor, and enforce effective land use controls (LUC) to mitigate the health risks to current residents from chemical soil contamination in Installation Restoration Site 12, the Old Bunker Area, also known as Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Site 12, the Housing Area, in former Naval Station Treasure Island (NAVSTA TI).

Unfortunately, attempts to bring this issue to the attention of authorities during the past several years, in public comments and questions at several Restoration Advisory Board (RAB) meetings and at Treasure Island Development Authority (TIDA) meetings, have gotten no response from the Navy or TIDA.

The most egregious proof of the Navy's failure and TIDA's neglect to adhere to the existing LUCs is the fact that, during the past year and a half, TIDA has failed to maintain the existing landscaping, and the 'protective' ground cover of grass and sod has dried up and withered away. As a result, the overall area of exposed soil in the common areas of Site 12 has increased alarmingly. Last week I contacted TIDA Director Beck and left a voice message about TIDA's irresponsible decision not to water enough to maintain the existing ground cover in the common areas of Site 12. I have not heard back from him.

I have attached easily obtainable satellite images from April, 2014, and May, 2015, which prove my allegation. The BCT has access to satellite imagery and computer programs which can calculate the percentage of exposed soil, and the BCT can easily do 'ground truthing'. I cannot understand why the Navy has not corrected this obvious mistake by TIDA and their contractors, since it is contrary to the existing LUCs, which the Navy presumes are effective.

Yet the Navy has not done consistent monitoring of enforcement of these LUCs, and the Navy has not factually evaluated the assumption that LUCs are effective-- even though this assumption underlies all the statements by the authorities that current residents are “safe” from toxic contamination in Site 12.

Now that the common areas of Site 12 have lost most of their ground cover, we are obviously past the point of simply watering more. So, I would like to know what measures the BCT would now advise to mitigate the increased risk, due to this drastic increase in exposed soil, from existing soil contamination in the occupied areas of Site 12 during the years before actual remediation begins and is completed.

Also, given that the Feasibility Study (FS) of remediation alternatives for chemical contamination in Site 12 continues to rely on the unproven, and highly dubious, assumption that “existing” LUCs have been and continue to be sufficient to protect the health of current residents, I must insist that the Navy carefully evaluate whether this is actually true. I would also remind you that the burden of proof is on the Navy, especially considering the

convenient revision of the Finding of Suitability to Lease (FOSL) which removed explicit protective language from the LUCs proposed in the original FOSL for Site 12.

Thank you for your attention.

Jeff Kline