Message

From: Steven Castleman [scastleman@ggu.edu]
Sent: 3/16/2019 12:00:39 AM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO [derek.j.robinson1@navy.mil]; Norman, Marvin D CIV WEST Counsel [marvin.norman@navy.mil]
CC: Manzanilla, Enrique [Manzanilla.Enrique@epa.gov]; Herrera, Angeles [Herrera.Angeles@epa.gov]; LEE, LILY [LEE.LILY@EPA.GOV]; Fairbanks, Brianna [Fairbanks.Brianna@epa.gov]; bradley@greenaction.org; sheridan@greenaction.org
Subject: Greenaction's Suppplemental Parcel G Work Plan Comments
Attachments: Greenaction's Parcel G Plan Supplemental Comments.pdf; ATT00001.txt

Mr. Robinson,

Attached please find additional comments on the Parcel G work plans submitted on behalf of Greenaction for Health and Environmental Justice. The supplemental comments include 6 exhibits. Exhibits 1, 2, 3 and 5 are attached to the comments. Exhibit 4 is a video of the 1/28/19 CAC committee meeting, which is too large a file to send by email. The comments provide a link to the video. We will also be sending a DVD of it out of an excess of caution to be sure it is in the record. Exhibit 6 is the Shaw-Tetra Tech Parcel D-1 Soil MOU, a zip file we were not able to append to the comments so it is attached to this email.

These comments relate to issues, primarily the PRG calculations, that were intentionally omitted in the *Draft Plan* and the *Draft Final Plan*, thus precluding public comment. The exclusion of the PRGs has been entirely within the Navy's control. Had the Navy complied with its public participation obligations, we would have been afforded the right to comment on these issues and you would be required to respond in writing. We are entitled to a formal response from you to these comments, as would have been required had the Navy not actively prevented it.

The Navy must release its PRG calculations, re-open the public comment period and respond in writing to all comments.

Sincerely,

steve

Steve Castleman
Visiting Associate Professor & Staff Attorney
Environmental Law and Justice Clinic
415-442-6675 | scastleman@ggu.edu

GOLDEN GATE UNIVERSITY SCHOOL OF LAW
536 Mission Street • San Francisco • CA 94105

WARNING: This E-mail, and any attachments, are covered by the Electronic Communications Privacy Act, 18 U.S.C. §2510-2521. This email may contain confidential and legally privileged information. The contents of this e-mail, and any attachments, are intended solely for the use of the person or entity to whom the e-mail was addressed. This email may also contain information that may be protected by the attorney-client privilege, work-product doctrine, or other privileges, and may be restricted from disclosure by applicable Federal and State laws. If you are not the intended recipient of this email **you are advised that any dissemination, distribution, or use of the contents of this message is strictly prohibited**. If you received this e-mail message in error, please contact the sender by reply e-mail or phone. Please also permanently delete all copies of the original e-mail and any attachments.