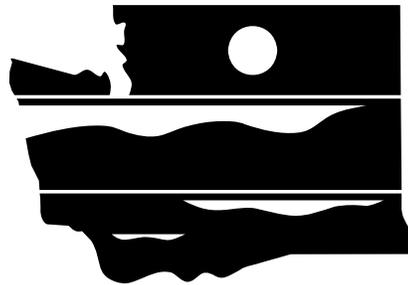


# *Camp Bonneville*

## *Response to Public Comment*

**Proposed Prospective Purchaser Consent Decree  
Camp Bonneville Military Reservation  
Clark County, Washington**

**Prepared by:**



WASHINGTON STATE  
DEPARTMENT OF  
**E C O L O G Y**

*September 27, 2006*

*Camp Bonneville*  
*Response to Public Comment*  
**Proposed Prospective Purchaser Consent Decree**  
**Camp Bonneville Military Reservation**  
**Clark County, Washington**

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## **Background**

The Camp Bonneville Military Reservation (Camp Bonneville or Site) is approximately 3,840 acres in size, including 820 acres of state-owned land that is leased by the U.S. Army. Camp Bonneville is located approximately five miles from the Vancouver city limits in Clark County. It borders both sides of Lacamas Creek and is approximately seven miles north of the Columbia River. Over half of the site is forested.

The Department of Defense owned and operated Camp Bonneville for firing range practice and training from 1910 to 1995. During that time, military ammunitions were stored and used at the Site, including artillery ammunition, mortar ammunition, air-launched rockets, shoulder-fired rockets, guided missiles, bombs, land mines (practice only), grenades, fuses, and small arms ammunition. Camp Bonneville was officially closed and placed on the Base Realignment and Closure (BRAC) List in 1995. These past military and supporting operations at Camp Bonneville have resulted in the release of several hazardous and explosive substances to the environment. Identified contaminants includes unexploded artillery and mortar ammunitions, rockets, missiles, bombs, grenades and fuses; chemical contaminants such as lead, pesticides, and petroleum compounds in soils; and explosive compounds such as perchlorate, RDX, and HMX in soil and groundwater.

The Army began remedial investigations and cleanup activities at the Site in 1995. In February 2003, following the failure of Army Headquarters to sign an Agreed Order that Ecology and the local Army command had negotiated in 2002, Ecology issued Enforcement Order No. 03TCPHQ-5286 to the Army. Since then, all Site investigations and cleanup actions have been conducted under the Order.

## **Introduction**

The Army proposes to transfer about 3,000 acres of the former military reservation that is contaminated with unexploded ordnance, lead, and explosive chemicals, to Clark County, with an estimated amount of twenty-six million, eight-hundred-thousand dollars (\$26,800,000) to complete the environmental cleanup and long-term management of the property, not including insurance and contingent funding. In addition, there is essentially 100% cost overrun insurance and \$20 million pollution liability insurance. There are 820 acres of Camp Bonneville that belong to the Department of Natural Resources (DNR) being leased by the Army -- that will not be transferred. However, funding for cleanup of the DNR land will be added to the funds for cleanup of the transferred land.

According to Clark County's Reuse Plan that was developed with citizen input, the County plans to develop one-third of the property as a regional park, with the remaining two-thirds devoted to open space -- primarily for wildlife and habitat conversation after cleanup.

To ensure compliance with the Model Toxics Control Act (MTCA) cleanup requirements, Ecology, Clark County, and the County's cleanup contractor have proposed to enter into a Pre-Purchase Consent Decree (PPCD or Decree), which would govern the cleanup of the property. The Decree

will outline stipulations of cleanup actions and provide a legal framework for conducting such actions.

The Decree legally formalizes the agreement between Ecology, Clark County, and the County's cleanup contractor. The proposed Decree ensures the cleanup will proceed in accordance with all applicable laws and regulations. It outlines the cleanup process and schedules and provides a legal framework for conducting the environmental cleanup. Public comment will be sought at major steps of the cleanup. After cleanup is completed, the land will be redeveloped as a park and wilderness conservation area.

The Decree is part of the early transfer package that will be provided to the Governor's Office for approval. The purpose of a Prospective Purchaser Consent Decree is to define the liability of Clark County and the Bonneville Conservation, Restoration, and Renewal Trust (BCRRT) LLC and to require that the entities remediate the Camp Bonneville site as defined in this Decree. The Decree will be effective only after the proposed early transfer of the property is completed. At that point, the Decree will be signed and entered at Superior Court.

## Public Comment

On April 5, 2006, the draft Prospective Purchaser Consent Decree for the Camp Bonneville Military Reservation (Camp Bonneville or Site) in Clark County was issued for a 30-day comment period. The comment period was extended until May 19, 2006, in response to public request for additional time to prepare comments.

Through this summary, Ecology is responding to public comments received on the proposed Decree. Many comments and opinions were also received on other documents such as the Army's FOSET, future land-use, studies, future stages of cleanup or other actions not included in the Decree are noted. Ecology has considered all comments on the Decree and made minor modifications as appropriate. After careful consideration of comments received, Ecology determined that no significant changes to the Decree were needed, though numerous comments and opinions were noted.

Comments pertaining to the proposed Decree are excerpted or summarized in this document along with Ecology's response to the comments. Copies of the comment letters are also attached. Generally, Ecology has not responded to specific comments pertaining to documents or stages of cleanup or other actions that are either not a part of this or fall outside the agency's jurisdiction. The public will have further opportunities to comment on significant stages of cleanup as draft plans are developed or studies conducted as a part of the cleanup identified in the Decree.

Public involvement activities related to this public comment period included:

1. Distributing a fact sheet describing the Site and the Consent Decree through a mailing to over 4,000 addresses in the area and other interested parties.
2. Publication of a paid display ad in the following area newspapers: *Oregonian*, the *Columbian*, and the *Reflector*.
3. Publication of notice in the Washington State Site Register.
4. Publication of notice in the Ecology Public Involvement Calendar.
5. Posting of the draft Consent Decree on the Ecology web site.

6. Providing copies of the draft Consent Decree through information repositories at Ecology's Headquarters Office, Camp Bonneville, and the Vancouver Public Library – Vancouver Mall.
7. Along with the public hearing on April 19, 2006, in Vancouver, that was also broadcast on Clark-Vancouver Television, an open house was also held prior to the public hearing.

A total of 21 persons provided comment through letters, e-mail messages, and public testimony regarding the draft Prospective Purchaser Consent Decree, including the following persons. In the comment section, each commenter is referenced by at least one assigned commenter number.

Clinton Gregg (1, 2)  
Daniel Swink (3, 18i)  
Christine Sutherland (4)  
Don Wastler (5, 18b)  
John Felton (6)  
Ruth Hatter (10)  
Dvija Michael Bertish (7, 18h, 18k)  
Lynelle West Hatton (8, 9, 18g, 18l)  
Joyce Namba (11)  
Karen Axell (12, 18j)  
Leslie Zega (13)  
Patricia Giles (14)  
Paul and Karen Kingston (15)  
Mark Benson (16)  
Pat and Linda Doncaster (17)  
Chuck Mason (18a, 18m)  
John Oxford (18c)  
Dave Olmstead (18d)  
Travis Tubbs (18e)  
Bob Aschoff (18f)  
Jane Valentine (19)

## **Response to Comments**

Comments are organized by category, with a responses provided for each section as well as specific responses for certain comments or questions.

This responsiveness summary is organized by comment categories, into eight sections with comments assigned to the category it relates to most closely. The comment categories and their corresponding sections in this document are:

1. Consent Decree (CD)
2. Remedial Investigation/Feasibility Study (RI/FS)
3. CAP/Work plans (WP)
  - General, RAU3
  - Groundwater

- RAU2
- 4. Public Participation
- 5. Opinion or Statement
  - General
  - Legal
  - CD - opinion
- 6. Category: The Army's ESCA
  - General
  - Fire
- 7. Fire Prevention
- 8. Reuse, Future Land Use

## **Section 1 - Consent Decree (CD)**

### **From Commenter 3:**

With the proposed “buffer zones”, to what depth are the munitions and contaminants to be removed to? Also, how are existing and future property owners and home owners adjacent to or outside the site boundary and within the firing range outfall areas from Camp Bonneville to be safeguarded from explosives and contaminants?

*Response: The proposed approach is to clear the surface zone and document any discoveries of munitions and contaminants. Methods for clearing subsurface items will be determined in future cleanup documents.*

### **From Commenter 8:**

Further, the PPCD identifies a new "purchaser" -- the brand-new BCRRT, or Bonneville Conservation, Restoration and Renewal Trust, LLC. We are awaiting information on this new company, formed recently for the purpose of cleanup oversight.

*Response: The Department of Ecology (Ecology) understands that the Bonneville Conservation, Restoration, and Renewal Trust, LLC (BCRRT) became incorporated in Washington on August 7, 2006. The BCRRT must be incorporated before Ecology will sign the PPCD.*

### **From Commenter 9:**

**Page 1, Line 4.** The BCRRT LLC is a non-existent company.

*Response: The Department of Ecology (Ecology) understands that the Bonneville Conservation, Restoration, and Renewal Trust, LLC (BCRRT) became incorporated in Washington on August 7, 2006. The BCRRT must be incorporated before Ecology will sign the PPCD.*

**Page 1, Line 7.** How exactly does this PPCD resolve liability, and what type of liability does it intend to resolve?

*Response: To answer the first question, the PPCD resolves the prospective liability of Clark County and the BCRRT. The state’s Model Toxics Control Act, RCW 70.105D (MTCA), makes owners of contaminated property liable for cleaning up the pollution. One may become liable under MTCA either as the owner during the time the contamination occurred, or as the current owner of the property or part of the property. Here, neither Clark County nor the BCRRT have any current or past ownership of the Camp Bonneville site. Thus, they are not now liable under MTCA. However, MTCA allows parties who would like to obtain ownership of contaminated property to resolve their liability to the State prior to purchasing the property. Here, Clark County and the BCRRT have settled and resolved the liability under MTCA they will incur once they obtain ownership. The PPCD is the document that settles that liability by stating what Clark*

*County and BCRRT must do to clean up the property. In return for cleaning up Camp Bonneville as stated in the PPCD, and subject to some contingencies as described in the PPCD, Clark County and the BCRRT have no additional liability under MTCA.*

*With regard to the second question, the liability being settled is that liability under MTCA. No other liability or potential liability is covered or settled by the PPCD.*

**Page 1, Line 11.** Is the Complaint available for public review? How does it integrate with this PPCD?

*Response: The Complaint has not yet been drafted and is generally not available for public review prior to filing with the Court. However, once filed with the Court, it and any other document filed are public documents. The Complaint interacts with the PPCD by essentially filing a lawsuit and settling it at the same time. A Complaint is the legal document that starts a civil lawsuit. The PPCD would settle the lawsuit filed in the Complaint at the same time. The PPCD is thus a judicially-approved settlement, and the Court retains jurisdiction and supervision over the terms and conditions of the PPCD until it is dismissed.*

**Page 1, Line 19.** Since the Complaint is not available for review, could clarification be made as to what type of liability is implied?

*Response: We are not sure what you mean by “implied liability.” However, because your comment references page 1, line 19 of the draft PPCD, we assume that you refer to other parties with liability. Based on that understanding, what line 19 refers to is that none of the parties that would sign the PPCD (Ecology, Clark County, and BCRRT) have any intent of resolving or settling any other entity’s potential liability under MTCA. Thus, this particular PPCD settles only the MTCA liability of Clark County and BCRRT, and no other person or entity.*

**Page 1, Line 25.** Could you clarify “unchallenged jurisdiction?”

*Response: The full paragraph 5 on page 1 is an agreement between the Parties that the statements in the Decree are not proof that Clark County and BCRRT have liability or responsibility for contamination at the site, and a further agreement by Clark County and BCRRT that if Ecology should have to take action against them to enforce the terms and conditions of the PPCD, Clark County and BCRRT cannot argue that Ecology lacks the jurisdiction to do so. In our response to Comment # 2 above, we noted that the PPCD is filed in Court, that the Court retains jurisdiction and supervision of the PPCD. Should Clark County and/or BCRRT fail to carry out the terms and conditions of the Decree, Ecology can go to the Court and ask to Court to compel performance with the PPCD.*

**Page 2, Line 14.** Could you identify the “substantial new resources” referenced in this paragraph?

**Response:** *When a party that is not liable seeks to obtain a PPCD from Ecology, that party must provide “substantial new resources” under MTCA. Here, Clark County and BCRRT provide the following new resources:*

- *Funding under an Environmental Services Cooperative Agreement (ESCA) and insurance policies to fully fund cleanup.*
- *Clark County’s cleanup contractor, BCRRT, has further sub-contracted with an array of specialized cleanup contractors who bring expertise to the cleanup of Camp Bonneville.*
- *Clark County and BCRRT are working cooperatively and in partnership with Ecology to clean up this site .Unfortunately, in past years, the U.S. Army has not cooperated with the State of Washington and has been extremely resistant to implement cleanup actions at Camp Bonneville under Ecology’s supervision. Ecology was forced to issue the Army a unilateral Enforcement Order in 2003 to force some action by the Army. Cleanup of Camp Bonneville will proceed much quicker with Clark County and BCRRT.*

**Page 2, Line 17.** “Facility” (Page 2, Line 17) should be included in the definitions.

**Response:** *Facility is defined on page 3, definition (F).*

**Page 2, Line 17.** “Conservation Conveyance” (Page 15, Line 1) should be included in Definitions, along with the limitations of the conveyance.

**Response:** “Conservation Conveyance” means the property is not used for economic benefit.

**Page 2, Lines 17-20.** The three items included in the paragraph (outlined below) should be separated, as they refer to separate issues.

**Response:** *The three items are separated in the paragraph by commas.*

**Page 2, Line 17.** The redevelopment and reuse of the “facility” will in every case have the potential to contribute to existing release or threatened release at the Site.

**Response:** *Respectfully, Ecology does not agree with this opinion. The cleanup and subsequent redevelopment of the facility will remove contaminants and munitions from the site. This will clearly decrease the potential to contribute to an existing release or threatened release.*

**Page 2, Line 18.** The redevelopment and reuse of the “facility” will in every case have the potential to interfere with remedial actions.

**Response:** *Respectfully, Ecology does not agree with this opinion. The cleanup is intended to occur prior to subsequent redevelopment of the facility. Therefore, redevelopment will not interfere with the cleanup.*

**Page 8, Line 24.** There is no complete record or inventory of unused munitions used on-site, either by the Dept of Defense or other U.S. training agencies, and there is no way to determine what munitions foreign militaries used for training.

*Response: Ecology agrees that there is no complete record.*

**Page 9, Line 19.** Ecology should require the BCRRT LLC to provide clearance across the property line to a depth determined to be safe by neighboring property owners with munitions firing fans. Neighboring properties with the munitions firing fans are, in effect, part of the Site used for munitions training. Funding for this clearance should be separate from the funding allocated in the ESCA for cleanup within the property lines.

*Response: The approach that Ecology has determined to be the most logical approach would be to begin the clearance of munitions in the area most likely to contain munitions and work outward in a systematic grid pattern from those locations. These locations most likely to contain munitions are the target areas that are within the central impact area. This will allow us to focus our efforts and resources in the most effective manner on those areas where munitions are most likely to be found.*

*Ecology is also requiring that the fence and signs be repaired along the property perimeter. Brush will need to be cleared during this effort, and detection and clearance of munitions that may be encountered during that effort will be done.*

*This effort will allow us to gather important information from which to make informed, logical decisions about further work that may need to be done in these areas.*

*Ecology does not intend to begin clearance work at locations that are distant from areas where higher concentrations of contaminants may be present; however, Ecology does not intend to foreclose on the possibility of clearance needing to occur outside the Camp Bonneville property. Clearance outside the property would be a condition that would be retained by the Army. This condition should be stated in the ESCA.*

**Page 11, Line 4.** The cleanup plan includes only monitoring, not remediation. Funds should be allocated for remediation, which should begin immediately in order to preserve the integrity of the Bonneville neighbors' groundwater supply (as far as possible), as well as the Troutdale Aquifer.

*Response: This comment is not accurate. The cleanup plan includes completion of a Draft Remedial Investigation/Feasibility Study, and a Draft Cleanup Action Plan. These documents are the documents that provide the information from which the decisions about remediation can and will be made. Please see paragraphs 99 and 101 of the PPCD.*

**Page 14, Line 1.** The limitations of the Conservation Conveyance needs to be described in this PPCD. For example, the original conveyances would have allowed a financial benefit to the County.

Instead, the Conservation Conveyance prohibits any financial benefit to the County. Instead, the County will be burdened with enormous hidden costs and liability *in perpetuity*.

**Response:** *This comment is correct in stating that the conservation conveyance is cost neutral for the County. The opinion by the commenter that the County will be burdened with enormous hidden costs and liability is an opinion. The intent of the ESCA grant is to provide funding for cleanup of the site, operation and maintenance, cost overrun insurance, and liability insurance.*

*The Commenter is correct that part of this Early Transfer is that it is a Conservation Conveyance. As we understand a Conservation Conveyance, the County is not able to generate a profit from the property. However, we do not understand what you refer to by “enormous hidden costs and liability in perpetuity.” As indicated above (see #2), this PPCD will settle the MTCA liability of Clark County and BCRRT. The PPCD does not address or settle any other liability. As indicated above (see #6), we understand that the ESCA and the insurance products to be obtained by the County will deal with the costs of the cleanup of Camp Bonneville.*

**Page 15, Item (A).** By jointly drafting the PPCD and FOSET, Ecology has in effect already agreed with the FOSET. What impact will public comments have on Ecology’s determination?

**Response:** *This comment is not accurate. Ecology did not draft the FOSET and the PPCD jointly with the Army. Ecology did not draft any portion of the FOSET, and the Army did not draft any portion of the Decree. The documents were drafted by the two respective organizations concurrently, during a similar time frame. Ecology will consider all public comments during finalization of the PPCD and will make changes if appropriate.*

**Page 17, Line 2.** It is unclear how the PPCD resolves potential liability for known or suspected contamination at the Site.

**Response:** *To answer the first question, the PPCD resolves the prospective liability of Clark County and the BCRRT. The state’s Model Toxics Control Act, RCW 70.105D (MTCA), makes owners of contaminated property liable for cleaning up the pollution. One may become liable under MTCA either as the owner during the time the contamination occurred, or as the current owner of the property or part of the property. Here, neither Clark County nor the BCRRT have any current or past ownership of the Camp Bonneville site. Thus, they are not now liable under MTCA. However, MTCA allows parties who would like to obtain ownership of contaminated property to resolve their liability to the State prior to purchasing the property. Here, Clark County and the BCRRT have settled and resolved the liability under MTCA they will incur once they obtain ownership. The PPCD is the document that settles that liability by stating what Clark County and BCRRT must do to clean up the property. In return for cleaning up Camp Bonneville as stated in the PPCD, and subject to some contingencies as described in the PPCD, Clark County and the BCRRT have no additional liability.*

*With regard to the second question, the liability being settled is that liability under MTCA. No other liability or potential liability is covered or settled by the PPCD.*

**Page 17, Line 2.** An additional paragraph should state who will be liable for unknown and unsuspected contamination.

**Response:** *The draft PPCD already deals with that contingency. Section XXVIII “Covenant Not to Sue under MTCA” provides that Ecology can take additional enforcement action should unknown contamination be discovered. See specially Section XXVIII (B), paras. 170 on pages 57-58. Should unknown contamination be encountered, Ecology may require that the County, the BCRRT, and/or any other liable party take additional action to address that newly discovered contamination, including the Army.*

**Page 18, Line 15.** Please identify the “substantial new resources” Ecology expects to be available through this settlement.

**Response:** *The substantial new resources available through this settlement are Clark County, the BCRRT, and the engineering and consulting firms that are being brought into the cleanup process under this Decree. Also see response on page 8 – page 2, line 14.*

**Page 18, Line 12.** Must Ecology concur with the Army’s FOSET? Describe the grounds for stating to the Governor that cleanup standards for a free-range park cannot be met by even the best cleanup plan.

**Response:** *The Governor concurs with the FOSET if appropriate. Ecology provides a recommendation to the Governor as to the concurrence. Ecology will review the FOSET, the ESCA, and the insurance mechanisms, and have a Prospective Purchaser Consent Decree completed prior to making any recommendation on the FOSET to the Governor. Ecology respectfully disagrees with your characterization of Camp Bonneville as a “free-range park.” Ecology believes that the cleanup actions in the PPCD will safely clean up the park.*

**Page 18, Line 18.** Could a basis be provided for the broad statements in this paragraph? The redevelopment of the site will most certainly contribute to all aspects of this paragraph.

**Response:** *Under the PPCD the cleanup of the site will occur before redevelopment of the site can occur; therefore, the redevelopment will not interfere with the cleanup. Since the cleanup of the Site will remove munitions and other contaminants from the Site, the cleanup of the Site will decrease the potential for a threatened release from the Site. Since the cleanup of the Site will remove munitions and other contaminants from the Site, the cleanup of the Site will decrease the potential health risks to persons at the Site or in the vicinity of the Site.*

**Page 19, Lines 9 and 26.** Ecology may perceive the proposed remedial actions to be in the best interests of the public, *but not in the context of a free-range, behavior-modification regional park.*

**Response:** *The regional park will not be a free-range park. Access to the Central Impact Area will be restricted. In addition, access to the entire park will be controlled through the park entrance(s). In this way, information can be provided to the public about the park. Currently, the fence and signs are down in places around the property and access is not well restricted.*

**Page 20, Items (A)-(C).** These RAUs do not represent all the contamination on the site. Does the PPCD allow for identification of additional areas and additional RAUs?

**Response:** *Yes. Please see paragraph 156.*

**Page 26, Line 22.** A long-term groundwater monitoring and remediation plan should be in effect prior to transfer, since there is no way to determine what funds will be necessary to complete these tasks.

**Response:** *The cleanup plan includes completion of a Draft Remedial Investigation/Feasibility Study and a Draft Cleanup Action Plan for groundwater. These documents are the documents that provide the information from which the decisions about remediation can and will be made. Please see paragraphs 99 and 101 of the PPCD.*

**Page 26, Line 24.** According to an April 2006 Groundwater Data Evaluation Report, the Army is proposing less frequent monitoring than quarterly. However, data shows the contamination has moved off-site. Ecology should impose a stricter schedule for monitoring and develop an immediate plan to remediate contamination.

**Response:** *Groundwater contamination is localized to the vicinity of RAU 2C (Landfill 4) and has not moved off of the Camp Bonneville property; thus, the commenter is incorrect. The groundwater regional monitoring well network and the off-property domestic drinking water well sampling that Ecology conducted verifies this information. Ecology is reviewing the Army's proposal for less frequent monitoring. The cleanup plan includes completion of a Draft Remedial Investigation/Feasibility Study and a Draft Cleanup Action Plan. These documents are the documents that provide the information from which the decisions about remediation can and will be made. Please see paragraphs 99 and 101 of the PPCD.*

**Page 27, Line 6.** Provisions should be made for unknown and unsuspected contamination.

**Response:** *Please see paragraph 156. Contingencies are also in place to clean up additional quantities of contamination that is discovered during implementation of the cleanup by expanding the investigation and cleanup grids. It is not unusual to find additional quantities or types of contamination during the course of a cleanup.*

**Page 27, Line 13.** If access to the site from neighboring properties is denied, what remediation will Ecology require in those locations? How would it implement remediation in areas where access is necessary in order to carry out the required remediation?

**Response:** *Please see paragraph 152. Ecology intends to gain access to the Camp Bonneville property through the front gate. Ecology does not initially intend to gain access to neighboring properties. If access is needed through private property, Ecology would work with affected property owners for appropriate access.*

**Page 27, Line 19.** Neighboring properties that fall within artillery impact fans are in effect part of the site, since these properties were contaminated by Army activities within the Bonneville property lines. These neighboring properties are entitled to cleanup to residential standards.

*Response: Currently there is no substantiated evidence to indicate that any neighboring properties are contaminated.*

*The approach that Ecology has determined to be the most logical approach would be to begin the clearance of munitions in the areas most likely to contain munitions and work outward in a systematic grid pattern from those locations. These locations most likely to contain munitions are the target areas that are within the central impact area. This will allow us to focus our efforts and resources in the most effective manner on those areas where munitions are most likely to be found.*

*Ecology is also requiring that the fence and signs be repaired along the property perimeter. Brush will need to be cleared during this effort, and detection and clearance of munitions that may be encountered during that effort will be done.*

*This effort will allow us to gather important information from which to make informed, logical decisions about further work that may need to be done in these areas.*

*Ecology does not intend to begin clearance work at locations that are distant from areas where higher concentrations of contaminants may be present; however, neither does Ecology intend to foreclose on the possibility of clearance needing to occur outside the Camp Bonneville property. Clearance outside the Camp Bonneville property would be a condition that would be retained by the Army. This condition should be stated in the ESCA.*

**Page 29, Line 18.** A 10-ft clearance around the CITA is not enough, considering that there will be no surface clearance within the CITA.

*Response: Actions described in the Conceptual Remedial Action Plan for the Central Impact Target Areas include:*

- a. Brush removal and surface clearance of a work road to remove the estimated 13 “hard” targets. The work road will be extended to provide a loop for future controlled access. The estimate for brush clearance for the work road is 10 acres.*
- b. Surface clearance of 200-foot X 200-foot grids around each hard target with clearance to frost depth (14 inches below ground surface) for anomalies.*
- c. Step-out procedures will apply to all clearance work.*
- d. A 30-foot clearance inside the perimeter of both fences.*

*Please see Exhibit H, page 7, number 8.*

**Page 30, Line 1.** The fences should be defined in terms of type and height.

**Response:** *This will be defined in the Draft Emergency Action Workplans, page 30, line 14, of the PPCD.*

**Page 45, Line 12.** All quarterly reports should be available for public review.

**Response:** *Agreed. They are available under public information requests.*

**Page 46, Line 12.** What are the provisions for meeting in case of emergency – mutilation or death caused by UXO, wildfire, etc?

**Response:** *In addition to the monthly project coordination meetings specified on page 45 of the PPCD, Ecology can call for a meeting any time a meeting is needed.*

**Page 48, Line 16.** A UXO expert should be on-site for all construction, assuming it will involve digging.

**Response:** *Please see Exhibit H, page 8, munitions support services.*

**Page 48, Line 24.** Could this paragraph be clarified?

**Response:** *Yes. Paragraph 142 calls for the establishment of a Senior UXO Supervisor, and sets forth criteria and approval of said individual by Ecology. This Supervisor is the primary individual who will be responsible on the BCRRT and County's end to oversee on-site UXO detection, destruction, and/or removal activities.*

**Page 50, Line 15.** Institutional Controls should be defined by type for each area. Limiting access (Line 16) is not adequate. ICs must prevent people from coming into contact with UXO.

**Response:** *Agreed. Long-term institutional controls are established after the cleanup is completed. It is not until then, that if, what type, concentration, and locations of contamination or UXO is left on-site. Please see pages 32 to 35, deliverables and schedule, long-term operation and maintenance plans, and Clark County, Long-Term Obligations.*

**Page 53, Line 22.** The potential imminent / substantial endangerment has already occurred since groundwater contamination has reached the sentry wells and moved off-site, yet there is no remediation plan in place.

**Response:** *This comment is not accurate. Groundwater contamination is localized to the vicinity of RAU 2C (Landfill 4) and has not moved off the Camp Bonneville property. The groundwater regional monitoring well network and the off-property domestic drinking water well sampling that Ecology conducted verifies this information. Ecology is reviewing the Army's proposal for less frequent monitoring. The cleanup plan includes completion of a Draft Remedial Investigation/Feasibility Study and a Draft Cleanup Action Plan. These documents are the*

*documents that provide the information from which the decisions about remediation can and will be made. Please see paragraphs 99 and 101 of the PPCD.*

**From Commenter 12:**

If the County accepts the risk of the clean-up plan as currently defined, it cannot make the Army undertake additional clean-up costs in the future. The only leverage the County will have is if entirely new contaminants are found in other areas.

*Response: Ecology understands that the County has entered into an agreement with the Army to fund the County's cleanup efforts at Camp Bonneville. Ecology understands that the agreement (an Environmental Services Cooperative Agreement or "ESCA") includes additional, contingent funding should additional cleanup be required. The County may be able to provide you with further information regarding the ESCA. In addition, the Army remains liable under state and federal law for the site. Thus, Ecology, as the regulatory agency, would have authority to compel the Army to undertake further remedial action at the site if circumstances warrant Ecology exercising that authority.*

**From Commenter 15:**

Item IV (S) page 7. The public must be included as requestors for review.

*Response: The ASB is made up of the County, Ecology, BCRRT and others, and is responsible for determining what steps are needed to meet cleanup requirements. The public will be provided updates on the data collected, removals, and decisions made by the Anomaly Selection Board.*

**From Commenter 15:**

Item 9 (C) page 2. The context of "available information" is a loophole-data-gap that should not be tolerated by the Court.

*Response: Ecology notes this opinion.*

Item 10 page 2. Pursuant to WA RCW, an incomplete federal Army Remedial Action which cannot prove or show the Remedial Action was either fully successful or sustaining in both contaminate remediation or reduction of groundwater contamination plumes verifies the Action as incomplete and in need of further investigation. The PPCD claim that a settlement falls claim under RCW 70.105D.040(4)(b) is invalid.

*Response: The CD requires that an FS be developed to identify cleanup alternatives for groundwater contamination. We respectfully disagree with commenter's opinion regarding the validity of the PPCD under MTCA.*

**Item IV (E) page 3.** Under regulation with the WA Secretary of State, the BCRRT, LLC claim to the word Trust is not accepted by the State typically within a business name under LLC (Limited Liability) standing. It is also unclear if LLC is interchangeable with WA law for non-profits, as the PPCD states the BCRRT, **LLC is a WA non-profit**. Both of these comment points nullify the PPCD and its definitions.

*Response: Ecology notes this opinion. We understand that the Bonneville Conservation, Restoration, and Renewal Trust, LLC (BCRRT) became incorporated in Washington on August 7, 2006. The BCRRT must be incorporated before Ecology will sign the PPCD.*

**Item IV (F) page 3&4.** Many contaminated areas (AOC's – Areas of Concern) have been identified or considered and are yet uncharacterized within the CBMR site. The PPCD definition commits the definition of "Site" to those contaminated sites "that have come to be located" and completely ignores and omits AOC's yet unidentified, located, or characterized. Therefore, this definition applies false meaning or enables omissions.

*Response: The CD allows contingencies for investigation, definition, and cleanup of new or unexpected finds of contamination including UXO. Further, the PPCD definition of "site" is the same as in MTCA. Please refer to RCW 70.105D.020(4); WAC 1730340-200.*

**Item IV (G) page 4.** Property: does not describe the Troutdale Aquifer which is a large sole source aquifer (pending EPA status) identified and credited as a water source for SW Washington and the Portland/Troutdale metro.

*Response: Ecology notes this opinion and recognizes the importance of the Troutdale Aquifer. The Aquifer is not included in the property description because it is not part of the property.*

**Item IV or elsewhere.** Should identify the Livingston Pit, as this property was used for Army military training for many years.

*Response: Ecology notes this comment.*

**Item IV (J).** incorrectly lists the property size as 465 acres and has been depicted during the entire RAB process as closer to over 800 acres. The discrepancy must be substantiated. This definition also falsely used the term Artillery Range. This is not complete fact. Although the Central Impact area does contain Range Fans in overlay, this area is an **Artillery "Impact" Area**.

*Response: To the best of Ecology's knowledge the size of the Central Impact Target Area is 465 acres; however, the size of the area doesn't affect the decision in this case.*

**Item IV (K) (L) page 5.** The non-validity of the BCRRT, LLC and the unresolved disclosure facts relating to this corporation, nullifies any public trust in a UXO and groundwater cleanup on a federal site used since 1909 for military weapons training. Assigning a pre-empted limited liability

corporation under WA DOE's private or government owned cleanup properties with non-UXO issues may be typical and usual accepted practice. Yet, this practice should not set precedence or constitute good regulator business practice, management, and oversight in public health and safety for a PPCD **with the magnitude of a UXO cleanup** over 3800 acres. Any responsible corporation should be established prior to a PPCD being filed. The owners, by laws, mission statement, and background should be available for review well before the PPCD was presented for CBMR Early Transfer.

***Response: Ecology notes this opinion. We understand that the Bonneville Conservation, Restoration, and Renewal Trust, LLC (BCRRT) became incorporated in Washington on August 7, 2006. The BCRRT must be incorporated before Ecology will sign the PPCD.***

**Item V (16) page 8.** Omits the use/leasing of CBMR by Foreign Governments and their military's. It also does not acknowledge or list known disposals of fireworks and other contaminants by local law enforcement agencies and others. This information was known at the closure in 1995.

***Response: Ecology is aware of this information. This issue has been raised and addressed by Ecology during RAB meetings. The information does not change the cleanup strategy for the site. The method for investigating munitions is the same for foreign and domestic munitions.***

**Item V (18).** Must acknowledge this reporting as facts only known and verified to date. Historic Archives and reports for CBMR are known to be missing and incomplete. Reports and other documentation are constantly surfacing. Items found in the Landfill 4 –Demo Site 1 contradicts and are subjective to conclusion as to an absolute statement of what was actually fired or used during training at CBMR historically. WA DOE must acknowledge within the PPCD that their list of military munitions are presumed and do not predicate an absolute.

***Response: Ecology will consider and incorporate new information as appropriate throughout the cleanup.***

**Item V (20).** Omits Army documentation that Army Headquarters placed a No Burn/No Open Detonation on CBMR some 18 years ago and well before its 1995 closure. DOE's statement here sets State regulatory acceptance in the circumstance Army/DoD command and regulation may have been violated or disregarded by a continued practice of open burn/open detonation. Our state regulatory agencies must not accept this liability or lay claim on management practices by the Army at CBMR. WA DOE should review the Army/DoD directive, which is on file at CBMR.

***Response: Comment noted. We are not aware of any current open burning or detonation. We do not agree with the commenter that the PPCD in any way "accepts" any past, current, or future violations by any party.***

**Item V (19) (22).** in the PPCD WADOE is excluded in liability. In this item, who will be the liable party if an error or catastrophic incident occurs in areas of in place or migrated UXO beyond the boundary of CBMR? This information should be contained within the PPCD.

***Response: Under federal law, the Army remains liable under MTCA and CERCLA if an error or catastrophic incident occurs in areas of in-place or migrated UXO beyond the boundary of CBMR.***

**Item V (19) (22).** WADOE must note the in-place and migrated UXO as known fact. To adequately protect the public under WA DOE purview the DOE has shown that it accepts Army maps and their depictions as investigational tools and guidance. In as much as DOE accepts any uses for Army maps, the map that clearly depicts the areas of Artillery and Weapons fans as outside CBMR must be used for purposes within this PPCD. The WA DOE should not pick and choose its defining methodology. The US Army used, termed, and verified the map that clearly depicts the fan extensions. The subject areas over CBMR boundary lines are Artillery Impact Fans, which are close but not the same as safety fans or average range fans depicted historically over the property. This comment item should change the wording to “known fact” and “Impact Fans” from its wording range fans.

***Response: Ecology notes this opinion.***

**Item V.** Should contain discussion regarding known Trespasser Reports at CBMR. These reports date historically and are available.

CBMR is conflicting to understand an adequate use of perimeter fencing. In the 1970's, the Corp of Engineers installed six-foot barbed wire chain link fence along the western and portions of the southern boundary lines defined in work orders as due to civilian residential encroachment/Security. At that time, most of remaining boundary lines backed into deep forest or sparse farmhouses on large properties. Now, at this date, the southern, eastern, and northern borders are encroached by new residential properties. Along these borders, old 3-foot-3-strand barbed wire fence in ill repair and large areas of no fence at all secure the site. CBMR needs to secure the entire site with the chain-link security fence it placed along its other borders in the 1970s. This good management and security practice set precedence for Clark County public safety. The WA DOE, Clark County, and the BCRRT, LLC vindicates an outdated insecure fence type (3-strand-3-foot) as mitigating public safety. This is an implied PPCD pledge that the Army itself nullified in the 1970s.

***Response: The proposed Decree requires that the Site be secured by repairing existing fencing and by placing signs around the perimeter of the property.***

#### **From Commenter 4:**

**Item V 24 (d) page 10.** Should identify known plumes. The PPCD is incomplete and unclear in identifying contaminates that are predisposed to one location and those creating known plumes as “one” defined and acknowledged contamination type.

***Response: The RI/FS defines the nature and extent of the contamination, whereas the CD provides a statement of fact. Please refer to the RI/FS, available at the site information centers.***

**From Commenter 18B:**

After reviewing the prospective purchaser concept decree, there are a few issues I'd like to comment on. As of this week, Clark County is adopting a new wetland ordinance. May I suggest the DOE review the outcome, and apply what measures are needed to be within its compliance. I'd also look to ask DOE to be in close communication with Washington State Department of Fish and Wildlife through this entire process.

They know what animals are in Camp Bonneville, the time of year each species would be most or least affected by the cleanup action, what they need for their survival. For example, we see a dead tree as an eyesore; actually, it has bugs in it that the woodpecker needs for a source of food. The Department of Fish and Wildlife can point out nesting areas, quarters, and give advice on how an action may or may not affect them, as well as suggestions on how to do it with the least amount of impact.

With consideration to the comments above, the Washington State of Ecology certainly has my consent to proceed with the restoration of Camp Bonneville.

***Response: Ecology will coordinate with WDFW.***

**From Commenter 18H:**

The second point regarding the consent decree relative to the enforcement order, I am still unclear as to how the -- it is my understanding that with the PPCD, the enforcement order dies, and it is in hypothesis rolled into the PPCD, and I am having a difficult time finding where all of the points coalesce so we're not losing enforcement protection in the new document. Regarding the final drafts, or potential final drafts for any of the identified project areas in the cleanup plan, I want to advocate for contingency plans to be added in addition to what is already outlined regarding, specifically, the ground water plume.

***Response: The PPCD and the Enforcement Order issued to the Army in 2003 are separate documents. By entering into the PPCD with Clark County and BCRRT, Ecology anticipates it will deal mainly with those parties for Camp Bonneville cleanup. Ecology is considering its options regarding the 2003 EO, which includes rescinding the EO. However, the Army will remain liable for the Camp Bonneville site under MTCA, the state's Hazardous Waste Management Act, and the federal superfund law (CERCLA). Thus, regardless of whether Ecology decides to keep the Order in place or to rescind it, or take some other action, Ecology may issue a new Order to the Army or any other liable part not covered by the PPCD should circumstances warrant. The key point is that the PPCD with Clark County and BCRRT does not affect the Army's liability.***

***Regarding the groundwater plume, the CD requires that an FS be developed to identify cleanup alternatives for groundwater contamination.***

### **From Commenter 18H:**

...meetings according to the PPCD, by the management team and the various components, all the engineers, and the staff that will be working on the cleanup plan, and I would hope that either the members of the restoration advisory board, or the members of the future Clark County advisory board, whatever form that takes, those 12 members, would be invited to participate and to collaborate in those monthly meetings.

On page 30 -- I'm sorry, page 57, there's reference to a 30-day requirement for any discovery of new munitions to be reported to ecology, yet on page 57 there is a notation that if ecology determines that an activity is creating danger to humans or the environment, there could be an immediate cessation to the activity. I would ask that that 30-day period is far too long if there's going to be immediate cessation; that those two elements conflict with each other.

***Response: The 30-day requirement is the maximum time allowed. This does not prohibit Ecology from calling for an earlier response. A meeting can be convened at any time.***

### **From Commenter 18K:**

On page 27 under PPDC, it discusses that the Army used photographic evidence to identify areas of concern, and I note that the Department of Ecology purchased the LIDAR technology over flight mapping, and I'd ask that that be incorporated into the future studies, in case -- I haven't seen that mentioned anywhere, and I think that is going to be a helpful tool. Another part that was of concern to me was on page 30, item No. 88, "The site may encompass areas beyond the boundaries of the camp, and that the decree does not require Clark County or the cleanup team to develop or conduct remedial activity beyond the boundaries."

And there is question and concern about the step-out issue, the 100 by 100 foot step-out, that it's not really defined very well. Because what happens if, within that boundary area, if during the cleanup efforts that munitions of concern are discovered right against the boundary fence, does that indicate that a 100 by 100 step-out would go over the boundary line or not? According to what is written there, it says that it would not, but I think that, statistically, it would show the need to go beyond the boundary because of artillery firing ranges.

And one final comment, and this is more editorial than anything else because I realize there are reasons for this kind of language, but there are determinations and clauses within the PPCD that holds all parties harmless and indemnify everyone. And that only leaves one party responsible and yet they're not a signature. And I realize that there's a purpose for that, because these parties that are -- the cleanup elements are not responsible for the contamination, yet there is language in there that states that when the property transfers, the owners would become resolved -- there's potential liability, and this language attempting to dissolve that problem, and it's not really clear, the way it's written. And it's of concern to me that with the early transfer and the -- our lack of knowledge about insurance and this language that is listed under the RCS's under the determinations on page 16, it's difficult to understand how the property is not going to become -- Clark County is not going to become a potentially liable party, and that it's not thoroughly listed that CERCLA in the PPCD is going to be invoked to hold the party responsible, that being the Army.

So I would ask that, for obvious reasons, that there be language included in that paragraph that says although these parties are not liable, the liable party would be such and such for clarification.

***Response: The LIDAR data may be a valuable tool, and Ecology plans to utilize it, if possible, and as appropriate.***

***Currently there is no substantiated evidence to indicate that any neighboring properties are contaminated.***

***The approach that Ecology has determined to be the most logical approach would be to begin the clearance of munitions in the area most likely to contain munitions and work outward in a systematic grid pattern from those locations. These locations most likely to contain munitions are the target areas that are within the central impact area. This will allow us to focus our efforts and resources in the most effective manner on those areas where munitions are most likely to be found.***

***Ecology is also requiring that the fence be repaired and signs placed along the perimeter of the property. Brush will be cleared from the fenced area during this effort that will also include detection and clearance of any discovered munitions.***

***This effort will allow us to gather important information from which to make informed decisions about further work that may need to be conducted in these areas.***

***Ecology does not intend to begin clearance work at locations that are distant from areas where higher concentrations of contaminants may be present; however, Ecology does not intend to foreclose on the possibility of clearance needing to occur outside the Camp Bonneville property. Clearance outside the property would be a condition that would be retained by the Army. This condition should be stated in the ESCA.***

### **From Commenter 15:**

**Item 10 page 2.** Item V 24 (d) page 10: Should identify known plumes. The PPCD is incomplete and unclear in identifying contaminates that are predisposed to one location and those creating known plumes as “one” defined and acknowledged contamination type.

***Response: There is only one known “plume” or area of groundwater contamination at Camp Bonneville. It is located at Landfill Four (RAU 2C). The groundwater contamination is described in reports referenced in the Decree but not included in the Decree due to the large amounts of data and text in these groundwater reports.***

**Item IV (D) page 3.** The definition of “parties” cannot claim the same oversight or authority and not note the differences in authority between the WA Department of Ecology (WADOE) and the BCRRT, LLC. This should be separate and clear, not interchangeable.

***Response: In this case, “parties” refers to signators to the Decree. Their roles and responsibilities are identified elsewhere.***

**Item V (15) Page 8.** “Clark County will “Quit Claim” to the BCRRT, LLC.” WA DOE, within the PPCD, does not indicate or validate WA law on Quit Claimed property nor does it discuss property rights to the new owner under Quit Claim acquisition of Washington property.

*Response: Comment noted. No change necessary.*

### **From Commenter 7:**

**Page 5, Line 3.** "(K) "Cleanup Obligations" mean the obligations of the BCRRT LLC under this Decree to develop and conduct the remedial actions that are necessary to complete the investigation and cleanup of the Property. These obligations are more specifically described in Section X.C of this Decree. "

**Comments on Page 5, Line 3.** This definition should clarify that the property will never be completely cleaned up, and the property will never be entirely void of MEC or some contaminants. The "Cleanup Obligations" should specify that the property will only be cleaned in accordance with specific work plans, and that these work plans do not provide for remedial activity to completely clean the property and make it entirely void of MEC and other toxic contaminants.

*Response: This is more specifically spelled out in section XII, page 43, under completion of remedial actions.*

*Ecology believes this is more a point of clarification. Since the PPCD requires long-term obligations and institutional controls, there is clearly recognition by the parties to the Decree that there is the potential to leave residual contamination on-site after the cleanup is complete. This is fairly common to leave some residual contamination at cleanup sites, hence the MTCA cleanup regulations have specific requirements for institutional controls, and most cleanup plans incorporate institutional controls into the long term work for the sites.*

**Page 17, Line 1.** "This Decree is entered prior to Clark County or the BCRRT LLC acquiring an interest in the Property and will resolve their potential liability for known or suspected contamination at the Site."

**Comments on Page 17, Line 1.** This section should identify the party liable for **unknown** or **unsuspected** contamination at the site.

*Response: There are contingencies and reopeners in the Decree to account for additional quantities of contaminants or new locations of contaminants that are discovered during the course of the cleanup. Please see paragraph 156. Contingencies are also in place to clean up additional quantities of contamination that may be discovered during implementation of the cleanup by expanding the investigation and cleanup grids. It is not unusual to find additional quantities or types of contamination during the course of a cleanup.*

**Page 19, Line 3.** "Based on the presence of these hazardous substances at the facility and all factors known to Ecology, there are releases and threatened releases of hazardous substances from the

facility, as defined at RCW 70.105D.020(20). 48. The releases and threatened releases of hazardous substances from the facility pose a threat to human health and the environment. 54. Based on the presence of these military munitions at the facility and all factors known to Ecology, there are releases and threatened releases of dangerous wastes and/or dangerous constituents from the facility, as defined in WAC 173-303-040."

**Comment on Page 19, Line 3.** These statements clearly note that hazardous releases of toxic substances is possible, which conflicts with the prior statement that Ecology has determined that redevelopment of the site is not likely to contribute to toxic releases (See page 18, Line 17). Again, redevelopment could contribute to toxic releases, and the prior statement should be corrected to reflect this possibility.

*Response: The commenter appears to confuse existing contamination with potential future releases. The quote from the PPCD is a finding by Ecology that contaminants have been released at the site. The remediation of those contaminants is the goal of the PPCD. Ecology does not view the County's redevelopment plan as likely to contribute to additional, future releases.*

**Page 56, Line 19.** "No voluntary conveyance or relinquishment of title, easement, leasehold, or other interest in all or any portion of the Property shall be consummated without provision for continued operation and maintenance of any containment system, treatment system, and/or monitoring system installed or implemented pursuant to this Decree."

**Comments on Page 56, Line 19.** Institutional controls as a general topic should be included in the list of required provisions for continued operation and maintenance.

*Response: Agreed. Please see page 5, (L) definition of "long-term obligations" and page 37, paragraph 111.*

*Long-term institutional controls are established after the cleanup is completed. As the cleanup is completed, it can be determined what contamination, if any, remains and if so, the type, concentration, and locations of contamination or UXO left onsite. It would be difficult to establish final institutional controls for the site until that specific information is determined. Until that time, interim institutional controls will be established to restrict site access. Please see pages 32 to 35, deliverables and schedule, long-term operation and maintenance plans, and Clark County, Long Term Obligations.*

## **Section 2: RI/FS**

*General Response: Many comments were received on the RI/FS regarding the RAU3 portion of the site. This study was provided to the public for comment in 2005 and was not a part of this recent comment period. A record of comments received is presented here. Please refer to the Responsiveness Summary for the RI/FS published by Ecology February 2006 to review responses to the RI/FS. Ecology is not responding to these comments as they do not pertain to the content of the proposed Decree. Please reference the Response to Comments on the Draft Remedial Investigation/Feasibility Study for Remedial Action Unit 3 dated February 2006.*

### **From Commenter 3:**

With the proposed "buffer zones", to what depth are the munitions and contaminants to be removed to? Also, how are existing and future property owners and home owners adjacent to or outside the site boundary and within the firing range outfall areas from Camp Bonneville to be safeguarded from explosives and contaminants?

### **From Commenter 4:**

Speaking specifically to the unexploded ordnance hazard: "Discovery" of the contamination is not feasible, "Initial Investigation" has not taken place due to the cost, and "Hazard Rankings/Site Hazard Assessments" have not been realistic due to the fact that any level of exposure would be catastrophic. Eliminating all risk at a site like this is not realistic, so the remedy the State of Washington is allowing is the use of institutional controls. The use of IC's is not viable.

### **From Commenter 9:**

**Pages 22-25, all RAUs.** DOE approved final draft RIs that were never finalized. It is unclear why Ecology did not enforce its EOs and have the Army clean up the contamination its activities caused.

**Page 26, Line 24.** According to an April 2006 Groundwater Data Evaluation Report, the Army is proposing less frequent monitoring than quarterly. However, data shows the contamination has moved off-site. Ecology should impose a stricter schedule for monitoring and develop an immediate plan to remediate contamination.

### **From Commenter 18I:**

Some of the people have been doing the studies and have known about it for many years, but much of the public is not even aware of the kind of contamination that's going on with the ground water from all of these munitions that have been at this site, and there's people's personal wells, water wells in the area, that are going to be affected by this, as well as, from what I understand, in the scope of this project, it's planned to put public water wells on the site in the vicinity of this ground water contamination, which I think is yet again completely irresponsible of a public entity to put that before -- you know, in the exposure to its public to be exposed to that. I didn't get to ask my

earlier question about the buffer zone, as far as if it's determined yet how deep down the surface penetration you'll go on the buffer zones around the trails, the roads, and the perimeter of the vicinity to eliminate the possibility of unexploded ordinances. So I hope that is also addressed.

**From Commenter 7:**

**Page 10, Line 1.** "Several areas throughout the Camp Bonneville Military Reservation were used for the disposal of military munitions. At least three areas of the CBMR were used for the disposal of military munitions by open burning or open detonation (OB/OD). "

**Comments Page 10, Line 1.** This item should mention that disposal included drums that were buried (containing unidentified substances) and that said drums have not yet been located.

**Page 10, Line 19.** "The presence of the constituents of those military munitions, including perchlorate and the explosive compounds RDX and HMX, in the soil and ground water."

**Comments on Page 10, Line 19.** Said munitions include mercury, lead, and chromium, and these contaminants should be included in this list as they were indicated in the groundwater plume, even at levels that surpass National Toxics Rules.

**Page 17, Line 10.** "This Decree contains a program of remedial actions designed to protect human health and the environment from the known, suspected, or threatened release of hazardous substances at the Property based upon Clark County's Reuse Plan described in Section VI.C of this Decree. The program is described in Section X of this Decree. The program, which includes both Cleanup Obligations and Long-Term Obligations, covers the entire Property, including both the Early Transfer Parcel and the DNR Parcel"

**Comments on Page 17, Line 10.** The re-use plan, Clean-up Obligations, and Long-Term Obligations were designed without the implementation of risk assessment modeling, programs commonly available to UXO remediation firms. This item needs to specify that no professional or formal risk assessment was included.

**Page 22, Line 21.** "In 1997, based on the initial site investigations and archive searches, the Army identified releases and threatened releases of hazardous substances at the 21 small arms ranges comprising RAU 2A. In November 2001, the Army conducted additional investigations to better define the location and geographic characteristics of the small arms ranges. "

**Comments on Page 22, Line 21.** This section should note that the archive search report was incomplete, and members of the public are continuing to locate additional historical documents. There may have been additional toxic releases beyond those found at the small arms ranges. Again, there are historical documents that show the Army buried metal drums with unknown substances, but these drums have yet to be located, and remedial activity for said drums has not been included in work plans.

**Page 26, Line 21.** "As of the effective date of the amended Order, the draft Long-Term Ground Water Monitoring and Contingency Plan had not been submitted to Ecology."

**Comments on Page 26, Line 21.** A contingency plan to infuse aerobic bacteria into the groundwater plume needs to be established. Monitoring indicates that the plume is not getting better over a year's time after removal of the suspected contaminant sources. Remedial activity should not be delayed due to the Army's failure to produce a contingency plan.

**Page 26, Line 24.** "Under the amended Order, the Army continued to monitor ground water in site-wide monitoring wells."

**Comments on Page 26, Line 24.** According to the Groundwater Monitoring Data Evaluation Report for Camp Bonneville (prepared for the Army by Calibre, April 10, 2006), the Army recommends the decreasing of monitoring sampling dates or the cessation of monitoring. This is unacceptable, and monitoring should continue in a timely fashion until such time as the groundwater contamination has been completely remediated.

### **Section 3: CAP/Work plans**

*General Response: Many comments were received that pertain to future cleanup plans or issues but not to the proposed Decree and thus not pertinent to this comment period. Ecology appreciates receiving these comments and has reviewed and noted the comments presented. They are divided into three groups: General, RAU3; Groundwater; and RAU2. The public will be provided numerous opportunities to comment on required studies, cleanup action plans, and other cleanup documents as they are drafted. Ecology encourages commenters to continue to review and comment on draft documents as they come available. Ecology is not responding to these comments as they do not pertain to the content of the proposed Decree.*

General, RAU3

#### **From Commenter 4:**

...currently the exposure parameters would be comprehensive; thus requiring a default “cleared of UXO hazard.”

#### **From Commenter 5:**

I would also like to ask DOE to be in close communication with The Washington State Department of Fish and Wildlife through this entire process. They know what animals are in Camp Bonneville. The time of year each species would be most or least affected by a cleanup action. What they need for their survival. For example we see a dead tree as an eye sore. Actually it has bugs in it the woodpecker needs for its source of food. Department of Fish and Wildlife can point out nesting areas and corridors. Give advise on how an action may or may not effect them as well as suggestions on how to do it with the least amount of impact.

#### **From Commenter 9:**

**Page 18, Line 8.** The wildlife refuge is inconsistent with a 465-acre Central Impact Area that will be enclosed with a 6-ft tall fence with 3-strand barbed wire (last known proposal). Please provide an explanation as to how Ecology will protect wildlife inside the 465 acres, including the large wildlife known to exist on the property.

**Page 19, Lines 1-7.** Threats to human health and the environment identified in these paragraphs are in conflict with Paragraph 42. Humans can interfere with hazardous waste (including UXO) and touch off avenues for release of these wastes in ways harmful to both the public and the environment. Although no formal risk assessment has been done, the high-intensity reuse plan makes this a certainty.

**From Commenter 11:**

I would like to say that I do agree with the Veterans who spoke out regarding their deep concerns about the safety of individuals living/visiting near the site intended for a "park" status.

**From Commenter 18C:**

I'm aware of what unexploded munitions can do to a person and I have some real concerns about the unexploded munitions that will be left out there, and what will be left after your cleanup.

**From Commenter 18D:**

The liability is too great; the cleanup of the whole park or whatever you're going to put there. You're going to allow trails to go up into the impact area, and that's according to the reports. You're going to have horses and kids going out there riding bicycles and everything else, and it's not right.

**From Commenter 18E:**

The park thing is just not sitting well, kids and unexploded ordinances.

**From Commenter 18I:**

I didn't get to ask my earlier question about the buffer zone, as far as if it's determined yet how deep down the surface penetration you'll go on the buffer zones around the trails, the roads, and the perimeter of the vicinity to eliminate the possibility of unexploded ordinances. So I hope that is also addressed.

**From Commenter 15:**

Item IV (T) page 7: The "adaptive management process" must also be defined as evolving with new technology or investigational and remedial practices. The definition in this item implies patterns and forensic evidence may apply to management practices acknowledged on the date of PPCD finalization.

**From Commenter 7:**

**Page 18, Line 17.** "Based on this settlement and the foregoing facts and determinations, Ecology has determined that the redevelopment of the Site is not likely to contribute to any existing or threatened releases at the Site, interfere with any remedial actions that may be needed at the Site, or increase health risks to persons at or in the vicinity of the Site."

**Comments on Page 18, Line 17.** Groundwater monitoring at the Landfill 4 remediation site showed a spike in groundwater contaminant load after removal of up to 27 feet of soil. Hydrogeologic monitoring has not been conducted sufficiently to determine if remedial activity will release contaminant load into surface water through groundwater migration. It is premature for DOE to make the statement that redevelopment of the site will not cause adverse impacts to public health or the environment as the groundwater plume has yet to be remediated successfully. There is currently no potable water available on site due to the contaminant load from the groundwater plume. Also, the county plans to harvest timber – this could be dangerous because of UXO within the timber itself, or buried in the forested areas. Thus, redevelopment could contribute to toxic releases.

**Page 29, Line 6.** "If either an item of MEC or a pattern of similar forensic evidence of a particular type of military munitions is found within a boundary grid, then also conduct step-out clearance as defined in Section IV of this Decree."

**Comments on Page 29, Line 6.** All discoveries of MEC should be mapped and this information should be provided to all emergency responders in a timely fashion.

**Page 29, Line 11.** "the Anomalies Selection Board (ASB), which is defined in Section IV of this Decree, shall determine whether detected surface and subsurface anomalies should be further investigated and remediated."

**Comments on Page 29, Line 11.** The members of this board need to be clearly identified as do techniques for subsurface investigation, quality assurance procedures, and an explanation of what standards are to be applied for such investigation.

**Page 29, Line 18.** "(1) Conduct brush clearing and surface clearance of MEC within 10 feet of the interior of the CITA perimeter fence line."

**Comments on Page 29, Line 18.** Maintenance and operations should include the continued brush clearing of this fenceline in perpetuity. This is not mentioned, and it needs to be funded by the Army as part of the budget. Since the proposed \$25 million price cap includes \$10 million for the lead contractor and \$15 million to be split among the other 4 contractors, there is not sufficient funding to allow for maintenance and operations (including institutional controls) for the site in perpetuity. A funding mechanism needs to be clearly identifies for maintenance and operations costs.

**Page 29, Line 20.** "If an item of MEC is found within a grid of the designated clearance area, then remediate that item."

**Comments on Page 29, Line 20.** A safety zone needs to be identified if MEC is discovered. If residents fall within a specified safety zone, then those residents need to be evacuated prior to remediation in order to protect public health and safety.

**Page 29, Line 22.** "The step-out grid(s) for this action shall be 100-feet by 100-feet and shall be surface cleared."

**Comments on Page 29, Line 22.** There needs to be a procedure identified if such a step-out for required clearance extends beyond the perimeter fence line.

**Page 29, Line 23.** "As data is collected during the surface clearance, the Anomalies Selection Board (ASB), which is defined in Section IV of this Decree, shall determine whether detected surface and subsurface anomalies should be further investigated and remediated."

**Comments on Page 29, Line 23.** Again, the members of the ASB need to be clearly identified, as do the standards that will be used to determine analysis of anomalies in accordance with established quality assurance plans.

**Page 30, Line 4.** "Within thirty (30) calendar days of the transfer of the Early Transfer Parcel from the Army to Clark County, Clark County will record interim restrictive covenants with the office of the Clark County Auditor. The interim restrictive covenants will:

- (1) Prohibit public access to the Property;
- (2) Restrict use of ground water from the Property; "

**Comments on Page 30, Line 4.** This section needs to identify the kinds of groundwater use that will be allowed since it will only be restricted and not prohibited.

**Page 30, Line 21.** " For **RAU 2A**, the BCRRT LLC shall conduct interim actions for the purpose of facilitating future cleanup actions and reducing the threat to human health and the environment associated with lead and other contamination located in some of the small arms ranges identified and illustrated in Exhibit C. "

**Comments on Page 30, Line 21.** Published studies indicate that lead and other contaminants exist within the topsoil (wherever MEC/UXO are known to exist) and within the groundwater plume, not just in small arms ranges. The work plan needs to specify the kind of interim actions and future cleanup actions that will be employed to address this contaminant load beyond the small arms ranges.

**Page 31, Line 19.** "Those interim actions shall include, but shall not be limited to, surface clearance of MEC within a 20-foot wide buffer zone adjacent to both sides of all roads and trails found within the Property including those roads and trails found within the CITA."

**Comments on Page 31, Line 19.** Surface clearance of MEC should be all inclusive, property-wide, not limited to buffer zones. It is unacceptable to perform restrictive surface clearance.

Groundwater

**From Commenter 3:**

In regards to the proposed public safeguards of relying on the use of limited fencing and signage to keep the public away from areas that aren't intended to be cleared of potential explosives/hazards, I find this to be completely unacceptable, and irresponsible of the project planners to even consider

that this would be an acceptable means of allowing people to access the general area for recreation and risk the life of someone that could still come into contact with existing life threatening dangers.

**From Commenter 9:**

**Page 26, Line 18.** The April 2006 Groundwater Data Evaluation Report indicates groundwater contamination has reached the sentry wells and has traveled off-site. There are no plans for remediation, nor funds set aside in the ESCA to provide for remediation. Only monitoring is planned.

**Page 26, Line 22.** A long-term groundwater monitoring and remediation plan should be in effect prior to transfer, since there is no way to determine what funds will be necessary to complete these tasks.

**From Commenter 18B:**

After reviewing the prospective purchaser concept decree, there are a few issues I'd like to comment on. As of this week, Clark County is adopting a new wetland ordinance. May I suggest the DOE review the outcome, and apply what measures are needed to be within its compliance. I'd also look to ask DOE to be in close communication with Washington State Department of Fish and Wildlife through this entire process.

They know what animals are in Camp Bonneville, the time of year each species would be most or least affected by the cleanup action, what they need for their survival. For example, we see a dead tree as an eyesore; actually, it has bugs in it that the woodpecker needs for a source of food. The Department of Fish and Wildlife can point out nesting areas, quarters, and give advice on how an action may or may not affect them, as well as suggestions on how to do it with the least amount of impact.

With consideration to the comments above, the Washington State of Ecology certainly has my consent to proceed with the restoration of Camp Bonneville.

**From Commenter 18H:**

There was testimony earlier this evening that the ground water plume is going to be studied for sometime for perhaps many years, and after a year's worth of analysis and ground water monitoring, it appears that the numbers for the ground water contaminants are still level rather than decreasing. So I would advocate for an infusion of bacteria within the ground to help facilitate a faster recovery for that area, particularly in relevance to the fact that we still need a long-term ground monitoring plan associated with this entire project, and that with a regional public park that is going to be ground water dependent for a public water supply, that we need to step that process up considerably. So I would hope you acknowledge that.

**From Commenter 18I:**

Some of the people have been doing the studies and have known about it for many years, but much of the public is not even aware of the kind of contamination that's going on with the ground water from all of these munitions that have been at this site, and there's people's personal wells, water wells in the area, that are going to be affected by this, as well as, from what I understand, in the scope of this project, it's planned to put public water wells on the site in the vicinity of this ground water contamination, which I think is yet again completely irresponsible of a public entity to put that before -- you know, in the exposure to its public to be exposed to that.

RAU2

**From Commenter 9:**

**Page 30, Line 25.** What is the proposed buffer for RAU-2A?

**Page 31, Line 3.** What is the proposed size of the step-out grids for RAU-2A?

## **Section 4: Public Participation**

*General Response: Several commenters requested additional time for public comment due to concern that the Ecology PPCD notice occurred at the same time as the notice for the Army's FOSET and to give more time for people to review the proposed Decree. Commenters also had questions about the formation of the Bonneville Conservation, Restoration and Renewal Trust, LLC. Other commenters were concerned that the Army and Ecology may have collaborated in drafting documents for the site.*

*The comments about the formation of the BCRRT are addressed in the section about the Decree (section 1).*

*Ecology carefully considered the public request and information previously provided to the public as it made a decision to extend the comment period by two weeks. Public participation in all phases of planning, investigation, and cleanup activities has been extensive. Public involvement efforts have included submittal of all major decision-making documents for public comment, public meetings, and public notices, as required by the Model Toxics Control Act. In addition, the Army-run Restoration Advisory Board (RAB) that is comprised of local citizens, provides a monthly public forum for discussions, presentations, and Q&A sessions on cleanup activities. Regularly scheduled RAB meetings have been conducted for the past ten years, and were attended by representatives from the Army, Ecology, several residential and other associations, and the general public.*

*Many comments received pertain to future land-use decisions. Land-use decisions must be directed to Clark County, the entity responsible for determining the future land use for this property.*

**The following comments pertain to the general response.**

### **From Commenter 8:**

The PPCD and FOSET are legal documents that are difficult for the public to read, let alone comprehend. The burden falls on members of the Restoration Advisory Board to convey information in these documents to the community. At the Board meeting on April 12, members of the Board requested an extension of the public comment period on the PPCD to 60 days. I would like to renew that request. By failing to extend the comment period, Ecology sends the message that it is fast-tracking the transfer. Please inform the Community Co-chair, Karen Kingston, or me of your decision.

### **From Commenter 9:**

**General Comment 1.** Ecology has made provisions in the PPCD for 30-day extensions requested by the BCRRT LLC and County (pages 41 and 42). Ecology should extend this same privilege to the public. The PPCD is a highly technical legal document that is not easily understood by the public. Although Ecology's staff is stretched thin, it has full-time staff available to respond to public

comments. An extension of the public comment period to 30 days should not have precluded Ecology from responding in a timely manner and meeting the pre-established transfer timeline.

**From Commenter 18G:**

I'd like to address the issue of the time line for the documents concerning transfer. In 2003, the time line for the review of these public documents was very different than it is today. The Army was to prepare its findings of suitability for early transfer; it was to hold a public meeting, such as this one, and hold public comment period -- revise its FOSET based on the public comments and then present it to Ecology.

Ecology was then to take -- the intent was for ecology to take the revised FOSET that already incorporated public comments and created its own PPCD, which would then have its own public comment period of 60 days that was built into the time line, and public meeting revisions based on public comment. It was not a parallel process, as this one is, it was linear with the FOSET taking place prior to the PPCD.

Early transfer is actually a misnomer; it's dirty transfer not early transfer. There's nothing early about this transfer, it's only taking place between cleanup. We should not be in such a rush that we cannot do this process. We complete this process in the proper order; the two documents are different, and they should not be running concurrently but separately with the FOSET running first in order to drive the PPCD. Instead, we have as a public two lengthy legal documents that we have to review and comment on within a 30-day time period.

For some of us, that means not only reading these cumbersome documents but comprehending, absorbing, and conveying to the public. This is an undue burden on those of us who are trying to do our job. So I would request that the entire process start over, that the FOSET run first, the PPCD run second, and that we simply restart the process.

**From Commenter 18I:**

And I'd also like to reiterate about the public comment access to this process. I think it's way too limited in its scope and time allotted for public comment and exposure to public comment. There are a lot of very important questions and concerns that need to be -- that need to be addressed. I agree with others that this process has been moving along much too quickly for the amount of input that's allowed from the public.

***Response: See general response for this section.***

The project early transfer idea that is being moved forward here, I think is a very irresponsible process because of the hazards and contaminations involved with this site. This is a very extremely hazardous site compared to many other types of conditions that could possibly exist in other situations. And the amount of contamination that we're -- just based -- that the public is beginning to learn about.

### **From Commenter 18L:**

The other concern that I have is that by running this parallel course with the time line, essentially Ecology is fast tracking the whole process toward transfer. And I don't understand why it needs to do that.

I would like Ecology to give me a full explanation of why it feels it necessary to put on -- push on the accelerator and fast track this whole thing through the transfer process. I don't understand what the big rush is. We're talking about 30 days to accomplish what, in 2003, was to have taken three months. And that's not fair. That's not fair to the public, that's not fair to us, it's not fair to people who have to give consideration to these documents for the first time.

### **From Commenter 15:**

The WA DOE refusal to extend the Public Comment Period to 60 days:

We have a twenty-year hands on relationship and knowledge base with CBMR. I (Karen) was an original steering committee member for Clark County planning during the CBMR Reuse Process. I am a long-standing member of the RAB and been co-chair for three years. I find it ludicrous that the WA DOE ran the PPCD concurrently with the FOSET. I find it ludicrous that the staff of the WA DOE withheld even this current extension to May 19 until the very last hour.

At the May '06 RAB, meeting the Army acknowledged running both the PPCD and the FOSET concurrently and with 30-day comment periods. The Army states this was a joint decision by WA DOE, Clark County representative Commissioner Marc Boldt, and those representing the BCRRT, LLC.

As the WA DOE turned down the stakeholder's request for extension, it took intervention by governmental legislators to convince the WA DOE to extend and at that, they only allowed until May 19, 2006. The Army ended its FOSET 30-day, refusing to extend.

***Response: Ecology made an independent decision to extend the comment period until May 19, 2006. Legislators did not intervene in Ecology's decision making process.***

The WA DOE used its mailing database for CBMR, which only dedicates mailings to RAB participants and a one and a half - two mile semi-radius around CBMR, for sending notification post cards announcing the May 19<sup>th</sup> extension for public comment on the PPCD. However, WA DOE did not update its website to this fact, as it was updating other sites around the state. Thus, regional, national, and other SW Washington commenters became excluded as they searched WA DOEs website and found the CBMR comment period had already ended.

***Response: While posting notice on the website is not a requirement, Ecology generally prefers to include this method for sharing information about site cleanups. The webpage was updated upon receiving requests to do so.***

Due to regional, local, and national outcry of WA DOEs malfeasance and the lack of WA DOE to give adequate education for commenting on such wide range documents such as the PPCD, oversight of the ESCA, and the FOSET all running concurrently, my volunteer duties expanded

beyond the typical personal time I allocate to volunteerism. Therefore, I am unable to comment beyond page 11 of the PPCD. This is a personal travesty to my ethics and my presumed obligation to fully comment on Early Transfer documents. I can only assume the WA DOE did not factor in supporting the time commitments of stakeholder/taxpayers when it refused to set a 60-day comment period. On the other hand, did it try to facilitate an Army timeline? One can only speculate.

***Response: Ecology agrees that this is speculation.***

### **From Commenter 7:**

**Comments on Page 15, line 10.** At the May RAB meeting, an Army representative acknowledged that the Army and Washington DOE coordinated the public comment periods to run concurrently for the FOSET and the PPCD documents. The Army refused to extend the comment period on the FOSET, despite the fact that the document was provided to the public two weeks into the four week comment period. It is inappropriate for these documents to be within simultaneous public comment periods, especially without access to budget projections, the ESCA agreement, risk assessment for end-users, and insurance plans.

***Response: While in this case the Army conducted its own comment period on the FOSET, Ecology does encourage combining comment periods when possible on related documents in order to provide the public with a more comprehensive opportunity to review and comment.***

**Page 31, Line 10.** "Draft final Interim Action Work Plan for RAU 2A, that reflects public comment, submitted to Ecology within ninety (90) calendar days of the effective date of this Decree. The Work Plan shall meet the submittal requirements in WAC 173-340-430(7)."

**Comments on Page 31, Line 10.** There must be a public forum provided continue the public review process – one that allows for public meetings to ask and answer questions about the Work Plans. Public forums must be available for completion of any RI/FS process, and there are several such investigative studies that will be completed by the BCRRT LLC. Each and every investigative study should be open for public comment and public meeting.

***Response: The public will be notified and provided opportunity to comment upon completion of draft RI/FS studies and draft cleanup action plans and prior to finalizing draft RI/FS studies and draft cleanup action plans.***

**Page 45, Line 12.** "The BCRRT LLC shall submit to Clark County and Ecology written quarterly progress reports which describe the actions taken during the previous quarter to implement the requirements of this Decree."

**Comments on Page 45, Line 12.** Progress reports should be available for public review, submitted to all parties of record.

***Response: Ecology agrees. Reports will be made available for public review by request.***

**Page 60, Line 17.** "This Decree may only be amended by a written stipulation among the Parties to this Decree that is entered by the Court or by order of the Court."

**Comments on Page 60, Line 17.** Amendments to the decree should not allow for a lessening of clean-up standards, lessening of monitoring of remedial activity, or lessening of safety standards. Amendments to the decree should include a public meeting and allow for public comment.

***Response: MTCA requires public notice and opportunity to comment be provided if significant changes or amendments are made to orders and decrees. Public hearings must be conducted during notice of a proposed Consent Decree.***

## **Section 5: Opinion or Statement**

*General Response: Ecology appreciates receiving and has reviewed and noted the following comments and concerns. They do not result in changes to the proposed Prospective Purchaser Consent Decree, Ecology recognizes that the commenters are concerned that the site cleanup be conducted in a way that protects the safety and health of children and the public who will use this area. The PPCD is intended to ensure that the cleanup actions meet all MTCA cleanup requirements and that Army, County, and BCRRT LLC responsibilities and liabilities are clearly defined. Ecology is not responding to these comments as they either do not pertain to the content of the proposed Decree or fall outside the agency jurisdiction.*

General

### **From Commenter 1:**

Can someone please explain to me why we are so quick to throw out the lessons we have learned in the past? The most important piece of information about any product can be found on the products label. Any product that is explosive or flammable says to “KEEP IN A COOL DRY PLACE”. Yet when the EOD technicians start to clear the ranges of munitions or ordinances at Camp Bonneville it seems they always do it when the weather is the warmest and the volatility is at its highest. It seems to me that clearing the ranges would be best done in the winter months when things are at there wettest and while the trees are dormant and have shed there leaves for the winter. It certainly makes things easier to see thru the thick underbrush too.

If this project was mine to work and administer as I saw fit. Then I would clear the brush during the dormant winter months with an EOD Technician to sweep the area just forward of the area I was clearing with a hydraulic excavator, so there wouldn't be any surprises. In the summer I would grade out the cleared areas with a dozer and then roll the graded areas with a gang roller and then reseed the area in the fall. There a two reasons for doing it this manner. The first is the areas cleared of the brush could be mapped as being cleared and long term maintenance of these areas would be easy to mow and maintain as needed.

I have two pictures for a demonstration I would like to present to you of what I am speaking of. The first one is of a three acre patch of brush and pine trees I removed in February of 2004. The second is the finished result taken in August of 2004



As you can see there is quite a stark contrast now. Our house can now be seen. In the first picture the pines had already been removed and burned, prior to taking the picture. The second picture was taken in August after completion. 90 percent of the work was done using a hydraulic excavator to remove all the brush and stumps. The site was then graded with a dozer and then rolled to a very smooth finish to help control surface run off and makes mowing a snap. The use of a gang roller is the same technique that golf courses use to create a very smooth surface.

I am wondering if there will be any work for small contractors to bid on in the future at Camp Bonneville? I have applied for a Washington State contractor's license and bond and I have a 40 hour HAZWAT that I received from UXB when I worked at Camp Bonneville as one of 40 local hires in 1998. I was the only local hire to actually stick around until the job was completed. There are more benefits to finishing a job, than there is to quit and run like everyone else did.

### **From Commenter 2:**

I am so glad to finally see some forward movement on the Camp Bonneville Project.

I worked for UXB for 3 months during the assessment stage when we cleared by hand more than 100 test grids searching for unexploded ordinances and munitions for the Corp. of Army Engineers.

This project has many challenges that must be faced. The biggest problem that this project involves is the underbrush. It is quite heavy and thick in many areas. As an experienced Ex-Christmas Tree grower and Forest Laborer, we were always fighting the grass and disease in our fields of trees. I believe aerial spraying of a herbicide such as Velpar may be a viable solution in the open areas that have lots of grass and non-woody underbrush. Velpar will not hurt the established trees but will kill off a lot of grassy underbrush and will minimize the amount of hand labor that would be needed to otherwise clear these areas.

Woody areas that were in the artillery range are much more difficult area to assess. We found many unexploded 105 rounds and lots of other metal scrap in these areas. Access to these areas was poor and the roads definitely needed some grading to make them a little more accessible. These woody areas could be spot treated with Velpar or some other suitable herbicide, especially where there is lots of Salal. Salal is a woody evergreen plant with large glossy green leaves that grows to a height of 4 feet tall and generally covers large areas of shaded hillsides. Another method that could be used is to mount a mowing unit on a long arm hydraulic excavator. Long arm excavators are generally used to dig ponds and to reach areas that would otherwise be impossible or very costly to do otherwise. Simply a long arm excavator with a brushing cutting head is much like an oversized weed eater with the exception that it can reach out up to 120 feet in a 360 degree circle. It might also be possible to attach a spray head to the long arm excavator to spot treat these brushy areas while minimizing ground damage to sensitive areas that would be hard to treat otherwise.

Safety should be the first concern of everyone on this project. Removal of the brush is essential to that safety, without removing the brush first, there are no guarantees that all the unexploded munitions will be uncovered and disposed of safely.

**From Commenter 4:**

I object to the “dirty” early transfer of the property to the BCRRT LLC and Clark County for use of a regional park under the grounds that the PPCD does not provide remedial actions that protect human health and the environment. The Department of Ecology’s driver for cleanup selection is the Model Toxics Control Act. The steps that lead to a remedy selection have lacked clear site data.

I feel the MTCA regulation does not directly address the severity of UXO. I do not feel that the RI/FS for RAU 3 and the PPCD protect the health of our community.

***Response: Geophysical Investigation (metal detection) and subsequent clearance of all of the areas proposed for cleanup includes subsurface investigation. If the property transfers to The Bonneville Conservation Restoration Trust for additional investigation and cleanup and subsequently to the Clark County for redevelopment as a park/wildlife area, Ecology intends to ensure that a more conservative approach to investigation and cleanup is taken than the approach proposed by the Army in the RI/FS.***

**From Commenter 5:**

The Washington State Department of Ecology has gained my over all confidence through the course of this project. I have no question that the cleanup will be done as thorough as our technology permits today. After reviewing the Prospective Purchaser Consent Decree there are a few issues I would like to comment on.

As of this week Clark County is adopting a new wetland ordinance. May I suggest that DOE review the out come and apply what measures are needed to be within its compliance.

I would also like to ask DOE to be in close communication with The Washington State Department of Fish and Wildlife through this entire process. They know what animals are in Camp Bonneville. The time of year each species would be most or least affected by a cleanup action. What they need for their survival. For example we see a dead tree as an eye sore. Actually it has bugs in it the woodpecker needs for its source of food. Department of Fish and Wildlife can point out nesting areas and corridors. Give advise on how an action may or may not effect them as well as suggestions on how to do it with the least amount of impact.

I would also like to ask DOE and the Department of Fish and Wildlife to consider the construction of Autumn Hills subdivision as having an impact on the wildlife through the entire area around Camp Bonneville.

With consideration to the comments above The Washington State Department of Ecology certainly has my consent to proceed with the restoration of Camp Bonneville.

***Response: Ecology includes review of local regulations and ordinances as part of cleaning up a site. Ecology will consult with the Washington State Department of Fish and Wildlife as appropriate during the cleanup.***

**From Commenter 19:**

Despite repeated concerns from many knowledgeable community members at various public meetings, Clark County is on the fast track to receive a "dirty transfer" from the U.S Army.

This is another abominable act by government officials to produce the green space needed by law, in order to obtain permits that allow uncontrolled building, that is already turning much of Clark County into another 'California Highway!'

It is not enough that the proposed park will be unsafe for our children, (There isn't enough time or money to make a foolproof cleanup.- so stop bleating about it) But the public has not been told what the project budget is, because (There is not enough time or money to make a foolproof cleanup)

One of the cleanup entities has not yet even been created!

The public is not being allowed to see all of the elements of this transfer. This is a violation of the public process.

This proposal elevates political greed and uncaring stupidity to a new high.

***Response: The document referenced here is the Army's ESCA. It will be made available to the public when it is completed as is required in the BRAC law.***

**From Commenter 6:**

Please, I implore you to hold the Army accountable for their actions and make them thoroughly clean up this site before turning it over to Clark County.

***Response: Ultimately, the Army retains the legal responsibility under MTCA and CERCLA law for the cleanup of the site. The Army is paying for the cleanup.***

**From Commenter 6:**

If not handled properly, it could bankrupt the county, make hundreds of people sick, and cause numerous “acceptable casualties” each year as the public ventures deeper and deeper into the area that was once the Camp.

**From Commenter 9:**

**Page 2, Line 15.** Remediation should have been initiated by Ecology and the Army years ago. The Army did not perform remediation as defined in Ecology’s enforcement orders, and Ecology did not enforce its own orders via mediation or the legal system. This has delayed remediation many years. The fact the third parties must come in and perform remediation is a reflection only of the fact the Ecology and the Army have not performed their duties.

**Page 2, Line 17.** The redevelopment and reuse of the “facility” will in every case have the potential to contribute to existing release or threatened release at the Site.

**Page 2, Line 18.** The redevelopment and reuse of the “facility” will in every case have the potential to interfere with remedial actions.

**Page 2, Line 19.** The redevelopment and reuse of the “facility” will in every case increase the health risks to people at or in the vicinity of the site, and not just have the potential to do so.

**Page 10, Items (A) through (D). Comment 22, Paragraph 24.** This list should be inclusive of all known contaminants. Item (D), for example, omits additional contaminants in groundwater that exceed the standards for human consumption.

**Page 15, Item (D).** The information contained in the ESCA is critical to public comments on the FOSET and PPCD. Since that information is not available, the comments Ecology receives should consider the fact that the public knows nothing about amounts allocated for cleanup, and therefore cannot prioritize comments on cleanup.

**Page 19, Lines 1-7.** Threats to human health and the environment identified in these paragraphs are in conflict with Paragraph 42. Humans can interfere with hazardous waste (including UXO) and touch off avenues for release of these wastes in ways harmful to both the public and the environment. Although no formal risk assessment has been done, the high-intensity reuse plan makes this a certainty.

**Page 31, Line 20.** A 20-ft clearance on each side of trails and roads is inadequate. Only 100% surface clearance would protect public health and safety in areas accessible by the public.

**Page 46, Line 12.** Five-year period review is too infrequent. Periodic review should occur at least annually. These reports should also be available for public review.

### **From Commenter 15:**

The BCRRT, LLC is a non-existent Washington corporation. The public had been notified via public process and disclosure that the non-profit known as The Trust for Public Lands (TPL) will be the sole interim owner. This information is no longer truthful, as a small representation of the local public had to find this change in ownership from the TPL to the BCRRT, LLC within the PPCD itself. This change in ownership was not revealed during CBMR Restoration Advisory Board (RAB) meetings or any other means available to local stakeholders before release of the PPCD and the WA DOE public meeting.

Under due FOIA (Freedom of Information/WA law) disclosure, Clark County verified its claims that the BCRRT, LLC will be owned by a company that is a California consortium. Information regarding this California Company is unknown to local stakeholders and the region. As we track issues of liability related to errors on the part of the consortium or the BCRRT, LLC before, during, and after cleanup; the due process of public review and comment has been squelched and rendered misleading. This violates the process both federally and under WA law.

Item 1-5 page 1: The premises for these PPCD statements are based on original documentation from the Environmental Assessment (EA) for Camp Bonneville Military Reservation (CBMR). The EA is invalid due to its incomplete nature. The EA does not contain data and fact, which at the time of its finalization was unavailable or unacknowledged, via characterization plans, discovery, actions, or methods that occurred and finalized later. NEPA law requires this addition. This breach in NEPA law is unrevised and unacknowledged in the PPCD and renders the document inadequate.

Item 7 page 2: The Court must review the authenticity of the subject matter as being legitimate under MTCA and HWMA. The incomplete EA nullifies authenticity.

### **From Commenter 7:**

**Page 15, Line 10.** "The Army's determination is set forth in the FOSET. At a facility not on the National Priorities List (NPL), the Governor of the state in which the facility is located makes the final determination that the property is suitable for transfer."

**Comments on Page 15, line 10.** At the May RAB meeting, an Army representative acknowledged that the Army and Washington DOE coordinated the public comment periods to run concurrently for the FOSET and the PPCD documents. The Army refused to extend the comment period on the FOSET, despite the fact that the document was provided to the public two weeks into the four week comment period. It is inappropriate for these documents to be within simultaneous public comment periods, especially without access to budget projections, the ESCA agreement, risk assessment for end-users, and insurance plans.

**Comment on Page 19, Line 3.** These statements clearly note that hazardous releases of toxic substances is possible, which conflicts with the prior statement that Ecology has determined that redevelopment of the site is not likely to contribute to toxic releases (See page 18, Line 17). Again, redevelopment could contribute to toxic releases, and the prior statement should be corrected to reflect this possibility.

**Page 47, Line 1.** "(B) The Parties' project coordinators shall then confer in an effort to resolve the dispute. If the project coordinators cannot resolve the dispute within fourteen (14) calendar days, Ecology's project coordinator shall issue a written decision."

**Comments on Page 47, Line 1.** The Army has stated that it does not acknowledge DOE's authority. The Army is not a party to this agreement. At the DOE open house on the PPCD, Mr. Gage stated that this dispute resolution is designed to process any Army dispute to the BCRRT LLC's findings or recommendations for remedial activity. This provision cannot involve the Army since it is not a party to the PPCD. There needs to be a provision that encompasses dispute resolution with the Army in order to avoid delays due to possible conflict with the Army's disagreement of the work plan.

Legal

**From Commenter 4:**

Please consider for this project and the PPCD a branch of the "dangerous wastes/constituents" definition that addresses the single one-time exposure risk to UXO for the citizens. By default, it would require a different approach to the reuse and the proposed IC's.

CD - opinion

**From Commenter 9:**

**Page 6, Line 8.** "Military Munitions" should include a disclaimer stating that the term does not include munitions used by foreign militaries, nor those used by law enforcement agencies, including the FBI and anyone else who leased the property for weapons training.

**Page 6, Line 10.** "Military Munitions" should include CWS as stated in the ASR, as well as buried drums not yet located that contain unidentified substances.

**Page 7, Line 6.** Members of the ASB should be selected and assigned by qualified independent parties following an RFP process. Due to the interdependent relationship the Ecology has developed with the Parties, it is doubtful whether any one or all of them together could be objective in choosing and appointing an ASB board.

**Page 8, Line 24.** Identification of unused munitions stored, used and disposed of on-site should contain a disclaimer stating these munitions do not constitute all munitions used at the Site, but rather all known munitions.

**Page 8, Line 24.** Unused military munitions should buried drums not yet located that contain unidentified substances.

**Page 9, Line 18.** There is no complete record or inventory of used munitions on-site, either by the Dept of Defense or other U.S. training agencies, and there is no way to determine what munitions foreign militaries used for training.

**Page 9, Line 18.** Identification of used munitions should contain a disclaimer stating these munitions do not constitute all munitions used at the Site, but rather all known munitions.

**Page 9, Line 18.** Used military munitions should include CWS as stated in the ASR and indicated in Congressionally-approved documents.

**Page 19, Lines 9 and 26.** Ecology may perceive the proposed remedial actions to be in the best interests of the public, *but not in the context of a free-range, behavior-modification regional park.*

**Page 21, Line 12.** Reconnaissance was conducted according to my understanding, not investigation.

**Page 29, Line 4.** Brush clearance of 10 feet around the inside perimeter of the property is inadequate as an emergency action. A much wider buffer would be required to protect private properties from clearance actions.

**Page 29, Line 5.** The fences should be defined in terms of type and height. They should be permanent, not temporary

**Page 37, Line 23 and Page 28, Line 3.** Effectiveness of the Maintenance Plan is not enough. Another component is the ability to implement the Plan.

## **Section 6: ESCA**

*General Response: The ESCA is a document that is prepared by the Army. It was not completed at the time that Ecology presented the Decree to the public for comment. Comments on the ESCA should be directed to the Army. Ecology will review the ESCA to assure that appropriate funding exists to achieve cleanup of the site. Ecology will consider information contained in the ESCA along with other information in order to make recommendation regarding transfer of the property.*

*Following are key comments related to the ESCA. Ecology is not responding to these comments as they do not pertain to the content of the proposed Decree.*

General

### **From Commenter 3:**

It also appears that the public is not being allowed to see all the elements of this proposed transfer, which for many people - myself included, see this as a violation of the public process.

What assurances does the public have that the entities that are poised to conduct the dangerous and complex clean-up of the site can be trusted to do the work safely, effectively, responsibly, and without endangering the public or the environment? As I understand it, one of these entities hasn't even been created yet as a Washington State Corporation.

How is it that the estimated clean-up of Camp Bonneville was estimated to cost \$140 million in 2003, and now it is proposed that it can be cleaned-up for only \$25 million? The public needs to know what is being included in these estimates and what is being funded by whom, and how.

Who is going to be the insurance carrier on this project, and will the coverage cover all possible contingencies?

What is to be done to clean-up the contaminated groundwater at Camp Bonneville, and how can a proposed new well for public drinking water be considered at the site without knowing the impacts it would have to the existing groundwater dynamics? Also, how would the public drinking water, underground aquifers, and surface water bodies be safe guarded from any new or spread of contamination?

### **From Commenter 19:**

Who is the insurance carrier?

### **From Commenter 6:**

Please, I implore you to hold the Army accountable for their actions and make them thoroughly clean up this site before turning it over to Clark County.

**From Commenter 9:**

**Page 3, Line 7.** The definitions do not include “liability” such as bodily injury or death, remedial action, cost cap, etc. It needs to be added in all its forms, and each paragraph that mentions liability must identify the type of liability it is referencing. It is unclear throughout the PPCD what type of liability is referenced.

**Page 8, Line 7.** The County should be required in this PPCD to indicate its intentions for reuse of the Early Transfer Parcel should the DNR Parcel not be approved for transfer by Washington State legislators.

**Page 11, Line 1.** It has not yet been determined how trees embedded with UXO will be harvested. This is critical to the revenue that will sustain the park. Cleanup plans for these trees have not been addressed. Could you comment on what remediation will be done?

**Page 15, Item (D)** Please provide specific information as to funds allocated by the Army for cleanup and a breakdown of the amount each agency will receive, including the BCRRT LLC.

**Page 15, Item (D).** What amounts will be reserved for Long-term Obligations?

**Page 16, Line 5.** Clark County will not hold title to the property during cleanup, it is assumed, because of liability issues. If that is the case, why is a Limited Liability Company holding title during cleanup? Can you explain what liability the LLC can absorb, and how it affects each Party’s liability (including the Army) during cleanup?

**Page 17, Line 8.** The Decree resolves short-term liability by transferring the property to a Limited Liability Company. Who exactly will be liable (in every context) during cleanup, since the BCRRT has only limited liability?

**Page 17, Line 24.** Please clarify: After transfer back to Clark County, will Clark County be liable *in perpetuity* for Long-Term Obligations such as fence maintenance and repair, public education (behavior modification), 24/7 Park Ranger, fire contracts, etc?

**Page 17, Line 24.** Could a list be provided of all the Long-Term Obligations for which Clark County will be liable?

**Page 18, Line 3.** Do the terms of the ESCA include funds for cleanup of the DNR Parcel? What will happen to the cleanup funds if DNR does not release its property?

**Page 18, Line 3.** The public does not understand how funds for Long-Term Obligations can be calculated *in perpetuity*. It appears as though an unfunded mandate will be required for Long-Term Obligations, which will put a burden on Clark County taxpayers.

**Page 18, Line 3.** If the need for additional Long-Term Obligations are identified at a later date, who will be responsible for funding of these Obligations? Again, this appears to be an unfunded mandate.

**Page 18, Line 6.** The Army is paying cleanup costs in addition to Ecology's costs. How much is Ecology getting? How much are BCRRT LLC and the County getting? How much of the funding will actually go toward cleanup?

**Page 43, Line 18.** Are Ecology's costs to be included in the ESCA cleanup funds?

**From Commenter 11:**

The public is not clear on the project budget and who the insurance carrier will be. The public is also not being allowed to see all the elements of this transfer.

**From Commenter 12:**

Lastly, members of the public have not been allowed to review the project budget prior to the expiration of the public comment period, and the project budget is still being negotiated. The public process requires that everyone have access to all elements of the clean-up plan, and this has been denied. It is impossible for the public to comment thoroughly on the plan without all available information, especially when the state has arbitrarily decided to shorten the public comment period to accommodate the property transfer on an accelerated timeline.

**From Commenter 18H:**

Also, I find it difficult to comment as a citizen on this component for a PPCD without having access to the project budget, and that the project budget is going to be finalized after public comments, so it appears we don't have any say or we don't have any ability to register comments on that particular process which, to me, seems like the cart before the horse, even under CERCLA covenant, that the public should be acknowledged throughout the entire process.

**From Commenter 15:**

**Item 7 page 2.** The Court must review the authenticity of the subject matter as being legitimate under MTCA and HWMA. The incomplete EA nullifies authenticity.

**Item IV (K) (L) page 5.** The non-validity of the BCRRT, LLC and the unresolved disclosure facts relating to this corporation, nullifies any public trust in a UXO and groundwater cleanup on a federal site used since 1909 for military weapons training. Assigning a pre-empted limited liability corporation under WA DOE's private or government owned cleanup properties with non-UXO issues may be typical and usual accepted practice. Yet, this practice should not set precedence or constitute good regulator business practice, management, and oversight in public health and safety for a PPCD with the magnitude of a UXO cleanup over 3800 acres. Any responsible

corporation should be established prior to a PPCD being filed. The owners, by laws, mission statement, and background should be available for review well before the PPCD was presented for CBMR Early Transfer.

### **From Commenter 7:**

**Page 25, Line 16.** "Based on the inadequacy of the statistically-based sampling approach, Ecology and EPA determined that there was insufficient data to support the findings of the draft EE/CA."

**Comments on Page 25, Line 16.** Since the sampling methods were determined to be unsuccessful, the ESCA and the FOSET need to reflect budget appropriations with more accurate sampling analyses in order to develop a more sound work plan

**Page 29, Line 18.** "(1) Conduct brush clearing and surface clearance of MEC within 10 feet of the interior of the CITA perimeter fence line."

**Comments on Page 29, Line 18.** Maintenance and operations should include the continued brush clearing of this fenceline in perpetuity. This is not mentioned, and it needs to be funded by the Army as part of the budget. Since the proposed \$25 million price cap includes \$10 million for the lead contractor and \$15 million to be split among the other 4 contractors, there is not sufficient funding to allow for maintenance and operations (including institutional controls) for the site in perpetuity. A funding mechanism needs to be clearly identifies for maintenance and operations costs.

**Page 33, Line 1.** "(E) Draft Long-Term Operation and Maintenance Plan, described in Paragraph 111 of this Decree, submitted to Ecology within sixty (60) calendar days of completion of the work required in the final CAP for RAU 2A, if required. "

**Comments on Page 33, Line 1.** This item should specify a long-term budget source from an identified revenue stream that is separate from remedial activities. Long term maintenance should not be an unfunded mandate, because this would become a burden to the taxpayers of Clark County. Maintenance and operations is supposed to be paid by the army in perpetuity.

### **From Commenter 16:**

In closing, your institutional controls and safety measures for future generations are very limited. You have not been able to provide the community with what the insurance policy covers, and what the limits are. You are closing public comment about the base transfer and left the community with a number of un answered questions. If you do not know what all the insurance covers, and who is responsible for it, how can you allow the governor to sign the transfer?

## **Section 7: Fire Prevention**

*General Response: Ecology does not have the authority to require fire prevention measures. It is the responsibility of the Clark County to assure that proper planning for fire prevention and fire response are conducted. Comment regarding fire prevention and response should be directed to the County.*

*Following are key comments related to fire prevention. Ecology is not responding to these comments as they do not pertain to the content of the proposed Decree.*

### **From Commenter 12:**

The cost to Clark County of remedial activities and associated administrative costs alone will deplete the clean-up budget, and there will be no money left to manage the property (including fire response at \$20,000 annually) for twenty-five years, let alone a hundred years or more. This means the local residents will have to pick up the slack in the long run.

Once the agreements have been signed, the County will not be able to recall the Army into additional clean-up plans for contaminants or hazardous waste within areas that were not thoroughly assessed or characterized. In other words, all parties are aware that there is an unknown quantity of explosive/hazardous materials hidden within the Central Impact Target Area and associated Artillery Firing Ranges.

### **From Commenter 12:**

There has been no plan identified for firefighting on the Camp Bonneville property. The Department of Natural Resources has indicated that it will not send firefighters into an area that is known to contain explosives. This leaves the community to question the public safety, especially for the homeowners adjacent to the Camp and park users. Add explosives to this scenario, and obviously, human casualties and extensive property damage are likely to occur. This is a serious public safety and liability issue that has not been addressed, and the County will inherit the cost burden of fire protection.

It seems unbelievably obvious that this Camp Bonneville property is NOT appropriate for a public park.

### **From Commenter 3:**

How would the possibility of a fire at the site be safely and adequately put out, given that many outside resources would have to be brought in quickly to combat a fire, and that there is a multitude of known/unknown or un-located explosives and contaminants on site?

**From Commenter 9:**

**General Comment 3.** Ecology has refused to address fire issues relative to UXO, stating it is not a cleanup issue. Fire response needs to be addressed by Ecology because, if UXO cannot be removed from the site, there will be no fire response. This impacts all on the property who are in and around UXO on trails and other areas. Without proper site-wide clearance of UXO to a depth of >14 inches, public health and safety cannot be protected if a fire breaks out on site.

**From Commenter 9:**

**Page 28, Line 23.** As of July 1, there will be no fire suppression plan in effect for Camp Bonneville. There will be no contracts in place, and it is questionable whether there will be any contracting agencies. Fort Lewis will no longer back up DNR and the County for fire suppression. The RAU-3 Emergency Action Plan should include a plan for fire suppression and emergency fire response.

**From Commenter 16:**

We have requested a written fire fighting plan from the respective agencies. There does not appear to be one, as all our requests have been denied. What type of protection should we expect from our state and local government? Our requests have fallen on deaf ears to date. We have expressed legitimate concerns and been told that the DOE will take this concern under advisement.

**From Commenter 18H:**

There needs to be someplace, if this isn't the proper document, elements that address the fire protection, as other people have mentioned. Also, there is a conflict with Indian archeological studies; there was testimony given about an Indian village called Simsic (ph) that is believed by some parties to exist within the Camp Bonneville properties, and I don't believe that that conversation has been sufficiently addressed.

I realize that there are archeological protections that will be afforded under this program, but I wanted to speak on behalf of those concerns, as well.

**From Commenter 15:**

The PPCD must contain a statement regarding Fire Protection during interim ownership and planned during Clark County ownership.

**From Commenter 7:**

**Page 28, Line 23.** “For **RAU 3**, the BCRRT LLC shall conduct emergency actions for the purpose of restricting access to the Property during the investigation and cleanup of the Property and reducing the threat to human health and safety associated with military munitions and other contamination located within the Property. Those emergency actions shall include, but shall not be limited to, the following:”

**Comments on Page 28, Line 23.** This item should include the immediate need for fire protection and fire fighting emergency response.

## **8: Reuse, Future Land Use**

*General Response: The future land use of the Camp Bonneville property is not determined by Ecology. Following are key comments related to future land use. Ecology is not responding to these comments as they either do not pertain to the content of the proposed Decree or fall outside the agency jurisdiction. Comment regarding future land use can be directed to the County.*

### **From Commenter 3:**

As a resident and taxpayer of Clark County Washington, I don't understand why the Washington State Department of Ecology and Clark County are trying to fast track an early transfer of Camp Bonneville instead of putting a higher priority on public safety and public outreach of this project. There has been inadequate and minimal attempts to inform the public of the complex dangers that not only currently exist at Camp Bonneville, but also during and after the proposed conversion of this site into a public park. Since the public care ultimately the owners and wage payers of the governments overseeing the current and future management of this site and have to live with it and around it, there should be far more emphasis given to providing the public plenty of opportunities (especially with public meetings) to ask questions and receive answers about how the site can best be safely cleaned up and utilized without creating increased threats to the safety of the public and the environment.

### **From Commenter 11:**

I believe that a fast track transfer of "dirty" property is not in the best interest of the public. Much more discussion is critical.

At this time when we have young men and women overseas risking their lives to allow for the U.S. citizens to maintain their quality of living on American soil, it would be a great dishonor to allow for less than a responsible 100% clean-up of this land.

### **From Commenter 12:**

I am writing in opposition to the proposed "dirty transfer" of Camp Bonneville from the US Army to Clark County. The Camp Bonneville property will transfer while it is still contaminated and covered with unexploded ordnance and munitions/explosives.

Clark County intends to use at least part of the area as a free range public park. Clark County will never be able to accomplish the clean up necessary for it to be safe enough for the public.

There has not been adequate risk assessment performed at Camp Bonneville which means the County will be accepting an undefined amount of risk in taking over the property.

Clark County now estimates the cost of the clean-up at \$25 million, despite early Army studies indicating it would cost more than \$100 million. The extent of contamination is unknown. There is no reliable data available to determine how many Howitzer missiles lay hidden in the Artillery Firing Ranges, and if those missiles exited the boundaries of the Camp and lay hidden beneath homes that were later built in neighborhoods immediately adjacent to the Camp. One thing is known for certain – 70% of the Camp will never been completely void of explosives, and all parties are aware that bombs will remain on site in perpetuity.

**From Commenter 18A:**

I'm representing the Veterans, I'm also from the Camp Bonneville Restoration Advisory Board. My questions are primarily oriented from the Veteran's standpoint. Willamette Cemetery, over here in Portland, is only two years away from being full. In '08, they're going to start stacking bodies up in the back of the woodshed. So we're looking for a cemetery site. We think Camp Bonneville is an ideal place; we think it fits ecologically. We put the cemetery on the Western end of the property, the balance of the property being watershed wildlife refuge, and let the timber grow up into old growth.

The Veterans applied for this back in 1997, another person did, and then I applied again in 2000. We were told, no, both times. We feel we've been discriminated against, and we think that this whole process should be set back to square one and reconsidered all over again because of the additional new information that has been found, and new characterization and discrimination against the Veteran community.

**From Commenter 18C:**

There's a better use for that place out there, and I think that better use would be to take it and use it as a cemetery for our veterans, and I would like to state my opinion that we should use it that way.

**From Commenter 18D:**

It should not be Clark County's property; it should be the Veterans. The timber that we spoke about is worthless, as DNR states it in all of their reports.

**From Commenter 18F:**

We need more burial grounds for our Veterans. I've noticed that we keep having more wars and keep sending more bodies home, and we've got more Veterans to bury, and we're about out of place to bury them on the West Coast. We could have the Arlington National Monument of the West Coast right here. And if you folks wanted to, we could all get together and name it Fort Vancouver National Cemetery or something like that. I think that both us and Clark County could rise to no higher calling than to stop this

process and restart the process and to establish a national cemetery for our military and war dead.

**From Commenter 18G:**

Lastly, I'd like to make an observation. The congressionally mandated Camp Bonneville advisory board, has met monthly for years. This board has reviewed all of the same information that Ecology and the Army have reviewed. They have reviewed everything that everyone else has seen. At a recent meeting, the board issued a formal advisory stating that no amount of cleanup will ever be sufficient for free range regional public park.

**From Commenter 7:**

**Page 26, Line 24.** "Under the amended Order, the Army continued to monitor ground water in site-wide monitoring wells."

**Comments on Page 26, Line 24.** According to the Groundwater Monitoring Data Evaluation Report for Camp Bonneville (prepared for the Army by Calibre, April 10, 2006), the Army recommends the decreasing of monitoring sampling dates or the cessation of monitoring. This is unacceptable, and monitoring should continue in a timely fashion until such time as the groundwater contamination has been completely remediated.

**From Commenters 10 and 6:**

There are so many things to discuss about Camp Bonneville that to include them all here would take weeks to read.

Camp Bonneville is literally a Superfund site that must be cleaned up before being turned into a park. Families, children and pets are not safe from the Camp's legacy of Unexploded Ordinance, or the undetermined amount of toxic chemicals that have been dumped there for years.

Many of us have pets. I have a dog. If I am out at the beach or some other outdoor recreation area I often throw a stick or a ball for him to fetch. Sometimes he runs off and brings back some of the strangest (and sometimes smelliest) things for me. He treats these things like prizes. Cats will often do this too. They can bring things into the house like dead mice and they make you wonder "what in the world is that"? Children are that way too; always curious and eager to learn.

What would you do if you lived near Camp Bonneville in a new home and your small child, perhaps 5-7 years old wanders outside to play, only to return 10 minutes later asking the question "Daddy, what is this"? When you turn around you find your child is

holding what appears to be an unexploded mortar round. What would you do? How would you react?

If you think that this is a remote possibility, think again. It could happen. While the Army may think this is an “acceptable” casualty, how would you feel if the mortar round exploded killing your son while he was carrying it to you?

Or, how would you react if you had just bought a house and not long after you developed a strange illness that was traceable back to a plume of contaminated drinking water that came from a Well that feeds your home that is located near Camp Bonneville?

If you think these scenarios cannot happen, think again.

The public is crying out for responsible government on this issue, and it is up to our State elected and appointed officials to help defend those cries. So far, I have not even seen a plan that comes close to describing the depth of problem that Camp Bonneville is. If not handled properly, it could bankrupt the county, make hundreds of people sick, and cause numerous “acceptable casualties” each year as the public ventures deeper and deeper into the area that was once the Camp.

Please, I implore you to hold the Army accountable for their actions and make them thoroughly clean up this site before turning it over to Clark County. Common sense dictates sound decisions, and as a citizen of Clark County, I want you to make certain that Camp Bonneville is safe and clean when it is turned over to the County. It is time to do what is right, not just what is popular.

### **From Commenter 13:**

I was horrified by Clark County's attitude that cleaning up the dangerous mess would be an uneventful task with safe results. ARE YOU CRAZY?

As far as I could tell, Clark County and those involved do not have their details worked out. No one seems to know what the project budget is, who the insurance carrier will be, and one of the non-profit entities conducting the cleanup has not even been created as a Washington State Corporation. The public is not being allowed to see all elements of this transfer, which I feel is a violation of the public process.

There are so many unknown hazards at this site that no one can reasonably assure citizens of what is really lurking out there. The clean-up team could find unexpected dangers (not an unlikely scenario).

The Army has the ability to dispute the team’s findings and refuse to fund any portion of the clean-up work plan devised by the team. The clean-up team’s manager explains that, although this is also a concern to the County and the clean-up team, the contract allows for a “dispute resolution” process. However, the Army has consistently displayed its lack of interest in dispute resolution, has refused to acknowledge Washington State Law

which resulted in the state filing an enforcement order against the Army for failure to abide by these state environmental laws. When the property transfer is complete, the state's enforcement order will be null and void. The Army's liability will have been reduced, and the County's liability increased.

As a taxpayer, I vehemently oppose being saddled with this ridiculous plan. A decaying ammo dump is no place for people and pets. As I said in an earlier letter "It is like putting a party dress on a corpse." Let us hope that the corpse does not turn out to be one of the neighborhood kids who just wanted to play in your "park".

#### **From Commenter 14:**

The transfer of Camp Bonneville to Clark County, with funds to complete the environmental cleanup and conduct the long term management of the property is the most ridiculous thing I have ever heard of. Clark County officials are making a big mistake taking on this property and the cleanup. The property is full of unexploded ordinance, contaminated with who knows what and generally a total environmental hazard. It is an accident waiting to happen! It is pretty obvious that you do not mix unexploded bombs, contaminated water and ground with humans especially human children. Who in their right mind thinks this property will make a wonderful camping, hiking, outdoor activities park? The county officials spearheading this project should have their heads examined!

#### **From Commenter 16:**

Please accept these comments for the record on the base transfer. Arguably, Autumn Hills has the most risk associated with the base transfer. We have asked for a seat at the table and desired to become involved in the solution to this huge problem. We have been refused in our efforts to engage the polluter. In fact we have requested that the DOE look at our property and tell us what our risks are.

We have had the honor of various governmental employees visit our homes. We were told by Barry Rogowski not to dig our ponds during a tour of our property in 2005. Barry stated: "Do you think several strands of barbed wire could stop a 105 mm shell?" When asked for a letter from the DOE on what the safety status of our property is, we have been refused.

Should we allow our children to camp on our property under the impact fan or not? To date, we have been refused a letter, or a solution. To serve as a reminder, once the camp has been cleaned and returned to the county as a park, some 2,000 acres will be off limits to ground disturbance. Absent a UXO expert from Ft. Lewis, there shall be no ground penetration. However, five feet on our side of the fence the government has refused to provide any solutions or assurances. Clark County itself has already violated the no disturbance by having their surveyors pound stakes on our side of the fence, this is under the same impact fan. It is my understanding that the County will not do this again.

**From Commenter 18A:**

We feel this is wholly inappropriate for a park. I used to use the term Murphy's Law is applicable. The kids will find UXO. Since I've found out that eight kids have already died in this type of manner, I don't even think it's Murphy's Law anymore. Somebody is going to be seriously injured.

**From Commenter 18H:**

Finally, I wanted to reiterate on the belief, as many of us have, that the reuse plan for a public regional park is unacceptable because of the risk.

**From Commenter 18J:**

This is just one of the most absurd things that people I know think has ever happened here. I think there is no question about whether or not this can be done correctly or thoroughly; somebody earlier said that they had full confidence, I think there's no question that people have lots of questions about this. And the farther you go in this process, the more the public hears about this, the more you're going to hear from the public.

I think the comparison to the post-war situation in Europe is an insult to us and to them; it's like apples and oranges. The reason that we exist here in the United States is that we do things differently, which is not to compare how they do it there, but you can't -- our environmental laws, our personal protection laws, our entire existence is based on an entirely different thing. So it's just insulting to compare us to a situation where they had a war on their home land. This is something we created with our own munitions; this is something we can control, and you're blatantly -- just blatantly ignoring some of the real dangers here.

You should listen to the Veterans and have respect for the Native American lands, and most of all, respect the interests and the health of the citizens here.

**From Commenter 18L:**

The Army and Ecology, as nearly as I can tell, actually have begun essentially collaborating on their respective documents. The PPCD and FOSET, which kind of places Ecology in a position of working collaboratively with the entity that it needs to oversee. And I think that is a little bit -- not a little bit. I think it actually puts a strain on the ability for Ecology to effectively monitor and oversee cleanup when the documents that have been prepared have been prepared jointly instead of separately, with separate concerns being addressed.

**From Commenter 18M:**

It's been widely publicized in the local newspaper that the County has a lot of park land that it cannot develop because it does not have the money to do so. I question why you want some more park land. I've got a loaded answer for you. You want the timber. I've got this piece of paper that came out of one of your documents. You think you've got 12 million bucks out there; I'm sure that's what you're after. There's not \$12,000,000 worth of timber out there. So it's an economic thing, on the part of the County, and we're going to fight it.

**From Commenter 17:**

I do not want to see a "dirty transfer" from the U.S. ARMY to Clark County of Camp Bonneville. The army and U.S. Government needs to step up and clean up the messes that they create. We as a people have polluted and destroyed our environment so bad that we are now seeing an explosion of cancer in almost every family in America.

We as a nation and government need to take responsibility for our fathers and grandfathers follies and clean up our environment, change the old attitudes and take responsibility for our environment, and STOP trying to pass the buck and weasel out of our responsibilities for the ecological disasters that we have created in the past. THE ARMY MUST BE HELD ACCOUNTABLE FOR THE TOXIC UNDERGROUND WATER CONTAMINATION IT HAS CREATED AND FOR THE UNEXPLODED ORDINANCE THAT STILL REMAINS ON THE PROPERTY BEFORE ANY TRANSFER OF PROPERTY TAKES PLACE TO CLARK COUNTY AND THE WHOLE THING EVENTUALLY GETS SWEEPED UNDER THE RUG! NO TRANSFER UNTIL THE SITE IS CLEANED UP!!!!

As a world we must clean up our environment. As the UNITED STATES OF AMERICA we should lead the way!

## **Attachment A**

### **Public Comments Received**

Clinton Gregg  
41410 NE Gerber McKee Road  
Amboy WA 98601  
Home # (360) 247-5689  
Cell # (360) 931-2300

April 15, 2006

RE: Comments about Camp Bonneville

Dear sir;

Can someone please explain to me why we are so quick to throw out the lessons we have learned in the past? The most important piece of information about any product can be found on the products label. Any product that is explosive or flammable says to "KEEP IN A COOL DRY PLACE". Yet when the EOD technicians start to clear the ranges of munitions or ordinances at Camp Bonneville it seems they always do it when the weather is the warmest and the volatility is at its highest. It seems to me that clearing the ranges would be best done in the winter months when things are at there wettest and while the trees are dormant and have shed there leaves for the winter. It certainly makes things easier to see thru the thick underbrush too.

If this project was mine to work and administer as I saw fit. Then I would clear the brush during the dormant winter months with an EOD Technician to sweep the area just forward of the area I was clearing with a hydraulic excavator, so there wouldn't be any surprises. In the summer I would grade out the cleared areas with a dozer and then roll the graded areas with a gang roller and then reseed the area in the fall. There a two reasons for doing it this manner. The first is the areas cleared of the brush could be mapped as being cleared and long term maintenance of these areas would be easy to mow and maintain as needed.

I have two pictures for a demonstration I would like to present to you of what I am speaking of. The first one is of a three acre patch of brush and pine trees I removed in February of 2004. The second is the finished result taken in August of 2004.



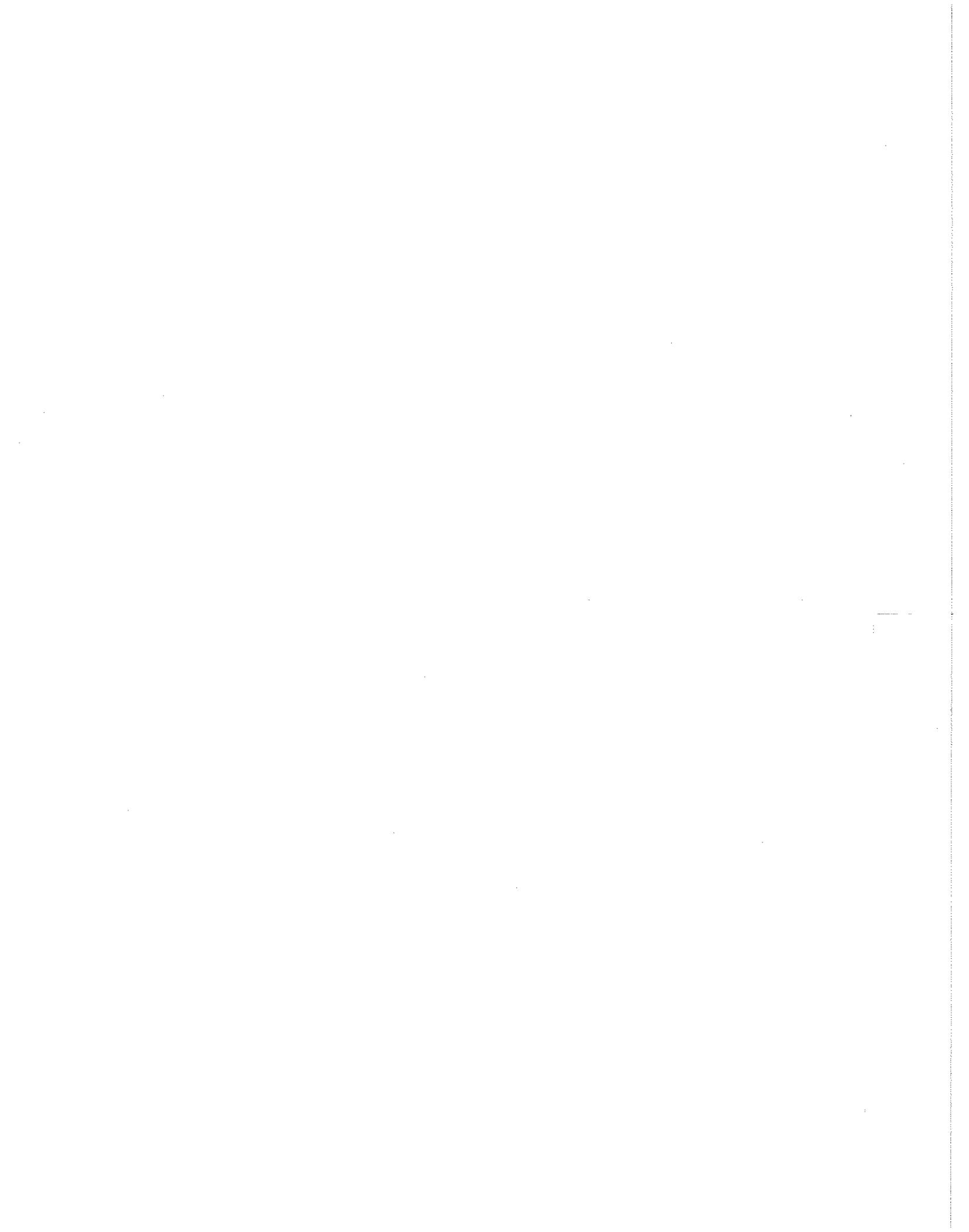
As you can see there is quite a stark contrast now. Our house can now be seen. In the first picture the pines had already been removed and burned, prior to taking the picture. The second picture was taken in August after completion. 90 percent of the work was done using a hydraulic excavator to remove all the brush and stumps. The site was then graded with a dozer and then rolled to a very smooth finish to help control surface run off and makes mowing a snap. The use of a gang roller is the same technique that

golf courses use to create a very smooth surface

I am wondering if there will be any work for small contractors to bid on in the future at Camp Bonneville? I have applied for a Washington State contractor's license and bond and I have a 40 hour HAZWAT that I received from UXB when I worked at Camp Bonneville as one of 40 local hires in 1998 I was the only local hire to actually stick around until the job was completed. There are more benefits to finishing a job, than there is to quit and run like everyone else did.

If a contract does come up for the brushing and site work, what will I need to be able to bid on that work?

Sincerely  
Clinton Gregg



2

Clinton Gregg  
41410 NE Gerber McKee Road  
Amboy WA 98601  
Home # (360) 247-5689  
Cell # (360) 931-2300

April 12, 2006

RE: Camp Bonneville Project

Dear sir;

I am so glad to finally see some forward movement on the Camp Bonneville Project.

I worked for UXB for 3 months during the assessment stage when we cleared by hand more than 100 test grids searching for unexploded ordinances and munitions for the Corp. of Army Engineers.

This project has many challenges that must be faced. The biggest problem that this project involves is the underbrush. It is quite heavy and thick in many areas. As an experienced Ex-Christmas Tree grower and Forest Laborer, we were always fighting the grass and disease in our fields of trees. I believe aerial spraying of a herbicide such as Velpar may be a viable solution in the open areas that have lots of grass and non-woody underbrush. Velpar will not hurt the established trees but will kill off a lot of grassy underbrush and will minimize the amount of hand labor that would be needed to otherwise clear these areas.

Woody areas that were in the artillery range are much more difficult area to assess. We found many unexploded 105 rounds and lots of other metal scrap in these areas. Access to these areas was poor and the roads definitely needed some grading to make them a little more accessible. These woody areas could be spot treated with Velpar or some other suitable herbicide, especially where there is lots of Salal. Salal is a woody evergreen plant with large glossy green leaves that grows to a height of 4 feet tall and generally covers large areas of shaded hillsides. Another method that could be used is to mount a mowing unit on a long arm hydraulic excavator. Long arm excavators are generally used to dig ponds and to reach areas that would otherwise be impossible or very costly to do otherwise. Simply a long arm excavator with a brushing cutting head is much like an oversized weed eater with the exception that it can reach out up to 120 feet in a 360 degree circle. It might also be possible to attach a spray head to the long arm excavator to spot treat these brushy areas while minimizing ground damage to sensitive areas that would be hard to treat otherwise.

Safety should be the first concern of everyone on this project. Removal of the brush is essential to that safety, without removing the brush first, there are no guarantees that all the unexploded munitions will be uncovered and disposed of safely.

I really enjoyed the time when I worked for UXB at Camp Bonneville and would gladly like to

get involved again working at Camp Bonneville. Should you have a need for an experienced equipment operator, consultant or contractor or even a forest laboree? Please ask.

Sincerely yours,  
Clinton Gregg  
(360) 931-2300

May 3, 2006

Ben Forson, Site Manager  
Ecology, Toxics Cleanup Program  
Bix 47600  
Olympia, WA 98504-7600  
email: [bfor461@ecy.wa.gov](mailto:bfor461@ecy.wa.gov)

RE: Prospective Purchaser Consent Decree

Dear Mr. Forson:

As a resident and taxpayer of Clark County Washington, I don't understand why the Washington State Department of Ecology and Clark County are trying to fast track an early transfer of Camp Bonneville instead of putting a higher priority on public safety and public outreach of this project. There has been inadequate and minimal attempts to inform the public of the complex dangers that not only currently exist at Camp Bonneville, but also during and after the proposed conversion of this site into a public park. Since the public are ultimately the owners and wage payers of the government overseeing the current and future management of this site and have to live with it and around it, there should be far more emphasis given to providing the public plenty of opportunities (especially with public meetings) to ask questions and receive answers about how the site can best be safely cleaned up and utilized without creating increased threats to the safety of the public and the environment.

It also appears that the public is not being allowed to see all the elements of this proposed transfer, which for many people - myself included, see this as a violation of the public process.

What assurances does the public have that the entities that are poised to conduct the dangerous and complex clean-up of the site can be trusted to do the work safely, effectively, responsibly, and without endangering the public or the environment? As I understand it, one of these entities hasn't even been created yet as a Washington State Corporation.

How is it that the estimated clean-up of Camp Bonneville was estimated to cost \$140 million in 2003, and now it is proposed that it can be cleaned-up for only \$25 million? The public needs to know what is being included in these estimates and what is being funded by whom, and how

Who is going to be the insurance carrier on this project, and will the coverage cover all possible contingencies?

What is to be done to clean-up the contaminated groundwater at Camp Bonneville, and how can a proposed new well for public drinking water be considered at the site without knowing the impacts it would have to the existing groundwater dynamics? Also, how would the public drinking water, underground aquifers, and surface water bodies be safe guarded from any new spread of contamination?

In regards to the proposed public safeguards of relying on the use of limited fencing and signage to keep the public away from areas that aren't intended to be cleared of potential explosives/hazards, I find this to be completely unacceptable, and irresponsible of the project planners to even consider that this would be an acceptable means of allowing people to access the general area for recreation and risk the life of someone that could still come into contact with existing life threatening dangers.

With the proposed "buffer zones", to what depth are the munitions and contaminants to be removed to? Also, how are existing and future property owners and home owners adjacent to or outside the site boundary and within the firing range outfall areas from Camp Bonneville to be safeguarded from explosives and contaminants?

How would the possibility of a fire at the site be safely and adequately put out, given that many outside resources would have to be brought in quickly to combat a fire, and that there is a multitude of known/unknown or un-located explosives and contaminants on site?

I believe that there are much safer alternatives for use of this site than to risk the lives and liabilities of developing it in the current proposed park form.

This site needs to be completely and responsibly cleaned up for the protection of the environment and future generations.

Thank you for the opportunity to comment on this very important issue.

Sincerely,

Daniel Swink  
PO Box 61884  
1612 E 29th St  
Vancouver, Washington 98666  
[drswink@pacifier.com](mailto:drswink@pacifier.com)

4

May 19, 2006

Mr. Ben Forson  
Camp Bonneville Project Manager  
Washington State Department of Ecology  
Olympia, WA

RE: Comments for Prospective Purchaser Consent Decree

Dear Mr. Forson,

Thank you for the opportunity to comment on the PPCD for the Camp Bonneville Early Transfer.  
Please enter this letter in the administrative record.

I object to the "dirty" early transfer of the property to the BCRRT LLC and Clark County for use of a regional park under the grounds that the PPCD does not provide remedial actions that protect human health and the environment. The Department of Ecology's driver for cleanup selection is the Model Toxics Control Act. The steps that lead to a remedy selection have lacked clear site data.

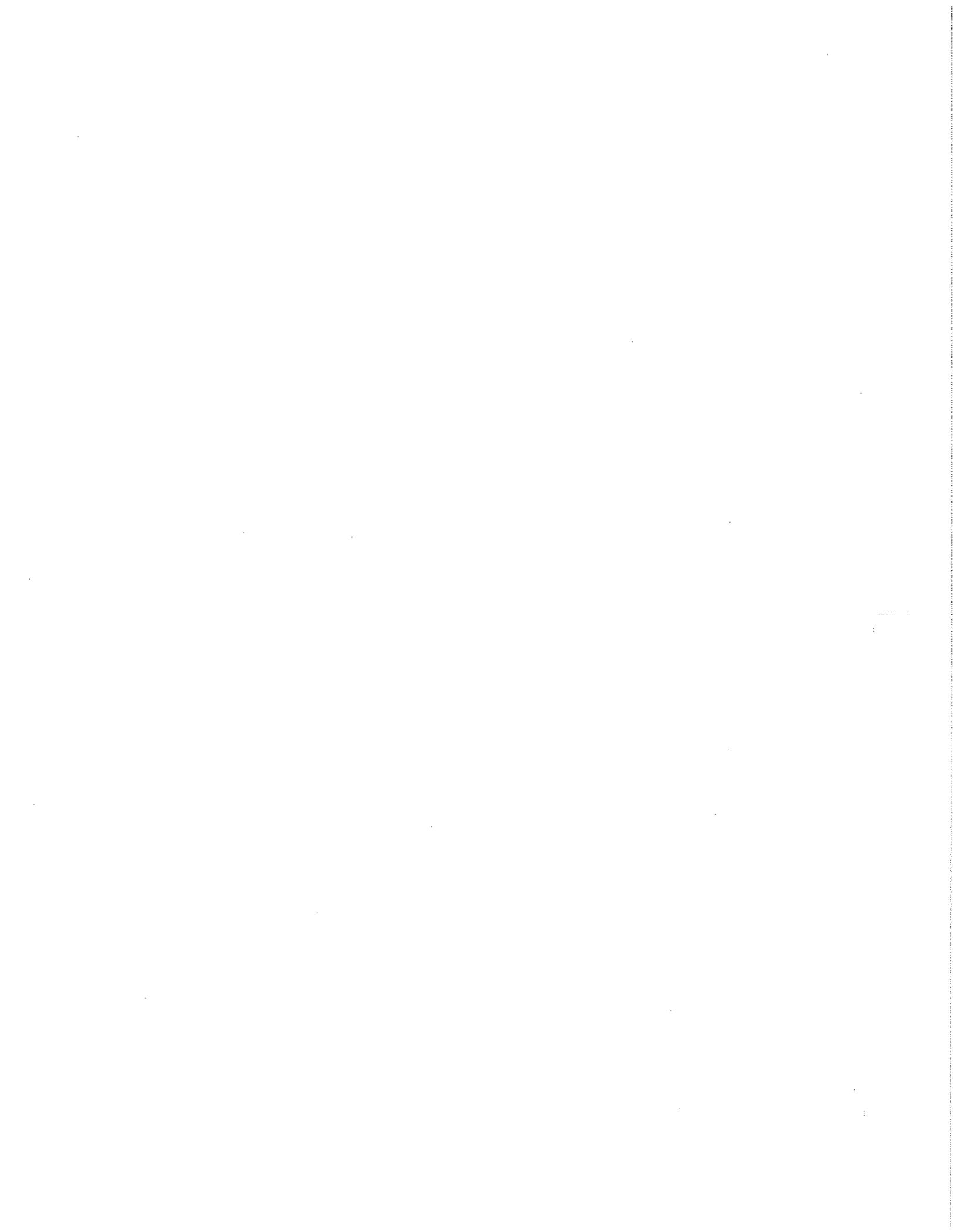
Speaking specifically to the unexploded ordnance hazard: "Discovery" of the contamination is not feasible, "Initial Investigation" has not taken place due to the cost, and "Hazard Rankings/Site Hazard Assessments" have not been realistic due to the fact that any level of exposure would be catastrophic. Eliminating all risk at a site like this is not realistic, so the remedy the State of Washington is allowing is the use of institutional controls. The use of IC's is not viable. With the free range park under proposal, currently the exposure parameters would be comprehensive; thus requiring a default "cleared of UXO hazard."

I feel the MTCA regulation does not directly address the severity of UXO. I do not feel that the RI/FS for RAU 3 and the PPCD protect the health of our community.

Please consider for this project and the PPCD a branch of the "dangerous wastes/constituents" definition that addresses the single one-time exposure risk to UXO for the citizens. By default, it would require a different approach to the reuse and the proposed IC's.

Thank you and look forward to a reply.

Sincerely,  
Christine Sutherland



Washington State Department of Ecology  
April 16 2006  
Public Comment on Prospective Purchaser  
Consent Decree RE: Camp Bonneville

The Washington State Department of Ecology has gained my over all confidence through the course of this project. I have no question that the cleanup will be done as thorough as our technology permits today. After reviewing the Prospective Purchaser Consent Decree there are a few issues I would like to comment on.

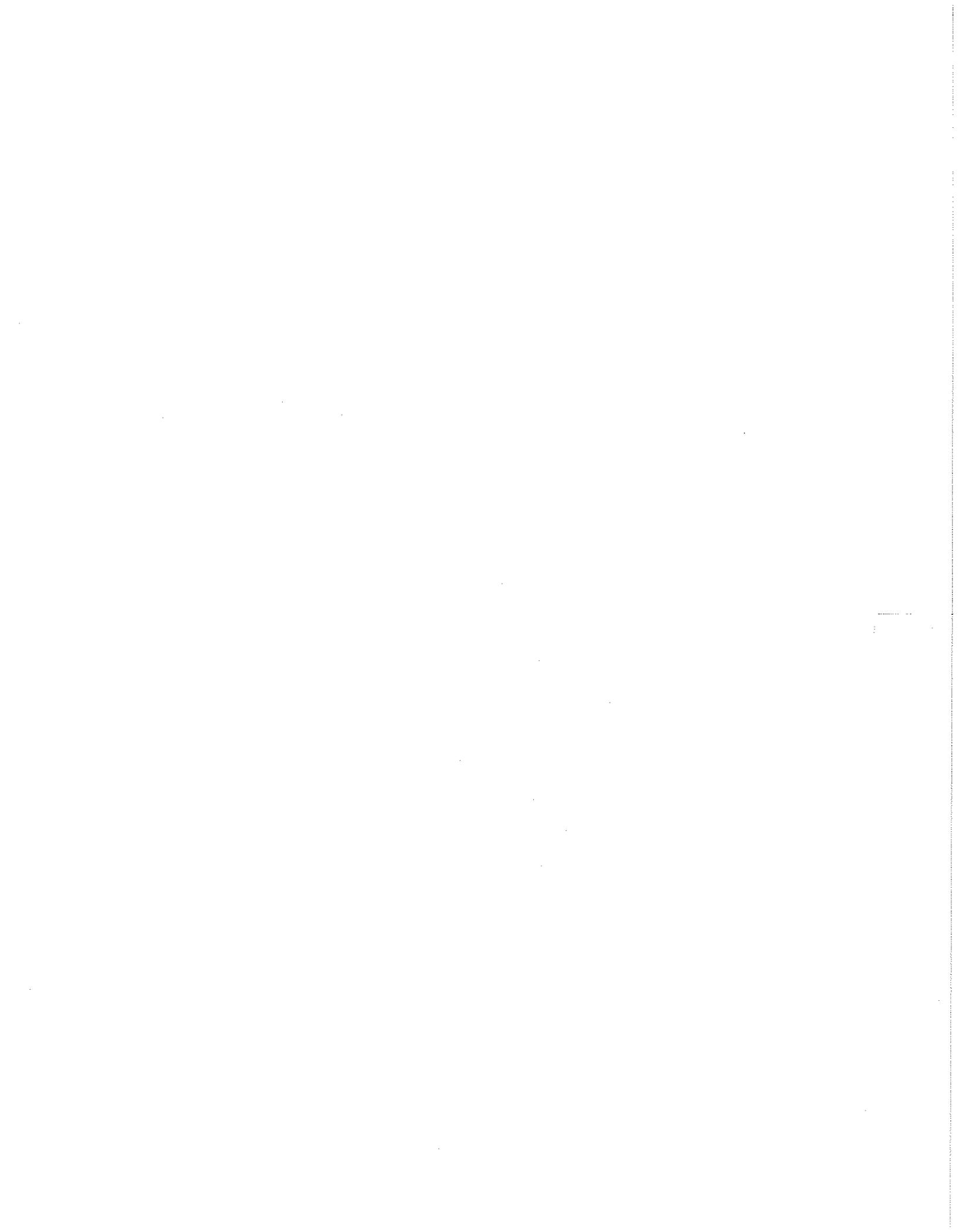
As of this week Clark County is adopting a new wetland ordnance. May I suggest that DOE review the out come and apply what measures are needed to be within its compliance.

I would also like to ask DOE to be in close communication with The Washington State Department of Fish and Wildlife through this entire process. They know what animals are in Camp Bonneville. The time of year each species would be most or least affected by a cleanup action. What they need for their survival. For example we see a dead tree as an eye sore. Actually it has bugs in it the woodpecker needs for its source of food. Department of Fish and Wildlife can point out nesting areas and corridors. Give advise on how an action may or may not effect them as well as suggestions on how to do it with the least amount of impact.

I would also like to ask DOE and the Department of Fish and Wildlife to consider the construction of Autumn Hills subdivision as having an impact on the wildlife through the entire area around Camp Bonneville.

With consideration to the comments above The Washington State Department of Ecology certainly has my consent to precede with the restoration of Camp Bonneville.

Sincerely  
Don Wastler  
PM Box 405  
6700 N.E. 162nd Av. #611  
Vancouver Washington  
98682



6

Mr Forson,

I am again writing to you about the mess that is Camp Bonneville

There are so many things to discuss about Camp Bonneville that to include them all here would take weeks to read.

Camp Bonneville is literally a Superfund site that must be cleaned up before being turned into a park. Families, children and pets are not safe from the Camp's legacy of Unexploded Ordinance, or the undetermined amount of toxic chemicals that have been dumped there for years.

Many of us have pets. I have a dog. If I am out at the beach or some other outdoor recreation area I often throw a stick or a ball for him to fetch. Sometimes he runs off and brings back some of the strangest (and sometimes smelliest) things for me. He treats these things like prizes. Cats will often do this too. They can bring things into the house like dead mice and they make you wonder "what in the world is that"?

Children are that way too; always curious and eager to learn.

What would you do if you lived near Camp Bonneville in a new home and your small child, perhaps 5-7 years old wanders outside to play, only to return 10 minutes later asking the question "Daddy, what is this"? When you turn around you find your child is holding what appears to be an unexploded mortar round. What would you do? How would you react?

If you think that this is a remote possibility, think again. It could happen. While the Army may think this is an "acceptable" casualty, how would you feel if the mortar round exploded killing your son while he was carrying it to you?

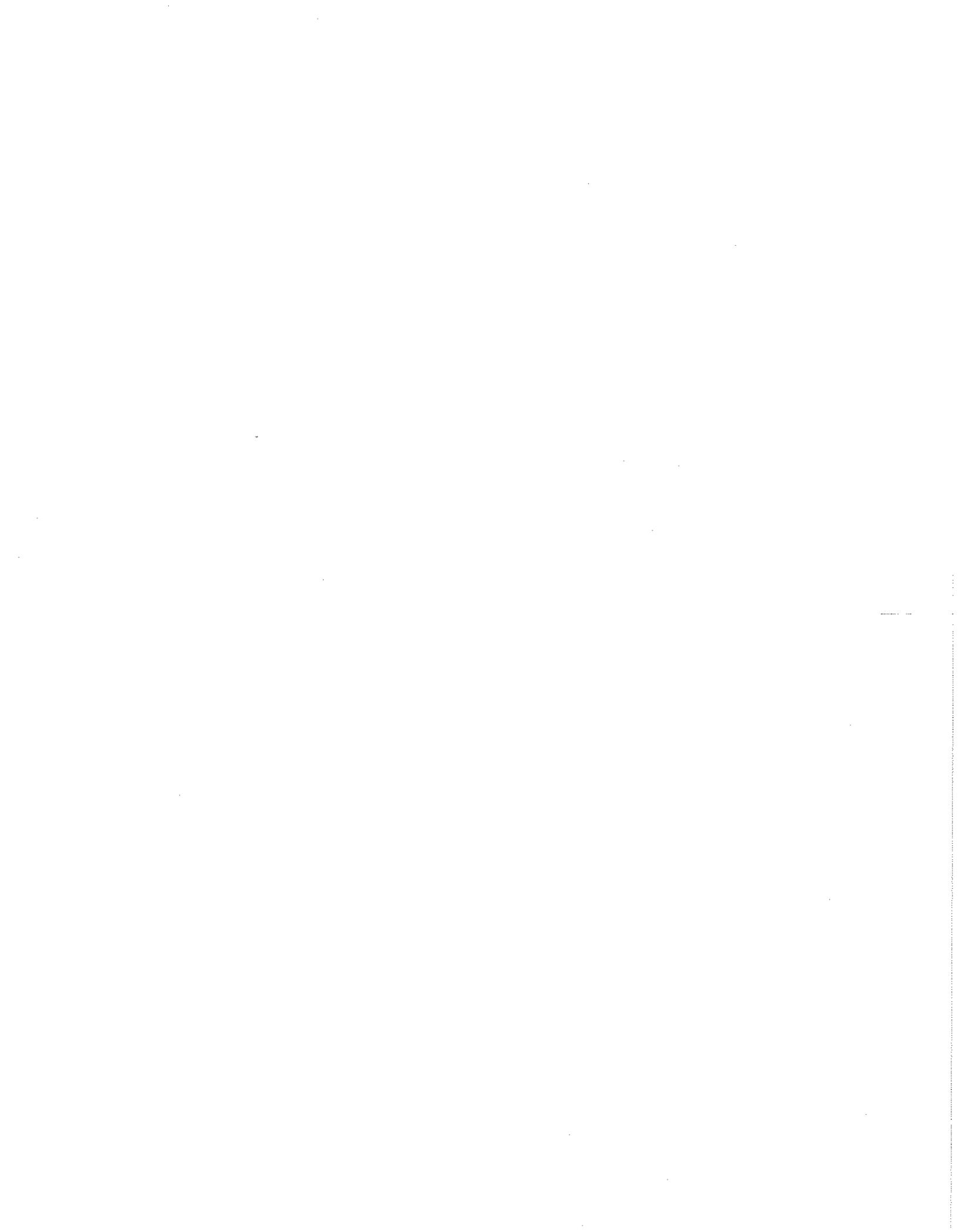
Or, how would you react if you had just bought a house and not long after you developed a strange illness that was traceable back to a plume of contaminated drinking water that came from a Well that feeds your home that is located near Camp Bonneville?

If you think these scenarios cannot happen, think again.

The public is crying out for responsible government on this issue, and it is up to our State elected and appointed officials to help defend those cries. So far, I have not even seen a plan that comes close to describing the depth of problem that Camp Bonneville is. If not handled properly, it could bankrupt the county, make hundreds of people sick, and cause numerous "acceptable casualties" each year as the public ventures deeper and deeper into the area that was once the Camp.

Please, I implore you to hold the Army accountable for their actions and make them thoroughly clean up this site before turning it over to Clark County. Common sense dictates sound decisions, and as a citizen of Clark County, I want you to make certain that Camp Bonneville is safe and clean when it is turned over to the County. It is time to do what is right, not just what is popular.

John Felton  
Vancouver



7

Resent -- please use this version for the record and discard the earlier version that was sent.

////////////////////

Public Comment on the Prospective Purchase Consent Decree for Camp Bonneville Military Reservation

From: Dvija Michael Bertish

To: Washington State Department of Ecology

Deadline for Submittal -- May 19, 2006

Please acknowledge receipt of these public comments via return email. Please add these comments to the administrative record for this document and all related proceedings.

The comments below are organized into two parts. The first part of each comment is the direct quotation from the draft PPCD document with the page and line number cited. The second part consists of comments specific to the page and line item quoted, directly following the quoted section.

**Page 5, Line 3**

"K) "Cleanup Obligations" mean the obligations of the BCRRT LLC under this Decree to develop and conduct the remedial actions that are necessary to complete the investigation and cleanup of the Property. These obligations are more specifically described in Section X.C of this Decree. "

**Comments on Page 5, Line 3**

This definition should clarify that the property will never be completely cleaned up, and the property will never be entirely void of MEC or some contaminants. The "Cleanup Obligations" should specify that the property will only be cleaned in accordance with specific work plans, and that these work plans do not provide for remedial activity to completely clean the property and make it entirely void of MEC and other toxic contaminants.

**Page 10, Line 1**

"Several areas throughout the Camp Bonneville Military Reservation were used for the disposal of military munitions. At least three areas of the CBMR were used for the disposal of military munitions by open burning or open detonation (OB/OD). "

**Comments Page 10, Line 1**

This item should mention that disposal included drums that were buried (containing unidentified substances) and that said drums have not yet been located.

**Page 10, Line 19**

"The presence of the constituents of those military munitions, including perchlorate and the explosive compounds RDX and HMX, in the soil and ground water."

**Comments on Page 10, Line 19**

Said munitions include mercury, lead, and chromium, and these contaminants should be included in this list as they were indicated in the groundwater plume, even at levels that surpass National Toxics Rules.

**Page 15, Line 10**

"The Army's determination is set forth in the FOSET. At a facility not on the National Priorities List (NPL), the Governor of the state in which the facility is located makes the final determination that the property is suitable for transfer."

**Comments on Page 15, line 10**

At the May RAB meeting, an Army representative acknowledged that the Army and Washington DOE coordinated the public comment periods to run concurrently for the FOSET and the PPCD documents. The Army refused to extend the comment period on the FOSET, despite the fact that the document was provided to the public two weeks into the four week comment period. It is inappropriate for these documents to be within simultaneous public comment periods, especially without access to budget projections, the ESCA agreement, risk assessment for end-users, and insurance plans.

**Page 17, Line 1**

"This Decree is entered prior to Clark County or the BCRRT LLC acquiring an interest in the Property and will resolve their potential liability for known or suspected contamination at the Site."

**Comments on Page 17, Line 1**

This section should identify the party liable for **unknown** or **unsuspected** contamination at the site.

**Page 17, Line 10**

"This Decree contains a program of remedial actions designed to protect human health and the environment from the known, suspected, or threatened release of hazardous substances at the Property based upon Clark County's Reuse Plan described in Section VI.C of this Decree. The program is described in Section X of this Decree. The program, which includes both Cleanup Obligations and Long-Term Obligations, covers the entire Property, including both the Early Transfer Parcel and the DNR Parcel"

**Comments on Page 17, Line 10**

The re-use plan, Clean-up Obligations, and Long-Term Obligations were designed without the implementation of risk assessment modeling, programs commonly available to UXO remediation firms. This item needs to specify that no professional or formal risk assessment was included.

**Page 18, Line 17**

"Based on this settlement and the foregoing facts and determinations, Ecology has determined that the redevelopment of the Site is not likely to contribute to any existing or threatened releases

at the Site, interfere with any remedial actions that may be needed at the Site, or increase health risks to persons at or in the vicinity of the Site."

**Comments on Page 18, Line 17**

Groundwater monitoring at the Landfill 4 remediation site showed a spike in groundwater contaminant load after removal of up to 27 feet of soil. Hydrogeologic monitoring has not been conducted sufficiently to determine if remedial activity will release contaminant load into surface water through groundwater migration. It is premature for DOE to make the statement that redevelopment of the site will not cause adverse impacts to public health or the environment as the groundwater plume has yet to be remediated successfully. There is currently no potable water available on site due to the contaminant load from the groundwater plume. Also, the county plans to harvest timber – this could be dangerous because of UXO within the timber itself, or buried in the forested areas. Thus, redevelopment could contribute to toxic releases.

**Page 19, Line 3**

"Based on the presence of these hazardous substances at the facility and all factors known to Ecology, there are releases and threatened releases of hazardous substances from the facility, as defined at RCW 70 105D.020(20). 48. The releases and threatened releases of hazardous substances from the facility pose a threat to human health and the environment. 54. Based on the presence of these military munitions at the facility and all factors known to Ecology, there are releases and threatened releases of dangerous wastes and/or dangerous constituents from the facility, as defined in WAC 173-303-040."

**Comment on Page 19, Line 3**

These statements clearly note that hazardous releases of toxic substances is possible, which conflicts with the prior statement that Ecology has determined that redevelopment of the site is not likely to contribute to toxic releases (See page 18, Line 17). Again, redevelopment could contribute to toxic releases, and the prior statement should be corrected to reflect this possibility.

**Page 22, Line 21**

" In 1997, based on the initial site investigations and archive searches, the Army identified releases and threatened releases of hazardous substances at the 21 small arms ranges comprising RAU 2A. In November 2001, the Army conducted additional investigations to better define the location and geographic characteristics of the small arms ranges. "

**Comments on Page 22, Line 21**

This section should note that the archive search report was incomplete, and members of the public are continuing to locate additional historical documents. There may have been additional toxic releases beyond those found at the small arms ranges. Again, there are historical documents that show the Army buried metal drums with unknown substances, but these drums have yet to be located, and remedial activity for said drums has not been included in work plans.

**Page 25, Line 16**

"Based on the inadequacy of the statistically-based sampling approach, Ecology and EPA determined that there was insufficient data to support the findings of the draft EE/CA."

**Comments on Page 25, Line 16**

Since the sampling methods were determined to be unsuccessful, the ESCA and the FOSET need to reflect budget appropriations with more accurate sampling analyses in order to develop a more sound work plan.

**Page 26, Line 21**

" As of the effective date of the amended Order, the draft Long-Term Ground Water Monitoring and Contingency Plan had not been submitted to Ecology. "

**Comments on Page 26, Line 21**

A contingency plan to infuse aerobic bacteria into the groundwater plume needs to be established. Monitoring indicates that the plume is not getting better over a year's time after removal of the suspected contaminant sources. Remedial activity should not be delayed due to the Army's failure to produce a contingency plan.

**Page 26, Line 24**

"Under the amended Order, the Army continued to monitor ground water in site-wide monitoring wells."

**Comments on Page 26, Line 24**

According to the Groundwater Monitoring Data Evaluation Report for Camp Bonneville (prepared for the Army by Calibre, April 10, 2006), the Army recommends the decreasing of monitoring sampling dates or the cessation of monitoring. This is unacceptable, and monitoring should continue in a timely fashion until such time as the groundwater contamination has been completely remediated.

**Page 28, Line 23**

"For RAU 3, the BCRRT LLC shall conduct emergency actions for the purpose of restricting access to the Property during the investigation and cleanup of the Property and reducing the threat to human health and safety associated with military munitions and other contamination located within the Property. Those emergency actions shall include, but shall not be limited to, the following: "

**Comments on Page 28, Line 23**

This item should include the immediate need for fire protection and fire fighting emergency response.

**Page 29, Line 6**

"If either an item of MEC or a pattern of similar forensic evidence of a particular type of military munitions is found within a boundary grid, then also conduct step-out clearance as defined in Section IV of this Decree."

**Comments on Page 29, Line 6**

All discoveries of MEC should be mapped and this information should be provided to all emergency responders in a timely fashion.

**Page 29, Line 11**

"the Anomalies Selection Board (ASB), which is defined in Section IV of this Decree, shall determine whether detected surface and subsurface anomalies should be further investigated and remediated."

**Comments on Page 29, Line 11**

The members of this board need to be clearly identified as do techniques for subsurface investigation, quality assurance procedures, and an explanation of what standards are to be applied for such investigation.

**Page 29, Line 18**

"(1) Conduct brush clearing and surface clearance of MEC within 10 feet of the interior of the CITA perimeter fence line."

**Comments on Page 29, Line 18**

Maintenance and operations should include the continued brush clearing of this fenceline in perpetuity. This is not mentioned, and it needs to be funded by the Army as part of the budget. Since the proposed \$25 million price cap includes \$10 million for the lead contractor and \$15 million to be split among the other 4 contractors, there is not sufficient funding to allow for maintenance and operations (including institutional controls) for the site in perpetuity. A funding mechanism needs to be clearly identified for maintenance and operations costs.

**Page 29, Line 20**

"If an item of MEC is found within a grid of the designated clearance area, then remediate that item."

**Comments on Page 29, Line 20**

A safety zone needs to be identified if MEC is discovered. If residents fall within a specified safety zone, then those residents need to be evacuated prior to remediation in order to protect public health and safety.

**Page 29, Line 22**

"The step-out grid(s) for this action shall be 100-feet by 100-feet and shall be surface cleared."

**Comments on Page 29, Line 22**

There needs to be a procedure identified if such a step-out for required clearance extends beyond the perimeter fence line.

**Page 29, Line 23**

"As data is collected during the surface clearance, the Anomalies Selection Board (ASB), which is defined in Section IV of this Decree, shall determine whether detected surface and subsurface anomalies should be further investigated and remediated. "

**Comments on Page 29, Line 23**

Again, the members of the ASB need to be clearly identified, as do the standards that will be used to determine analysis of anomalies in accordance with established quality assurance plans.

**Page 30, Line 4**

"Within thirty (30) calendar days of the transfer of the Early Transfer Parcel from the Army to Clark County, Clark County will record interim restrictive covenants with the office of the Clark County Auditor. The interim restrictive covenants will:

- (1) Prohibit public access to the Property;
- (2) Restrict use of ground water from the Property; "

**Comments on Page 30, Line 4**

This section needs to identify the kinds of groundwater use that will be allowed since it will only be restricted and not prohibited.

**Page 30, Line 21**

" For **RAU 2A**, the BCRRI LLC shall conduct interim actions for the purpose of facilitating future cleanup actions and reducing the threat to human health and the environment associated with lead and other contamination located in some of the small arms ranges identified and illustrated in Exhibit C. "

**Comments on Page 30, Line 21**

Published studies indicate that lead and other contaminants exist within the topsoil (wherever MEC/UXO are known to exist) and within the groundwater plume, not just in small arms ranges. The work plan needs to specify the kind of interim actions and future cleanup actions that will be employed to address this contaminant load beyond the small arms ranges.

**Page 31, Line 10**

"Draft final Interim Action Work Plan for RAU 2A, that reflects public comment, submitted to Ecology within ninety (90) calendar days of the effective date of this Decree. The Work Plan shall meet the submittal requirements in WAC 173-340-430(7)."

**Comments on Page 31, Line 10**

There must be a public forum provided continue the public review process – one that allows for public meetings to ask and answer questions about the Work Plans. Public forums must be available for completion of any RI/FS process, and there are several such investigative studies that will be completed by the BCRRI LLC. Each and every investigative study should be open for public comment and public meeting.

**Page 31, Line 19**

" Those interim actions shall include, but shall not be limited to, surface clearance of MEC within a 20-foot wide buffer zone adjacent to both sides of all roads and trails found within the Property including those roads and trails found within the CITA."

**Comments on Page 31, Line 19**

Surface clearance of MEC should be all inclusive, property-wide, not limited to buffer zones. It is unacceptable to perform restrictive surface clearance.

**Page 33, Line 1**

"(E) Draft Long-Term Operation and Maintenance Plan, described in Paragraph 111 of this Decree, submitted to Ecology within sixty (60) calendar days of completion of the work required in the final CAP for RAU 2A, if required. "

**Comments on Page 33, Line 1**

This item should specify a long-term budget source from an identified revenue stream that is separate from remedial activities. Long term maintenance should not be an unfunded mandate, because this would become a burden to the taxpayers of Clark County. Maintenance and operations is supposed to be paid by the army in perpetuity.

**Page 45, Line 12**

"The BCRRT LLC shall submit to Clark County and Ecology written quarterly progress reports which describe the actions taken during the previous quarter to implement the requirements of this Decree."

**Comments on Page 45, Line 12**

Progress reports should be available for public review, submitted to all parties of record.

**Page 47, Line 1**

"(B) The Parties' project coordinators shall then confer in an effort to resolve the dispute. If the project coordinators cannot resolve the dispute within fourteen (14) calendar days, Ecology's project coordinator shall issue a written decision."

**Comments on Page 47, Line 1**

The Army has stated that it does not acknowledge DOE's authority. The Army is not a party to this agreement. At the DOE open house on the PPCD, Mr. Gage stated that this dispute resolution is designed to process any Army dispute to the BCRRT LLC's findings or recommendations for remedial activity. This provision cannot involve the Army since it is not a party to the PPCD. There needs to be a provision that encompasses dispute resolution with the Army in order to avoid delays due to possible conflict with the Army's disagreement of the work plan.

**Page 56, Line 19**

"No voluntary conveyance or relinquishment of title, easement, leasehold, or other interest in all or any portion of the Property shall be consummated without provision for continued operation and maintenance of any containment system, treatment system, and/or monitoring system installed or implemented pursuant to this Decree. "

**Comments on Page 56, Line 19**

Institutional controls as a general topic should be included in the list of required provisions for continued operation and maintenance.

**Page 60, Line 17**

"This Decree may only be amended by a written stipulation among the Parties to this Decree that is entered by the Court or by order of the Court."

**Comments on Page 60, Line 17**

Amendments to the decree should not allow for a lessening of clean-up standards, lessening of monitoring of remedial activity, or lessening of safety standards. Amendments to the decree should include a public meeting and allow for public comment.

8

Barry,

A 60-day comment period on the PPCD was built into the transfer schedule for Camp Bonneville in 2003. As Ecology's Tim Nord noted in a letter to Commissioner Judy Stanton (to be provided), this extended comment period on the PPCD would hardly be sufficient. This time, the PPCD is the same document we are expected to comment on in 30 days. In addition, the comment period runs concurrently with the Army's comment period on the FOSET. In 2003 they did not. Further, the PPCD identifies a new "purchaser" -- the brand-new BCRRT, or Bonneville Conservation, Restoration and Renewal Trust, LLC. We are awaiting information on this new company, formed recently for the purpose of cleanup oversight.

The PPCD and FOSET are legal documents that are difficult for the public to read, let alone comprehend. The burden falls on members of the Restoration Advisory Board to convey information in these documents to the community. At the Board meeting on April 12, members of the Board requested an extension of the public comment period on the PPCD to 60 days. I would like to renew that request. By failing to extend the comment period, Ecology sends the message that it is fast-tracking the transfer. Please inform the Community Co-chair, Karen Kingston, or me of your decision.

On another matter, I am disappointed to note there is no link on the Home Page of Ecology's website identifying the April 17 Public Meeting on Camp Bonneville. Unlike the link to an April 14 public meeting on the "Changing Water Picture", the Camp Bonneville link is devoid of such information. It is too late to make a difference in turnout. This causes me concern, because there will be no further opportunity -- before transfer -- for Ecology to personally address public concerns regarding the Camp Bonneville cleanup plan.

In the future, should Ecology develop a cleanup plan for another "Camp Bonneville", I hope these matters will be corrected.

Sincerely,

Lynelle West Hatton  
Member, Camp Bonneville Restoration Advisory Board  
Director, Toxic and Explosive Substance Accountability (TESA)  
(360) 882-5153  
(360) 601-6264 - cell

To those blind-copied on this email, more information will be provided as it becomes available.



9

**Comments by Lynelle Hatton on the draft PPCD.**

May 19, 2006

**General Comment 1.** Ecology has made provisions in the PPCD for 30-day extensions requested by the BCRRT LLC and County (pages 41 and 42). Ecology should extend this same privilege to the public. The PPCD is a highly technical legal document that is not easily understood by the public. Although Ecology's staff is stretched thin, it has full-time staff available to respond to public comments. An extension of the public comment period to 30 days should not have precluded Ecology from responding in a timely manner and meeting the pre-established transfer timeline.

**General Comment 2.** This PPCD does not adequately address provisions for discovery of previously unknown and unsuspected contamination.

**General Comment 3.** Ecology has refused to address fire issues relative to UXO, stating it is not a cleanup issue. Fire response needs to be addressed by Ecology because, if UXO cannot be removed from the site, there will be no fire response. This impacts all on the property who are in and around UXO on trails and other areas. Without proper site-wide clearance of UXO to a depth of >14 inches, public health and safety cannot be protected if a fire breaks out on site.

**Page 1, Line 4.** The BCRRT LLC is a non-existent company.

**Page 1, Line 7.** How exactly does this PPCD resolve liability, and what type of liability does it intend to resolve?

**Page 1, Line 11.** Is the Complaint available for public review? How does it integrate with this PPCD?

**Page 1, Line 19.** Since the Complaint is not available for review, could clarification be made as to what type of liability is implied?

**Page 1, Line 25.** Could you clarify "unchallenged jurisdiction?"

**Page 2, Line 14.** Could you identify the "substantial new resources" referenced in this paragraph?

**Page 2, Line 15.** Remediation should have been initiated by Ecology and the Army years ago. The Army did not perform remediation as defined in Ecology's enforcement orders, and Ecology did not enforce its own orders via mediation or the legal system. This has delayed remediation many years. The fact the third parties must come in and perform remediation is a reflection only of the fact the Ecology and the Army have not performed their duties.

**Page 2, Line 17.** “Facility” (Page 2, Line 17) should be included in the definitions.

**Page 2, Line 17.** “Conservation Conveyance” (Page 15, Line 1) should be included in Definitions, along with the limitations of the conveyance.

**Page 2, Lines 17-20.** The three items included in the paragraph (outlined below) should be separated, as they refer to separate issues.

**Page 2, Line 17.** The redevelopment and reuse of the “facility” will in every case have the potential to contribute to existing release or threatened release at the Site.

**Page 2, Line 18.** The redevelopment and reuse of the “facility” will in every case have the potential to interfere with remedial actions.

**Page 2, Line 19.** The redevelopment and reuse of the “facility” will in every case increase the health risks to people at or in the vicinity of the site, and not just have the potential to do so.

**Page 3, Line 7.** The definitions do not include “liability” such as bodily injury or death, remedial action, cost cap, etc. It needs to be added in all its forms, and each paragraph that mentions liability must identify the type of liability it is referencing. It is unclear throughout the PPCD what type of liability is referenced.

**Page 6, Line 8.** “Military Munitions” should include a disclaimer stating that the term does not include munitions used by foreign militaries, nor those used by law enforcement agencies, including the FBI and anyone else who leased the property for weapons training.

**Page 6, Line 10.** “Military Munitions” should include CWS as stated in the ASR, as well as buried drums not yet located that contain unidentified substances.

**Page 7, Line 6.** Members of the ASB should be selected and assigned by qualified independent parties following an RFP process. Due to the interdependent relationship the Ecology has developed with the Parties, it is doubtful whether any one or all of them together could be objective in choosing and appointing an ASB board.

**Page 8, Line 7.** The County should be required in this PPCD to indicate its intentions for reuse of the Early Transfer Parcel should the DNR Parcel not be approved for transfer by Washington State legislators.

**Page 8, Line 24.** There is no complete record or inventory of unused munitions used on-site, either by the Dept of Defense or other U.S. training agencies, and there is no way to determine what munitions foreign militaries used for training.

**Page 8, Line 24.** Identification of unused munitions stored, used and disposed of on-site should contain a disclaimer stating these munitions do not constitute all munitions used at the Site, but rather all known munitions.

**Page 8, Line 24.** Unused military munitions should buried drums not yet located that contain unidentified substances.

**Page 9, Line 18.** There is no complete record or inventory of used munitions on-site, either by the Dept of Defense or other U.S. training agencies, and there is no way to determine what munitions foreign militaries used for training.

**Page 9, Line 18.** Identification of used munitions should contain a disclaimer stating these munitions do not constitute all munitions used at the Site, but rather all known munitions.

**Page 9, Line 18.** Used military munitions should include CWS as stated in the ASR and indicated in Congressionally-approved documents.

**Page 9, Line 19.** Ecology should require the BCRRT LLC to provide clearance across the property line to a depth determined to be safe by neighboring property owners with munitions firing fans. Neighboring properties with the munitions firing fans are, in effect, part of the Site used for munitions training. Funding for this clearance should be separate from the funding allocated in the ESCA for cleanup within the property lines.

**Page 10, Items (A) through (D). Comment 22, Paragraph 24.** This list should be inclusive of all known contaminants. Item (D), for example, omits additional contaminants in groundwater that exceed the standards for human consumption.

**Page 11, Line 1.** It has not yet been determined how trees embedded with UXO will be harvested. This is critical to the revenue that will sustain the park. Cleanup plans for these trees have not been addressed. Could you comment on what remediation will be done?

**Page 11, Line 4.** The cleanup plan includes only monitoring, not remediation. Funds should be allocated for remediation, which should begin immediately in order to preserve the integrity of the Bonneville neighbors' groundwater supply (as far as possible), as well as the Troutdale Aquifer.

**Page 14, Line 1.** The limitations of the Conservation Conveyance needs to be described in this PPCD. For example, the original conveyances would have allowed a financial benefit to the County. Instead, the Conservation Conveyance prohibits any financial benefit to the County. Instead, the County will be burdened with enormous hidden costs and liability *in perpetuity*

**Page 15, Item (A).** By jointly drafting the PPCD and FOSET, Ecology has in effect already agreed with the FOSET. What impact will public comments have on Ecology's determination?

**Page 15, Item (D).** The information contained in the ESCA is critical to public comments on the FOSET and PPCD. Since that information is not available, the comments Ecology receives should consider the fact that the public knows nothing about amounts allocated for cleanup, and therefore cannot prioritize comments on cleanup.

**Page 15, Item (D)** Please provide specific information as to funds allocated by the Army for cleanup and a breakdown of the amount each agency will receive, including the BCRRT LLC.

**Page 15, Item (D).** What amounts will be reserved for Long-term Obligations?

**Page 16, Line 5.** Clark County will not hold title to the property during cleanup, it is assumed, because of liability issues. If that is the case, why is a Limited Liability Company holding title during cleanup? Can you explain what liability the LLC can absorb, and how it affects each Party's liability (including the Army) during cleanup?

**Page 17, Line 2.** It is unclear how the PPCD resolves potential liability for known or suspected contamination at the Site.

**Page 17, Line 2.** An additional paragraph should state who will be liable for unknown and unsuspected contamination.

**Page 17, Line 8.** The Decree resolves short-term liability by transferring the property to a Limited Liability Company. Who exactly will be liable (in every context) during cleanup, since the BCRRT has only limited liability?

**Page 17, Line 24.** Please clarify: After transfer back to Clark County, will Clark County be liable *in perpetuity* for Long-Term Obligations such as fence maintenance and repair, public education (behavior modification), 24/7 Park Ranger, fire contracts, etc?

**Page 17, Line 24.** Could a list be provided of all the Long-Term Obligations for which Clark County will be liable?

**Page 18, Line 3.** Do the terms of the ESCA include funds for cleanup of the DNR Parcel? What will happen to the cleanup funds if DNR does not release its property?

**Page 18, Line 3.** The public does not understand how funds for Long-Term Obligations can be calculated *in perpetuity*. It appears as though an unfunded mandate will be required for Long-Term Obligations, which will put a burden on Clark County taxpayers.

**Page 18, Line 3.** If the need for additional Long-Term Obligations are identified at a later date, who will be responsible for funding of these Obligations? Again, this appears to be an unfunded mandate.

**Page 18, Line 6.** The Army is paying cleanup costs in addition to Ecology's costs. How much is Ecology getting? How much are BCRRI LLC and the County getting? How much of the funding will actually go toward cleanup?

**Page 18, Line 8.** The wildlife refuge is inconsistent with a 465-acre Central Impact Area that will be enclosed with a 6-ft tall fence with 3-strand barbed wire (last known proposal). Please provide an explanation as to how Ecology will protect wildlife inside the 465 acres, including the large wildlife known to exist on the property.

**Page 18, Line 15.** Please identify the "substantial new resources" Ecology expects to be available through this settlement.

**Page 18, Line 12.** Must Ecology concur with the Army's FOSET? Describe the grounds for stating to the Governor that cleanup standards for a free-range park cannot be met by even the best cleanup plan.

**Page 18, Line 18.** Could a basis be provided for the broad statements in this paragraph? The redevelopment of the site will most certainly contribute to all aspects of this paragraph.

**Page 19, Lines 1-7.** Threats to human health and the environment identified in these paragraphs are in conflict with Paragraph 42. Humans can interfere with hazardous waste (including UXO) and touch off avenues for release of these wastes in ways harmful to both the public and the environment. Although no formal risk assessment has been done, the high-intensity reuse plan makes this a certainty.

**Page 19, Lines 9 and 26.** Ecology may perceive the proposed remedial actions to be in the best interests of the public, *but not in the context of a free-range, behavior-modification regional park.*

**Page 20, Items (A)-(C).** These RAUs do not represent all the contamination on the site. Does the PPCD allow for identification of additional areas and additional RAUs?

**Page 21, Line 12.** Reconnaissance was conducted according to my understanding, not investigation.

**Pages 22-25, all RAUs.** DOE approved final draft RIs that were never finalized. It is unclear why Ecology did not enforce its EOs and have the Army clean up the contamination its activities caused.

**Page 26, Line 18.** The April 2006 Groundwater Data Evaluation Report indicates groundwater contamination has reached the sentry wells and has traveled off-site. There are no plans for remediation, nor funds set aside in the ESCA to provide for remediation. Only monitoring is planned.

**Page 26, Line 22.** A long-term groundwater monitoring and remediation plan should be in effect prior to transfer, since there is no way to determine what funds will be necessary to complete these tasks.

**Page 26, Line 24.** According to an April 2006 Groundwater Data Evaluation Report, the Army is proposing less frequent monitoring than quarterly. However, data shows the contamination has moved off-site. Ecology should impose a stricter schedule for monitoring and develop an immediate plan to remediate contamination.

**Page 27, Line 6.** Provisions should be made for unknown and unsuspected contamination.

**Page 27, Line 13.** If access to the site from neighboring properties is denied, what remediation will Ecology require in those locations? How would it implement remediation in areas where access is necessary in order to carry out the required remediation?

**Page 27, Line 19.** Neighboring properties that fall within artillery impact fans are in effect part of the site, since these properties were contaminated by Army activities within the Bonneville property lines. These neighboring properties are entitled to cleanup to residential standards.

**Page 28, Line 23.** As of July 1, there will be no fire suppression plan in effect for Camp Bonneville. There will be no contracts in place, and it is questionable whether there will be any contracting agencies. Fort Lewis will no longer back up DNR and the County for fire suppression. The RAU-3 Emergency Action Plan should include a plan for fire suppression and emergency fire response.

**Page 29, Line 4.** Brush clearance of 10 feet around the inside perimeter of the property is inadequate as an emergency action. A much wider buffer would be required to protect private properties from clearance actions.

**Page 29, Line 5.** The fences should be defined in terms of type and height. They should be permanent, not temporary.

**Page 29, Line 18.** A 10-ft clearance around the CITA is not enough, considering that there will be no surface clearance within the CITA.

**Page 30, Line 1.** The fences should be defined in terms of type and height.

**Page 30, Line 25.** What is the proposed buffer for RAU-2A?

**Page 31, Line 3.** What is the proposed size of the step-out grids for RAU-2A?

**Page 31, Line 20.** A 20-ft clearance on each side of trails and roads is inadequate. Only 100% surface clearance would protect public health and safety in areas accessible by the public.

**Page 37, Line 23 and Page 28, Line 3.** Effectiveness of the Maintenance Plan is not enough. Another component is the ability to implement the Plan.

**Page 43, Line 18.** Are Ecology's costs to be included in the ESCA cleanup funds?

**Page 45, Line 12.** All quarterly reports should be available for public review.

**Page 46, Line 12.** Five-year period review is too infrequent. Periodic review should occur at least annually. These reports should also be available for public review.

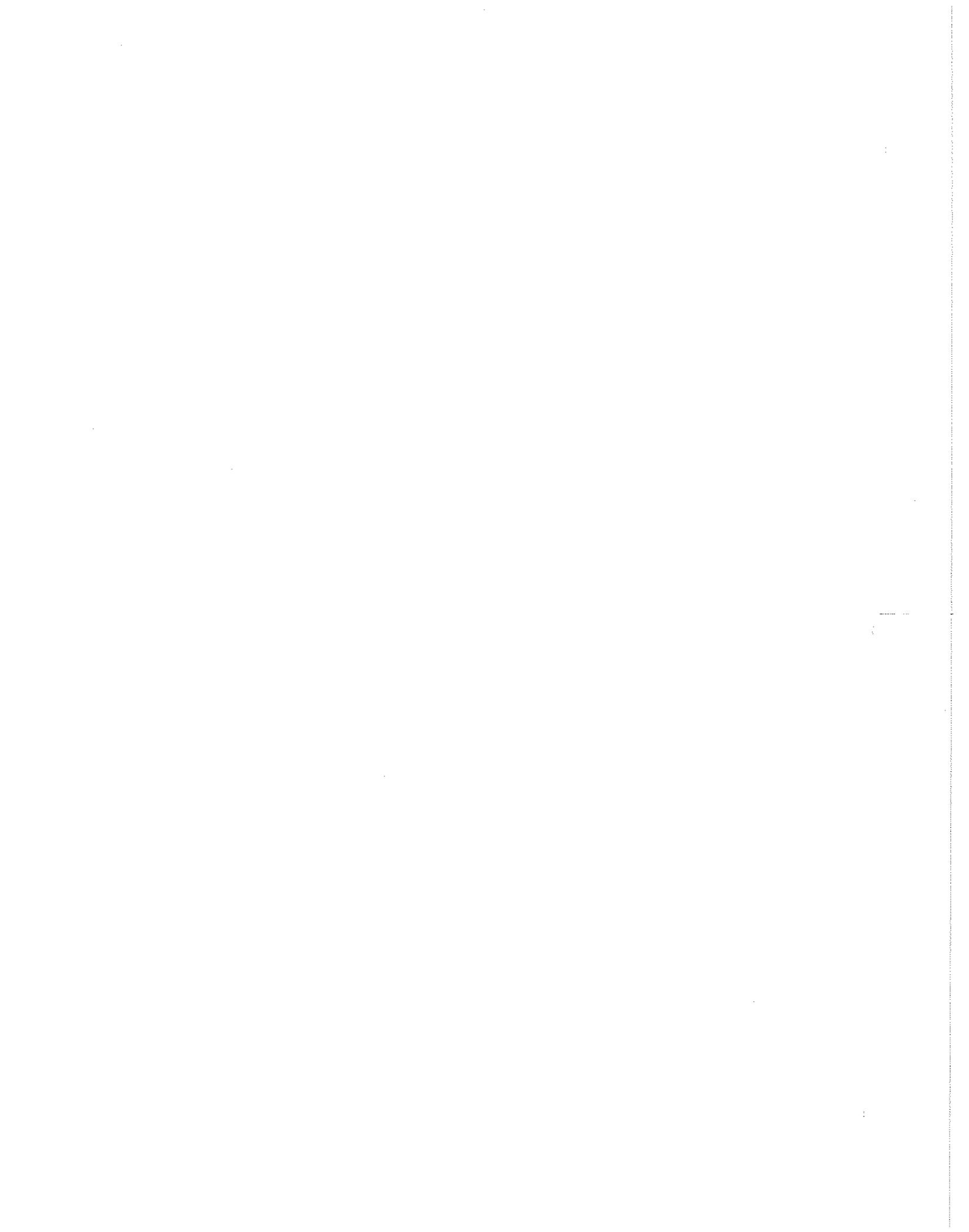
**Page 46, Line 12.** What are the provisions for meeting in case of emergency – mutilation or death caused by UXO, wildfire, etc?

**Page 48, Line 16.** A UXO expert should be on-site for all construction, assuming it will involve digging.

**Page 48, Line 24.** Could this paragraph be clarified?

**Page 50, Line 15.** Institutional Controls should be defined by type for each area. Limiting access (Line 16) is not adequate. ICs must prevent people from coming into contact with UXO.

**Page 53, Line 22.** The potential imminent / substantial endangerment has already occurred since groundwater contamination has reached the sentry wells and moved off-site, yet there is no remediation plan in place.



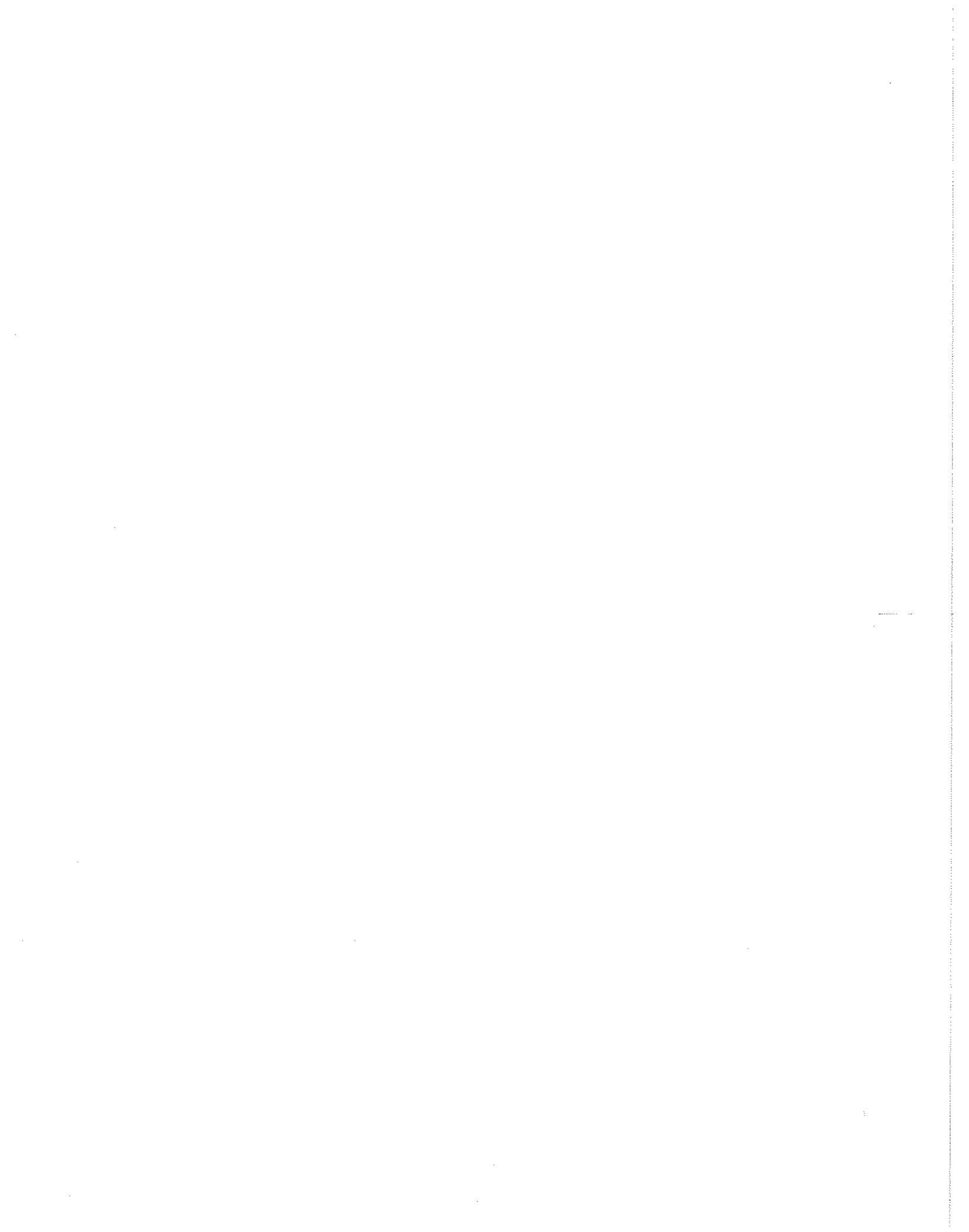
Ben Forson, Site Manager  
Ecology Topics Cleanup Program  
Box 44600  
Olympia Wa

I am writing to express my deep concerns regarding Clark County's proposed plan to accept the transfer of Camp Boreville from the U.S. Army.

I strongly oppose & question their motives to even consider accepting this transfer. Why would this County choose to accept such a contaminated area, that is covered with unexploded ordnance & munitions explosives? Clearly, a threat and danger to this County.

Why is the County willing to take over this multi million dollar project, when the Army has avoided cleaning up this contamination these many past years?

Sincerely,  
Ruth Hatter



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Mr. Ben Forson, Site Manager  
Ecology, Toxic Cleanup Program  
Bix 47600  
Olympia, WA 98504-7600

Dear Mr. Forson,

I attended the Camp Bonneville meeting held in Vancouver, Wa. April 19th, 2006.

I would like to say that I do agree with the Veterans who spoke out regarding their deep concerns about the safety of individuals living/visiting near the site intended for a "park" status.

The public is not clear on the project budget and who the insurance carrier will be. The public is also not being allowed to see all the elements of this transfer.

I believe that a fast track transfer of "dirty" property is not in the best interest of the public. Much more discussion is critical.

At this time when we have young men and women overseas risking their lives to allow for the U.S. citizens to maintain their quality of living on American soil, it would be a great dishonor to allow for less than a responsible 100% clean-up of this land.

Thank you for your time.

Sincerely,

Joyce Namba  
Rosemere Neighborhood



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Ben Forson, Site Manager  
Ecology, Toxics Cleanup Program  
Bix 47600  
Olympia, WA 98504-7600  
email: [bfor461@ecy.wa.gov](mailto:bfor461@ecy.wa.gov)

May 5, 2006

Mr. Forson,

I am writing in opposition to the proposed "dirty transfer" of Camp Bonneville from the US Army to Clark County. The Camp Bonneville property will transfer while it is still contaminated and covered with unexploded ordnance and munitions/explosives.

Clark County intends to use at least part of the area as a free range public park. Clark County will never be able to accomplish the clean up necessary for it to be safe enough for the public.

There has not been adequate risk assessment performed at Camp Bonneville which means the County will be accepting an undefined amount of risk in taking over the property. Clark County now estimates the cost of the clean-up at \$25 million, despite early Army studies indicating it would cost more than \$100 million. The extent of contamination is unknown. There is no reliable data available to determine how many Howitzer missiles lay hidden in the Artillery Firing Ranges, and if those missiles exited the boundaries of the Camp and lay hidden beneath homes that were later built in neighborhoods immediately adjacent to the Camp. One thing is known for certain – 70% of the Camp will never be completely void of explosives, and all parties are aware that bombs will remain on site in perpetuity.

The cost to Clark County of remedial activities and associated administrative costs alone will deplete the clean-up budget, and there will be no money left to manage the property (including fire response at \$20,000 annually) for twenty-five years, let alone a hundred years or more. This means the local residents will have to pick up the slack in the long run.

Once the agreements have been signed, the County will not be able to recall the Army into additional clean-up plans for contaminants or hazardous waste within areas that were not thoroughly assessed or characterized. In other words, all parties are aware that there is an unknown quantity of explosive/hazardous materials hidden within the Central Impact Target Area and associated Artillery Firing Ranges. If the County accepts the risk of the clean-up plan as currently defined, it cannot make the Army undertake additional clean-up costs in the future. The only leverage the County will have is if entirely new contaminants are found in other areas.

There has been no plan identified for firefighting on the Camp Bonneville property. The Department of Natural Resources has indicated that it will not send firefighters into an area that is known to contain explosives. This leaves the community to question the public safety, especially for the homeowners adjacent to the Camp and park users. Add explosives to this

scenario, and obviously, human casualties and extensive property damage are likely to occur. This is a serious public safety and liability issue that has not been addressed, and the County will inherit the cost burden of fire protection.

It seems unbelievably obvious that this Camp Bonneville property is NOT appropriate for a public park.

Lastly, members of the public have not been allowed to review the project budget prior to the expiration of the public comment period, and the project budget is still being negotiated. The public process requires that everyone have access to all elements of the clean-up plan, and this has been denied. It is impossible for the public to comment thoroughly on the plan without all available information, especially when the state has arbitrarily decided to shorten the public comment period to accommodate the property transfer on an accelerated timeline.

Karen Axell  
PO Box 5183  
Vancouver, WA 98668  
lotuscc@pacifier.com

Dear Ben Forson, Site Manager,  
I attended the public forum for Camp Bonneville in Vancouver last week.  
I was horrified by Clark County's attitude that cleaning up the dangerous mess would be an uneventful task with safe results.

ARE YOU CRAZY?

As far as I could tell, Clark County and those involved do not have their details worked out. No one seems to know what the project budget is, who the insurance carrier will be, and one of the non-profit entities conducting the cleanup has not even been created as a Washington State Corporation. The public is not being allowed to see all elements of this transfer, which I feel is a violation of the public process.

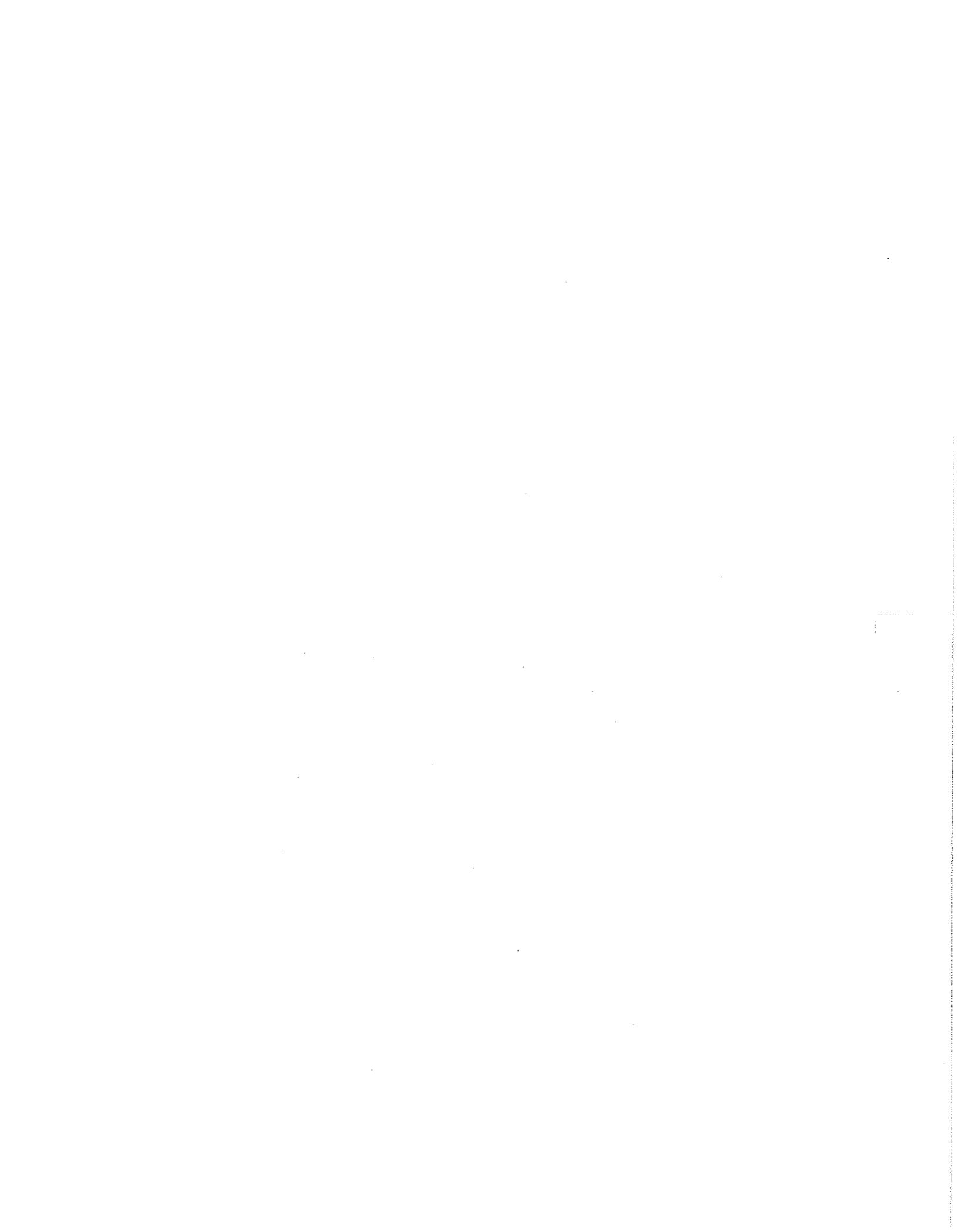
There are so many unknown hazards at this site that no one can reasonably assure citizens of what is really lurking out there. The clean-up team could find unexpected dangers (not an unlikely scenario).

The Army has the ability to dispute the team's findings and refuse to fund any portion of the clean-up work plan devised by the team. The clean-up team's manager explains that, although this is also a concern to the County and the clean-up team, the contract allows for a "dispute resolution" process. However, the Army has consistently displayed its lack of interest in dispute resolution, has refused to acknowledge Washington State Law which resulted in the state filing an enforcement order against the Army for failure to abide by these state environmental laws. When the property transfer is complete, the state's enforcement order will be null and void. The Army's liability will have been reduced, and the County's liability increased.

As a taxpayer, I vehemently oppose being saddled with this ridiculous plan. A decaying ammo dump is no place for people and pets. As I said in an earlier letter "It is like putting a party dress on a corpse." Let us hope that the corpse does not turn out to be one of the neighborhood kids who just wanted to play in your "park".

Mr. Forson, just say "No!"

Sincerely,  
Leslie Zega



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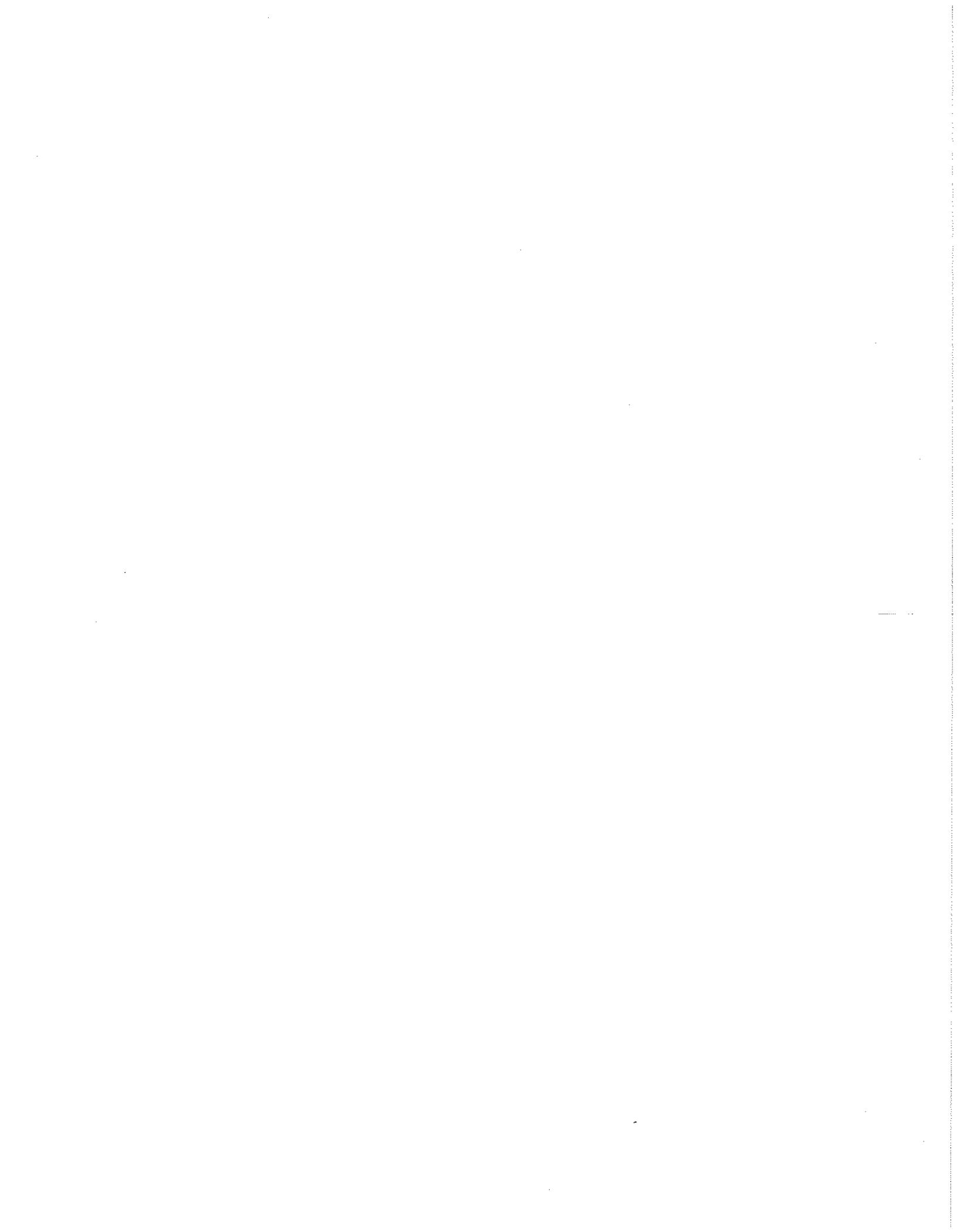
Date: Wed, 17 May 2006 10:35:53 -0700  
From: "pgiles@windermere.com" <pgiles@windermere.com>  
Subject: Camp Bonneville Transfer....  
To: bfor461@eccy.wa.gov

Ben Forson  
Project Manager Camp Bonneville Environmental Cleanup

Dear Mr. Forson,

The transfer of Camp Bonneville to Clark County, with funds to complete the environmental cleanup and conduct the long term management of the property is the most ridiculous thing I have ever heard of. Clark County officials are making a big mistake taking on this property and the cleanup. The property is full of unexploded ordinance, contaminated with who knows what and generally a total environmental hazard. It is an accident waiting to happen! It is pretty obvious that you do not mix unexploded bombs, contaminated water and ground with humans especially human children. Who in their right mind thinks this property will make a wonderful camping, hiking, outdoor activities park? The county officials spearheading this project should have their heads examined!

Sincerely,  
Patricia Giles  
P.O. Box 61864,  
Vancouver, WA, 98666



Paul and Karen Kingston  
22517 NE 88<sup>th</sup> Street  
Vancouver, WA 98682

May 19, 2006

Washington Department of Ecology

RE: Public comment for Camp Bonneville Military Reservation Pre Purchaser Consent Decree. (PPCD)

The following comments are submitted under the draft review period:

1. Item 1-5 page 1: The premises for these PPCD statements are based on original documentation from the Environmental Assessment (EA) for Camp Bonneville Military Reservation (CBMR). The EA is invalid due to its incomplete nature. The EA does not contain data and fact, which at the time of its finalization was unavailable or unacknowledged, via characterization plans, discovery, actions, or methods that occurred and finalized later. NEPA law requires this addition. This breach in NEPA law is unrevised and unacknowledged in the PPCD and renders the document inadequate.
2. Item 7 page 2: The Court must review the authenticity of the subject matter as being legitimate under MICA and HWMA. The incomplete EA nullifies authenticity.
3. Item 9 (C) page 2: The context of "available information" is a loophole-data-gap that should not be tolerated by the Court.
4. Item 10 page 2: Pursuant to WA RCW, an incomplete federal Army Remedial Action which cannot prove or show the Remedial Action was either fully successful or sustaining in both contaminate remediation or reduction of groundwater contamination plumes verifies the Action as incomplete and in need of further investigation. The PPCD claim that a settlement falls claim under RCW 70.105D.040(4)(b) is invalid.
5. The BCRRT, LLC is a non-existent Washington corporation. The public had been notified via public process and disclosure that the non-profit known as The Trust for Public Lands (TPL) will be the sole interim owner. This information is no longer truthful, as a small representation of the local public had to find this change in ownership from the TPL to the BCRRT, LLC within the PPCD itself. This change in ownership was not revealed during CBMR Restoration Advisory Board (RAB) meetings or any other means available to local stakeholders before release of the PPCD and the WA DOE public meeting.
6. Under due FOIA (Freedom of Information/WA law) disclosure, Clark County verified its claims that the BCRRT, LLC will be owned by a company that is a California consortium. Information regarding this California Company is unknown to local stakeholders and the region. As we track issues of liability related to errors on the part of the consortium or the BCRRT, LLC before, during,

- and after cleanup; the due process of public review and comment has been squelched and rendered misleading. This violates the process both federally and under WA law.
7. Item IV (D) page 3: The definition of “parties” cannot claim the same oversight or authority and not note the differences in authority between the WA Department of Ecology (WADOE) and the BCRRT, LLC. This should be separate and clear, not interchangeable.
  8. Item IV (E) page 3: Under regulation with the WA Secretary of State, the BCRRT, LLC claim to the word Trust is not accepted by the State typically within a business name under LLC (Limited Liability) standing. It is also unclear if LLC is interchangeable with WA law for non-profits, as the PPCD states the BCRRT, **LLC is a WA non-profit**. Both of these comment points nullify the PPCD and its definitions.
  9. Item IV (F) page 3&4: Many contaminated areas (AOC’s – Areas of Concern) have been identified or considered and are yet uncharacterized within the CBMR site. The PPCD definition commits the definition of “Site” to those contaminated sites “that have come to be located” and completely ignores and omits AOC’s yet unidentified, located, or characterized. Therefore, this definition applies false meaning or enables omissions.
  10. Item IV (G) page 4: Property: does not describe the Troutdale Aquifer which is a large sole source aquifer (pending EPA status) identified and credited as a water source for SW Washington and the Portland/Troutdale metro.
  11. Item IV or elsewhere: Should identify the Livingston Pit, as this property was used for Army military training for many years.
  12. Item IV (J): incorrectly lists the property size as 465 acres and has been depicted during the entire RAB process as closer to over 800 acres. The discrepancy must be substantiated. This definition also falsely used the term Artillery Range. This is not complete fact. Although the Central Impact area does contain Range Fans in overlay, this area is an **Artillery “Impact” Area**.
  13. Item IV (K) (L) page 5: The non-validity of the BCRRT, LLC and the unresolved disclosure facts relating to this corporation, nullifies any public trust in a UXO and groundwater cleanup on a federal site used since 1909 for military weapons training. Assigning a pre-empted limited liability corporation under WA DOE’s private or government owned cleanup properties with non-UXO issues may be typical and usual accepted practice. Yet, this practice should not set precedence or constitute good regulator business practice, management, and oversight in public health and safety for a PPCD **with the magnitude of a UXO cleanup** over 3800 acres. Any responsible corporation should be established prior to a PPCD being filed. The owners, by laws, mission statement, and background should be available for review well before the PPCD was presented for CBMR Early Transfer.
  14. Item IV (S) page 7: The public must be included as requestors for review.
  15. Item IV (T) page 7: The “adaptive management process” must also be defined as evolving with new technology or investigational and remedial practices. The definition in this item implies patterns and forensic evidence may apply to management practices acknowledged on the date of PPCD finalization.

16. Item V (15) Page 8: "Clark County will "Quit Claim" to the BCRRI, LLC." WA DOE, within the PPCD, does not indicate or validate WA law on Quit Claimed property nor does it discuss property rights to the new owner under Quit Claim acquisition of Washington property.
17. Item V (16) page 8: Omits the use/leasing of CBMR by Foreign Governments and their military's. It also does not acknowledge or list known disposals of fireworks and other contaminates by local law enforcement agencies and others. This information was known at the closure in 1995.
18. Item V (18): Must acknowledge this reporting as facts only known and verified to date. Historic Archives and reports for CBMR are known to be missing and incomplete. Reports and other documentation are constantly surfacing. Items found in the Landfill 4 -Demo Site 1 contradicts and are subjective to conclusion as to an absolute statement of what was actually fired or used during training at CBMR historically. WA DOE must acknowledge within the PPCD that their list of military munitions are presumed and do not predicate an absolute.
19. Item V (20) Omits Army documentation that Army Headquarters placed a No Burn/No Open Detonation on CBMR some 18 years ago and well before its 1995 closure. DOE's statement here sets State regulatory acceptance in the circumstance Army/DoD command and regulation may have been violated or disregarded by a continued practice of open burn/open detonation. Our state regulatory agencies must not accept this liability or lay claim on management practices by the Army at CBMR. WA DOE should review the Army/DoD directive, which is on file at CBMR.
20. Item V (19) (22): in the PPCD WADOE is excluded in liability. In this item, who will be the liable party if an error or catastrophic incident occurs in areas of in place or migrated UXO beyond the boundary of CBMR? This information should be contained within the PPCD.
21. Item V (19) (22): WADOE must note the in place and migrated UXO as known fact. To adequately protect the public under WA DOE purview the DOE has shown that it accepts Army maps and their depictions as investigational tools and guidance. In as much as DOE accepts any uses for Army maps, the map that clearly depicts the areas of Artillery and Weapons fans as outside CBMR must be used for purposes within this PPCD. The WA DOE should not pick and choose its defining methodology. The US Army used, termed, and verified the map that clearly depicts the fan extensions. The subject areas over CBMR boundary lines are Artillery **Impact Fans**, which are close but not the same as safety fans or average range fans depicted historically over the property. This comment item should change the wording to "known fact" and "Impact Fans" from its wording range fans.
22. Item V 24 (d) page 10: Should identify known plumes. The PPCD is incomplete and unclear in identifying contaminates that are predisposed to one location and those creating known plumes as "one" defined and acknowledged contamination type.
23. Item V: Should contain discussion regarding known Trespasser Reports at CBMR. These reports date historically and are available.

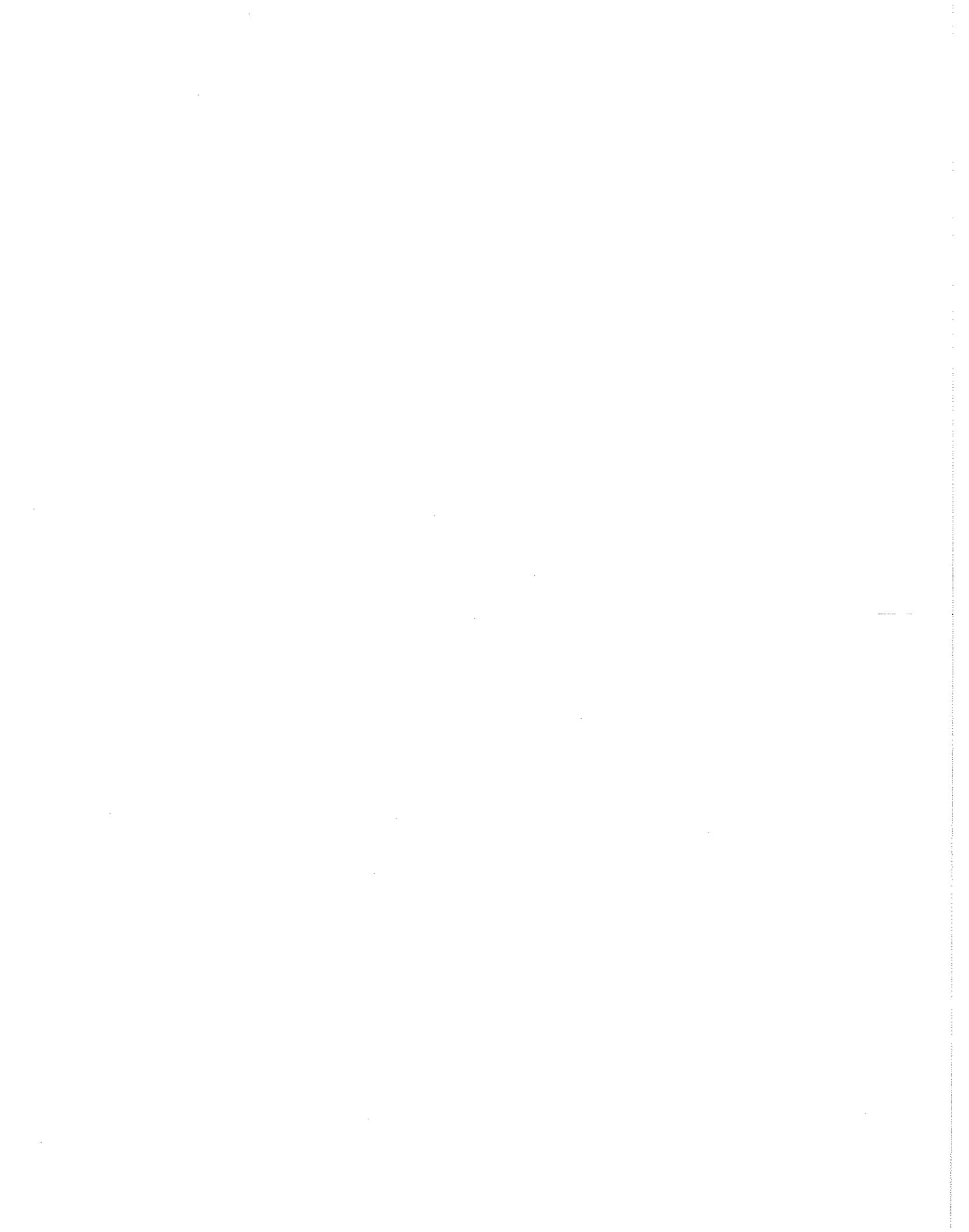
24. CBMR is conflicting to understand an adequate use of perimeter fencing. In the 1970's, the Corp of Engineers installed six-foot barbed wire chain link fence along the western and portions of the southern boundary lines defined in work orders as due to civilian residential encroachment/Security. At that time, most of remaining boundary lines backed into deep forest or sparse farmhouses on large properties. Now, at this date, the southern, eastern, and northern borders are encroached by new residential properties. Along these borders, old 3-foot-3-strand barbed wire fence in ill repair and large areas of no fence at all secure the site. CBMR needs to secure the entire site with the chain-link security fence it placed along its other borders in the 1970s. This good management and security practice set precedence for Clark County public safety. The WA DOE, Clark County, and the BCRRI, LLC vindicates an outdated insecure fence type (3-strand-3-foot) as mitigating public safety. This is an implied PPCD pledge that the Army itself nullified in the 1970s.
25. The PPCD must contain a statement regarding Fire Protection during interim ownership and planned during Clark County ownership.
26. The WA DOE refusal to extend the Public Comment Period to 60 days:  
We have a twenty-year hands on relationship and knowledge base with CBMR. I (Karen) was an original steering committee member for Clark County planning during the CBMR Reuse Process. I am a long-standing member of the RAB and been co-chair for three years. I find it ludicrous that the WA DOE ran the PPCD concurrently with the FOSET. I find it ludicrous that the staff of the WA DOE withheld even this current extension to May 19 until the very last hour. At the May '06 RAB, meeting the Army acknowledged running both the PPCD and the FOSET concurrently and with 30-day comment periods. The Army states this was a joint decision by WA DOE, Clark County representative Commissioner Marc Boldt, and those representing the BCRRI, LLC. As the WA DOE turned down the stakeholder's request for extension, it took intervention by governmental legislators to convince the WA DOE to extend and at that, they only allowed until May 19, 2006. The Army ended its FOSET 30-day, refusing to extend. The WA DOE used its mailing database for CBMR, which only dedicates mailings to RAB participants and a one and a half - two mile semi-radius around CBMR, for sending notification post cards announcing the May 19<sup>th</sup> extension for public comment on the PPCD. However, WA DOE did not update its website to this fact, as it was updating other sites around the state. Thus, regional, national, and other SW Washington commenters became excluded as they searched WA DOEs website and found the CBMR comment period had already ended. Due to regional, local, and national outcry of WA DOEs malfeasance and the lack of WA DOE to give adequate education for commenting on such wide range documents such as the PPCD, oversight of the ESCA, and the FOSET all running concurrently, my volunteer duties expanded beyond the typical personal time I allocate to volunteerism. Therefore, I am unable to comment beyond page 11 of the PPCD. This is a personal travesty to my ethics and my presumed obligation to fully comment on Early Transfer documents. I can only assume the WA DOE did not factor in supporting the time commitments of stakeholder/taxpayers when it refused to set a

60-day comment period. On the other hand, did it try to facilitate an Army timeline?  
One can only speculate.  
Consider all of the above text within item 25 as comments to the CBMR PPCD itself.

Submitted respectfully,

Karen Kingston

Paul Kingston



Good afternoon Ben.

Please accept these comments for the record on the base transfer. Arguably, Autumn Hills has the most risk associated with the base transfer. We have asked for a seat at the table and desired to become involved in the solution to this huge problem. We have been refused in our efforts to engage the polluter. In fact we have requested that the DOE look at our property and tell us what our risks are.

We have had the honor of various governmental employees visit our homes. We were told by Barry Rogowski not to dig our ponds during a tour of our property in 2005. Barry stated: "Do you think several strands of barbed wire could stop a 105 mm shell?" When asked for a letter from the DOE on what the safety status of our property is, we have been refused.

Should we allow our children to camp on our property under the impact fan or not? To date, we have been refused a letter, or a solution. To serve as a reminder, once the camp has been cleaned and returned to the county as a park, some 2,000 acres will be off limits to ground disturbance. Absent a UXO expert from Ft. Lewis, there shall be no ground penetration. However, five feet on our side of the fence the government has refused to provide any solutions or assurances. Clark County itself has already violated the *no disturbance* by having their surveyors pound stakes on our side of the fence, this is under the same impact fan. It is my understanding that the County will not do this again.

We have requested a written fire fighting plan from the respective agencies. There does not appear to be one, as all our requests have been denied. What type of protection should we expect from our state and local government? Our requests have fallen on deaf ears to date. We have expressed legitimate concerns and been told that the DOE will take this concern under advisement.

In closing, your institutional controls and safety measures for future generations are very limited. You have not been able to provide the community with what the insurance policy covers, and what the limits are. You are closing public comment about the base transfer and left the community with a number of un answered questions. If you do not know what all the insurance covers, and who is responsible for it, how can you allow the governor to sign the transfer?

What is your rush?

Mark Benson



I do not want to see a "dirty transfer" from the U S ARMY to Clark County of Camp Bonneville. The army and U.S. Government needs to step up and clean up the messes that they create. We as a people have polluted and destroyed our environment so bad that we are now seeing an explosion of cancer in almost every family in America.

We as a nation and government need to take responsibility for our fathers and grandfathers follies and clean up our environment, change the old attitudes and take responsibility for our environment, and STOP trying to pass the buck and weasel out of our responsibilities for the ecological disasters that we have created in the past. THE ARMY MUST BE HELD ACCOUNTABLE FOR THE TOXIC UNDERGROUND WATER CONTAMINATION IT HAS CREATED AND FOR THE UNEXPLODED ORDINANCE THAT STILL REMAINS ON THE PROPERTY BEFORE ANY TRANSFER OF PROPERTY TAKES PLACE TO CLARK COUNTY AND THE WHOLE THING EVENTUALLY GETS SWEEPED UNDER THE RUG!

NO TRANSFER UNTIL THE SITE IS CLEANED UP!!!!!!

As a world we must clean up our environment. As the UNITED STATES OF AMERICA we should lead the way!

Pat & Linda Doncaster



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STATE OF WASHINGTON  
CLARK COUNTY SUPERIOR COURT

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STATE OF WASHINGTON, )  
Department of Ecology, )  
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Plaintiff, )  
 )  
v. )  
 )  
CLARK COUNTY, WASHINGTON; )  
and BONNEVILLE CONSERVATION, )  
RESTORATION, and RENEWAL TRUST, )  
LLC, )  
 )  
Defendants. )

**ORIGINAL**

PUBLIC RESPONSE  
April 19, 2006

Reported by: Cheryl L. Guthrie

18A 1 CHUCK MASON

2 Thank you. I modified my prepared  
3 statements because of all of the questions;  
4 hopefully I touch on everything I want.

5 I'm representing the Veterans, I'm also  
6 from the Camp Bonneville Restoration Advisory  
7 Board. My questions are primarily oriented from  
8 the Veteran's standpoint.

9 Willamette Cemetery, over here in  
10 Portland, is only two years away from being full.  
11 In '08, they're going to start stacking bodies up  
12 in the back of the woodshed. So we're looking for  
13 a cemetery site. We think Camp Bonneville is an  
14 ideal place; we think it fits ecologically.

15 We put the cemetery on the Western end  
16 of the property, the balance of the property being  
17 watershed wildlife refuge, and let the timber grow  
18 up into old growth.

19 The Veterans applied for this back in  
20 1997, another person did, and then I applied again  
21 in 2000. We were told, no, both times. We feel  
22 we've been discriminated against, and we think  
23 that this whole process should be set back to  
24 square one and reconsidered all over again because  
25 of the additional new information that has been

1 found, and new characterization and discrimination  
2 against the Veteran community.

3 We feel this is wholly inappropriate for  
4 a park. I used to use the term Murphy's Law is  
5 applicable. The kids will find UXO. Since I've  
6 found out that eight kids have already died in  
7 this type of manner, I don't even think it's  
8 Murphy's Law anymore. Somebody is going to be  
9 seriously injured.

10 With that, I thank you. Thank you, by  
11 the way, all the Veterans here who are in sympathy  
12 of these comments.

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18B

I live out there by Camp Bonneville; I grew up out there, and, yes, I certainly have concern about it. Our drinking water well is not far from there. I drink from it, my mother drinks from it.

And I've been on this project -- actively on this project for about five years -- more than five years now. And since the Department of Ecology has come in here, Barry and Ben and Greg Johnson, I think they're excellent and more than qualified for their position.

What I'd like to do is read my response to the consent decree. The Washington State Department of Ecology has gained my overall confidence through the course of this project. I have no question that the cleanup will be done as thorough as our technology permits today.

After reviewing the prospective purchaser concept decree, there are a few issues I'd like to comment on. As of this week, Clark County is adopting a new wetland ordinance. May I suggest the DOE review the outcome, and apply what measures are needed to be within its compliance.

I'd also look to ask DOE to be in close

1 communication with Washington State Department of  
2 Fish and Wildlife through this entire process.  
3 They know what animals are in Camp Bonneville, the  
4 time of year each species would be most or least  
5 affected by the cleanup action, what they need for  
6 their survival. For example, we see a dead tree  
7 as an eyesore; actually, it has bugs in it that  
8 the woodpecker needs for a source of food. The  
9 Department of Fish and Wildlife can point out  
10 nesting areas, quarters, and give advice on how an  
11 action may or may not affect them, as well as  
12 suggestions on how to do it with the least amount  
13 of impact.

14 I'd also like to ask the DOE and the  
15 Department of Fish and Wildlife to consider the  
16 construction of Autumn Hill subdivision as having  
17 an impact on the wildlife through the entire area  
18 around Camp Bonneville.

19 With consideration to the comments  
20 above, the Washington State of Ecology certainly  
21 has my consent to proceed with the restoration of  
22 Camp Bonneville.

23 Thank you.

24

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JOHN OXFORD

1  
2 180 My name is John Oxford, and I'm here to  
3 represent the Veterans of Foreign War. I'd just  
4 like to say that I spent 20 years in the military.  
5 I spent my first two years in the military as  
6 munitions maintenance, and I'm aware of what  
7 unexploded munitions can do to a person and I have  
8 some real concerns about the unexploded munitions  
9 that will be left out there, and what will be left  
10 after your cleanup. So I'm here to support the  
11 Veterans.

12 There's a better use for that place out  
13 there, and I think that better use would be to  
14 take it and use it as a cemetery for our veterans,  
15 and I would like to state my opinion that we  
16 should use it that way.

17 Thank you.

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DAVE OLMSTEAD

My name is Dave Olmstead, and I'm a Vietnam Veteran. I do not believe Clark County has total interest in the people in this whole concept. It should not be Clark County's property; it should be the Veterans. The timber that we spoke about is worthless, as DNR states it in all of their reports. The liability is too great; the cleanup of the whole park or whatever you're going to put there. You're going to allow trails to go up into the impact area, and that's according to the reports. You're going to have horses and kids going out there riding bicycles and everything else, and it's not right.

The VA should get that property, and the Army and Clark County has undermined the Veterans; they've snuck in the back door. As far as Clark County, you put our interests in Fort Vancouver. You say, you have to help us, and we'll help you later. You're not going to help us later, we're going to stop this now.

Thank you.

TRAVIS TUBBS

18E

1  
2 My name is Travis Tubbs. I'm new to  
3 this thing, so forgive me for being nervous. But  
4 pretty much everything that has been said is what  
5 I was feeling. The park thing is just not sitting  
6 well, kids and unexploded ordinances. And you're  
7 here doing your job, and I understand that, but  
8 the chance that it's going to be out there, that  
9 just don't feel good. That's all I wanted to say.

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1 BOB ASCHOFF

18F

2 My name is Bob Aschoff. I was raised in  
3 Amboy, Washington; born in St. Joseph Hospital. I  
4 was sent to Vietnam out of the draft right here in  
5 Vancouver. My mother's family was raised from  
6 fishers out to Fifth Plain, and her side of the  
7 family goes back a long ways.

8 Of course, I'm a Veteran, as you can  
9 readily see, and I think that Clark County --  
10 well, I wish Clark County wouldn't put themselves  
11 in front of the needs of the Veterans. Okay? We  
12 need more burial grounds for our Veterans. I've  
13 noticed that we keep having more wars and keep  
14 sending more bodies home, and we've got more  
15 Veterans to bury, and we're about out of place to  
16 bury them on the West Coast. We could have the  
17 Arlington National Monument of the West Coast  
18 right here. And if you folks wanted to, we could  
19 all get together and name it Fort Vancouver  
20 National Cemetery or something like that.

21 I think that both us and Clark County  
22 could rise to no higher calling than to stop this  
23 process and restart the process and to establish a  
24 national cemetery for our military and war dead.

25 Thank you for allowing me to speak.

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1 documents are different, and they should not be  
2 running concurrently but separately with the FOSET  
3 running first in order to drive the PPCD.  
4 Instead, we have as a public two lengthy legal  
5 documents that we have to review and comment on  
6 within a 30-day time period.

7           For some of us, that means not only  
8 reading these cumbersome documents but  
9 comprehending, absorbing, and conveying to the  
10 public. This is an undue burden on those of us  
11 who are trying to do our job. So I would request  
12 that the entire process start over, that the FOSET  
13 run first, the PPCD run second, and that we simply  
14 restart the process.

15           Lastly, I'd like to make an observation.  
16 The congressionally mandated Camp Bonneville  
17 advisory board, has met monthly for years. This  
18 board has reviewed all of the same information  
19 that Ecology and the Army have reviewed. They  
20 have reviewed everything that everyone else has  
21 seen. At a recent meeting, the board issued a  
22 formal advisory stating that no amount of cleanup  
23 will ever be sufficient for free range regional  
24 public park.

25

1 DAVYA BERTISH

184

2 Davya Bertish with the Rosemead  
3 Neighborhood Association. I'm its chairman, and  
4 also have attended restoration advisory board  
5 meetings.

6 As the first public comment I'd like to  
7 say that after several attempts, I feel that the  
8 citizens who have attended these meetings should  
9 have access to the Governor's staff and our  
10 elected officials collectively to air some of our  
11 concerns, because, whereas I understand you are  
12 the governor's staff yourselves as the Department  
13 of Ecology, we want to make sure that we have our  
14 equal time with our elected officials and request  
15 at some future point that we have the ability to  
16 do that collectively.

17 The second point regarding the consent  
18 decree relative to the enforcement order, I am  
19 still unclear as to how the -- it is my  
20 understanding that with the PPCD, the enforcement  
21 order dies, and it is in hypothesis rolled into  
22 the PPCD, and I am having a difficult time finding  
23 where all of the points coalesce so we're not  
24 losing enforcement protection in the new document.

25 Regarding the final drafts, or potential

1 final drafts for any of the identified project  
2 areas in the cleanup plan, I want to advocate for  
3 contingency plans to be added in addition to what  
4 is already outlined regarding, specifically, the  
5 ground water plume.

6           There was testimony earlier this evening  
7 that the ground water plume is going to be studied  
8 for sometime for perhaps many years, and after a  
9 year's worth of analysis and ground water  
10 monitoring, it appears that the numbers for the  
11 ground water contaminants are still level rather  
12 than decreasing. So I would advocate for an  
13 infusion of bacteria within the ground to help  
14 facilitate a faster recovery for that area,  
15 particularly in relevance to the fact that we  
16 still need a long-term ground monitoring plan  
17 associated with this entire project, and that with  
18 a regional public park that is going to be ground  
19 water dependent for a public water supply, that we  
20 need to step that process up considerably. So I  
21 would hope you acknowledge that.

22           Also, I find it difficult to comment as  
23 a citizen on this component for a PPCD without  
24 having access to the project budget, and that the  
25 project budget is going to be finalized after

1 public comments, so it appears we don't have any  
2 say or we don't have any ability to register  
3 comments on that particular process which, to me,  
4 seems like the cart before the horse, even under  
5 CERCLA covenant, that the public should be  
6 acknowledged throughout the entire process.

7           That being said, there would be monthly  
8 meetings according to the PPCD, by the management  
9 team and the various components, all the  
10 engineers, and the staff that will be working on  
11 the cleanup plan, and I would hope that either the  
12 members of the restoration advisory board, or the  
13 members of the future Clark County advisory board,  
14 whatever form that takes, those 12 members, would  
15 be invited to participate and to collaborate in  
16 those monthly meetings.

17           On page 30 -- I'm sorry, page 57,  
18 there's reference to a 30-day requirement for any  
19 discovery of new munitions to be reported to  
20 ecology, yet on page 57 there is a notation that  
21 if ecology determines that an activity is creating  
22 danger to humans or the environment, there could  
23 be an immediate cessation to the activity. I  
24 would ask that that 30-day period is far too long  
25 if there's going to be immediate cessation; that

1 those two elements conflict with each other.

2           There needs to be someplace, if this  
3 isn't the proper document, elements that address  
4 the fire protection, as other people have  
5 mentioned. Also, there is a conflict with Indian  
6 archeological studies; there was testimony given  
7 about an Indian village called Simsic (ph) that is  
8 believed by some parties to exist within the Camp  
9 Bonneville properties, and I don't believe that  
10 that conversation has been sufficiently addressed.

11           I realize that there are archeological  
12 protections that will be afforded under this  
13 program, but I wanted to speak on behalf of those  
14 concerns, as well.

15           Finally, I wanted to reiterate on the  
16 belief, as many of us have, that the reuse plan  
17 for a public regional park is unacceptable because  
18 of the risk.

19           Thank you.

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DANIEL SWINK

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1 My name is Daniel Swink, I'm also with  
2 the Rosemead Neighborhood Association. And I'd  
3 also like to reiterate about the public comment  
4 access to this process. I think it's way too  
5 limited in its scope and time allotted for public  
6 comment and exposure to public comment. There are  
7 a lot of very important questions and concerns  
8 that need to be -- that need to be addressed. I  
9 agree with others that this process has been  
10 moving along much too quickly for the amount of  
11 input that's allowed from the public.  
12

13 The project early transfer idea that is  
14 being moved forward here, I think is a very  
15 irresponsible process because of the hazards and  
16 contaminations involved with this site. This is a  
17 very extremely hazardous site compared to many  
18 other types of conditions that could possibly  
19 exist in other situations. And the amount of  
20 contamination that we're -- just based -- that the  
21 public is beginning to learn about.

22 Some of the people have been doing the  
23 studies and have known about it for many years,  
24 but much of the public is not even aware of the  
25 kind of contamination that's going on with the

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1 ground water from all of these munitions that have  
2 been at this site, and there's people's personal  
3 wells, water wells in the area, that are going to  
4 be affected by this, as well as, from what I  
5 understand, in the scope of this project, it's  
6 planned to put public water wells on the site in  
7 the vicinity of this ground water contamination,  
8 which I think is yet again completely  
9 irresponsible of a public entity to put that  
10 before -- you know, in the exposure to its public  
11 to be exposed to that.

12 So that pretty much wraps it up. I  
13 agree with our Veterans, that I think there are  
14 other alternative uses for this site that would be  
15 much more responsible than to expose it to the  
16 kind of free range access that the public will  
17 have with it being a park.

18 The liabilities that are involved, the  
19 loss of human life or injury -- I've been at  
20 previous meetings we had on this, and I didn't  
21 hear anything that sounded too reassuring that  
22 restrictions that were had in mind in relation to  
23 signs and fences were going to be adequate to keep  
24 people from out of the areas that wouldn't be  
25 cleaned up. Like another gentleman mentioned,

1 kids are curious, they'll want to go into those  
2 areas that they're not allowed to go in, just to  
3 see what's there, and the chances of somebody  
4 getting injured or exposed to contamination are  
5 pretty high.

6 I didn't get to ask my earlier question  
7 about the buffer zone, as far as if it's  
8 determined yet how deep down the surface  
9 penetration you'll go on the buffer zones around  
10 the trails, the roads, and the perimeter of the  
11 vicinity to eliminate the possibility of  
12 unexploded ordinances. So I hope that is also  
13 addressed.

14 Thank you.

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1 185 KAREN AXELL

2 My name is Karen Axell, and I'm also  
3 with the Rosemead Neighborhood Association, but  
4 mostly I am a citizen of Clark County.

5 This is just one of the most absurd  
6 things that people I know think has ever happened  
7 here. I think there is no question about whether  
8 or not this can be done correctly or thoroughly;  
9 somebody earlier said that they had full  
10 confidence, I think there's no question that  
11 people have lots of questions about this. And the  
12 farther you go in this process, the more the  
13 public hears about this, the more you're going to  
14 hear from the public.

15 I think the comparison to the post-war  
16 situation in Europe is an insult to us and to  
17 them; it's like apples and oranges. The reason  
18 that we exist here in the United States is that we  
19 do things differently, which is not to compare how  
20 they do it there, but you can't -- our  
21 environmental laws, our personal protection laws,  
22 our entire existence is based on an entirely  
23 different thing. So it's just insulting to  
24 compare us to a situation where they had a war on  
25 their home land. This is something we created

1 with our own munitions; this is something we can  
2 control, and you're blatantly -- just blatantly  
3 ignoring some of the real dangers here.

4           You should listen to the Veterans and  
5 have respect for the Native American lands, and  
6 most of all, respect the interests and the health  
7 of the citizens here.

8           Thank you.

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1 18K DAVYA BERTISH

2 Sorry, I'm trying to read my chicken  
3 scratch and not waste my time, and I missed some  
4 items that I thought were important.

5 On page 27 under PPDC, it discusses that  
6 the Army used photographic evidence to identify  
7 areas of concern, and I note that the Department  
8 of Ecology purchased the LIDAR technology over  
9 flight mapping, and I'd ask that that be  
10 incorporated into the future studies, in case -- I  
11 haven't seen that mentioned anywhere, and I think  
12 that is going to be a helpful tool.

13 Another part that was of concern to me  
14 was on page 30, item No. 88, "The site may  
15 encompass areas beyond the boundaries of the camp,  
16 and that the decree does not require Clark County  
17 or the cleanup team to develop or conduct remedial  
18 activity beyond the boundaries."

19 And there is question and concern about  
20 the step-out issue, the 100 by 100 foot step-out,  
21 that it's not really defined very well. Because  
22 what happens if, within that boundary area, if  
23 during the cleanup efforts that munitions of  
24 concern are discovered right against the boundary  
25 fence, does that indicate that a 100 by 100

1 step-out would go over the boundary line or not?  
2 According to what is written there, it says that  
3 it would not, but I think that, statistically, it  
4 would show the need to go beyond the boundary  
5 because of artillery firing ranges.

6 And one final comment, and this is more  
7 editorial than anything else because I realize  
8 there are reasons for this kind of language, but  
9 there are determinations and clauses within the  
10 PPCD that holds all parties harmless and indemnify  
11 everyone. And that only leaves one party  
12 responsible and yet they're not a signature. And  
13 I realize that there's a purpose for that, because  
14 these parties that are -- the cleanup elements are  
15 not responsible for the contamination, yet there  
16 is language in there that states that when the  
17 property transfers, the owners would become  
18 resolved -- there's potential liability, and this  
19 language attempting to dissolve that problem, and  
20 it's not really clear, the way it's written.

21 And it's of concern to me that with the  
22 early transfer and the -- our lack of knowledge  
23 about insurance and this language that is listed  
24 under the RCS's under the determinations on page  
25 16, it's difficult to understand how the property

1 is not going to become -- Clark County is not  
2 going to become a potentially liable party, and  
3 that it's not thoroughly listed that CERCLA in the  
4 PPCD is going to be invoked to hold the party  
5 responsible, that being the Army.

6 So I would ask that, for obvious  
7 reasons, that there be language included in that  
8 paragraph that says although these parties are not  
9 liable, the liable party would be such and such  
10 for clarification.

11 Thank you.

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1 18L  
2 LINEL HUTTON

3 The Army and Ecology, as nearly as I can  
4 tell, actually have begun essentially  
5 collaborating on their respective documents. The  
6 PPCD and FOSET, which kind of places Ecology in a  
7 position of working collaberatively with the  
8 entity that it needs to oversee. And I think that  
9 is a little bit -- not a little bit. I think it  
10 actually puts a strain on the ability for Ecology  
11 to effectively monitor and oversee cleanup when  
12 the documents that have been prepared have been  
13 prepared jointly instead of separately, with  
14 separate concerns being addressed.

15 The other concern that I have is that by  
16 running this parallel course with the time line,  
17 essentially Ecology is fast tracking the whole  
18 process toward transfer. And I don't understand  
19 why it needs to do that.

20 I would like Ecology to give me a full  
21 explanation of why it feels it necessary to put on  
22 -- push on the accelerator and fast track this  
23 whole thing through the transfer process. I don't  
24 understand what the big rush is. We're talking  
25 about 30 days to accomplish what, in 2003, was to  
have taken three months. And that's not fair.

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1 That's not fair to the public, that's not fair to  
2 us, it's not fair to people who have to give  
3 consideration to these documents for the first  
4 time.

5           You may have drawn them up, you may  
6 understand them, you may discredit everything we  
7 have concerns about, you may discredit everything.  
8 I hear you do it in this meeting; I have heard you  
9 do it before. I believe our concerns are valid,  
10 and I believe that we need time to have them  
11 addressed properly.

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1 CHUCK MASON

2 18 M

3 Chuck Mason, veteran of foreign wars.

4 It's been widely publicized in the local  
5 newspaper that the County has a lot of park land  
6 that it cannot develop because it does not have  
7 the money to do so. I question why you want some  
8 more park land. I've got a loaded answer for you.  
9 You want the timber.

10 I've got this piece of paper that came  
11 out of one of your documents. You think you've  
12 got 12 million bucks out there; I'm sure that's  
13 what you're after. There's not \$12,000,000 worth  
14 of timber out there. So it's an economic thing,  
15 on the part of the County, and we're going to  
16 fight it.

17 Thank you.

18 (PUBLIC RESPONSE CONCLUDED AT 8:02 P.M.)

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<p><b>A</b></p> <p><b>ability</b> 12:15 14:2 24:9</p> <p><b>absorbing</b> 11:9</p> <p><b>absurd</b> 19:5</p> <p><b>accelerator</b> 24:21</p> <p><b>access</b> 12:9 13:24 16:5 17:16</p> <p><b>accomplish</b> 24:24</p> <p><b>acknowledge</b> 13:21</p> <p><b>acknowledged</b> 14:6</p> <p><b>action</b> 5:5,11</p> <p><b>actively</b> 4:8</p> <p><b>activity</b> 14:21,23 21:18</p> <p><b>added</b> 13:3</p> <p><b>addition</b> 13:3</p> <p><b>additional</b> 2:25</p> <p><b>address</b> 10:2 15:3</p> <p><b>addressed</b> 15:10 16:9 18:13 24:13 25:11</p> <p><b>adequate</b> 17:23</p> <p><b>adopting</b> 4:22</p> <p><b>advice</b> 5:10</p> <p><b>advisory</b> 2:6 11:17 11:22 12:4 14:12 14:13</p> <p><b>advocate</b> 13:2,12</p> <p><b>affect</b> 5:11</p> <p><b>afforded</b> 15:12</p> <p><b>agree</b> 16:10 17:13</p> <p><b>air</b> 12:10</p> <p><b>allotted</b> 16:6</p> <p><b>allow</b> 7:10</p> <p><b>allowed</b> 16:12 18:2</p> <p><b>allowing</b> 9:25</p> <p><b>alternative</b> 17:14</p> <p><b>Amboy</b> 9:3</p> <p><b>American</b> 20:5</p> <p><b>amount</b> 5:12 11:22 16:11,19</p> <p><b>analysis</b> 13:9</p> <p><b>animals</b> 5:3</p> <p><b>answer</b> 26:7</p> <p><b>anymore</b> 3:8</p> <p><b>appears</b> 13:10 14:1</p> <p><b>apples</b> 19:17</p> <p><b>applicable</b> 3:5</p> <p><b>applied</b> 2:19,20</p> <p><b>apply</b> 4:23</p> <p><b>April</b> 1:17</p> <p><b>archeological</b> 15:6 15:11</p> <p><b>area</b> 5:17 7:11</p>	<p>13:14 17:3 21:22</p> <p><b>areas</b> 5:10 13:2 17:24 18:2 21:7 21:15</p> <p><b>Arlington</b> 9:17</p> <p><b>Army</b> 7:16 10:6 11:19 21:6 23:5 24:2</p> <p><b>artillery</b> 22:5</p> <p><b>Aschoff</b> 9:1,2</p> <p><b>associated</b> 13:17</p> <p><b>Association</b> 12:3 16:3 19:3</p> <p><b>attempting</b> 22:19</p> <p><b>attempts</b> 12:7</p> <p><b>attended</b> 12:4,8</p> <p><b>Autumn</b> 5:16</p> <p><b>aware</b> 6:6 16:24</p> <p><b>Axell</b> 19:1,2</p>	<p><b>boundary</b> 21:22,24 22:1,4</p> <p><b>bucks</b> 26:11</p> <p><b>budget</b> 13:24,25</p> <p><b>buffer</b> 18:7,9</p> <p><b>bugs</b> 5:7</p> <p><b>built</b> 10:15</p> <p><b>burden</b> 11:10</p> <p><b>burial</b> 9:12</p> <p><b>bury</b> 9:15,16</p>	<p><b>C</b></p> <p><b>called</b> 15:7</p> <p><b>calling</b> 9:22</p> <p><b>camp</b> 2:6,13 4:2 5:3 5:18,22 11:16 15:8 21:15</p> <p><b>cart</b> 14:4</p> <p><b>case</b> 21:10</p> <p><b>cemetry</b> 2:9,13,15 6:14 9:20,24</p> <p><b>CERCLA</b> 14:5 23:3</p> <p><b>certainly</b> 4:3 5:20</p> <p><b>cessation</b> 14:23,25</p> <p><b>chairman</b> 12:3</p> <p><b>chance</b> 8:8</p> <p><b>chances</b> 18:3</p> <p><b>characterization</b> 3:1</p> <p><b>Cheryl</b> 1:24</p> <p><b>chicken</b> 21:2</p> <p><b>Chuck</b> 2:1 26:1,2</p> <p><b>citizen</b> 13:23 19:4</p> <p><b>citizens</b> 12:8 20:7</p> <p><b>clarification</b> 23:10</p> <p><b>Clark</b> 1:2,8 4:21 7:3,5,16,17 9:9,10 9:21 14:13 19:4 21:16 23:1</p> <p><b>clauses</b> 22:9</p> <p><b>cleaned</b> 17:25</p> <p><b>cleanup</b> 4:17 5:5 6:10 7:9 10:23 11:22 13:2 14:11 21:17,23 22:14 24:10</p> <p><b>clear</b> 22:20</p> <p><b>close</b> 4:25</p> <p><b>coalesce</b> 12:23</p> <p><b>Coast</b> 9:16,17</p> <p><b>collaberatively</b> 24:6</p> <p><b>collaborate</b> 14:15</p> <p><b>collaborating</b> 24:4</p> <p><b>collectively</b> 12:10</p>	<p>12:16</p> <p><b>come</b> 4:10</p> <p><b>comment</b> 4:21 10:9 10:15,17 11:5 12:6 13:22 16:4,7 16:7 22:6</p> <p><b>comments</b> 3:12 5:19 10:10,13 14:1,3</p> <p><b>communication</b> 5:1</p> <p><b>community</b> 3:2</p> <p><b>compare</b> 19:19,24</p> <p><b>compared</b> 16:17</p> <p><b>comparison</b> 19:15</p> <p><b>complete</b> 10:25</p> <p><b>completely</b> 17:8</p> <p><b>compliance</b> 4:24</p> <p><b>component</b> 13:23</p> <p><b>components</b> 14:9</p> <p><b>comprehending</b> 11:9</p> <p><b>concept</b> 4:20 7:5</p> <p><b>concern</b> 4:4 21:7,13 21:19,24 22:21 24:14</p> <p><b>concerning</b> 10:3</p> <p><b>concerns</b> 6:8 12:11 15:14 16:8 24:13 25:7,9</p> <p><b>CONCLUDED</b> 26:18</p> <p><b>concurrently</b> 11:2</p> <p><b>conditions</b> 16:18</p> <p><b>conduct</b> 21:17</p> <p><b>confidence</b> 4:16 19:10</p> <p><b>conflict</b> 15:1,5</p> <p><b>congressionally</b> 11:16</p> <p><b>consent</b> 4:14 5:21 12:17</p> <p><b>CONSERVATION</b> 1:9</p> <p><b>consider</b> 5:15</p> <p><b>considerably</b> 13:20</p> <p><b>consideration</b> 5:19 25:3</p> <p><b>construction</b> 5:16</p> <p><b>contaminants</b> 13:11</p> <p><b>contamination</b> 16:20,25 17:7 18:4 22:15</p> <p><b>contaminations</b> 16:16</p> <p><b>contingency</b> 13:3</p>	<p><b>control</b> 20:2</p> <p><b>conversation</b> 15:10</p> <p><b>conveying</b> 11:9</p> <p><b>correctly</b> 19:8</p> <p><b>County</b> 1:2,8 4:22 7:3,16,18 9:9,10 9:21 14:13 19:4 21:16 23:1 26:4 26:14</p> <p><b>County's</b> 7:5</p> <p><b>course</b> 4:16 9:8 24:15</p> <p><b>COURT</b> 1:2</p> <p><b>covenant</b> 14:5</p> <p><b>created</b> 10:13 19:25</p> <p><b>creating</b> 14:21</p> <p><b>cumbersome</b> 11:8</p> <p><b>curious</b> 18:1</p>
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Despite repeated concerns from many knowledgeable community members at various public meetings, Clark County is on the fast track to receive a "dirty transfer" from the U S Army  
This is another abominable act by government officials to produce the green space needed by law, in order to obtain permits that allow uncontrolled building, that is already turning much of Clark County into another 'California Highway!'

It is not enough that the proposed park will be unsafe for our children, (There isn't enough time or money to make a foolproof cleanup - so stop bleating about it) But the public has not been told what the project budget is, because (There is not enough time or money to make a foolproof cleanup)

Who is the insurance carrier?

One of the cleanup entities has not yet even been created!

The public is not being allowed to see all of the elements of this transfer. This is a violation of the public process.  
This proposal elevates political greed and uncaring stupidity to a new high.

Jane Valentine

