

# DRAFT FINAL FINDING OF SUITABILITY TO TRANSFER

## PRFTA-13 Building 761 Fuel Storage Area

### Combat Support Training Center Camp Parks Dublin, California

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Prepared by:

Prepared for:

USAG Camp Parks



US Army Corps  
of Engineers®



January 2014

**DRAFT FINAL FINDING OF SUITABILITY TO  
TRANSFER (FOST)**

**Combat Support Training Center Camp Parks, Dublin, Contra  
Costa County, California**

**PRFTA-13 Building 761 Former Fuel Storage Area**

**January 17, 2014**

**DRAFT FINAL FINDING OF  
SUITABILITY TO TRANSFER (FOST)  
Combat Support Training Center Camp Parks,  
Dublin, Contra Costa County, California  
PRFTA-13 Building 761 Former Fuel Storage Area**

**January 17, 2014**

**1. PURPOSE**

The purpose of this Finding Of Suitability To Transfer (FOST) is to document the environmental suitability of certain parcels or property at the United States Army Combat Support Training Center, Camp Parks (Parks) for transfer to the Dublin Crossing CP, Limited Liability Corporation, consistent with Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 120(h) and Department of Defense (DOD) policy. In addition, the FOST includes the CERCLA Notice, Covenant, and Access Provisions and other Deed Provisions and the Environmental Protection Provisions (EPPs) necessary to protect human health or the environment after such transfer.

**2. PROPERTY DESCRIPTION**

Property consists of approximately 2.5603 acres, which includes no current buildings and no acres of undeveloped land. The property was previously used as a fuel storage area.

The property is intended to be transferred as a mixed-use master-planned community<sup>1</sup> and is consistent with the intended reuse of the property as set force in the Dublin Crossing Draft Specific Plan (RBF, 2013) and Dublin Crossing Environmental Impact Report (RBF, 2013). A site map of the property is attached (Enclosure 1).

**3. ENVIRONMENTAL DOCUMENTATION**

A determination of the environmental condition of the property was made based upon the Environmental Baseline Survey (USACHPPM, 2002e) and Environmental Condition of Property (ECP) (USACHPPM 2011) and the **ECP Recertification Memo (CTSC Camp Parks, 2013)**. The information provided is a result of a complete search of agency files during the development of these environmental surveys.

A complete list of documents providing information on environmental conditions of the Property is attached (Enclosure 2).

**4. ENVIRONMENTAL CONDITION OF PROPERTY**

The DOD Environmental Condition of Property (ECP) categories for the property are as follows:

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<sup>1</sup> The current proposed use is residential (14 % single family, 31 % townhomes), retail and multifamily (5%), office/hotel (5%), civic (3%), open space (26%), school (4%), and infrastructure (11%)

## ECP Category 2: PRFTA-13 Building 761 Former Fuel Storage Area

A summary of the ECP Categories for specific buildings, parcels, or operable units and the ECP category definitions is provided in Table 1 – Description of Property (Enclosure 3).

### **4.1. Environmental Remediation Sites**

There was one remediation site located on the Property. A summary of the environmental remediation site on the property is as follows: diesel fuel release to soil and shallow groundwater. The property was not remediated to levels suitable for unrestricted use. The deed will include the following land use restrictions: No digging without a permit, industrial use, no groundwater use. See the No Further Action Letter (RWQCBSFB, 2013) and Land Use Control Implementation Plan (USACE, 2013) for additional information. A summary of the environmental remediation sites is provided in Table 2 – Notification of Petroleum Product Storage, Release, or Disposal (Enclosure 4).

### **4.2. STORAGE, RELEASE, OR DISPOSAL OF HAZARDOUS SUBSTANCES**

There is no evidence that hazardous substances were stored, released, or disposed of on the property in excess of the 40 CFR Part 373 reportable quantities. The CERCLA120(h)(4) Covenant and Access Rights at Enclosure 5 will be included in the Deed.

### **4.3. PETROLEUM AND PETROLEUM PRODUCTS**

#### **4.3.1. UNDERGROUND AND ABOVE-GROUND STORAGE TANKS (UST/AST)**

- **Former UST/AST Sites** - There were no underground and/or two above-ground petroleum storage tanks (UST/AST) on the property that have been removed or closed in place. Petroleum product releases occurred at the following sites:

PRFTA-13 Building 761 Former Fuel Storage Area

The release of these petroleum products was remediated at the time of the release or as part of UST/AST closure. See (MACTC, 2008b) for additional information.

A summary of the UST/AST petroleum product activities is provided in Table 2 – Notification of Petroleum Products Storage, Release, or Disposal (Enclosure 4).

#### **4.3.2. Non-UST/AST Storage, Release, or Disposal of Petroleum Products**

There is no evidence that non-UST/AST petroleum products in excess of 55 gallons were stored for one year or more on the property.

### **4.4. POLYCHLORINATED BIPHENYLS (PCB)**

There is no evidence that PCB-containing equipment is located or was previously located on the property.

#### **4.5. ASBESTOS**

There is no evidence that buildings or structures with ACM are located on the property.

#### **4.6. LEAD-BASED PAINT (LBP)**

No buildings on the property are presumed to contain lead-based paint.

#### **4.7 INDOOR FIRING RANGES**

There is no evidence that buildings or structures with lead-contaminated dust from a former indoor firing range are located on the property.

#### **4.8. RADIOLOGICAL MATERIALS**

There is no evidence that radioactive material or sources were stored or used on the property.

#### **4.9. RADON**

Radon surveys were conducted in 19 buildings on the property. Radon was not detected at above the EPA residential action level of 4 picocuries per liter (pCi/L) in these buildings.

#### **4.10. MUNITIONS AND EXPLOSIVES OF CONCERN (MEC)**

Based on a review of existing records and available information, there is no evidence that Munitions and Explosives of Concern (MEC) are present on the property. . In addition, available documentation indicates no areas within the proposed transfer area were ever used as ranges, training areas, or for other purposes that might indicate MEC is present. The term “MEC” means military munitions that may pose unique explosives safety risks, including: (A) unexploded ordnance (UXO), as defined in 10 U.S.C. §101(e)(5); (B) discarded military munitions (DMM), as defined in 10 U.S.C. §2710(e)(2); or (C) munitions constituents (e.g., TNT, RDX), as defined in 10 U.S.C. §2710(e)(3), present in high enough concentrations to pose an explosive hazard.

#### **4.11. OTHER PROPERTY CONDITIONS**

There are no other hazardous conditions on the property that present an unacceptable risk to human health and the environment.

#### **5. ADJACENT PROPERTY CONDITIONS**

There are no conditions adjacent to the property that present an unacceptable risk to human health and the environment.

#### **6. ENVIRONMENTAL REMEDIATION AGREEMENTS**

There are no environmental remediation orders or agreements applicable to the property being transferred. The deed will include a provision reserving the Army's right to conduct remediation activities if necessary in the future (Enclosure 5).

## **7. REGULATORY/PUBLIC COORDINATION**

The U.S. EPA Region\_9, the California Department of Toxic Substances Control and California Regional Water Quality Control Board San Francisco Bay Region, and the public were notified of the initiation of this FOST. Regulatory/public comments received during the public comment period will be reviewed and incorporated, as appropriate. A copy of the regulatory/public comments and the Army Response will be included at Enclosure 7 and 8.

**[Editorial Note – Revise this section after the public comment period is completed to reflect whether any regulatory/public comments were received and an Army Response was prepared.]**

## **8. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE**

The environmental impacts associated with the proposed property transfer have been analyzed in accordance with National Environmental Policy Act (NEPA). The results of this analysis are documented in the Final Environmental Impact Statement and ROD (signed on 28 October 2009) (Department of the Army, 2009).

The NEPA analysis identified several encumbrances. These encumbrances and the corresponding mitigation and monitoring procedures, are presented in Enclosure 9.

**9. FINDING OF SUITABILITY TO TRANSFER**

**ECP Category 2, Petroleum Release Only:**

Based on the information above, I conclude that all removal or remedial actions necessary to protect human health and the environment have been taken. In addition, all Department of Defense requirements to reach a finding of suitability to transfer have been met, subject to the terms and conditions in the Environmental Protection Provisions that shall be included in the deed for the property. The deed will also include the Access Provision and Other Deed Provisions. Whereas no hazardous substances were stored for one year or more, known to have been released, or disposed of on the parcel, a hazardous substance notification is not required.

Reviewed by:

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Mark N. Hall  
Environmental Protection Specialist

Approved by:

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Date

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CHRISTOPHER P. GERDES  
LTC, MP, U.S. Army  
Commanding

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Date

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DONNA R. WILLIAMS  
COL, EN, U.S. Army  
Commanding

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Date

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THOMAS J. SCHOENBECK  
Region Director, IMCOM Central

8 Enclosures

Encl 1 -- Site Map of Property

Encl 2 -- Environmental Documentation

Encl 3 -- Table 1 -- Description of Property

Encl 4 -- Table 2 -- Notification of Petroleum Product Storage, Release, or Disposal

Encl 5 -- CERCLA Notice, Covenant, and Access Provisions and Other Deed Provisions

Encl 6 -- Environmental Protection Provisions

Encl 7 -- Regulatory/Public Comments

Encl 8- Army Response

Encl 9 -- ROD Encumbrances

**ENCLOSURE 1**  
**SITE MAP OF PROPERTY**

# PROJECT MAP

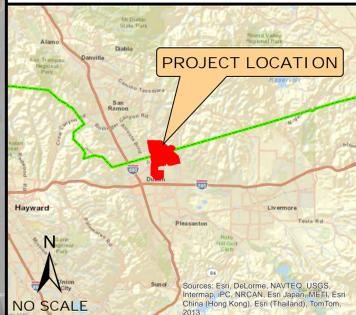
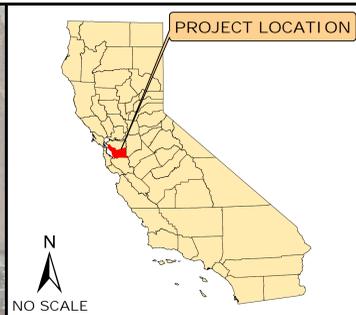
**FINAL DRAFT**  
As Applicable

DEPARTMENT OF THE \_\_\_\_\_  
USING SERVICE \_\_\_\_\_

LOCATION OF PROJECT

STATE \_\_\_\_\_  
COUNTY \_\_\_\_\_  
DIVISION \_\_\_\_\_  
DISTRICT \_\_\_\_\_  
ARMY AREA \_\_\_\_\_

OF  
OF



TRANSPORTATION FACILITIES

RAILROADS \_\_\_\_\_  
STATE ROADS \_\_\_\_\_  
FEDERAL ROADS \_\_\_\_\_  
AIRPORTS \_\_\_\_\_

ACQUISITION

TOTAL ACRES ACQUIRED \_\_\_\_\_  
FEE \_\_\_\_\_

PUBLIC DOMAIN  WITHDRAWN  
 USE PERMIT

USE PERMIT (Other than P.D.) \_\_\_\_\_

TRANSFER  WITHDRAWN  
 USE PERMIT

LEASE \_\_\_\_\_  
EASEMENT RESERVED IN FEE DISPOSAL \_\_\_\_\_

LESSER INTERESTS  EASEMENT  
 PERMIT  
 LICENSE

DISPOSAL

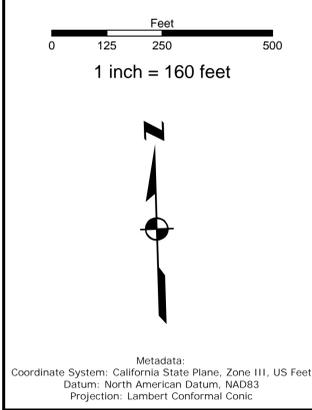
TOTAL ACRES DISPOSED \_\_\_\_\_  
SOLD \_\_\_\_\_

PUBLIC DOMAIN  WITHDRAWN  
 USE PERMIT

USE PERMIT (Other than P.D.) \_\_\_\_\_

TRANSFERRED (FEE) \_\_\_\_\_

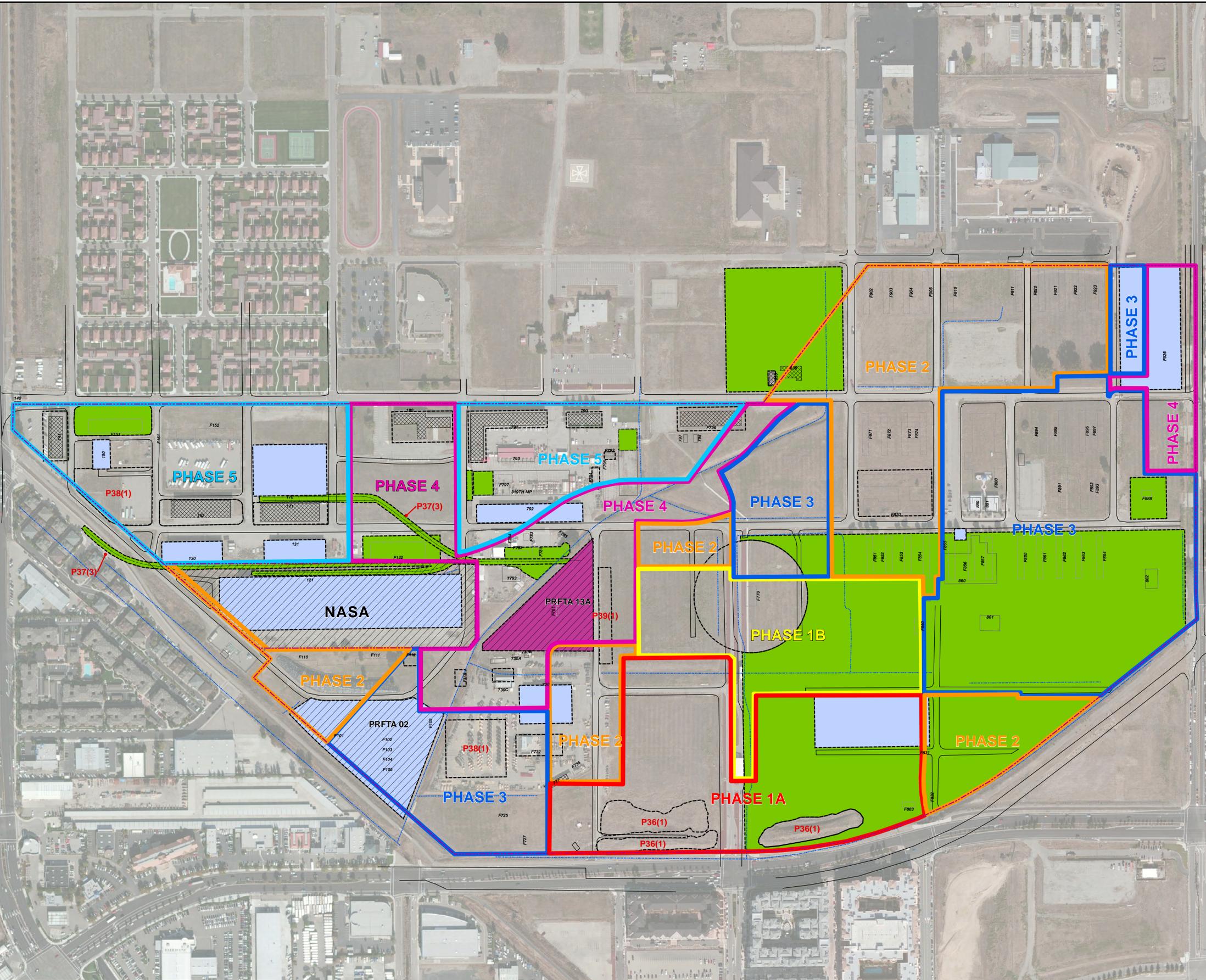
LEASES TERMINATED \_\_\_\_\_  
LESSER INTERESTS TERM \_\_\_\_\_  
REASSIGNED \_\_\_\_\_  
ACRES TO \_\_\_\_\_



EXCEPT FOR SPECIAL SYMBOLS SHOWN BELOW, MAP SYMBOLS ARE STANDARD IN U.S. ARMY FIELD MANUAL, FM 21-31, TOPOGRAPHIC SYMBOLS, DEC. 1968.

**LEGEND**

- PHASE 1A
- PHASE 1B
- PHASE 2
- PHASE 3
- PHASE 4
- PHASE 5
- Survey Limits
- Former Buildings
- Current Buildings
- Drainage
- Roads
- RR Tracks



**Environmental Condition of Property (ECP)**

- ECP Category 1
- ECP Category 2
- ECP Category 3
- ECP Category 4
- Lead-based Paint/Asbestos Areas
- Areas Excluded From FOST

**SPECIAL NOTES:**

1) This information is NOT intended as a substitute for a field survey by a licensed professional, or an application that requires legal or engineering accuracy.

2) Parcel boundary data is only a representation of ground features projected on to the Earth's surface by computer programs from raw data obtained from local government agencies and is not necessarily in whole, or in part, based upon any physical survey, study, or recording, professional or otherwise, of the covered properties.

**PARKS RPX/FOST**

DEPARTMENT OF THE ARMY  
OFFICE OF THE SACRAMENTO DISTRICT ENGINEER  
SOUTH PACIFIC DIVISION

CARTOGRAPHER HEATHER A. DOWNING  
CARTO TECH.  
CHECKED BY BILL CASALE

SUBMITTED BY  
STEVE CAREY  
CHIEF, CADASTRAL SECTION

RECOMMENDED BY  
STAN WALLIN  
CHIEF, ACQ. & MGMT. BRANCH

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
CHIEF, REAL ESTATE DIVISION

OFFICE, CHIEF OF ENGINEERS, WASHINGTON 25, D.C.

REQUIS CODE: \_\_\_\_\_  
REQUIS UNIQUE ID: \_\_\_\_\_  
INSTALLATION OR PROJECT NO. \_\_\_\_\_

ALAMEDA COUNTY REAL ESTATE CALIFORNIA

**PARKS RESERVE FORCES TRAINING AREA**

Date Saved: 12/17/2013 10:44:40 AM

SHEET 1 OF 1 DRAWING NO. \_\_\_\_\_

Path: G:\MILITARY\Camp\_Parks\Project\Camp\_Parks\_RPX\_FOST\20131107\_ParksRPX\_EnvironmentalOverlay.mxd

## ENCLOSURE 2

### ENVIRONMENTAL DOCUMENTATION

Assistant Secretary of the Army (Installations & Environment), 2005, Transmittal of Model Language for Findings of Suitability to Transfer (FOST) and Deeds Pertaining to Army Real Estate, with 28 May 2013 update.

Camp Parks, 2014, Recertification of Final Environmental Condition of Property Report No. 38-Eh-3589-10 Dublin Crossing (Formerly the 180-Acre) Real Property Exchange Area U.S. Army Combat Support Training Center And Camp Parks

CRWQCB San Francisco Bay Region, 2009, Groundwater Monitoring at PRFTA-13, U.S. Army Combat Support Training Center, Camp Parks, Dublin, Alameda County

Department of the Army, 2009. Record of Decision for the real Property Master Plan and Real Property Exchange at United States Army Garrison, Camp Parks, California. Department of the Army, Installation Management Command.

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Kemron Environmental Services, 2006, US Army Combat Support Training Center, Camp Parks Site Investigation Report, PRFTA-13, Contract #W911SO-040F0017, April

Kemron Environmental Services, 2007, Quarterly Groundwater Monitoring Report Second Quarter 2007 Former Tank Farm (PRFTA-13) U.S. Army Combat Support Training Center, Camp Parks (CSTC) Dublin, California Contract #W911SO-04-F0017

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Kemron Environmental Services, 2008, Quarterly Groundwater Monitoring Report Second Quarter 2008 Former Tank Farm (PRFTA-13) U.S. Army Combat Support Training Center, Camp Parks (CSTC) Dublin, California Contract #W911SO-04-F0017, September 5

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Levy, 2006. Letter from George Levy, Project Manager, California Regional Water Quality Control Board to Colonel W Scott Wood, Base Commander, HQ, US Army Combat Support Training Center, Fort Hunter Liggett, California. RE: Approval of Corrective Action Plan,

Former Tank Farm (PRFT A 13) and Request a Corrective Action Report, U.S. Army Combat Support Training Center, Camp Parks, Dublin, Alameda County, September 8, 2006

Leyva, G, 2009. Letter from George Leyva, Project Manager, California Regional Water Quality Control Board to Douglas Guenther, Compliance Manager, HQ, US Army Combat Support Training Center, Fort Hunter Liggett, California. RE: Groundwater Monitoring at Building 791, Former Fuel Storage Area, U. S. Army Combat Support Training Center, Camp Parks, Dublin, California, 17 February 2009.

MACTEC Engineering and Consulting, Inc. (MACTEC), 2006. *Corrective Action Plan, Former Tank Farm (PRFTA-13), U.S. Army Combat Support Training Center, Camp Parks (CSTC), Dublin, California.* July 5.

MACTEC Engineering and Consulting, 2006a. Draft Site Investigation Report, Former Tank Farm PRFTA-13), Parks Reserve Forces Training Area, Dublin, California. Report prepared for the United States Army Environmental Center, Northern Regional Contracting Center, Fort Eustis, VA.

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MACTEC Engineering and Consulting, 2007b, Quarterly Groundwater Monitoring Report First Quarter 2007 Former Tank Farm (PRFTA-13) U.S. Army Combat Support Training Center, Camp Parks (CSTC) Dublin, California MACTEC Project No. 3361804812810, May 31

MACTEC Engineering and Consulting, 2008a, Quarterly Groundwater Monitoring Report Third Quarter 2007 Former Tank Farm (PRFTA-13) U.S. Army Combat Support Training Center, Camp Parks (CSTC) Dublin, California MACTEC Project No. 3361804812810, January 25

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<http://www.dublincrossingca.com/specific-plan.pdf>

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<http://www.dublincrossingca.com/EIR.pdf>

San Francisco Bay Regional Water Quality Control Board, 2013, No Further Action for the PRFTA-13, Former Above Ground Petroleum Storage Tank Release Site, U.S. Army Combat Support Training Center Camp Parks, Dublin, Alameda County

SWRCB, Low Threat Underground Storage Tank Closure Policy (Low Threat Policy)

USACHPPM, 2011. Final Environmental Condition of Property Report No. 38-EH-3589-10 Dublin Crossing (Formerly the 180-Acre) Real Property Exchange Area, U.S Army Combat Support Training Center and Camp Parks, Dublin, California, June 2011.

U.S. Army Center for Health Promotion and Preventative Medicine (USACHPPM), 1998. Relative Risk Site Evaluation 38-EH-8204-98, Parks Reserve Forces Training Area, August 1998.

U.S. Army Center for Health Promotion and Preventative Medicine (USACHPPM), 2002. *Phase 2 Site Inspection No 38-EH-6665-03, Former Tank Farm (PRFTA-13), Parks Reserve Forces Training Area, Dublin, California.* October.

United States Army, 2005, Memorandum from Assistant Secretary of the Army Subject: Transmittal of Model Language for Finding of Suitability to Transfer (FOST) and Deeds Pertaining to Army Real Estate, January 10 2005 with May 28 2013 update

US Army Garrison Camp Parks, 2009 Final Environmental Impact Statement on Master Planned Redevelopment at Camp Parks

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Wolfe, Bruce H., 2013, Letter Subject: No Further Action for the PRFTA-13, Former Above Ground Petroleum Storage Tank Release Site, U.S. Army Combat Support Training Center Camp Parks, Dublin, Alameda County

Woodward-Clyde Federal Services, 1994a. Preliminary Assessment for Parks Reserve Forces Training Area, Dublin, California, 27 May 1994.

## ENCLOSURE 3

### TABLE 1 – DESCRIPTION OF PROPERTY

<b>Building Number and Property Description</b>	<b>ECP Parcel Designation</b>	<b>Condition Category</b>	<b>Remedial Actions</b>
Bldg. 761	19	2	Three 12,000 gallon ASTS were removed in 1993. Diesel-contaminated soil was excavated and disposed. Groundwater was treated with In Situ Chemical Oxidation. Residual contamination was addressed with land use controls. The State determined that no further action is necessary in a letter dated November 2013

Category 1: Areas where no release or disposal of hazardous substances or petroleum products has occurred. (Including no migration of these substances from adjacent areas)

Category 2: Areas where only release or disposal of petroleum products has occurred.

Category 3: Areas where release, disposal, and/or migration of hazardous substances has occurred, but at concentrations that do not require a removal or remedial response.

Category 4: Areas where release, disposal, and/or migration of hazardous substances has occurred, and all removal or remedial actions to protect human health and the environment have been taken.

**ENCLOSURE 4**

**TABLE 2– NOTIFICATION OF PETROLEUM PRODUCT STORAGE, RELEASE, OR DISPOSAL**

<b>Building Number</b>	<b>Name of Petroleum Product(s)</b>	<b>Date of Storage, Release, or Disposal</b>	<b>Remedial Actions</b>
Bldg. 761	Diesel	1945-1993	Three 12,000 gallon ASTS were removed in 1993. Contaminated soil was excavated and disposed. Groundwater was treated with In Situ Chemical Oxidation. Residual contamination was addressed with land use controls. . The State determined that no further action is necessary in a letter dated November 2013

## ENCLOSURE 5

### CERCLA NOTICE, COVENANT, AND ACCESS PROVISIONS AND OTHER DEED PROVISIONS

#### **I. Access Rights:**

The United States retains and reserves a perpetual and assignable easement and right of access on, over, and through the property, to enter upon the property in any case in which an environmental response or corrective action is found to be necessary on the part of the United States, without regard to whether such environmental response or corrective action is on the property or on adjoining or nearby lands. Such easement and right of access includes, without limitation, the right to perform any environmental investigation, survey, monitoring, sampling, testing, drilling, boring, coring, testpitting, installing monitoring or pumping wells or other treatment facilities, response action, corrective action, or any other action necessary for the United States to meet its responsibilities under applicable laws and as provided for in this instrument. Such easement and right of access shall be binding on the Grantee and its successors and assigns and shall run with the land.

In exercising such easement and right of access, the United States shall provide the Grantee or its successors or assigns, as the case may be, with reasonable notice of its intent to enter upon the

property and exercise its rights under this clause, which notice may be severely curtailed or even eliminated in emergency situations. The United States shall use reasonable means to avoid and to minimize interference with the Grantee's and the Grantee's successors' and assigns' quiet enjoyment of the property. At the completion of work, the work site shall be reasonably restored. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the property at a reasonable charge to the United States. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the Grantee, nor its successors and assigns, for the exercise of the easement and right of access hereby retained and reserved by the United States.

In exercising such easement and right of access, neither the Grantee nor its successors and assigns, as the case may be, shall have any claim at law or equity against the United States or any officer, employee, agent, contractor of any tier, or servant of the United States based on actions taken by the United States or its officers, employees, agents, contractors of any tier, or servants pursuant to and in accordance with this clause: Provided, however, that nothing in this paragraph shall be considered as a waiver by the Grantee and its successors and assigns of any remedy available to them under the Federal Tort Claims Act.

## **II. OTHER DEED PROVISIONS:**

### **A. "AS IS"**

a. The Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property and accepts the condition and state of repair of the subject Property. The Grantee understands and agrees that the Property and any part thereof is offered "AS IS" without any representation, warranty, or guaranty by the Grantor as to quantity, quality, title, character, condition, size, or kind, or that the same is in condition or fit to be used for the purpose(s) intended by the Grantee, and no claim for allowance or deduction upon such grounds will be considered.

b. No warranties either express or implied are given with regard to the condition of the Property, including, without limitation, whether the Property does or does not contain asbestos or lead-based paint. The Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property, including, without limitation, any asbestos, lead-based paint, or other conditions on the Property. The failure of the Grantee to inspect or to exercise due diligence to be fully informed as to the condition of all or any portion of the Property offered, will not constitute grounds for any claim or demand against the United States.

c. Nothing in this "As Is" provision will be construed to modify or negate the Grantor's obligation under the CERCLA Covenant or any other statutory obligations.

### **B. HOLD HARMLESS**

a. To the extent authorized by law, the Grantee, its successors and assigns, covenant and agree to indemnify and hold harmless the Grantor, its officers, agents, and employees from (1) any and all claims, damages, judgments, losses, and costs, including fines and penalties, arising out of the violation of the NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS in this

Deed by the Grantee, its successors and assigns, and (2) any and all any and all claims, damages, and judgments arising out of, or in any manner predicated upon, exposure to asbestos, lead-based paint, or other condition on any portion of the Property after the date of conveyance.

b. The Grantee, its successors and assigns, covenant and agree that the Grantor shall not be responsible for any costs associated with modification or termination of the NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS in this Deed, including without limitation, any costs associated with additional investigation or remediation of asbestos, lead-based paint, or other condition on any portion of the Property.

c. Nothing in this Hold Harmless provision will be construed to modify or negate the Grantor's obligation under the CERCLA Covenant or any other statutory obligations.

### **C. POST-TRANSFER DISCOVERY OF CONTAMINATION**

a. If an actual or threatened release of a hazardous substance **or petroleum product** is discovered on the Property after the date of conveyance, Grantee, its successors or assigns, shall be responsible for such release or newly discovered substance unless Grantee is able to demonstrate that such release or such newly discovered substance was due to Grantor's activities, use, or ownership of the Property. If the Grantee, its successors or assigns believe the discovered hazardous substance is due to Grantor's activities, use or ownership of the Property, Grantee will immediately secure the site and notify the Grantor of the existence of the hazardous substances, and Grantee will not further disturb such hazardous substances without the written permission of the Grantor.

b. Grantee, its successors and assigns, as consideration for the conveyance of the Property, agree to release Grantor from any liability or responsibility for any claims arising solely out of the release of any hazardous substance **or petroleum product** on the Property occurring after the date of the delivery and acceptance of this Deed, where such substance **or product** was placed on the Property by the Grantee, or its successors, assigns, employees, invitees, agents or contractors, after the conveyance. This paragraph shall not affect the Grantor's responsibilities to conduct response actions or corrective actions that are required by applicable laws, rules and regulations.

[Author's note: the term "petroleum product" may be deleted before this document becomes final]

### **D. ENVIRONMENTAL PROTECTION PROVISIONS**

The Environmental Protection Provisions are at **Exhibit 7**, which is attached hereto and made a part hereof. The Grantee shall neither transfer the property, lease the property, nor grant any interest, privilege, or license whatsoever in connection with the property without the inclusion of the Environmental Protection Provisions contained herein, and shall require the inclusion of the Environmental Protection Provisions in all further deeds, easements, transfers, leases, or grant of any interest, privilege, or license.

## ENCLOSURE 6

### ENVIRONMENTAL PROTECTION PROVISIONS

The following conditions, restrictions, and notifications will be attached, in a substantially similar form, as an exhibit to the deed and be incorporated therein by reference in order to ensure protection of human health and the environment.

#### 1. LAND USE RESTRICTIONS

A. The United States Department of the Army has undertaken careful environmental study of the Property and concluded that the land use restrictions set forth below are required to ensure protection of human health and the environment. The Grantee, its successors or assigns, shall not undertake nor allow any activity on or use of the property that would violate the land use restrictions contained herein.

**(1) Residential Use Restriction.** The Grantee, its successors and assigns, shall use the Property solely for commercial or industrial activities and not for residential purposes. For purposes of this provision, residential use includes, but is not limited to, single family or multi-family residences; child care facilities; and nursing home or assisted living facilities; and any type of educational purpose for children/young adults in grades kindergarten through 12.

**(2) Groundwater Restriction.** Grantee is hereby informed and acknowledges that the groundwater under Property has **dissolved diesel fuel without CERCLA toxic constituents (no naphthalene, benzene, toluene, ethylbenzene or xylnes)**. The Grantee, its successors and assigns, shall not to access or use ground water underlying the Property for any purpose without the prior written approval of United States Department of the Army and the San Francisco Bay Regional Water Quality Control Board. For the purpose of this restriction, "ground water" shall have the same meaning as in section 101(12) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

**B. Modifying Restrictions.** Nothing contained herein shall preclude the Grantee, its successors or assigns, from undertaking, in accordance with applicable laws and regulations and without any cost to the Grantor, such additional action necessary to allow for other less restrictive use of the Property. Prior to such use of the Property, Grantee shall consult with and obtain the approval of the Grantor, and, as appropriate, the State or Federal regulators, or the local authorities. Upon the Grantee's obtaining the approval of the Grantor and, as appropriate, state or federal regulators, or local authorities, the Grantor agrees to record an amendment hereto. This recordation shall be the responsibility of the Grantee and at no additional cost to the Grantor.

**C. Submissions.** The Grantee, its successors and assigns, shall submit any requests to modifications to the above restrictions to Grantor and San Francisco Bay Regional Water Quality Control Board, by first class mail, postage prepaid, addressed as follows:

a. Grantor

Sacramento District  
U.S. Army Corps of Engineers  
Attn: Real Estate Division  
1325 J Street  
Sacramento, CA 95814

b. EPA/State Regulator

San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street Suite 1400  
Oakland, California 94612

## **2. PESTICIDE NOTICE AND COVENANT**

The Grantee is hereby notified and acknowledges that registered pesticides have been applied to the property conveyed herein and may continue to be present thereon. The Grantor and Grantee know of no use of any registered pesticide in a manner (1) inconsistent with its labeling or with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)(7 U.S.C. § 136, et seq.) and other applicable laws and regulations, or (2) not in accordance with its intended purpose.

The Grantee covenants and agrees that if the Grantee takes any action with regard to the property, including demolition of structures or any disturbance or removal of soil that may expose, or cause a release of, a threatened release of, or an exposure to, any such pesticide, Grantee assumes all responsibility and liability therefor.

**ENCLOSURE 7**  
**REGULATORY/PUBLIC COMMENTS**  
**(Final Document Only)**

**ENCLOSURE 8**  
**ARMY RESPONSE**  
**(Final Document Only)**

**ENCLOSURE 9**  
**ROD ENCUMBRANCES**

## **8.0 MITIGATION AND MONITORING COMMITMENTS**

The Army is committed to sustaining and preserving the environment at Camp Parks. Appropriate mitigation and monitoring measures will be applied to mitigate the magnitude of project impacts. A Mitigation and Monitoring Plan will be adopted for mitigation measures. As part of the decision to implement the Proposed Action as part of Real Property Master Planning and Land Exchange at U.S. Army Garrison, Camp Parks, the Army and the exchange partner will enact the following environmental mitigations presented in the tables below. These mitigation measures, which were identified as proposed mitigation measures in Chapter 4 of the FEIS, will be implemented to reduce the severity and extent of potential impacts of this decision. Some of these measures are covered by existing law or are already addressed in the mandates of existing documents such as the installation's Integrated Natural Resources Management Plan and Integrated Cultural Resource Management Plan; they are therefore not discretionary.

### Army Mitigation and Monitoring Commitments

Resource Area	Impact/Situation	Project Phase	Mitigation and Monitoring Commitment
<b>Air</b>	Construction-related diesel emissions	Construction	Army contractors involved with construction on Camp Parks would develop and implement a Construction Emission Mitigation Plan (CEMP) that would include a Diesel Particulate Matter Plan (DPM) that may include the use of low-sulfur fuels, idling diesel equipment away from residential areas, trip minimization, and tuning equipment to minimize emissions. Measures to minimize particulate matter may include use of water or dust palliative, wind fences, and low truck speeds.
<b>Air</b>	Operation-related ROG, PM10, and air toxics emissions	Site-specific Planning/ Operations	Encourage the use of alternate modes such as bicycling and walking by providing facilities (e.g. bicycle lockers or racks) and connectivity of bike/pedestrian paths, acquisition and use of zero-emissions vehicles for on-base travel, and use landscaping to reduce heat-island effect.
<b>Topography, Geology, Mineralogy and Paleontology</b>	Structures for human occupancy near an active fault	Site-Specific Planning/ Construction	<p>Conduct geotechnical investigation to determine if active fault trace crosses proposed building site.</p> <p>Facilities should be designed to reduce risk of earthquake ground failure and prevent buildings from collapsing.</p> <p>Buildings should be situated at least 50 feet from active fault traces (Alquist-Priolo Earthquake Fault Zone Act 1973).</p>
<b>Hydrology, Groundwater and Soils</b>	Construction-site erosion/ storm water pollution Urban storm water pollution Spills of chemicals and fuels	All Phases	Follow appropriate regulations for control of storm water and proper use, storage, and disposal of chemicals and fuels.
<b>Hydrology, Groundwater and Soils</b>	Construction sites that disturb greater than one acre	Site-Specific Planning/ Construction	Obtain NPDES General Construction Permit for storm water discharges from San Francisco Bay Regional Water Quality Control Board (SFRWQCB) prior to initiating construction activities. File notice of intent to discharge storm water with SFRWQCB and develop construction SWPPP that outlines the erosion and sediment control BMPs to ensure that storm water runoff from the site does not impair local water bodies. Each site-specific SWPPP should consider on-post and off-post drainage and water flow surrounding its area of purview. BMPs should be properly installed and maintained to reduce or eliminate impacts to surface water. Hydromodification Management (HM) Standard such that stormwater discharges from

Resource Area	Impact/Situation	Project Phase	Mitigation and Monitoring Commitment
			applicable new development and redevelopment projects at Camp Parks and Dublin Crossing shall be designed to incorporate appropriate measures to not cause an increase in the erosion potential of the receiving creek over the pre-project (existing) condition.
<b>Hydrology, Groundwater and Soils</b>	Urban storm water pollution	Operation and Maintenance	<p>Reduce or eliminate pollution by using post-construction, public education and public involvement storm water BMPs.</p> <ul style="list-style-type: none"> <li>• Post-construction BMPs include use of vegetated filter strips along edges of parking areas to filter storm water or wet ponds to collect and treat storm water through settling and algal uptake.</li> <li>• Public education BMPs include providing handouts, posters, or presentations to community groups on common practices (fertilizing a lawn; disposing of used oil; properly storing chemicals and paints; and cleaning up pet waste) can improve the storm water runoff and help clean local water bodies.</li> </ul> <p>Public involvement BMPs include stenciling storm drains, cleaning up streams, and maintaining wetlands.</p>
<b>Hydrology, Groundwater and Soils</b>	Potential urban/ industrial impacts to surface water	Operation and Maintenance	Implement good housekeeping BMPs and a chemical/fuel spill prevention plan with use, storage, and disposal guidelines.
<b>Hydrology</b>	Potential flooding	Site-Specific Planning/ Construction	<p>Avoid construction in the 100-year floodplain of the Chabot Canal whenever possible.</p> <p>Provide adequate storm water drainage for the new development.</p>
<b>Wetlands</b>	Construction within or adjacent to jurisdictional wetlands including freshwater marsh, vernal pools, and forest vegetation communities	Site-Specific Planning/ Construction	<p>Avoid wetland disturbance and resulting need for compensatory mitigation whenever possible by relocating or reconfiguring proposed facilities. If avoidance could not be achieved, the following measures could apply after consultation with the USACE prior to disturbance activities in jurisdictional wetlands (Booz Allen 2004) to determine specific mitigation measures and requirements:</p> <ul style="list-style-type: none"> <li>• Minimize unavoidable impacts by making the area of impact as small as possible and mitigating impact intensity.</li> <li>• Mitigation measures could include, but would not be limited to, access limitations, use of buffer</li> </ul>

Resource Area	Impact/Situation	Project Phase	Mitigation and Monitoring Commitment
			<p>zones, formal SWPPP protocols, implementation of BMPs, and wetland enhancement.</p> <p>When wetlands could not be fully avoided and mitigation was insufficient, compensation would be used to restore or create wetlands in other locations. Mitigation would be carried out before or in conjunction with activities that adversely affect these sensitive habitats.</p>
<b>Wetlands</b>	Construction adjacent to jurisdictional wetlands including freshwater marsh, vernal pools, and forest vegetation communities	Operation	Camp Parks currently has a policy that designates wetlands as “no digging,” or “limited access” for military training activities. This policy is documented in the Integrated Natural Resource Management Plan (INRMP; USACE 2003) and stated during training briefings. These policies would remain in effect under all alternatives.
<b>Wetlands</b>	Construction adjacent to jurisdictional wetlands including freshwater marsh, vernal pools, and forest vegetation communities	All Phases	<p>Establish buffer zones around adjacent wetlands, drainages and riparian forest within which no activity would be allowed. The buffer zones would be of sufficient width to:</p> <ul style="list-style-type: none"> <li>• Prevent incursion into protected area by equipment and workers</li> <li>• Avoid construction runoff into the protected area</li> <li>• Prevent degradation of the wetland by providing long-term protection of the watershed in its immediate vicinity.</li> </ul> <p>Use temporary fencing or other materials during construction to divert surface water flow and silt from drainages and associated vegetation. Buffer zones width around individual wetlands would be established on a case-by-case basis after consideration of terrain and drainage patterns, type of disturbance, season and anticipated length of disturbance, resources that would be affected, and the likelihood that a Federally listed species might be found in the wetland.</p>
<b>Wetlands</b>	Surface water runoff	Site-Specific Planning/ Construction	<p>Appropriately convey, capture, and treat stormwater runoff.</p> <p>In keeping with the principles of pollution prevention in the installation’s SWPPP (CSS 2003), develop and implement construction site-specific SWPPPs specifically focused on redevelopment. These SWPPPs would prescribe BMPs and compliance monitoring to control erosion and contaminated runoff from construction sites, and supplement BMPs defined for specific industrial activities in the current Camp Parks SWPPP.</p>

Resource Area	Impact/ Situation	Project Phase	Mitigation and Monitoring Commitment
			<p>BMPs could include use of sediment trapping and filtering systems, bioswales, storm drain inlet protection, natural depressions, stormwater detention or retention ponds, and sediment basins, in addition to access restrictions and buffers. The following goals would be part of the construction site specific SWPPPs to control stormwater runoff during construction at Camp Parks:</p> <ul style="list-style-type: none"> <li>• Onsite capture and treatment of 100 percent of construction period runoff to prevent stormwater pollution during this period.</li> <li>• Develop specific long-term stormwater control measures such as vegetated swales and storm drain inlet filters to capture and treat 80 to 90 percent of the site's runoff.</li> </ul> <p>Develop setbacks from drainages and vegetate areas to control stormwater.</p>
<p><b>Wetlands</b></p>	<p>Surface water runoff</p>	<p>Operation and Maintenance</p>	<p>Vehicles and equipment are to use existing roads and routes of travel to the greatest extent practicable. Vehicles traveling off road at night within 100 feet of a water body within the designated HMUs and Tassajara Creek are to maintain a speed of 10 miles per hour or less.</p> <p>Continue Integrated Training Area Management programs such as Land Rehabilitation and Maintenance, which repair damaged areas and minimize potential future damage. In addition, known breeding ponds are marked as "no-go" areas using Siebert stakes.</p> <p>Current SWPPP would need to be modified to address ongoing operations housed in new facilities specifically designed for them and incorporating containment mechanisms. Many sites specifically addressed in the current SWPPP would change under Master Plan implementation. Each activity would be reviewed as to its nature, its materials and processes, and its potential for storm water contamination before a comprehensive list of BMPs was tailored to individual building complexes. The BMPs would include measures such as:</p> <ul style="list-style-type: none"> <li>• Good housekeeping</li> <li>• Preventive maintenance of oil-water separators</li> <li>• Minimize outdoor storage of materials</li> <li>• Use of dry sweep and drip pans</li> <li>• Use of pavement, small berms, or secondary containment structures where needed.</li> </ul>

Resource Area	Impact/ Situation	Project Phase	Mitigation and Monitoring Commitment
			<p>One difference between the current and proposed situation under the Master Plan may be the installation of more landscaped areas than currently exist. Maintenance of such areas would employ the following prescriptions within the SWPPP:</p> <ul style="list-style-type: none"> <li>• Avoid discharge of water used to irrigate ornamental plants into nearby drainages because this water likely contains chloramine (a residual disinfectant) that could negatively impact aquatic life</li> <li>• Control runoff from areas that are landscaped and fertilized.</li> </ul>
<b>Fish and Wildlife</b>	Construction adjacent to ponds, wet meadows, riparian areas, and grassland vernal pools	Site-Specific Planning/ Construction	<p>In the Training Area, continue existing buffer areas around wetlands and riparian areas. Wherever possible, ponds, wet meadows, riparian areas, and grassland vernal pools at Camp Parks would be avoided or protected as discussed above under wetlands.</p> <p>The following types of mitigation would be applied as needed to avoid, minimize, or compensate for the impacts discussed above:</p> <ul style="list-style-type: none"> <li>• Buffer zones around aquatic or other sensitive habitats</li> <li>• Preconstruction surveys to locate currently active breeding sites for important vertebrate species so they can be avoided</li> <li>• Implementation of construction BMPs</li> <li>• Creation/restoration/enhancement of wetlands</li> </ul>
<b>Fish and Wildlife</b>	Redevelopment construction activity	Site-Specific Planning/ Construction	<p>To minimize the potential for redevelopment actions to increase erosion and sedimentation and disturb sensitive wildlife species, BMPs would be implemented such as:</p> <ul style="list-style-type: none"> <li>• Revision of the SWPPP prior to groundbreaking; implementation of erosion control measures.</li> <li>• Relocation of burrowing owls.</li> <li>• Control of domestic pets to avoid wildlife mortality and harassment.</li> <li>• Reclamation and revegetation of habitat.</li> <li>• Ongoing wildlife surveys to keep the database on Camp Parks wildlife populations and use areas current.</li> <li>• Regular monitoring to identify/repair damaged or eroded areas.</li> <li>• Revegetation methods using appropriate native plants.</li> <li>• Prior to construction, an on-site construction</li> </ul>

Resource Area	Impact/ Situation	Project Phase	Mitigation and Monitoring Commitment
			<p>personnel briefing on environmentally sensitive habitats and species and specific conservation measures developed for each.</p> <ul style="list-style-type: none"> <li>• Containment and frequent disposal of garbage so as not to attract wildlife.</li> <li>• Presence of biologist on installation during construction activities.</li> <li>• Designate specific sites for vehicle parking, storage of construction supplies, etc. in previously disturbed locations that would minimize potential effects to federally listed species.</li> <li>• Control dust, erosion, and sedimentation through use of Best Available Control Technology (BACT), for example, use of silt/wind fences, use of water or chemical stabilizers for dust control, covering of haul vehicles, and minimizing time graded areas are exposed.</li> <li>• Implement BMPs such as a 20-mph vehicle speed limit within the project area, covering or providing escape ramps for trenches greater than two feet deep, checking pipes or culverts that have a diameter over four inches before moving them, placing food-related trash in closed containers.</li> <li>• Rapidly rehabilitate disturbed areas to minimize erosion and downstream flow of sediment.</li> <li>• Use well-maintained vehicles and defined refueling and maintenance locations to minimize uncontained petroleum leaks.</li> <li>• Minimize and define work area boundaries for each construction site.</li> <li>• Conduct pre-construction briefings for construction crews to review BMPs being implemented during construction.</li> <li>• Vehicles and equipment are to use existing roads and routes of travel to the greatest extent practicable.</li> <li>• To minimize potential adverse effects caused by surface water runoff, measures would be implemented to appropriately convey, capture, and treat stormwater runoff.</li> <li>• Existing BMPs defined for specific industrial activities in the current Camp Parks SWPPP would also be implemented (CSS 2003).</li> <li>• Establish, mark, and protect buffer areas around wetlands adjacent to development areas.</li> </ul>
<p><b>Fish and Wildlife</b></p>	<p>Encountering special status species</p>	<p>Operations</p>	<p>If a special status species were encountered during operations, activities in the area would cease and the Camp Parks Environmental Office would be notified to determine if any action needs to be taken. The Army will notify USFWS within 24-hours of finding an injured or dead listed species, or any unanticipated damage to listed species habitat associated with project</p>

Resource Area	Impact/Situation	Project Phase	Mitigation and Monitoring Commitment
			activities. Camp Parks would also submit any survey results to the CNDDDB and include them in the installation's annual INRMP update.
<b>Fish and Wildlife</b>	Raptor Nests	All Phases	Whenever possible, impacts to larger trees that occur in the Training Area riparian habitats or in the Cantonment Area would be avoided.
<b>Fish and Wildlife</b>	Raptor Nests	All Phases	Prior to construction or intensive training activity, a biologist would conduct site-specific surveys for active raptor nests in the area during the appropriate nesting period for these raptors (typically March through August). Surveys would be conducted for each specific activity or annually across the post so that potentially disturbing activities would be avoided or minimized within 1/8 mile of active nests between February 1 and August 15. If a previously active nest is not occupied by May 15, the buffer may be suspended for that breeding year.
<b>Fish and Wildlife</b>	Western Burrowing Owl	Site-Specific Planning/ Construction	<p>The mitigation goal for the burrowing owl is to compensate for the anticipated impact by replacing or providing substitute resources or environments elsewhere on Camp Parks according to recommended guidelines published in the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation (CDFG 1995). Before initiating ground-disturbing activities in grassland habitats, preconstruction surveys for burrowing owls would be conducted by a qualified biologist within 150 meters (approx. 500 ft.) of construction areas. Surveys would be conducted no more than 90 days before ground disturbance. If burrowing owls were found, the burrow site would be avoided, if possible, and given at least a 50 meter (approx. 160 ft.) buffer. If the burrow cannot be avoided, the biologist would determine whether eggs or young were present in the nest. If eggs or young were present, no disturbance would occur within 50 meters of the nest site until the young had fledged. If no young were present or if young had fledged, burrowing owls would be passively relocated to other nearby areas of suitable habitat on Camp Parks.</p>
			<p>Owls would be excluded from burrows in the immediate impact zone and within a 50 meter buffer zone by installing one-way doors in burrow entrances. One-way doors (e.g. modified dryer vents) should be left in place 48 hours to ensure owls have left the burrow before excavation. Two artificial burrows would be provided for each burrow in the project area that will be rendered biologically unsuitable.</p> <p>The project area would be monitored daily for one week to confirm owl use of burrows before excavating</p>

Resource Area	Impact/ Situation	Project Phase	Mitigation and Monitoring Commitment
			burrows in the immediate impact zones.
<b>Fish and Wildlife</b>	San Joaquin Kit Fox	Site-Specific Planning/ Construction	Conduct surveys, establish exclusion zones, and conduct monitoring consistent with the USFWS " <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance</i> ," dated June 1999. Negative survey results would be reported as part of Camp Parks' INRMP annual update. If kit foxes were observed during surveys, then Camp Parks would contact USFWS to coordinate construction activities, in accordance with the Endangered Species Act.
<b>Fish and Wildlife</b>	California Red Legged Frog	Site-Specific Planning/ Construction	Conduct pre-activity surveys of wetland habitat within 200-feet of the construction site in accordance with the field survey methodology outlined in the <i>U.S. Fish and Wildlife Service Revised Guidance on Site Assessments and Field Surveys for California Red-legged Frogs, August 2005</i> (USFWS 1997). Surveys would typically consist of four night and two day surveys. If California red-legged frogs are observed within the project area and have the potential to be harmed, they would be relocated from the site to an area within one of the installation's HMUs. If they are known or suspected to occur near a construction or demolition site, silt fences or another similar barrier around any adjacent wetlands that are within 200 feet of construction would be installed to separate them from the site and monitoring would occur as needed for these species during construction. The barrier would be inspected for integrity on a weekly basis during construction and repaired as needed.
<b>Fish and Wildlife</b>	California Tiger Salamander	Site-Specific Planning/ Construction	Conduct pre-activity surveys consisting of two nights of burrow inspections within five days prior to the initiation of construction or ground disturbance activities. If California tiger salamanders are observed within the project area, they would be relocated from the site to a burrow near a known or potential breeding pond. If they are known or suspected to occur near a construction or demolition site, silt fences or another similar barrier would be installed around any adjacent wetlands that are within 200 feet of construction to separate them from the site and monitoring would occur as needed for these species during construction. The barrier would be inspected for integrity on a weekly basis during construction and repaired as needed."
<b>Cultural</b>	National Register of Historic Places (NRHP) Eligible Sites	All Phases	To minimize the potential for adverse effects, the Camp Parks entrance sign would be treated and managed in a manner that prevents the deterioration or destruction of the character of the sign. The sign should be regularly protected and maintained as needed by methods identified and outlined in the

Resource Area	Impact/Situation	Project Phase	Mitigation and Monitoring Commitment
	(Camp Parks entrance sign)		ICRMP.
<b>Cultural</b>	Eligible Historic Archeological Sites	Operations and Maintenance	Methods would be developed to avoid or reduce effects on the NRHP eligible historic period site located in the Training Area. These methods (e.g., avoidance markers if appropriate, occasional monitoring if intense training activity is planned near the site, and coordinating with the DPT) would be implemented to protect the sites from training-related damage.
<b>Cultural</b>	Potential Buried Cultural Resources or Human Remains	Site-Specific Planning/ Construction	If previously undetected cultural resources or human remains were unearthed during construction excavations, the application of standard practices in accordance with the Integrated Cultural Resources Management Plan (ICRMP; Parsons 2001) would mitigate potential adverse impacts. If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are inadvertently discovered during ground-disturbing activities, work would stop in that area and within 100 feet of the find. The Camp Parks Environmental Office would be notified immediately and would guide compliance with the ICRMP.
<b>Cultural</b>	Potential Buried Cultural Resources or Human Remains	Site-Specific Planning/ Construction	Camp Parks will implement monitoring during grading, excavation, and disturbance activities as outlined in the Section 106 coordination letter and concurred with by the SHPO on 1 June 2006.
<b>Land Use</b>	Considerable change in land ownership uses in the southern Cantonment Area	Site-Specific Planning/ Construction	The proposed Dublin Crossing is compatible with the City of Dublin's guiding policy for the Eastern Extended Planning Area. However, the type and intensity of land uses proposed in Dublin Crossing are not consistent with the City of Dublin's current designation of public and semi-public and would require an amendment to its General Plan.
<b>Land use</b>	Land use conflicts identified in the Training Area (e.g., level of activity and use of artillery, helicopters, and demolition in areas adjacent to residences)	All Phases	The potential for land use conflicts with neighboring areas would continue to persist; however, mitigation measures employed by the surrounding development would minimize the intensity of these conflicts. Mitigation already proposed in existing EIRs would minimize these land use conflicts.
<b>Transportation and Access</b>	Traffic improvements	Site-Specific Planning/	Development of Dublin Crossing by private developers could result in direct and indirect traffic

Resource Area	Impact/ Situation	Project Phase	Mitigation and Monitoring Commitment
	needed to mitigate decreased LOS at several major intersections in the local transportation network from the proposed Dublin Crossing development	Construction	<p>impacts. Capacity improvements that may be required in the future include: Dougherty Road/Central Parkway, Arnold Road/Central Parkway, Dublin Boulevard/Iron Horse, Hopyard Road/I-580 Eastbound off-ramp, Westbound Hacienda Crossing at Hacienda Drive, Dougherty Road/Amador Valley, Arnold Road/Dublin Boulevard, and Hacienda Drive/I-580 Eastbound off-ramp.</p> <p>Capacity improvements at Dublin Boulevard/Dougherty Road are also recommended, and signal operation mitigations should be considered in the approaches to Dougherty Road/Scarlett Drive and Dougherty Road/Central Parkway intersections. In addition to the intersection improvements, there is the potential that street segment improvements may also be necessary. This could include widening Dougherty Road from four lanes to six lanes between Houston Place and Amador Valley Boulevard, the extension of Scarlett Drive from Houston Place to Dublin Boulevard, and widening of Arnold Road from two lanes to four lanes between Dublin Boulevard and Central Parkway. Traffic impacts would be caused primarily by redevelopment and mitigations for these impacts would not be funded by the Army.</p>
<b>Noise</b>	Potential complaints about future noise	Operations and Maintenance	Camp Parks would continue to implement a program of outreach to communities surrounding Camp Parks to explain the types of military activities that generate the noises and help alleviate their sense of annoyance.
<b>Visual and Aesthetic Resources</b>	Removal of features important to community's visual character (e.g., mature trees, landscaping, or historic structures; Disruption of locally or regionally significant views or views from a community setting; Placement of a structure providing	Site-Specific Planning/ Construction	<p>Mitigation measures could include, but are not limited to, avoidance, screening, habitat restoration or creation, view-compatible facility color schemes and design, suitable landscaping, and implementation of BMPs that could further protect quality visual and aesthetic resources.</p> <p>Be consistent with the visual character of the established Camp Parks design theme (Nakata 2002) in facility design and construction.</p> <p>In Dublin Crossing, (i) Adhere to the City of Dublin Development Elevation Cap at an elevation of 770 feet; and (ii) Develop property in a manner consistent with other applicable Plan and policies.</p>

<b>Resource Area</b>	<b>Impact/Situation</b>	<b>Project Phase</b>	<b>Mitigation and Monitoring Commitment</b>
	undesirable views or not conforming to city zoning ordinances.		
<b>Health/Safety and Hazardous Substances</b>	Demolition of buildings	Site-Specific Planning/ Construction	Demolition of buildings that may contain asbestos containing material or lead-based paint must be in compliance with DoD policies, and state and Federal regulations for prevention of air releases and worker exposure, accurate characterization, and appropriate disposal of debris and other wastes. Asbestos and LBP abatement contractors must be authorized to perform work in the State of California.
<b>Health/Safety and Hazardous Substances</b>	Demolition and construction	Site-Specific Planning/ Construction	Workers operating demolition or earthmoving equipment, installing foundations or pipelines, or performing other tasks that may involve excavation of, or contact with, potentially contaminated soil, buried fuel tanks, septic tanks, abandoned sewer or fuel lines, or demolition debris must be trained in hazardous substance site operations and supervised as required by 29 CFR 1910.120. These workers must also be provided adequate personal protective equipment and repeatedly be informed of the known and potential hazards during daily safety meetings.
<b>Health/Safety and Hazardous Substances</b>	Residual hazardous constituent concentrations in soil	Site-Specific Planning/ Construction	Before redevelopment contracts are finalized, standards for allowable residual hazardous constituent concentrations in soil at each location must be established and the requirements to verify compliance set and documented in consultation with state and local officials. The Housing and Recreational Land Use Categories should have the most restrictive limits.
<b>Health/Safety and Hazardous Substances</b>	All demolition, construction, and landscaping	Site-Specific Planning/ Construction	Strict dust control should be explicitly required for all demolition, construction, and landscaping contracts, especially where elevated arsenic and chromium are found in the natural soil. In addition to wetting of dirt roads and excavated soils, methods to minimize dust from demolition of buildings and foundations, removal of asphalt and concrete, and grading and landscaping should be evaluated in consultation with local and state officials and written into engineering plans and specifications.
<b>Health/Safety and Hazardous Substances</b>	Traffic impacts or potential hazardous substance releases or exposure incidents	Site-Specific Planning/ Construction	Additional mitigation measures (e.g., secure containment or covering of demolition debris, contaminated soil, or wastes in truck beds) may be required by city or county ordinances or other regulations to prevent releases during transport. Additional voluntary mitigation measures (e.g., such as scheduling transport of demolition debris or other wastes to offsite landfills outside of heavy traffic time periods) should be considered to minimize traffic

Resource Area	Impact/ Situation	Project Phase	Mitigation and Monitoring Commitment
			impacts or potential hazardous substance releases or exposure incidents.

In addition to the specific mitigation and monitoring commitments identified above, the following activities would also be conducted:

- Frequent monitoring of construction activities as well as sensitive resource locations by the CSTC Environmental Office or consultants. Monitoring of the project sites should occur at least once per month during construction and more frequently in areas that may contain sensitive resources.
- Monitoring activities should include, but not be limited to, the following:
  - Construction crews should be made aware of resources present on the project site, locations of known areas that may require mitigation and monitoring, buffer zones implemented around specific resources, and other necessary measures to ensure resource protection.
  - A representative from the CSTC Environmental Office should attend construction meetings regularly to ensure compliance with this Plan as well as address any unanticipated issues.
  - The construction sites should be inspected at least once a week to ensure that appropriate measures are in place, equipment is used and stored in appropriate areas, and construction is not occurring in sensitive areas.
- The construction contractor should be required to provide the following accommodations:
  - Designate an environmental engineer to provide construction contractor quality control at project sites.
  - Comply with all applicable federal, state, and local environmental protection laws and regulations.

- Comply with all specified DoD, Army, and CSTC regulations, including environmental requirements.
- Submit a preconstruction Environmental Protection Plan (EPP) to the Contracting Officer and the CSTC Environmental Office for review and approval. The EPP should include some or all of the following components:
  - Erosion sedimentation and pollution control plan including monitoring and reporting requirements
  - Recycling and waste minimization/management/disposal plan
  - Air pollution control plan
  - Contaminant prevention plan
  - Waste water management plan
  - Cultural and natural resources and wetlands plan
  - Pesticide application/management plan
  - Employee Environmental Training
  - Spill Prevention Control and Countermeasure Plan (SPCC)
  - Spill Contingency Plan (SCP)

All practicable means to avoid or minimize environmental harm from the selected action have been adopted, except as indicated otherwise above. The Army will also employ a monitoring and enforcement program for the mitigations adopted in this decision.