

## **Appendix F. Comments on the Draft SEIS and Responses to Comments**

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# Section 1.0 Introduction

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This final supplemental environmental impact statement (SEIS) contains comments received on the December 1995 draft SEIS and responses to the comments. The draft and final SEIS supplement the June 1993 Fort Ord Disposal and Reuse Final EIS (1993 FEIS) and December 1993 record of decision (ROD).

This portion of the final SEIS is organized into the following sections:

**Section 2.0, "List of Commenters".** Comments were received from 17 different agencies, organizations, or individuals. This section lists the name and address of each agency, organization, or individual who commented on the draft SEIS. Comments were in the form of written letters submitted to the U.S. Army Corps of Engineers, Sacramento District (Corps) or verbal and written testimony taken at the February 26, 1996 public hearing on the draft SEIS.

**Section 3.0, "All Comments Received".** This section contains all written comment letters received by the Corps and verbal and written testimony received at the public hearing. The comments are grouped together by type of agency and numbered. For example, letters are grouped together and numbered as follows:

- federal: letters are numbered F1, F2, F3, etc., and comments within each letter are numbered F1:1, F1:2, F1:3, etc.;
- state: letters are numbered S1, S2, S3, etc., and comments within each letter are numbered S1:1, S1:2, S1:3, etc.;
- regional: letters are numbered R1, R2, R3, etc., and comments within each letter are numbered R1:1, R1:2, R1:3, etc.;
- local: letters and testimony are numbered L1, L2, L3, etc., and comments within each letter are numbered L1:1, L1:2, L1:3, etc.;
- organization/individual: letters are numbered I1, I2, I3, etc., and comments within each letter are numbered I1:1, I1:2, I1:3, etc.

As a result, each individual comment has a number in the right margin. Also, in Section 3.0, two tables (Tables 3-1 and 3-2) are provided for easy reference between comment letters and responses to comment.

**Section 4.0, "Common Comments and Responses".** Many of the individual comments received are similar or address the same issue and have been formulated into common comments. Each common comment is followed by a response. The individual comments that comprise the common comment are indicated at the end of the common comment.

**Section 5.0, "Responses to Specific Comments".** This section contains the responses to specific comments, which are the individual comments not formulated into common comments in Section 4.0.

The comment numbers identified in Section 3.0 and Tables 3-1 and 3-2 are used to identify which individual comments comprise the common comments in Section 4.0 and to track responses. Each enumerated comment has a response in either Section 4.0 or Section 5.0.

**Section 6.0, "Citations".** This section provides the reader with the information necessary to locate any reference cited in the response to comments.

## Section 2.0 List of Commenters

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This section lists the name and address of each of the 17 agencies, organizations, or individuals who commented on the draft SEIS. Comments were in the form of written letters received through March 4, 1996 (the end of the public review period), and verbal and written testimony received at the February 26, 1996 public hearing on the draft SEIS. The comments, which have been numbered, are included in their entirety in Section 3.0. The commenter numbers, which correspond with the numbers in Sections 3.0, 4.0, and 5.0 are shown below next to each commenter.

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Commenter	Commenter Number
<b>FEDERAL AGENCIES</b>	
U.S. Department of the Interior Bureau of Land Management Robert E. Beehler, Area Manager Hollister Resource Area 20 Hamilton Court Hollister, CA 95023-2535	F1
U.S. Department of the Interior Fish and Wildlife Service Diane K. Noda, Field Supervisor Ventura Field Office 2943 Portola Road, Suite B Ventura, CA 93003	F2
U.S. Environmental Protection Agency David J. Farrel, Chief Office of Federal Activities 75 Hawthorne Street San Francisco, CA 94105	F3
<b>STATE AGENCIES</b>	
California Environmental Protection Agency Department of Toxic Substances Control Theresa McGarry, Environmental Assessment & Reuse Specialist Base Closure and Conversion, Office of Military Facilities 400 P Street, Fourth Floor Sacramento, CA 95812-0806	S1
California State University, Monterey Bay David Salazar, Director, Facilities Planning and Development 100 Campus Center Seaside, CA 93955-8001	S2

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Commenter	Commenter Number
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California Coastal Commission Central Coast Area Office Tami Grove, District Director 725 Front Street, Suite 300 Santa Cruz, CA 95060	S3
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**REGIONAL AGENCIES**

Association of Monterey Bay Area Governments Nicolas Papadakis, Executive Director 445 Reservation Road, Suite G Marina, CA 93933-0809	R1
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Monterey Bay Unified Air Pollution Control District Janet Brennan, Senior Planner, Planning and Air Monitoring Division 24580 Silver Cloud Court Monterey, CA 93940	R2
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Santa Cruz County Regional Transportation Commission Linda Wilshusen, Executive Director 701 Ocean Street, Room 220 Santa Cruz, CA 95060-4071	R3
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**LOCAL AGENCIES**

City of Marina Jeffrey P. Dack, AICP, Director of Planning 211 Hillcrest Avenue Marina, CA 93933	L1
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City of Salinas Alan D. Styles, Mayor 200 Lincoln Avenue Salinas, CA 93901	L2
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Fort Ord Reuse Authority Les White, Executive Director 100 - 12th Street, Building 2880 Marina, CA 93933	L3
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**ORGANIZATIONS AND INDIVIDUALS**

**Organizations**

Fort Ord Restoration Advisory Board Curt Gandy, Ordnance & Explosive Waste Committee Chairperson 509 Fountain Avenue #3 Pacific Grove, CA 93950	I1
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Commenter	Commenter Number
Fort Ord Toxics Project Curt Gandy, Executive Director P.O. Box 3115 Carmel, CA 93921-3115	12
League of Women Voters of the Monterey Peninsula Janice O'Brien, President P.O. Box 1995 Monterey, CA 93942	13
<b>Individuals</b>	
Arlene Campbell Seaside, CA 93955	14
Debra Mickelson Carmel, CA 93921	15



## **Section 3.0 All Comments Received**

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This section contains all comment documents, which include written comment letters received through March 4, 1996 (the end of the public review period), and verbal and written testimony received at the February 26, 1996 draft SEIS public hearing.

### **Comments**

Comment documents have been grouped together by type of commenter and numbered as follows: federal agencies (F1, F2, F3, etc.); state agencies (S1, S2, S3, etc.), regional agencies (R1, R2, R3, etc.), local agencies (L1, L2, L3, etc.), and organizations and individuals (I1, I2, I3, etc.). Table 3-1 contains a list of each commenter with the respective letter and number.

In each comment document, individual comments have been given a number in the right margin to facilitate responding to individual comments made by the commenter. For example, in comment document F1, individual comments are numbered F1:1, F1:2, F1:3, etc., and in comment document R4, individual comments are numbered R4:1, R4:2, R4:3, etc.

### **Responses**

Each individual comment number has a response in Section 4.0, "Common Comments and Responses" or in Section 5.0, "Responses to Specific Comments". Common comments summarize individual comments that are similar or address the same issue. If an individual comment is part of a common comment, the common comment and response are contained in Section 4.0. Responses to all other specific comments are contained in Section 5.0. The location of the response is indicated in the left or right margin below the individual comment number.

In some cases, responses to comments require a change to the SEIS. Page revisions to the draft supplemental EIS are included in the final SEIS. Revised text is indicated with a line in the right margin.

### **Index**

Table 3-2 is an index that lists each individual comment number and indicates on which pages of this document the comment and response can be found.



Table 3-1. Written Comment Letters and Verbal and Written Testimony  
Received with Corresponding Numbers

Number	Commenter	Page Number
<b>FEDERAL AGENCIES</b>		
F1	U.S. Department of the Interior, Bureau of Land Management	F3-7
F2	U.S. Department of the Interior, Fish and Wildlife Service	F3-10
F3	U.S. Environmental Protection Agency	F3-13
<b>STATE AGENCIES</b>		
S1	California Environmental Protection Agency, Department of Toxic Substances Control	F3-20
S2	California State University, Monterey Bay	F3-22
S3	California Coastal Commission	F3-24
<b>REGIONAL AGENCIES</b>		
R1	Association of Monterey Bay Area Governments	F3-30
R2	Monterey Bay Unified Air Pollution Control District	F3-34
R3	Santa Cruz County Regional Transportation Commission	F3-40
<b>LOCAL AGENCIES</b>		
L1	City of Marina	F3-42
L2	City of Salinas	F3-43
L3	Fort Ord Reuse Authority	F3-46
<b>ORGANIZATIONS AND INDIVIDUALS</b>		
I1	Fort Ord Restoration Advisory Board	F3-54
I2	Fort Ord Toxics Project	F3-58
I3	League of Women Voters of the Monterey Peninsula	F3-66
I4	Arlene Campbell	F3-68
I5	Debra Mickelson	F3-69



Table 3-2. Index to Comments and Responses

Comment Number	Comment Page Number	Response Page Number	Comment Number	Comment Page Numbers	Response Page Number
<b><u>Federal Agencies</u></b>			R1:4	F3-33	F5-6
F1:1	F3-7	F5-1	R2:1a	F3-34	F4-14
F1:2	F3-7	F4-19	R2:1b	F3-34	F4-14
F1:3	F3-7	F5-1	R2:1c	F3-35	F4-14
F1:4	F3-7	F4-19	R2:1d	F3-35	F4-14
F1:5	F3-8	F5-1	R2:2	F3-35	F4-7
F1:6	F3-8	F5-2	R2:3	F3-35	F5-6
F1:7	F3-8	F4-20	R2:4	F3-36	F5-7
F1:8	F3-8	F4-20	R2:5	F3-36	F4-12
F1:9	F3-9	F4-19	R2:6	F3-37	F4-2
F2:1	F3-11	F4-19	R2:7	F3-38	F5-8
F2:2	F3-11	F5-2	R2:8	F3-38	F5-8
F2:3	F3-12	F4-19	R2:9	F3-38	F4-4
F3:1	F3-16	F4-11	R2:10	F3-38	F5-9
F3:2	F3-16	F5-3	R2:11	F3-38	F5-9
F3:3	F3-17	F4-19	R2:12	F3-38	F4-8
F3:4	F3-17	F4-4	R2:13	F3-39	F4-5
F3:5	F3-18	F4-19	R2:14	F3-39	F4-9
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F3:7	F3-18	F4-4	R2:16	F3-39	F5-9
F3:8	F3-19	F4-5	R2:17	F3-39	F4-14
F3:9	F3-19	F4-9	R2:18	F3-39	F5-9
			R2:19	F3-39	F4-14
			R2:20	F3-34	F5-9
			R3:1	F3-40	F4-13
			R3:2	F3-40	F4-13
<b><u>State Agencies</u></b>					
S1:1	F3-20	F5-4			
S1:2	F3-20	F4-17, F5-4			
S2:1	F3-22	F5-4			
S3:1	F3-24	F5-5			
S3:2	F3-24, 26	F5-5			
S3:3	F3-25	F5-5			
S3:4	F3-26	F5-5			
S3:5	F3-27	F5-5			
S3:6	F3-27	F5-6			
<b><u>Regional Agencies</u></b>					
R1:1a	F3-31	F4-4			
R1:1b	F3-31	F4-4			
R1:2a	F3-32	F4-2			
R1:2b	F3-32	F4-2			
R1:3	F3-32	F4-12			
R1:3a	F3-32	F4-5			
R1:3b	F3-32	F4-5			
R1:3c	F3-32	F4-5			
			L1:1	F3-42	F4-12
			L1:2	F3-42	F5-10
			L1:3	F3-42	F4-9
			L1:4	F3-42	F5-10
			L2:1	F3-43	F5-10
			L2:2	F3-43	F4-13
			L2:3	F3-44	F5-10
			L2:4	F3-44	F4-5
			L2:5	F3-44	F4-12
			L2:6	F3-44	F5-10
			L2:7	F3-45	F5-11
			L2:8	F3-45	F5-12
			L2:9	F3-45	F4-11
			L2:10	F3-45	F4-11
			L3:1	F3-46	F4-2
			L3:2	F3-47	F4-2

Table 3-2. Continued

Comment Number	Comment Page Number	Response Page Number	Comment Number	Comment Page Number	Response Page Number
<b><u>Individuals and Organizations</u></b>					
I1:1	F3-54	F4-15, F4-17			
I1:2	F3-54	F4-17			
I1:3	F3-55	F4-15, F4-17			
I1:4	F3-55	F4-15, F4-17			
I1:5	F3-55	F4-15, F4-17			
I1:6	F3-56	F4-15, F4-17			
I1:7	F3-56	F4-15, F4-17			
I1:8	F3-56	F4-15, F4-17			
I1:9	F3-57	F4-11			
I1:10	F3-57	F4-11			
I2:1	F3-58	F4-10			
I2:2	F3-59	F4-10, F4-15, F4-17			
I2:3	F3-59	F4-10			
I2:4	F3-59	F4-10, F4-15, F4-17			
I2:5	F3-59	F4-10			
I2:6	F3-59	F4-10			
I2:7	F3-60	F4-2			
I2:8	F3-61	F4-5			
I2:9	F3-61	F4-9			
I2:10	F3-62	F4-15			
I2:11	F3-62	F4-17			
I3:1	F3-66	F4-5			
I3:2	F3-66	F4-7			
I3:3	F3-66	F4-7, F4-8			
I3:4	F3-66	F4-5			
I3:5	F3-67	F4-5			
I3:6	F3-67	F4-5			
I3:7	F3-67	F4-5			
I3:8	F3-67	F4-5			
I4:1	F3-68	F5-12			
I5:1	F3-69	F5-13			





United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Hollister Resource Area  
20 Hamilton Court  
Hollister, California 95023-2535

1790  
CA019.5

MAR 04 1996

Mr. Bob Vercade  
Sacramento District Corps of Engineers  
(CESPK-ED)  
1325 J Street  
Sacramento, CA 95814-2922

Dear Bob:

Bureau of Land Management Fort Ord staff have reviewed the Supplemental EIS for Fort Ord Disposal and Reuse and offer the following comments.

page 4-11 - Section 4.7.1 - The statement that "Some isolated instances of trespass may have occurred" is an understatement. The BLM has documented daily incidents of trespass by motorcycles, 4-wheel drives, and sedans into closed areas, and has assisted the Fort Ord Police in the apprehension of numerous trespassers.

F1:1  
See  
Section 5.0

page 4-28 - Second paragraph - The discussion on "deed restrictions, covenants, reversion clauses or other methods" should be more specific to allow evaluation of the legal sufficiency and effectiveness of proposed restrictions to assure compliance with the HMP.

F1:2  
See  
Section 4.0  
Common  
Comment 15

page 5-32 - It should be clarified that the statement "fences and additional signs will be constructed by the Army and maintained by BLM to discourage trespassing" only applies to the 1,750 acre area identified in the Site Use Management Plan (SUMP) where unexploded ordnance clean-up will be deferred until better technology is available. BLM responsibility for this area would not occur until the unexploded ordnance clean-up is completed for all other areas. Responsibility for maintenance of fences and signs in all areas contaminated with unexploded ordnance is the responsibility of the Army pending the completion of the unexploded ordnance clean-up as outlined in the SUMP.

F1:3  
See  
Section 5.0

page 5-33 - The section titled "Coordination with USFWS" indicates that USFWS has agreed that Alternative 7 is consistent with the HMP. We have reviewed the information the U. S. Army provided to the USFWS and the USFWS response letter (Appendix E), and we do not believe these letters provide the basis for the above statement.

F1:4

The BLM does not agree that Alternative 7 is consistent with the HMP. The HMP states "small changes in boundaries or proposed land uses may occur before disposal of Fort Ord in response to revised or modified land requests...These changes would require only minor revisions to the HMP." We believe that the loss of an additional 491 acres of habitat does not cumulatively constitute a "small change in boundary" or a "minor revision to the HMP." This impact is exacerbated by the realization that many of these impacts could be avoided. Numerous discussions were held between FORA, BLM, the U. S. Army, and USFWS to develop Revised Alternative 7 which substantially reduces the impacts to HMP habitats when compared to Alternative 7. These discussions would not have taken place if the participants had believed that the existing Alternative 7 was "consistent with the HMP" and "required no mitigation...other than modifying the HMP to reflect the disposal of newly excessed lands." The Supplemental EIS acknowledges the purpose of these meetings in Appendix D stating "This effort was initiated because it was anticipated that impacts associated with the proposed roadway system potentially could not be compensated for within the existing habitat management plan."

F1:4 (cont.)  
See  
Section 4.0  
Common  
Comment 15

page 5-60 - third full paragraph - The discussion on impacts from widening Barloy Canyon Road as a major north-south corridor should include the potential to fragment areas designated for habitat conservation. Impacts would be similar to those described in paragraph 5 on page 5-81 with the road creating "a substantial barrier to the passage of wildlife and plant seeds and pollen."

F1:5  
See  
Section 5.0

page 5-82 - POST Facility - This parcel is now slated for transfer to the BLM. The BLM will subsequently issue a use permit for the FBI to conduct law enforcement training at the site. The BLM believes this polygon should be identified for retention and protection of existing habitat as a modification to the HMP. Habitat areas within this polygon are safety zones around the developed area and retention of these areas as habitat would not compromise future use of the developed facilities for law enforcement training. Since this parcel is being transferred to the BLM, we believe it should be merged with the NRMA (Parcel 25) and should be subject to the same use restrictions that apply to the NRMA.

F1:6  
See  
Section 5.0

Appendix D - Mitigation strategies described in Appendix D from pages D-5 to D-9 frequently state that actions "could" or "may" occur. If these measures are to be adopted as mitigation, then these conditions must be changed to "shall" and "will."

F1:7  
See  
Section 4.0  
Common  
Comment 16

Appendix D - page D-7 - Third paragraph of Mitigation Strategy - The entire ROW should be transferred to the BLM with an easement for the proposed highway including the conditions that the actual highway be designed to minimize impacts on

F1:8

habitat. This is consistent with the FORA letter of July 21, 1995 reproduced on page D-11 to D-14 of the SEIS which states "it is intended that FORA and BLM will develop a memorandum of agreement that preserves, in perpetuity, an easement for transportation purposes consistent with the width an (sic) alignment as depicted in the attachment." This precludes the need for any subsequent transfer of properties to BLM management and assures that the final alignment receives additional NEPA evaluation.

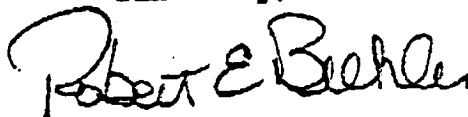
F1:8 (cont.)  
See  
Section 4.0  
Common  
Comment 16

Appendix E - The BLM concurs with recommendations in the USFWS letter of November 21, 1995 that EMP habitat losses within the habitat protection areas should be mitigated by identifying comparable contiguous habitat to be designated for protection. This would assure that the EMP objective for no net loss of EMP populations would not be compromised.

F1:9  
See  
Section 4.0  
Common  
Comment 15

Thank you for the opportunity to provide this review of the Supplemental EIS for Fort Ord Disposal and Reuse. The BLM is committed to working with the Army, regulatory agencies and the local communities to assure that the Habitat Management Plan is an effective vehicle for both habitat protection and regional economic recovery. If you need any clarification or amplification regarding these comments, please contact Steve Addington at the BLM's Fort Ord Project Office (408) 394-8314.

Sincerely,



Robert E. Beehler  
Area Manager



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
Ventura Field Office  
2493 Portola Road, Suite B  
Ventura, California 93003

February 29, 1996

Mr. Bob Verkade  
Sacramento District Corps of Engineers (CESPK-ED)  
1325 "J" Street  
Sacramento, California 95814-2922

Subject: Draft Supplemental Environmental Impact Statement on the Fort Ord Disposal and Reuse, Monterey County, California

Dear Mr. Verkade:

The U.S. Fish and Wildlife Service (Service) has reviewed the Draft Supplemental Environmental Impact Statement (DSEIS) on the Fort Ord Disposal and Reuse, Monterey County, California. In 1993 the Army Corps of Engineers (Corps) completed the final EIS and Record of Decision (ROD) for the disposal of excess property made available by the closure of Fort Ord and for the establishment of the Presidio of Monterey (POM) Annex. Since the final EIS and ROD were issued, the size of the POM Annex has been reduced, making 250 additional acres available for disposal. The DSEIS addresses the disposal of these additional lands as the proposed action. In addition, the DSEIS describes two new reuse alternatives. Alternative 7 is based on the final Base Reuse Plan developed by the Fort Ord Reuse Authority (FORA). Alternative 8 represents reuse proposals received through the scoping process and public benefit conveyance requests that differ from Alternative 7 and the alternatives analyzed in the final EIS.

The Corps completed consultation pursuant section 7 of the Endangered Species Act of 1973, as amended, (Act) with the Service for the endangered Smith's blue butterfly (*Euphilotes enoptes smithi*), the threatened western snowy plover (*Charadrius alexandrinus nivosus*), and the endangered sand gilia (*Gilia tenuiflora* ssp. *arenaria*) on revised Alternative 6 described in the original draft EIS. The biological opinion, dated October 19, 1993, found that this alternative would not jeopardize the continued existence of the Smith's blue butterfly, western snowy plover, and sand gilia. The non-jeopardy opinion included the requirement that the Corps develop and implement a multi-species habitat management plan designed to conserve these listed species in a manner that would reduce the loss of their habitat and promote their conservation and enhancement. The Corps and Service agreed that candidate species within the project area would be included in the habitat management plan to preclude future listings. As a result, the Corps developed the Installation-wide Multi-species Habitat Management Plan for Fort Ord (HMP) (February 1994). The HMP describes habitat conservation and management requirements for

pre-disposal, disposal, and reuse actions including the establishment of habitat reserves and corridors within Fort Ord. The Service's biological opinion authorized the take of all Smith's blue butterflies in one acre of habitat, one adult western snowy plover, and five western snowy plover nests incidental to the implementation of the HMP.

The HMP is designed to accommodate minor changes in parcel boundaries and proposed land uses. Small changes in boundaries or land uses may occur before disposal of Fort Ord in response to revised or modified land requests and would require only minor revisions to the HMP. Substantial changes to the modified alternative 6R (the preferred alternative in the final EIS) would necessitate major revisions to the HMP. Depending on the changes proposed, take authorization may need to be modified and additional mitigation may be required.

In a letter dated October 19, 1995, the Corps requested the Service's opinion on whether certain proposed actions that are different from those proposed under modified alternative 6R would be consistent with the goals and intentions of the HMP. Based on the information provided from the Corps, the Service found the proposed actions would not significantly compromise the objectives for the management of listed, proposed, and candidate species and other wildlife contained in the HMP and stated this in a letter to the Corps dated November 21, 1995. Nevertheless, the Service did express concern about impacts that would result to sensitive species from several of the proposed actions and recommended measures to reduce and mitigate for these impacts. These letters are in Appendix E of the DSEIS and are referred to several times in the DSEIS.

After reviewing the DSEIS the Service has several concerns. We believe that the Corps has misrepresented our November 21, 1995 letter throughout the DSEIS. The information provided by the Corps to the Service in its October 19, 1995 letter did not contain the resource information and impact analysis currently in the DSEIS. The evaluation made in the Service's November 21, 1995 letter was based on that preliminary information and not the complete analysis contained in the DSEIS. In the October 19 letter, the Corps did not provide detailed descriptions of Alternatives 7 (original and revised) and 8; the letter contained only a brief summary of several actions that are components of both alternatives. Therefore, our evaluation in our November 21, 1995 letter should be considered preliminary. In addition, while the Service stated in its November 21, 1995 letter that the proposed actions would not significantly compromise the objectives for the management of listed, proposed, and candidate species and other wildlife contained in the HMP, the Service did not conclude that the changes would not negatively affect sensitive species and that mitigation would not be needed. Based on the analysis in the DSEIS, the Service believes that both Alternatives 7 and 8 would result in additional impacts to certain species, including the Smith's blue butterfly and sand gilia, beyond those expected from the implementation of the HMP. Therefore, mitigation measures should be developed for these impacts.

F2:1  
See  
Section 4.0  
Common  
Comment 15

Based on the discussions in the DSEIS, the Service is confused about what actions the Corps is considering taking and for which actions it would be responsible. According to the DSEIS, the proposed action is the disposal of 250 additional acres of land due to downsizing of the POM

F2:2

Mr. Bob Verkade

3

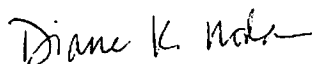
Annex. However, the DSEIS also analyzes the effects of Alternatives 7 (both original and revised) and 8, which are both reuse alternatives. The DSEIS states that these reuse alternatives are not actions that the Corps is proposing to take but are secondary actions of the disposal and that the Corps does not have a preference regarding reuse of Fort Ord excessed lands nor the ability to control the ultimate use of the land. The Service is concerned that all reuse activities be in compliance with the Act and, based on the DSEIS, is unclear whether the Corps is the responsible agency or whether the entities taking over the excessed lands would be. The HMP, which includes a reuse plan, was prepared by the Corps as required in the biological opinion. If the HMP is changed, the Service believes that the Corps would be the responsible agency.

↑  
F2:2 (cont.)  
See  
Section 5.0

Based on the above concerns for impacts to listed species beyond what was considered in the HMP and questions of responsibility for reuse, the Service believes that the Corps should reinitiate consultation with the Service. The Service would like to meet to discuss our concerns and the need for reinitiation. Questions or comments should be referred to Catherine McCalvin of my staff at (805) 644-1766.

F2:3  
See  
Section 4.0  
Common  
Comment 15

Sincerely,



Diane K. Noda  
Field Supervisor

cc: Steve Addington, Bureau of Land Management  
Bill Collins, Presidio of Monterey  
Ken Gray, California Department of Parks and Recreation  
Deborah Hillyard, California Department of Fish and Game  
Steve Monowitz, California Coastal Commission  
Les White, Fort Ord Reuse Authority



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

MAR 04 1996

Mr. Bob Verkade (Attn: CESPCK-ED)  
U.S. Army Corps of Engineers,  
Sacramento District  
1325 J Street  
Sacramento, California 95814-2922

Dear Mr. Verkade:

The Environmental Protection Agency (EPA) has received the Draft Supplemental Environmental Impact Statement (SEIS) for the Fort Ord Disposal and Reuse, San Bernardino County, California. Our review is based on the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) NEPA Implementation Regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act (CAA).

Fort Ord was closed under the Defense Base Closure and Realignment (BRAC) of 1990. A Final EIS and NEPA Record of Decision (ROD) were completed in 1993 which supported the disposal and subsequent reuse of excess Fort Ord lands. As part of that action, the Army established an approximately 1,400-acre Presidio of Monterey (POM) Annex on the former Fort Ord. The Army has recently determined that the POM annex may be reduced in area, thereby increasing by 250 acres the amount of land available for disposal and reuse; this is due to a reduction in the number of students to be trained at the POM Annex Defense Language Institute. According to the 1993 NEPA ROD, the Army must conduct further NEPA analysis for disposal to support newly proposed land uses following adoption of a final base reuse plan.

The Draft SEIS analyzes the direct impacts associated with disposal of the 250 acres of Fort Ord lands diverted from the POM Annex. Furthermore, the analysis considers the indirect (reuse-related) impacts of two additional reuse scenarios: Alternative 7, which examines the final Fort Ord Base Reuse Plan which was adopted by the Fort Ord Reuse Authority (FORA) on December 12, 1994; and Alternative 8, which reflects changes received through the EIS scoping process and recent public benefit conveyance requests. The Draft SEIS does not reconsider the environmental impacts of the six action alternatives and the no action alternative analyzed in the 1993 Draft and Final EIS.

EPA reviewed and commented on the Draft EIS on February 22, 1993. We rated the document as EO-2, Environmental Objections,-- Insufficient Information, based on the proposed action's potentially adverse impacts to water and air quality and other sensitive environmental resources. Our September 14, 1993 comment letter acknowledged that many of our previous comments

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had been fully addressed in the Final EIS. However, we expressed continuing concerns regarding the preservation and management of sensitive resources on property transferred to non-federal and private entities under the reuse alternatives.

In accordance with the 1993 NEPA ROD, the Army has developed and is implementing a multi-species habitat plan (HMP) to ensure the long-term viability of federally protected species. EPA supports this approach, and is encouraged that Alternative 7 would result in an overall reduction in the level of development compared to the action anticipated in the Army's 1993 NEPA ROD, along with reduced air quality, traffic, and public services and utilities impacts. We are concerned, however, by the additional water resources and biological impacts that would occur under Alternative 7 and, even more adversely, under Alternative 8. Although the Army is to be commended for working with the U.S. Fish and Wildlife Service and the Monterey County Water Resources Agency in developing mitigation for these impact areas, the Final SEIS should include measures to ensure that future, non-federal land users will follow, abide by or otherwise help enact that mitigation.

Based upon our review, we have classified the Draft SEIS as EC-2, Environmental Concerns - Insufficient Information (see attached *Summary of the EPA Rating System*). This rating reflects our conclusion that while the analysis does contain an informative discussion of the proposed action, several specific issues should be discussed in greater detail in the Final SEIS, and a formal no action alternative is needed. Our detailed comments are enclosed.

We appreciate the opportunity to comment on the proposed project and request that two copies of the Final SEIS be sent to my attention (mail code E-3) at the letterhead address at the same time it is filed with our Washington, D.C. office. If you have any questions or wish to discuss any aspect of our comments, please contact me at (415) 744-1584 or Jeff Philliber of my staff at (415) 744-1570.

Sincerely,



David J. Farrel, Chief  
Office of Federal Activities

1570ORD.ds.jp  
Attachments: (2)



## SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

### Environmental Impact of the Action

#### LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

### Adequacy of the Impact Statement

#### Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

#### Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

Water Resources and Hydrology

1. Page 6-7:

The Draft SEIS identifies that water demand under Alternatives 7 and 8 would be incrementally more adverse than that projected under the 1993 NEPA ROD. Because of water supply shortages and problems with saltwater intrusion into the vicinity's aquifer, it is important that the Army provide maximum support to the Monterey County Water Resources Agency (MCWRA) in managing future water use at the Fort Ord site. The Final EIS should provide additional discussion of how future site users, under Alternatives 7 and 8, could be encouraged or required to protect the local aquifer. Such options could include specific conservation techniques, reuse or "brown" water systems for landscaping, and development of alternative water sources. In coordination with the MCWRA, the Army should develop its own options for requiring non-Federal land recipients to implement or follow conservative water practices.

F3:1  
See  
Section 4.0  
Common  
Comment 8

Wetlands

1. Page 4-23:

The Draft SEIS includes several references to wetlands (pp. 4-23, 5-8, 5-32, 6-12), although no textual discussion of wetlands resources or impacts are provided. Because the Final EIS alludes to the existence of sensitive wetlands and vernal pool areas at Fort Ord, the Army should demonstrate how these would be affected by the proposed disposal of POM Annex lands as well as by development of Alternatives 7 and 8. If wetlands are affected, the Army should advance appropriate mitigation to protect, preserve and enhance those resources.

F3:2

In keeping with the national goal of "no net loss" of wetlands, the Clean Water Act (CWA) requires Federal Agencies to consider alternatives that would preserve wetland and other water resources. To comply with the CWA Guidelines, the proposed action must meet all of the following criteria:

- There is no practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem (40 CFR Part 230.1(a)).
  
- The proposed project will not cause or contribute to significant degradation of waters of the United States, including wetlands (40 CFR Part 230.1(c)). Significant

degradation includes loss of fish and wildlife habitat, including cumulative losses.

- The proposed project does not violate water quality standards, toxic effluent standards, or jeopardize the continued existence of federally listed species or their critical habitat (40 CFR Part 230.10(b)).
- All appropriate and practicable steps are taken to minimize adverse impacts on the aquatic ecosystem (i.e., mitigation) (40 CFR Part 320.10(d)). This includes incorporation of all appropriate and practicable compensation measures for avoidable losses to waters of the United States, including wetlands.

F3:2 (cont.)  
See  
Section 5.0

In addition, Executive Order 11998 requires that Federal Agencies, in disposing of property that contains wetlands, must use all practicable methods to protect those resources, including conveyance restrictions.

### Biological Resources

#### 1. Page 5-32:

We fully support the Army's development and implementation of the habitat management plan (HMP) and close work with the U.S. Fish and Wildlife Service (USFWS). Our concerns regarding potential impacts to common and special native biological communities, including some loss of Smith's blue butterfly habitat, possible disturbance to nesting western snowy plovers, and loss of habitat for black legless lizards and glubose dune beetles, have been addressed in the Draft SEIS by mitigation measures, the HMP, and the USFWS's view that such impacts would not be significant. The Final SEIS should report any additional communications, findings or opinions by the USFWS on this matter.

F3:3  
See  
Section 4.0  
Common  
Comment 15

### NEPA Issues

#### 1. Page 3-1:

The Army is required by 40 Part CFR 1502.14(e) and 1505.2(b) to identify a Preferred Alternative in the EIS and an Environmentally Preferable Alternative in the ROD (these may or may not be the same Alternative). EPA strongly encourages the Army to focus on developing a Preferred Alternative that best balances environmental quality with economic productivity. Such an alternative should protect site-specific natural resources and maintain regional environmental

F3:4

quality, particularly water resources. Because the 1993 NEPA ROD, Alternative 7 and Alternative 8 each offers planning components that are environmentally superior to the other alternatives, the Army should consider working with local resource agencies in developing an alternative that draws upon the best elements of each.

F3:4 (cont.)  
See  
Section 4.0  
Common  
Comment 2

Such an alternative should identify or include mechanisms by which non-Federal land recipients could be required to participate in the preservation of biological and water resources, and in any formal mitigation plans. Without such mechanisms, future land users may be able to significantly impact important environmental resources slated for protection under any disposal and reuse ROD decisions. Such mechanisms could include interagency agreements, binding resource management plans, and conveyance restrictions.

F3:5  
See  
Section 4.0  
Common  
Comment 15

2. Page 6-1:

According to 40 CFR Part 1508.25(b), the Army must consider in its EIS analysis "alternatives which include ... (a) no action alternative." The Draft SEIS does not contain a no action alternative. Because the SEIS analyzes the affects of implementing two types of actions--the direct action of disposing POM Annex land and the indirect or reuse actions associated with Alternatives 7 and 8--the Final SEIS should develop and include two corresponding no action alternatives for analysis: 1) for the proposed direct action of disposing former POM Annex land, the Army should develop a no-action alternative that would retain that land as part of the POM Annex or under a caretaker (dormant) status; 2) for the proposed "indirect" actions accorded Alternatives 7 and 8, the Army should use as a no-action alternative that action carried forth in the 1993 NEPA ROD decision. In each case, the no action alternatives would be viable options that represent a default or status quo condition should none of the aforementioned actions be approved.

F3:6  
See  
Section 4.0  
Common  
Comment 2

These no action scenarios should also serve as baselines for comparison for the Final SEIS impacts analysis. The Draft SEIS lacks a consistent baseline reference with which to compare the alternatives and their effects. The Army does provide much of this information, however, in its Section 6 "Summary Comparison" following the impacts and alternatives analysis sections of the Draft SEIS. The Summary Comparison does offer some juxtaposition between the various alternatives, the 1993 NEPA ROD, and each other.

F3:7  
See  
Section 4.0  
Common  
Comment 2

**Miscellaneous Issues**

1. Page 5-1:

The Final SEIS should include distinct impact statements and clearly defined mitigation measures. Mitigation measures should correspond to specific impacts, and level-of-significance should be identified after mitigation for each impact.

F3:8  
See  
Section 4.0  
Common  
Comment 3

2. Table ES-1:

The Final SEIS should contain a summary table that compares the proposed action and the indirect action alternatives with their respective no action alternatives. In addition, significant impacts, mitigation measures, and significance of impacts after mitigation should be identified in the summary table. Resource areas identified in the table should be expanded to include all impact areas and specific, significant impacts.

F3:9  
See  
Section 4.0  
Common  
Comment 6

## DEPARTMENT OF TOXIC SUBSTANCES CONTROL

400 P STREET, 6TH FLOOR

P.O. BOX 806

SACRAMENTO, CA 95812-0806

(916) 323-2521



March 4, 1996

Mr. Bob Verkade  
 ATTN: CESPK-ED  
 U.S. Army Corps of Engineers  
 Sacramento District  
 1325 J Street  
 Sacramento, California 95814-2922

Dear Mr. Verkade:

Thank you for the opportunity to comment on the draft Supplemental Environmental Impact Statement (SEIS) for the Disposal and Reuse of Fort Ord, California dated December 1995. The Department of Toxic Substances Control (DTSC) is providing the following comments:

1. We agree with issues identified in the SEIS regarding Alternative 8. The landfill cap as presently designed will not support uses other than non-irrigated open space.

We understand that Fort Ord Reuse Authority (FORA) plans for placement of potential roadways (Alternative 7 and Revised Alternative 7) across the landfill will take into consideration impacts on the cap. Any use of the capped landfill that is different from open space (e.g. golf course, roadway) will require review and approval by the California Integrated Waste Management Board pursuant to Title 14, Section 17796, California Code of Regulations.

S1:1  
 See  
 Section 5.0

2. Please clarify the assumptions used in reaching the following conclusion regarding Ordnance and Explosives (OE) on page 5-31: "In most areas, access will be unrestricted to the depth of clearance of OE within each area". DTSC believes that unless the area is completely excavated (to a designated depth) and the soil is sieved, OE is likely to remain even within the zone to which OE has been "cleared". We suggest that the text of this section and similar statements made in sections 4.2.12 and 5.2.12 regarding the unrestricted access of OE cleared properties be revised. The revisions should indicate that access, use and restrictions for specific areas still need to be evaluated and reported in documents made available to regulatory agencies and the public. Until the property is evaluated, designating the property for unrestricted use is not appropriate.

S1:2  
 See  
 Section 4.0  
 Common  
 Comment 14  
 See  
 Section 5.0

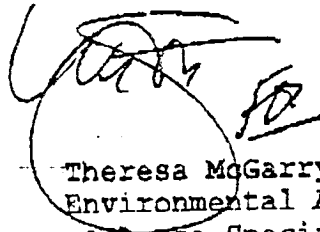


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Mr. Bob Verkade  
March 4, 1996  
Page 2

If you have any questions, please feel free to contact me at (916) 323-3466. Questions regarding OE may be directed to Mr. Jim Austreng, DTSC Statewide Unexploded Ordnance Coordinator at (916) 255-3702.

Sincerely,

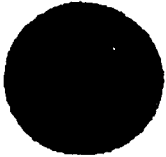


Theresa McGarry  
Environmental Assessment  
& Reuse Specialist  
Base Closure and Conversion  
Office of Military Facilities

cc: Ms. Tamara Zielinski  
Waste Management Engineer  
California Integrated Waste Management Board  
8800 Cal Center Drive  
Sacramento, California 95826

Ms. Gail Youngblood  
BRAC Environmental Coordinator  
Department of the Army  
Commander, DLIFLC and POM (Fort Ord)  
ATN: ATZP-EP  
Presidio of Monterey, California 93944-5006

Ms. Lida Tan  
U.S. Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, California 94105



# CALIFORNIA STATE UNIVERSITY MONTEREY BAY

100 Campus Center Seaside, California 93955-8001

March 4, 1996

Bob Verkade  
Sacramento District Corps of Engineers (CESPK-ED)  
1325 J Street  
Sacramento, CA 95814-2922

SUBJECT: Comments on DSEIS for Fort Ord Disposal and Reuse

Dear Mr. Verkade:

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Statement (DSEIS) issued by the U.S. Army Corps of Engineers. California State University, Monterey Bay (CSUMB) has the following comment for your consideration in finalizing the SEIS.

CSUMB is currently in the early stages of preparing a Campus Master Plan, which will document a long range plan for the physical development of the campus to a projected ultimate build-out of 25,000 full-time equivalent (FTE)<sup>1</sup> students. The Master Plan process will include environmental review in accordance with the California Environmental Quality Act (CEQA).

Our master planning process is made up of a series of tasks involving participation by the CSUMB community (students, faculty, staff) and the community at large. The Master Plan will define the parameters that CSUMB will follow in its growth toward its ultimate build-out, including the academic mission of the University and its direct relationship to facilities and infrastructure requirements, land use categories, and character of the campus. Because this is a 17 month process that considers input from many sources, CSUMB was not able to provide the Army with definitive development information for preparation of the DSEIS (i.e., numbers and types of future housing units, densities, square footage and types of anticipated university support development, etc.). Therefore, the development data for CSUMB presented in the DSEIS is speculative until a preferred alternative of the CSUMB Master Plan is defined.

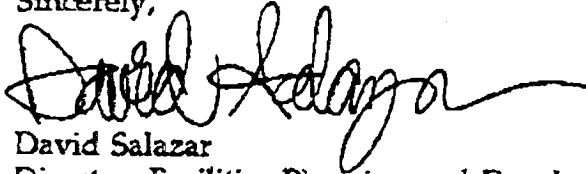
S2:1  
See  
Section 5.0

<sup>1</sup> FTE= Full Time Equivalent= One FTE student at CSUMB takes the equivalent of 15 units per semester. Therefore, one FTE could be comprised of one student enrolled in 15 units or several students enrolled in a number of units that, when combined, equals 15 units.



Once again, thank you for this opportunity to comment on the DSEIS. Please call if you have any questions or require assistance from CSUMB.

Sincerely,

A handwritten signature in black ink, appearing to read "David Salazar", with a long horizontal flourish extending to the right.

David Salazar  
Director, Facilities Planning and Development

c: Hank Hendrickson, CSUMB  
Bob Sabbatini, Sasaki Associates  
Denise Duffy, Denise Duffy Associates

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
 725 FRONT STREET, STE. 300  
 SANTA CRUZ, CA 95060  
 (408) 427-4863  
 HEARING IMPAIRED: (415) 904-5200



March 4, 1996

Mr. Bob Verkade  
 Sacramento District Corps of Engineers (CESPK-ED)  
 1425 J Street  
 Sacramento, CA 95814-2922

Subject: Draft Supplemental Environmental Impact Statement,  
 Fort Ord Disposal and Reuse

Dear Mr. Verkade:

The Coastal Commission staff has reviewed the above referenced document (DSEIS), which is intended to analyze the environmental impacts associated with changes in the Army's POM Annex Boundary, and revised reuse proposals. Our main concerns regarding this document are summarized as follows:

- o The DSEIS does not analyze the revised reuse plan's conformance with the Federal Consistency Determination previously adopted by the Coastal Commission (CD-16-94), nor does it evaluate what further federal consistency review may be required;
- o The DSEIS inadequately identifies potentially significant impacts to coastal zone resources, and inconsistencies with Coastal Act policies, resulting from revised coastal zone land uses, and does not provide appropriate mitigation;
- o The DSEIS does not resolve inconsistencies between revised reuse proposals and the basewide Habitat Management Plan (HMP); and,
- o The DSEIS does not analyze environmental impacts associated with remediation activities which have changed since they were originally evaluated by the Environmental Impact statement (EIS).

S3:1  
 See  
 Section 5.0

1. Federal Consistency Requirements:

On March 17, 1994, the California Coastal Commission concurred with the Army's determination that the disposal and reuse plan for Fort Ord was consistent with the California Coastal Management Program to the maximum extent feasible (Consistency Determination CD-16-94). This concurrence hinged upon certain key assumptions, including:

S3:2

- o the entire coastal zone (except for the State Route 1 right-of-way) would be transferred to CDPD for use as a State Park;
- o remediation of the firing ranges in the coastal zone would be required only in areas surrounding the targets and in limited geographic areas where lead may be concentrated;
- o remediation of the Main Garrison sewage treatment plan would involve pumping and treating groundwater on site; and

- o the multispecies habitat management plan (HMP) prepared by the Army and the U.S. Fish and Wildlife Service will be signed by these two agencies in a form substantially similar to its March, 1994 draft form.

The Army recognized within this Consistency Determination that should it make decisions different from what was assumed, it would coordinate with the Commission regarding any further consistency review that may be needed. From our review of the DSEIS, the Commission staff have reason to believe that many of the assumptions contained in CD-16-94 may no longer hold true for the following reasons:

- o It is unclear if revised coastal zone land uses will affect the assumed transfer of the entire coastal zone to the California Department of Parks and Recreation (State Parks);
- o The revised coastal zone land uses conflict with the assumption that the entire coastal zone area will be used as a State Park;
- o Cleanup of spent ammunition in the dunes may need to be expanded beyond the assumed limited geographic areas;
- o Cleanup of the Main Garrison Sewage Treatment Plant involves soil treatment in addition to groundwater pumping; and,
- o Revised reuse plans necessitate changes in the HMP which may require Coastal Commission review.

The Commission staff requests that the SEIS fully analyze the relationship between current reuse plans and CD-16-94, and identify any further federal consistency review that may be required.

Another important component which facilitated Coastal Commission concurrence with CD-16-94 was a letter from the Fort Ord Reuse Group agreeing to mitigate potential effects that reuse of Fort Ord may have on the coastal zone and coastal zone resources, particularly with respect to water availability, traffic congestion, and visual resources. These mitigation measures should be identified by the SEIS, and the SEIS should evaluate the revised reuse plans conformance with these commitments.

S3:2 (cont.)  
See  
Section 5.0

S3:3  
See  
Section 5.0

## 2. Impacts to Coastal Resources:

Page 5-47 of the DSEIS identifies that the revised use areas described in Alternative 7 (the Fort Ord Reuse Authority Base Reuse Plan) contain additional uses in the coastal zone which differ from the recreational and habitat uses assumed by CD-16-94. The DSEIS acknowledges that these revised uses (the Asilomar-type facility, the desalination plant, the aquaculture/marine research area, the beach road, and stormwater retention basins) "have the potential to increase automobile traffic congestion in the coastal zone; to increase impacts on biological, visual, soil, and water resources; and to increase air quality and noise impacts" (p.5-47).

S3:2  
See  
Section 5.0

The DSEIS suggests that the potential inconsistencies between the revised coastal zone land uses and the State Parks can be resolved thru the State Parks general plan process, which will ultimately be coordinated with the Coastal Commission "by [State Parks] developing a CZMA consistency determination for its park master plan" (p. 5-49). This discussion should be corrected to state that the park master plan will require Coastal Commission certification as a Public Works Plan, not a consistency determination.

S3:4  
See  
Section 5.0

The Commission staff is extremely concerned about the impacts to Coastal resources which may result from the revised coastal land uses, and do not believe that the DSEIS has adequately identified or mitigated these impacts. For example:

- o The DSEIS relies upon the HMP to provide mitigation for impacts to natural resources in the coastal zone. As discussed in the following section of this letter, inconsistencies between the FORA plan and the HMP may prevent the HMP from effectively mitigating such impacts.
- o In relying upon the State Parks planning process to resolve inconsistencies between the FORA plan, the State Parks General Plan, and Coastal Act policies some time in the future, the DSEIS does not ensure that such inconsistencies can be resolved.
- o The DSEIS does not analyze the potentially significant impacts to marine resources and water quality that may result from operation of the proposed desalination facility.
- o The DSEIS does not analyze the implications that the proposed beach road would have on habitat protection and enhancement objectives in the dunes, nor does it evaluate the purpose or need for such a road and how it may relate to traffic congestion, visual impacts, or other concerns.

S3:2

In addition to addressing the issues identified above, the Commission staff requests that the the SEIS provide a more detailed analysis of the potential inconsistencies between revised land uses in the coastal zone and the Chapter 3 policies of the California Coastal Act. This analysis should identify mitigation measures, or reuse alternatives, which will ensure that all elements of reuse will take place consistent with Coastal Act standards.

S3:2 (cont.)  
See  
Section 5.0

### 3. Habitat Management Plan (HMP):

Pages 5-12 and 5-16 of the SEIS discuss the impact of revised coastal zone land uses on natural habitats and the "disturbed habitat zone" (DHZ), identifying that these uses could "destroy or disturb [significant environmental and natural] resources" and "compromise the character and intention of the DHZ" (to provide visitor-serving parks and recreation opportunities as well as to preserve coastal dune and vernal pond habitat).

As more specifically described on pages 5-32 - 5-44 of the DSEIS, these impacts include, for the area west of Highway One, removal of 22 acres of potential Smith's blue butterfly habitat; degradation of sensitive habitat areas, and direct impacts to special status species, as a result of increased public use of the dune areas; removal of approximately 25 acres of coastal black legless lizard habitat; and, removal of 3 acres of potential globose dune beetle habitat.

S3:5  
See  
Section 4.0  
Common  
Comment 15

Considering the impacts to natural resources in the coastal zone identified by the DSEIS, the Commission staff disagree with the SEIS statement on page 5-33 that "Alternative 7 is consistent with the HMP", and that "no mitigation is required for the impacts described... other than modifying the HMP to reflect the disposal of newly excessed lands and the reuse scenario shown in Alternative 7". The Commission staff therefore request that the SEIS fully analyze potential inconsistencies between revised land uses and the specific provisions of the HMP, and provide mitigation measures or reuse alternatives which avoid such inconsistencies. If changes to the HMP prove to be necessary, the Army should consult with Commission staff regarding any supplemental federal consistency review that may be needed.

### 4. Hazardous and Toxic Waste Remediation.

Pages 4-13 and 4-15 indicate that new data regarding remediation activities has been developed since certification of the EIS, but the DSEIS does not disclose the extent of this new information, or the environmental consequences associated with the new data. The Commission staff is specifically interested in the progress of remediation plans for coastal zone sites, and whether or not the new data affects the assumptions made in CD-16-94.

S3:6

From the information contained in the DSEIS, it appears that the clean-up of Site 2 (the Main Garrison Sewage Treatment Plant) has expanded beyond the treatment of contaminated groundwater, which was assumed by CD-16-94 to be the only remediation activity necessary for site 2. Page 4-15 of the DSEIS states "priority pollutant metals were detected in surface and near surface soil samples at the Main Garrison Sewage Treatment Plant and other areas". Page 4-18 states "Soil contamination will be treated by excavation, separation of nonsoil debris, disposal of debris, and treatment of contaminated soils". The DSEIS does not evaluate the potential environmental impacts associated with soil remediation at site 2.

S3:6 (cont.)  
See  
Section 5.0


With respect to Site 3, the beach trainfire ranges, no new data or information is presented by the DSEIS. Through our participation on the Fort Ord Restoration Advisory Board, the Commission staff has become aware that in order to clean Site 3 to a level that is safe for humans and environmental resources, lead removal may take place in a much greater area of the dunes than was originally assumed. In addition, it is our understanding that the the Army is considering using beach sand collected during the lead removal process to cover the landfill cap. The DSEIS does not identify these changes to the clean-up plan, or analyze the impact to environmental resources that may result from these changes.

Commission staff therefore request that the SEIS fully disclose all new hazardous and toxic waste remediation information and plans, and analyze this information for potential impacts to environmental resources, as well as for consistency with the assumptions contained in CD-19-64.

In summary, the Commission staff requests that the SEIS analyze the consistency of revised land use proposals with the assumptions contained in CD-16-64; identify those revised reuse proposals that may require further federal consistency review by the California Coastal Commission; provide a more detailed analysis of potential impacts to coastal zone resources posed by the revised land uses, including effective mitigation measures for such impacts; analyze potential inconsistencies between revised land uses and the specific provisions of the HMP; and, identify hazardous and toxic waste remediation activities which have changed since certification of the EIS, and analyze these changes for potential impacts to environmental resources and consistency with CD-16-94.

The Commission staff appreciates the opportunity to comment on this document. Questions regarding this letter should be directed to staff analyst Steve Monowitz, at (408) 427-4863. Questions regarding the Commission's federal consistency process should be directed to Mark Delaplaine, Federal Consistency Coordinator, at (415) 904-5289.

Sincerely,

  
Tami Grove  
District Director

cc: Terry Jackson, Monterey Bay National Marine Sanctuary  
Catherine McCalvin, U.S. Fish and Wildlife Service  
Jon Chesnutt, U.S. EPA, Region IX  
Denise Klimas, National Ocean and Atmospheric Association  
Steve Addington, Bureau of Land Management  
Bruce Elliot, California Department of Fish and Game  
Micheal Martin, California Department of Fish and Game  
Ken Gray, California Department of Parks and Recreation  
Bill Kilgore, Department of Toxic Substances Control  
Les White, Fort Ord Reuse Authority  
Donna Blitzer, Congressman Sam Farr's Office

TG/SM  
0354M

# AMBAG

ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

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Office Location: 445 Reservation Road, Suite G, Marina  
P.O. Box 809, Marina, CA 93933-0809

February 15, 1996

Bob Verkade  
U.S. Army Corps of Engineers  
1325 J Street  
Sacramento, California 95814-2922

Re: **MCH # 029606** - Draft Supplemental EIS of the Fort Ord Disposal and Reuse Program

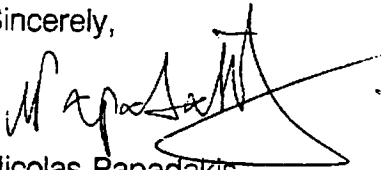
Dear Mr. Verkade:

AMBAG'S Regional Clearinghouse circulated a summary notice of your environmental document to our member agencies and interested parties for review and comment.

The AMBAG Board of Directors considered the project on **February 14, 1996** and we are forwarding the enclosed comments at this time.

Thank you for complying with the Clearinghouse process.

Sincerely,



Nicolas Papadakis  
Executive Director

Enclosures

NP:jb



February 15, 1996

Bob Verkade  
U.S. Army Corps of Engineers  
ATTN: CESP-K-ED  
1325 J Street  
Sacramento, CA 95814-2922

Re: *MCH# 029606 - Draft Supplemental Environmental Impact Statement for Fort Ord Disposal and Reuse*

Dear Mr. Verkade:

Thank you for your January 4, 1996 transmittal of the subject document for our review. The AMBAG Board of Directors have accepted these comments on the subject Draft Supplemental Environmental Impact Statement (DSEIS) for Fort Ord Disposal and Reuse, dated December, 1995.

We have these comments on the DSEIS:

1. **Alternative definition: general:** Neither the DSEIS nor the EIS document a "Baseline conditions" nor do they evaluate a "No-project" Alternative. The lack of a baseline for assessing environmental impacts of project alternatives against environmental conditions without those alternatives is a serious weakness of this document. That baseline should be set sometime shortly before the decision to close the Fort, i.e. 1991.
  - 1a. How can impacts be assessed without comparison with baseline conditions? Baseline conditions for reuse occurred before disposal and reuse action, i.e. conditions prevailing in 1991. Those conditions are only sketchily portrayed in the EIS, without the degree of precision necessary to evaluate environmental impacts. For example, some data is presented for baseline "existing traffic conditions" in EIS Vol I, p. 4-67 thru 68, but they are undated and qualitative, without actual traffic volumes.
  - 1b. Why does the DSEIS not define and assess a No-project Alternative? Since the Record of Decision (ROD) has irrevocably approved various reuse actions, the no-project alternative for the FORA reuse plan should consist of nothing more than the ROD approved actions.
2. **Alternative definition: specific:** Alternative 7 assessed in the DSEIS is based on a prior reuse plan reviewed by FORA in December, 1994. This reuse plan will soon

R1:1a  
See  
Section 4.0  
Common  
Comment 2

R1:1b  
See  
Section 4.0  
Common  
Comment 2

be replaced by a quite different reuse plan currently being circulated in draft. Alternative 8 is neither the old reuse plan nor a draft of the new plan .

2a. How can reuse impacts be assessed if the alternatives do not include an alternative which corresponds to the draft reuse plan prepared and being circulated by FORA during 1995 and to be adopted by FORA during 1996?

R1:2a  
See  
Section 4.0  
Common  
Comment 1

2b. How different will the FORA reuse plan have to be from Alternative 7 or 8 to necessitate a new Supplemental EIS?

R1:2b  
See  
Section 4.0  
Common  
Comment 1

3. **Mitigations of reuse impacts.** The DSEIS identifies significant impacts, but generally does not locate or even quantify them. For example regarding traffic: "...the traffic generated at build-out , combined with other regional increases, would require a considerable increase in roadways..." [ES-3]. Since assessment of traffic impacts to the degree necessary to define mitigations was not done, the final selection of mitigations is deferred to a study to be done by a local agency -- the Transportation Agency for Monterey County (TAMC). [3-11] The TAMC study, the DSEIS goes on to say, will:

R1:3  
See  
Section 4.0  
Common  
Comment 9

"...assess the cumulative effects of the planned uses on area roadways. If the traffic study shows that development will exceed approved....standards, transportation supply and demand *will be* balanced to avoid these conflicts." [3-11, italics added.]

To mitigate the impacts, the SDEIS offers an open-ended list of possibilities for mitigation efforts to be undertaken by others: "*Actions to be taken* by the Cities of Del Rey Oaks, Marina, Monterey, Salinas, Sand City and Seaside and Monterey County to balance [transportation] supply and demand *may include, but not be limited to, modifying development intensities, improving infrastructure, adopting land use measures to reduce the number of vehicle trips, and providing alternative transportation modes to reduce vehicle trips.*" [3-11, italics added.]

3a. Does the fact that mitigation of reuse impacts is not the Army's responsibility [ES-4] relieve the Army of responsibility for identifying those mitigations?.

R1:3a  
See  
Section 4.0  
Common  
Comment 3

3b. Can the identification of mitigations for reuse impacts be deferred to others?

R1:3b  
See  
Section 4.0  
Common  
Comment 3

3c. Would not this EIS be more adequate if the Army were to adopt the following mitigation measure?

R1:3c  
See  
Section 4.0  
Common  
Comment 3

*All measures necessary to mitigate the environmental impacts from reuse of this property as identified by TAMC and FORA, shall be implemented concurrently with the reuse actions which will cause those impacts.*

4. Other Specific Comments. The DSEIS incorrectly notes that:

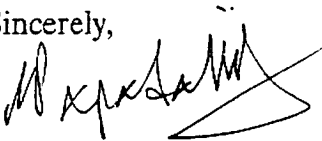
" The transportation elements from the FORA Final Reuse Plan, December 12, 1994, have been ...included by the Association of Monterey Bay Area Governments (AMBAG) in the Federal Transportation Improvement Program. The program has been approved by the California Department of Transportation and the Federal Highways Administration." [DSEIS 1-9]

R1:4  
See  
Section 5.0

- 4a. Please correct the text to note that AMBAG included in the Federal Transportation Improvement Program several requests for public benefit conveyance of real property for various transportation uses, some of which were also included the December 12, 1994 reuse plan. AMBAG's approval of these requests and any subsequent approval by Caltrans and the U.S.Department of Transportation do not constitute approval of funding or construction on the property requested, nor of the reuse plan transportation network as a whole.

Thank you for the opportunity to review this document. If you have any questions or wish further clarification of these comments, please call David Fairchild of my staff.

Sincerely,



Nicolas Papadakis  
Executive Director

cc:

Les White, Fort Ord Reuse Authority  
Bob O'Laughlin, Federal Highways Administration  
Bob Hom, Federal Transit Administration  
Gerald Gromko, Transportation Agency for Monterey County  
Linda Wilshusen, Santa Cruz County Regional Transportation Commission  
Max Bridges, Council of San Benito County Governments  
Ken Nelson, Caltrans District 5, Attn: G.K. Laumer  
Doug Quetin, Monterey Unified Air Pollution Control District, Attn: J. Brennan

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MONTEREY BAY

Unified Air Pollution Control District

serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER  
Doug Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 408/647•9411 • FAX 408/647•8501

February 14, 1996

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U.S. Army Corps of Engineers (CESPK-ED)  
Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

SUBJECT: DRAFT SUPPLEMENTAL EIS-FORT ORD DISPOSAL AND REUSE

Dear Mr. Verkade:

Staff has reviewed the Draft Supplemental Environmental Impact Statement (DSEIS) for the proposed disposal and reuse of Fort Ord lands, which addresses revisions to the project that were not analyzed in the 1993 Final EIS. These include developing 250 acres of land formerly dedicated to the Presidio of Monterey Annex and 2,250 acres that are subject to the Fort Ord Reuse Authority's (FORA) Base Reuse Plan.

Based on the following comments, the DSEIS requires revision before the direct and indirect transportation and air quality impacts of the federal action can be analyzed. Since the SEIS and 1993 FEIS will form the basis for FORA's Base Reuse Plan EIR, revision and recirculation of a revised DSEIS is critical. Staff presents several overarching comments, with specific references to the DSEIS:

R2:20  
See  
Section 5.0

- 1. The DSEIS bases its analysis of cumulative air quality impacts by comparing to the 1993 ROD rather than the 1991 existing environment.

NEPA requires that the individual and cumulative environmental impacts of a federal action be compared to the existing environment, which is defined by the DSEIS as 1991. Based on this comparison, the DSEIS should identify all significant traffic and air quality impacts, recommend feasible mitigation measures, and conclude whether impacts would be mitigated below significance.

R2:1a  
See  
Section 4.0  
Common  
Comment 11

However, the DSEIS analyzes individual and cumulative air quality impacts by comparing to the 1993 ROD, rather than the existing environment, and concludes that impacts would be less than ROD buildout (e.g., page ES-3, para. 2.; page ES-4, para. 4.; page ES-5, Table ES-1; page 6-1, Overview; Sections 6.2 and 6.4). Since the federal action approved in the 1993 ROD is part of the project itself, it can not be part of any baseline. By definition, the Supple-

R2:1b

mental EIS addresses the remainder of the overall federal action that was not addressed in the 1993 FEIS. Comparing the scope of the DSEIS to the ROD or FEIS segments the reuse of Fort Ord into two parts and piecemeals the analysis of air quality impacts by establishing a higher baseline and understates project impacts.

R2:1b (cont.)  
See  
Section 4.0  
Common  
Comment 11

When the DSEIS does assess cumulative traffic and air quality impacts based on the 1991 baseline, the analysis is incomplete. The qualitative assessments are inconclusive, since they do not identify all reasonably foreseeable impacts, determine whether they are significant, recommend feasible mitigation measures, and conclude whether impacts would be mitigated below significance.

R2:1c  
See  
Section 4.0  
Common  
Comment 11

All comparisons of project impacts to the 1993 ROD should be deleted and replaced with expanded, complete comparisons to the 1991 baseline.

R2:1d  
See  
Section 4.0  
Common  
Comment 11

2. The limited scope of the DSEIS does not adequately supplement the 1993 FEIS since most of the 3,456 acres of "No Proposed Use" lands that were not analyzed in the 1993 FEIS are still not addressed in any environmental document.

The 1993 FEIS segmented the disposal and reuse of Fort Ord into two parts. First, it analyzed buildout of Alternative 6R, the preferred alternative, but excluded 3,456 acres (12.5% of total lands) which were designated "No Proposed Use" (NPU) areas. In doing so, the FEIS "assumed no uses in these areas" (FEIS, Page 6-150, §6.17.8), but noted that "there would be secondary and cumulative effects of reuse in the NPU areas." However, the cumulative traffic and air quality analyses did not adequately assess impacts nor recommended specific mitigation measures. In particular, the one paragraph assessment of cumulative air quality impacts was inadequate and inconclusive.

R2:2  
See  
Section 4.0  
Common  
Comment 4

The FEIS and ROD noted that the Army would address these 3,456 acres of NPU areas in this SEIS once a Base Reuse Plan was adopted by FORA. Since this has not been done, the DSEIS should be revised to address reuse of all NPU lands from the 1993 FEIS.

This comment is based on the DSEIS discussion on: page ES-2, para. 3; page ES-2, para. 3; page 1-1, para. 3; page 1-3, Figure 1-1; page 1-2, para. 4; page 5-2, para. 3.

3. The DSEIS relies on a buildout scenario in the 1993 ROD that was not addressed in the ROD or the 1993 FEIS and is 2 to 3 times larger than Alternative 6R.

The DSEIS compares the project to the 1993 ROD. However, the buildout assumptions attributed to the ROD (Alternative 6R "Modified") themselves are incorrect, since they are not identified in the ROD and are 2 to 3 times larger than Alternative 6R in the FEIS. For example, while the FEIS analyzed a population buildout of 22,800, the DSEIS states that the ROD addressed a

R2:3

buildout of 58,000. This appears to contradict the 1993 ROD, which stated: "[t]he anticipated reuse scenario has been updated...These modifications are consistent with the range of alternatives analyzed in the final EIS..." (1993 ROD, page 2).

In addition, the housing buildout of 17,000 attributed to the ROD exceeds the FEIS' Alternative 6R estimate of 10,000, while the land use breakdown differs substantially with the FEIS. Apparently, the ROD determined land uses for the 18.8% of "other" (i.e., NPU) lands that were not addressed in the FEIS; however, this was not defined in the ROD.

R2:3 (cont.)  
See  
Section 5.0

The source of the buildout assumptions attributed to the ROD (e.g., population, housing, land use mix) are unclear, since they were not identified in the ROD. Where these data are addressed in the ROD, why they are substantially greater than the FEIS' Alternative 6R, and why the DSEIS relies on substantial changes made in the ROD that were not analyzed for environmental impacts and not subject to public review should be clarified.

This comment is based on the DSEIS discussion on: page ES-2, para. 2.; page ES-5, Table ES-1.; page 1-1, para. 3; page 1-2, para. 4; page 5-2, para. 3; page 5-28, Table 5-7.

4. The air quality impacts attributed to the 1993 ROD were not addressed in the ROD or the 1993 FEIS and are 2 to 3 times larger than impacts associated with Alternative 6R.

The DSEIS compares emissions from buildout of Alternatives 7 and 8 to those analyzed in the 1993 ROD. However, the emissions attributed to the ROD were not analyzed in the ROD and are 2-3 times higher than impacts addressed in the FEIS. For example, the DSEIS notes that the ROD buildout addressed 4,268 lb/day of ROG, which substantially exceeds the 1,762 lb/day analyzed in the FEIS. This apparent discrepancy also applies to NO<sub>x</sub> (6,171 vs 3,305 lb/day), CO (111,726 vs 51,147 lb/day), and PM<sub>10</sub> (3,178 vs 1,104 lb/day). These substantial increases appear to contradict the ROD's finding that "[t]hese modifications would not result in impacts not analyzed in the final EIS..." (1993 ROD, page 2).

R2:4  
See  
Section 5.0

Where the emissions attributed to the ROD are addressed in the 1993 ROD, why they are substantially greater than the FEIS' Alternative 6R, and why they were not analyzed for environmental impacts should be clarified.

This comment is based on the DSEIS discussion on: page 1-2, para. 4; page 5-28, Table 5-7.

5. The traffic and air quality analyses are incomplete, inconclusive, and defer analysis and mitigation to a future study.

R2:5

The traffic analysis, which directly affects the air quality analysis, is inadequate and consists of aggregate trip generation

estimates and a broad assessment of infrastructure needs. The DSEIS does not assess roadway volumes and levels of service based on a defined roadway network. Instead, the DSEIS defers the analysis to a future traffic study that must rely on a balancing of traffic supply and demand by several jurisdictions and finds that significant impacts would be mitigated by local jurisdictions through revisions to land use and transportation plans.

This deferral of analysis to a future study and reliance on mitigation measures that are unenforceable is inconsistent with NEPA requirements. For example, the Army, under its mitigation monitoring program, is responsible for ensuring that local agencies revise the land use and transportation plans to balance traffic supply and demand. However, the means to achieve multi-jurisdictional agreement are unclear. The DSEIS should explain how the Army can ensure that local jurisdictions comply with this requirement, given the apparent inability to enforce this ("MOUs with local agencies or property recipients may be provided to the Army before disposal or transfer of property"). Is development of MOUs between local jurisdictions optional? Is submission of MOUs to the Army prior to transfer of property optional? If so, there is no basis for finding that this would mitigate significant traffic and air quality impacts given the lack of certainty that success could be achieved.

How can the DSEIS find that an adequate traffic analysis has been done if there is insufficient information on transportation infrastructure ("current transportation information on transportation plans is not sufficiently detailed to allow a proper assessment")? In the absence of a thorough traffic analysis and intersection-level traffic modeling, the DSEIS should describe how detailed CO dispersion modeling near study intersections was performed, given the necessary parameters needed to run CALINE (e.g., roadway capacities, traffic volumes, congestion).

This comment is based on the DSEIS discussion on: page 1-8, §1.3.2, bullet #2; page 1-8, §1.3.2, bullet #2; page 1-9, bullet #4; page 3-11, para. 4; page 3-11, para. 4; page 3-11, para. 4; page 5-10, para. 4; page 5-58, para. 7; page 5-58, Traffic and Circulation; page 5-61, para. 4; page 5-61, para. 5; page 5-62, para. 2; page 5-48, para. 7.

## 6. Future Supplement to the 1993 EIS.

Since this DSEIS relies on a pending traffic study, will another SEIS be circulated when the traffic and air quality impacts and mitigation measures are identified? Further, if the DSEIS is intended to address the ongoing efforts of FORA to revise its Base Reuse Plan, will the Army prepare another SEIS upon completion of the pending Plan? Finally, if implementation of the undefined mitigation measures (e.g., expanding transportation infrastructure, revising land uses) would result in new air quality impacts, would another supplement be prepared?

R2:5 (cont.)  
See  
Section 4.0  
Common  
Comment 9

R2:6

This comment is based on the DSEIS discussion on: page 1-8, §1.3.2, bullet #3, page 1-11, §1.3.7; page 3-11, para. 4.

7. The status of Revised Alternative 7 is unclear, since it is addressed infrequently in the DSEIS.

The status of Revised Alternative 7, which is mentioned infrequently throughout the DSEIS, is not described in Section 3.0, is not analyzed in Section 5.0 for traffic and air quality impacts, and should be clarified. Under Revised Alternative 7, 226 acres of former open space would be developed, increasing population by 2,900; housing by 966; and employment by 1,400 over Alternative 7. However, the impact of these changes is not addressed in the traffic and air quality analyses of Section 5. The revised DSEIS should analyze the consistency of Revised Alternative 7 with the 1994 AQMP and revise the CO dispersion modeling.

This comment is based on the DSEIS discussion on: page 3-2, para. 1; page 5-11, para. 2; page 5-11, para. 6; page 5-24, para. 2; page 5-28, Table 5-7; page 5-88, para. 6.

The following comments address other related issues:

8. Page 1-5, §1.2.5. The DSEIS should clarify whether these actions that were segmented from the overall Base Disposal and Reuse project and addressed through the NEPA REC process are included in the cumulative impact analysis, particularly development of the Fritzsche Army Airfield area, lands north of Inter-Garrison Road, and Travel Camp area.
9. Page 3-2, para. 1. The DSEIS does not identify the Preferred Alternative or a "no project alternative." These should be included in a revised DSEIS.
10. Page 3-2, para. 2. While the Army can not maintain direct control of the ultimate use of disposed property, the DSEIS should clarify whether it would have indirect control (i.e., could practicably control emissions and maintain indirect control due to a continuing program responsibility). If so, the DSEIS should revise its General Conformity discussion accordingly to include indirect emissions in its conformity analysis. This comment also applies to page 5-65, para. 1.
11. Page 5-6, para. 5. The general conformity rule requires that the applicable federal agency(ies), not the project applicant, find that the federal action would conform.
12. Page 5-10, para. 1. Since the purpose of a cumulative analysis is to assess the cumulative impact of many incremental actions, it is unclear why the DSEIS concludes that the direct cumulative impacts are not considered significant beyond the individual, incremental effects described in Sections 5.2.2. through 5.2.15.

R2:6 (cont.)  
See  
Section 4.0  
Common  
Comment 1

R2:7  
See  
Section 5.0

R2:8  
See  
Section 5.0

R2:9  
See  
Section 4.0  
Common  
Comment 2

R2:10  
See  
Section 5.0

R2:11  
See  
Section 5.0

R2:12  
See  
Section 4.0  
Common  
Comment 5



- |  |  |
|--|--|
| <p>13. <u>Page 5-10, para. 2.</u> The DSEIS states that mitigation measures have been recommended "where appropriate." However, NEPA requires that all relevant, reasonable mitigation measures be identified, even if they are outside the jurisdiction of the lead agency and thus would not be committed as part of the ROD. In addition, the probability of the mitigation measures being implemented should be discussed. Thus, the EIS and ROD should indicate the likelihood that such measures will be adopted or enforced by responsible agencies, acknowledge if there is a history of nonenforcement or opposition to such measures, and whether mitigation measures will not be ready for a long time.</p> | <p>R2:13<br/>See<br/>Section 4.0<br/>Common<br/>Comment 3</p>  |
| <p>14. <u>Page 5-18, para. 4.</u> The DSEIS finds that buildout of newly excessed and revised use areas would increase population by 14,100. The forecasts that these changes would be added to should be identified and presented in a summary table.</p>   | <p>R2:14<br/>See<br/>Section 4.0<br/>Common<br/>Comment 6</p>  |
| <p>15. <u>Page 5-24, para. 2.</u> The DSEIS finds that buildout of newly excessed and revised use areas would increase ADT by 223,278. The forecasts that these changes would be added to should be identified and presented in a summary table.</p>   | <p>R2:15<br/>See<br/>Section 4.0<br/>Common<br/>Comment 6</p>  |
| <p>16. <u>Page 5-26, para. 1.</u> The threshold of significance for PM<sub>10</sub> is 82 lb/day.</p>  | <p>R2:16<br/>See<br/>Section 5.0</p>                           |
| <p>17. <u>Page 5-62, para. 6.</u> A formal consistency determination from AMBAG that addresses the cumulative buildout of Fort Ord should be included in a revised DSEIS.</p>  | <p>R2:17<br/>See<br/>Section 4.0<br/>Common<br/>Comment 12</p> |
| <p>18. <u>Page 5-65, para. 2.</u> Staff recommends the following revision: "...the <del>Monterey Bay Area</del> <u>North Central Coast Air Basin</u> will attain <u>conformity the federal ozone standard</u> well before 2015..."</p>   | <p>R2:18<br/>See<br/>Section 5.0</p>                           |
| <p>19. <u>Page 5-88, para. 6.</u> The air quality analysis of Alternative 8 should address the project's consistency with the 1994 AQMP, which is used to determine cumulative impacts on regional air quality.</p>  | <p>R2:19<br/>See<br/>Section 4.0<br/>Common<br/>Comment 12</p> |

Thank you for the opportunity to comment on the document. If you have any questions, please do not hesitate to call Douglas Kim of our planning staff.

Sincerely,



Janet Brennan  
Senior Planner, Planning and  
Air Monitoring Division

cc: Nicolas Papadakis, AMBAG  
Ann Hebenstreit, FORA

January 25, 1996

Mr. Bob Verkade  
Sacramento District Corps of Engineers  
1325 J Street  
Sacramento, CA 95814-2922

RE: SEIS for the Fort Ord Disposal and Reuse

Dear Mr. Verkade:

The Santa Cruz County Regional Transportation Commission staff has reviewed the Supplemental Environmental Impact Statement (EIS) for the Fort Ord Disposal and Reuse Plan and have the following comments:

1. In terms of transportation impacts, we recommend implementation of Alternative 8 which has less of an impact in regards to the jobs/housing/transportation imbalance. Alternative 7 provides more jobs and significantly less housing, meaning that more people will be driving greater distances to their workplaces. As in our comments on the Final EIS for this project (attached), we are concerned that significant new travel through and from Santa Cruz County and the San Jose/Silicon Valley region will occur along Highway 1 as residents of all three counties travel to employment places throughout the area. It appears that the travel patterns assumed would mimic the localized travel patterns of the Army uses of Ft. Ord rather than assuming that the educational and research based land uses as proposed will significantly change travel patterns to and from the area. We recommend that the FSEIS discuss the potential change in travel patterns in more detail.
2. In addition, we are still concerned that there is still no mention of any analysis of intercounty and regional travel impacts between Santa Cruz and Monterey Counties due to this development. For instance, both Santa Cruz and Monterey Counties are actively studying the potential to bring passenger rail service to the Central Coast and such service may help alleviate transportation impacts caused by the reuse of Ft. Ord. (See Figure 5-6) We recommend that some discussion of regional travel impacts be discussed.

R3:1  
See  
Section 4.0  
Common  
Comment 10

R3:2  
See  
Section 4.0  
Common  
Comment 10

Thank you for the opportunity to review this document at this time. We will also be commenting on the Notice of Preparation for the Ft. Ord Reuse Plan currently available for public review. If you have questions or concerns regarding these comments, please contact Teresa Buika of my staff at (408) 454-3073.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linda', followed by a long horizontal flourish.

Linda Wilshusen  
Executive Director

LW/tb1:ftordsei

Attachment

cc: AMBAG

TAMC

County of Monterey

211 HILLCREST AVENUE  
MARINA, CA 93933  
TELEPHONE (408) 384-3715  
FAX (408) 384-0425



February 27, 1996

Mr. Bob Verkade  
Sacramento District Corps of Engineers (CESPK-ED)  
1325 J Street  
Sacramento, CA 95814-2922

Dear Mr. Verkade:

**SUBJECT: COMMENTS ON FORT ORD DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (DSEIS) TRANSMITTED 1/4/96**

The City of Marina is pleased to offer the following comments on the above subject document.

- |   |  |
|---|--|
| <p>1. The DSEIS does not appear to provide a fully comprehensive coverage of the 12/12/94 FORA Reuse Plan as well as some possible modifications to FORA's or local agencies plans since that date. The coverage appears varied in detail. For example, analyses of noise and air quality usually depends to a large extent upon the traffic analyses. The noise and air quality sections in the DSEIS include fairly extensive and detailed tables of noise by road segments and also of receptor locations for CO. However, we do not find any similar presentation for anticipated traffic and LOS/lane assumptions for road segments nor do we find any LOS/intersection assumptions for intersection analysis.</p> | <p>L1:1<br/>See<br/>Section 4.0<br/>Common<br/>Comment<br/>9</p> |
| <p>2. Page 5-29 - In Table 5-8, please correct the identification of the "segment" associated with the second entry under "City of Marina Roads" because there is no such segment of Reservation Road which is associated with a "First Street".</p>  | <p>L1:2<br/>See<br/>Section 5.0</p>                              |
| <p>3. The DSEIS should include a summary table of impacts, mitigations and significance level after mitigation.</p>   | <p>L1:3<br/>See<br/>Section 4.0<br/>Common<br/>Comment 6</p>     |
| <p>4. The "1,900 and 1,100 multifamily dwelling units on 500 acres" project listed for the City of Marina on Table 5-1 should be corrected and clarified to read "1,900 <u>single family dwelling units</u> and 1,100 multifamily dwelling units on 500 acres".</p>   | <p>L1:4<br/>See<br/>Section 5.0</p>                              |

Please feel free to contact me should you have any question on this letter.

Sincerely,

*Jeffrey P. Dack*  
JEFFREY P. DACK, AICP  
DIRECTOR OF PLANNING

cc: Mayor and City Council  
City Manager  
Ann Hebenstreit, FORA

fodscis1.ltr



February 6, 1996

Mr. Bob Verkade (ATTN: CESP-K-ED)  
U. S. Army Corps of Engineers  
Sacramento District,  
1325 J Street  
Sacramento, Ca. 95814-2922

**RE: DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT  
FORT ORD REUSE**

Dear Mr. Verkade:

Thank you for the opportunity to comment on the draft Supplemental Environmental Impact Statement (SEIS) for the disposal and reuse of Fort Ord. This site represents both a significant community resource and the site of present and potential future environmental problems.

The City of Salinas has reviewed the draft SEIS on Fort Ord disposal and reuse and has the comments on the following issues:

Transportation

The Draft SEIS states on page 5-24 that development of newly excessed lands and revised use areas would generate 223,278 vehicle trips per day. Later on page 5-58, the draft states that build out of Alternative 7 is estimated to generate 435,139 trips per day. Please explain or rectify these figures.

L2:1  
See  
Section 5.0

The draft also states that there will be an estimated 195,000 vehicle trips per day between the former Fort Ord and surrounding communities, including travel through the former Fort Ord en route to other destinations. Please specify the expected trip generation and distribution of this traffic as it will be the source of off-site impacts to Peninsula cities and Salinas. Specifically, how many trips are expected to come to and from Salinas from the former Fort Ord site at full build out? How many lanes of roadway will be required to accommodate these trips? What alternatives road alignments are under consideration to accommodate this increased rate of travel?

L2:2  
See  
Section 4.0  
Common  
Comment 10

The EIR states that build out of the site will generate significant increases in travel. Have these figures taken into account plans by the California State University at Monterey Bay to have students telecommute to campus? Do they consider on-site vehicle trip reduction measures of transit, bicycling, walking, carpools and vanpools?

L2:3  
See  
Section 5.0

The EIR and the Reuse Plan should include as a mitigation the requirement for the provision of infrastructure concurrent with development so that Fort Ord and surrounding communities can maintain the appropriate Level of Service standard for the applicable roadway.

L2:4  
See  
Section 4.0  
Common  
Comment 3

The EIR should contain a series of scenarios with different mixes of conventional and alternative transportation modes so that the true transportation alternatives are evaluated. These scenarios should include the following:

- A status quo alternative which assumes the current high percentage of on and off-site trips continue as single occupant vehicle trips.
- A moderate scenario which evaluates the impact of transferring 10% of expected single occupant vehicle trips to alternative modes.
- An aggressive scenario which evaluates the impact of transferring 20% of the expected single occupant vehicle trips to alternative modes.

L2:5  
See  
Section 4.0  
Common  
Comment 9

### Water Use/Supply

The EIS should identify the level of development possible on Fort Ord from on-site wells without aggravating or accelerating the rate of seawater intrusion as required by the MOU between Fort Ord Reuse Authority (FORA) and the Monterey County Water Resources Agency (MCWRA). That the is, one growth scenario evaluated in the EIR should be a constrained by on-site water resources and by no increase in the current rate of seawater intrusion.

L2:6  
See  
Section 5.0

A second scenario would involve the fully development of the site utilizing 5,500 acre feet of water annually. This scenario should include an evaluation of the impacts of providing much of that water from off-site sources, such as the Salinas Valley Water Transfer Project of the Castroville Seawater Intrusion Project. This information should be available from the EIR underway for the transfer project or the Castroville project.

The EIS should also evaluate the water supply alternatives to achieve the full development of the former Fort at 17,700 acre FEET per year. How would that water supply be provided and what would be the environmental impacts of providing it.

The SEIS assumed that there would be significant water recharge in the newly developed areas from leaks in underground pipes and irrigation return flow. That the assumption is questionable and should be substantiated in this EIS.

L2:7  
See  
Section 5.0

The EIS should state whether the 6,600 acre feet agreed to in the Memorandum of Understanding between FORA and the MCWRA allows water use anywhere on the former fort or only on those portions within the jurisdiction of the MCWRA's Basin Management Plan.

L2:8  
See  
Section 5.0

### Storm Water Runoff

The EIS should evaluate the expected increases in surface water runoff from reuse of the site and propose specific mitigation measures which will mitigate those impacts to the point of no significant impact on or off-site. Retention/detention should be considered as a means of mitigating both storm water runoff and on-site water withdrawals through groundwater recharge.

L2:9  
See  
Section 4.0  
Common  
Comment 8

Water quality will be degraded as a result of contaminated urban runoff. Site specific mitigation measures should be adopted such as on-site drainage facilities, storm water permits, erosion control structures, a hazardous substance control plan for construction activities and implementation of a NPDES permit process.

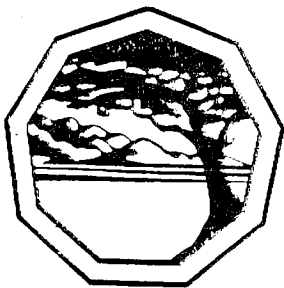
L2:10  
See  
Section 4.0  
Common  
Comment 8

Thank you for the opportunity to review the notice. We look forward to seeing these issues addressed in the EIS. If you have any questions, please do not hesitate to call Kevin Callahan at 758-7241.

Sincerely,



ALAN D. STYLES  
Mayor



# FORT ORD REUSE AUTHORITY

100 12TH STREET, BUILDING 2880, MARINA, CALIFORNIA 93933  
PHONE: (408) 853-3672 FAX: (408) 853-3675

February 26, 1996

Mr. Bob Verkade  
Sacramento District Corps of Engineers (CESPK-ED)  
1325 J Street  
Sacramento, CA 95814-2922

Dear Mr. Verkade

## **Re: Comments on Army Draft Supplemental Environmental Impact Statements (DSEIS)**

FORA appreciates the opportunity to respond to the DSEIS. The US Army and the Corps of Engineers have accommodated FORA's reuse planning process in many ways, despite the Army's timeline to finish its environmental analysis and dispose of the base. We realize that it is fairly common for the military to be ahead of the community in their environmental analysis.

FORA intends to make maximum use of data and analysis already compiled by the Army through its National Environmental Policy Act (NEPA) process in meeting its obligation under CEQA (California Environmental Quality Act). While SB 1180 allows FORA to use the Army's EIS/SEIS as its Environmental Impact Report (EIR) with little or no modification, we believe the EIR must provide sufficient information for the jurisdictions and the general public to understand the environmental ramifications of the FORA Reuse Plan. The EIR will index the Army's EIS/SEIS analysis, but will also go beyond that for purposes of consistency between the Final SEIS and the FORA Reuse Plan.

FORA is documenting in this letter elements of the approved FORA land use map and circulation system that we request the Army to analyze in the Final SEIS and eventually the Record of Decision (ROD).

A detailed comparison of the approved FORA land use map against the Army's EIS/DSEIS land use scenarios shows some differences in land use types as well as density of development changes. These differences could affect the analysis, especially the cumulative analysis of the plan:

### **FORA Land Uses Requiring Further Impact Analysis**

There are three primary areas where FORA's plan may differ substantially from the Army's scenarios:

1. Parcel 1c was identified as a Business Park associated with the adjacent airport (AIR/BP) in the SEIS. The approved FORA land use map identifies a similar use but also includes opportunity sites for a Golf Course and Hotel. Inclusion of a golf course and hotel would differ from land uses described for AIR/BP.

L3:1



2. Parcel 4 was identified as Low Density Residential (LR) in the SEIS. The approved FORA land use map designates this parcel as Medium Density Residential with residential infill opportunities; opportunities for a golf course and high school; Open Space/Recreation (community park); and Convenience Retail. The increased residential density and inclusion of a golf course, high school, and community park have not been analyzed in the Army analyses.
3. Parcel 11b (Agri-center and Public Safety Training Center in the SEIS) is shown as a Planned Development Mixed Use District in the FORA land use map. A site with opportunities for an equestrian center is also shown and a Business Park and Light Industrial uses are also being considered. A business park and equestrian center have not been previously included in this parcel and will require further analysis.

L3:1 (cont.)  
See  
Section 4.0  
Common  
Comment 1

Several other parcels in the approved FORA land use map also have uses different from those analyzed by the Army; however, these differences are relatively minor compared to those described above and may only require adjustments in the cumulative analysis. The land use differences are listed/shown in the attached table/map.

### **FORA Plan Density Differences Requiring Further Impact Analysis**

The Army's DSEIS provides a summary comparison and analysis of the population (41,500 - 58,000), housing (13,800 - 17,000 units) and employment (48,100 - 60,000) characteristics at buildout of the past FORA reuse scenarios.

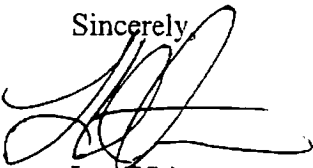
L3:2  
See  
Section 4.0  
Common  
Comment 1

The FORA reuse plan proposes these buildout characteristics: housing (22,232 units and 1,790 hotel rooms totaling 24,022 units) and employment (45,457). Please clarify a discrepancy between the DSEIS housing numbers and the FORA Reuse Plan numbers, as noted at the FORA Public Hearing on January 22, 1996.

The population and housing numbers exceed those for any of the land use alternatives recently analyzed by the Army, while the employment numbers are below those analyzed recently. These changes in turn may be translated into a denser level of development than that analyzed in the cumulative impact discussions of the Army's EIS/DSEIS.

We thank you again for this opportunity. If you have any questions or concerns, please contact Ann Hebenstreit or members of the Working Group.

Sincerely,



Les White  
Executive Officer

Enclosures

Polygon Comparison Between EIS/SEIS Analysis and  
Revised FORA Reuse Plan Land Uses

Polygon #	SEIS/EIS Land Use	FORA Revised Reuse Plan Land Use	Source of Difference
1a	Airport (AIR)	BP/LT/O/R&D	Land Uses Are Consistent
1b	Habitat Preserve (HAB)	Habitat Management	Slight Boundary Shift
1c	Business Park (AIR/BP)	BP/LI/O/R&D with Hotel and Golf Course Opportunity Sites	Hotel and Golf Course
1d	This polygon was eliminated by the Blanco Road right-of-way reserve.		
1e	Habitat Preserve (HAB)	Habitat Management	Land Uses are Consistent
1f	High Tech Business Park (TECH)	Public Facility/Institutional and BP/LI/O/R&D	Land Uses are Consistent
2a	Retail (RET)	Mixed Use District, Med. Residential, and Open Space/Recreation	Med. Residential
2b	Multiple Uses (HR/CBUS)	Mixed Use District	Land Uses are Consistent
2c	High Tech Business Park (TECH)	Mixed Use District with Convenience Retail	Difference in Predominant Uses
2d	Retail (RET) and High Density Residential	Mixed Use District and Open Space/Recreational	Difference in Predominant Uses
2e	Corporation Yard (CORP)	Half of Polygon Now Considered Mixed Use District	Portion of Polygon Considered Mixed Use District
2f	Bus Transfer Center (BTC)	Mixed Use District	Difference in Predominant Uses
2g	Equestrian Center	Equestrian Center	Expansion of Use to the South
3	University Community College (UNIV/CC)	School/University	Land Uses are Consistent
4	Low Density Residential (LR)	Med. Residential with Residential Infill, Golf Course, and Highschool Opportunities; Open Space/Recreation; and Convenience Retail	Increase in Housing Density; Potential Golf Course and Highschool; Park
4a	School (SCH)	School/University	Land Uses are Consistent
5b	Business Park (BP)	Habitat Management	Difference in Predominant Uses
5c	University Research Area (HAB)	Habitat Management	No Change
6a	Reserve Center (RC)	Military Enclave	No Change
6b	University Research Area (HAB)	Habitat Management	No Change

Polygon Comparison Between EIS/SEIS Analysis and  
Revised FORA Reuse Plan Land Uses

Polygon #	SEIS/EIS Land Use	FORA Revised Reuse Plan Land Use	Source of Difference
7a	University Science Office (USO)	Mixed Use District	Land Uses are Consistent; New Road Alignment
7b	University Research Area (HAB)	Habitat Management	Slight Boundary Shift
7c	University Science Office (USO)	Mixed Use District with Convenience Retail and Hotel Opportunity	Potential Difference in Predominant Uses and Potential Hotel
8a	Landfill Research Area (LFRA); Golf Course Considered Under Alt. 8; Area Potentially Removed from HMP	Open Space/Recreation; Habitat Management; Convenience Retail; Equestrian; Golf Course; and Public Amphitheater Considered	Potential Equestrian and Public Amphitheater; Convenience Retail
8b	University Science Office (USO)	Mixed Use District	Potential Difference in Predominant Uses
8c	Bus Transfer Center (BTC)	Mixed Use District	Potential Difference in Predominant Uses
8d	University Community College (UNIV/CC)	Public Facility/Institutional	Potential Difference in Predominant Uses
9a	University Research Area (HAB)	Habitat Management	Slight Boundary Shift
9b	University Science Office (USO)	Mixed Use District	Potential Difference in Predominant Uses; Slight Boundary Shift
10	University (UNIV)	Med. Housing with Residential Infill Opportunities	Potential Increased Housing Density
10a	School	School/University	No Change
11a	Habitat Preserve	Habitat Management and Open Space/Recreational	Land Uses are Consistent with Alt. 8
11b	Agri Center; Residential (AGRI); Public Safety Training Center (POST)	Mixed Use District with Equestrian Opportunity; Business Park and LI Considered	Potential Difference in Predominant Uses; Equestrian Center; Potential Business Park
12a	Coastal Dune Zone (CDZ)	Open Space/Recreation	Land Uses are Consistent
12b	Disturbed Habitat Zone (DHZ)	Open Space/Recreation with Proposed Beach Through Road	Land Uses are Consistent except for Beach Through Road
13	Aquaculture/Marine Research (AQ/MRC) and Desalination Facility	Open Space/Recreation	Removal of Developed Uses

Polygon Comparison Between EIS/SEIS Analysis and  
Revised FORA Reuse Plan Land Uses

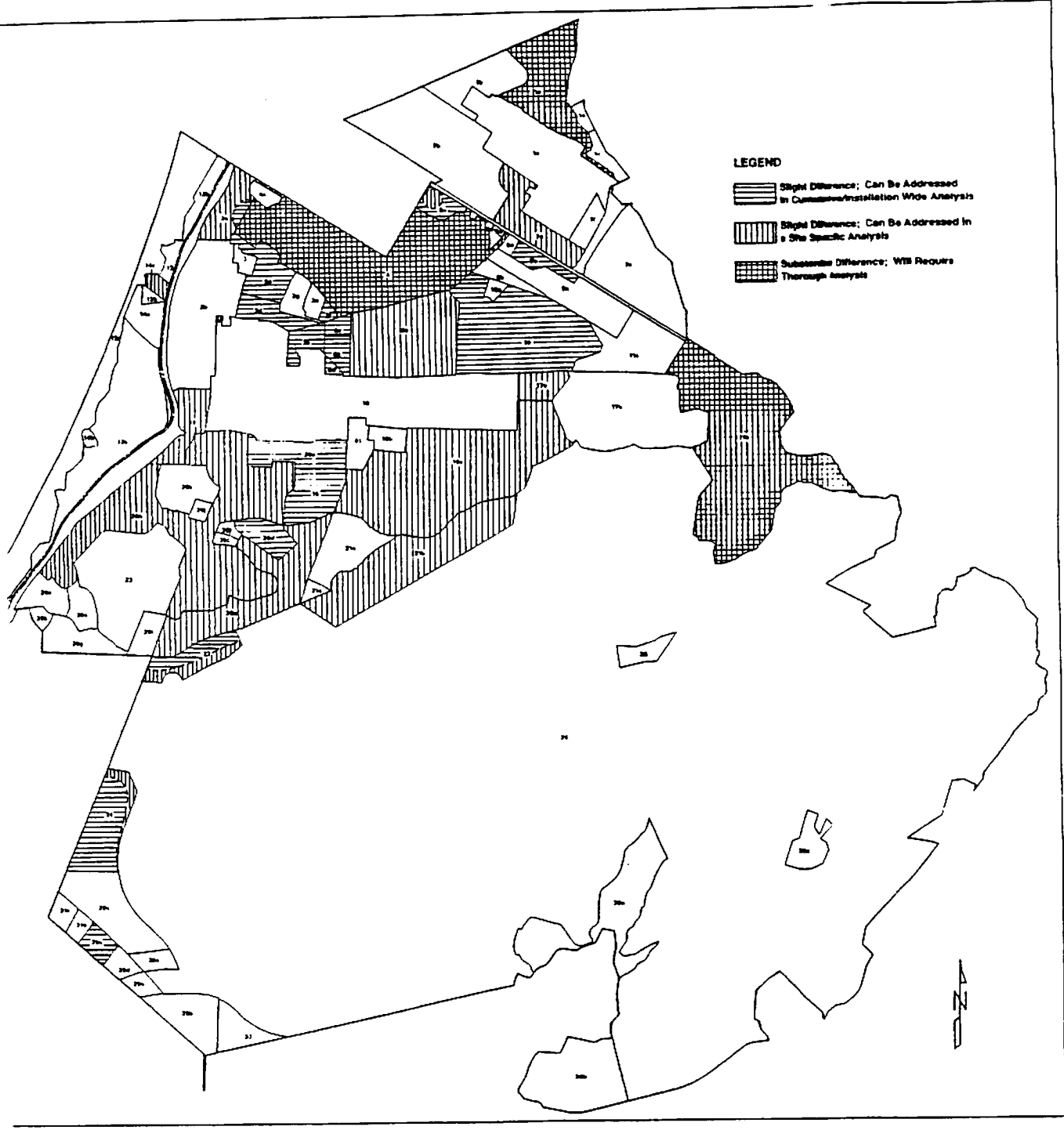
<b>Polygon #</b>	<b>SEIS/EIS Land Use</b>	<b>FORA Revised Reuse Plan Land Use</b>	<b>Source of Difference</b>
14a	Multi-use/Asilomar (MUA/ATF)	Visitor Serving with Hotel Opportunity Site	Land Uses are Consistent
14b	Service Area (SA)	Public Facility/Institutional	Land Uses are Consistent
14c	Not Identified in SEIS	Public Facility/Institutional (Desalination)	Specific Location Not Determined
15	Retail (RET) and Central Business District (CBUS)	Regional Retail and Open Space/Recreation	Regional Retail may be an Unanalyzed Use
16	University (UNIV)	School/University	No Change
17a	Community Park	Open Space/Recreation; Convenience Retail; Equestrian Opportunity	Convenience Retail and Equestrian Opportunity
17b	RV Park (RV)	Habitat Management and Public Facility/Institution	No Change
18	Office Park (OP) and Med. Residential (MR)	Public Facility/Institution; Open Space/Recreation/ Military Enclave	Public Facility/Institution and Open Space/Recreation (Military Enclave considered consistent with MR)
19a	Alt. 7 = Light Industrial (LI); Alt. 8 = Golf; Residential; and LI	Low Density Residential with Golf Opportunity; and BP/LI/Office/R&D	Low Density Residential Adjacent to NRMA
19b	Army's POM Annex Motor Pool (ARMY MP)	Military Enclave	No Change
20a	Med. Residential (MR) and Resort Hotel (RH)	Med. Residential	Absence of Resort Hotel
20b	Med. Residential (MR)	Med. Residential	No Change
20c	Med. Residential (MR)	Military Enclave	Land Uses are Consistent
20d	Institutional (INST) and Office Park (OP)	School/University	Potential Difference in Predominant Uses
20e	Office Park (OP)	Mixed Use District with Convenience Retail and Neighborhood Retail	Difference in Predominant Uses
20f	School (SCH)	School/University	No Change
20g	High Density Residential (HR)	High Density Residential with Convenience Retail	Convenience Retail
20h	Army's POM Annex (Army)	Med. Residential with Convenience Retail; Army Enclave	Land Uses are Consistent
20i	School (SCH)	School/University	No Change
20j	School (SCH)	School/University	No Change

Polygon Comparison Between EIS/SEIS Analysis and  
Revised FORA Reuse Plan Land Uses

Polygon #	SEIS/EIS Land Use	FORA Revised Reuse Plan Land Use	Source of Difference
20k	School (SCH)	School/University	No Change
21a	Med. Residential (MR)	Low Density Residential	Reduction in Housing Density
21b	Light Industrial (LI)	Low Density Residential with Hotel Opportunity	Low Density Residential Adjacent to NRMA; Hotel Opportunity
21c	School Habitat Preserve (HAB)	School/University	No Change
22	Golf Course (GOLF)	Visitor Serving; 2 Golf Course and 1 Hotel Opportunity	Hotel Opportunity
23	Resort Hotel (RH) and Low Density Residential (LR)	Med. Residential and Neighborhood Retail	Neighborhood Retail; Increased Housing Density; Exclusion of Resort Hotel; Residential Adjacent to NRMA
24	Office Park (OP)	Med. Residential and Open Space/Recreation	Change in Land Uses and Residential Adjacent to NRMA
25	Natural Resource Management Area (NRMA)	Habitat Management	No Change
26	Peace Officers Training (POST)	Public Facility/Institutional	No Change
29a	Office Park (OP) and Golf Course Resort Hotel (GOLF/RH)	Visitor Serving with Convenience Retail; Golf Course and Hotel Opportunity; BP/LI/O/R&D	Convenience Retail
29b	Office Park (OP)	BP/LI/O/R&D	Land Uses are Consistent
29c	Office Park (OP)	Public Facility/Institutional	Potential Difference in Predominant Uses
29d	Office Park (OP)	BP/LI/O/R&D	Land Uses are Consistent
29e	Community Park (CPRK)	Open Space/Recreation	No Change
30a	Recreation Area Expansion (RAE)	Open Space/Recreation	No Change
30b	Recreation Area Expansion (RAE)	Open Space/Recreation	No Change
30c	Recreation Area Expansion (RAE)	Open Space/Recreation	No Change
31a	Natural Area Expansion (NAE)	Habitat Management	No Change
31b	Office Park (OP)	BP/LI/O/R&D	Land Uses are Consistent
32	School Expansion (SE)	Open Space/Recreation	Land Uses are Consistent

Polygon Comparison Between EIS/SEIS Analysis and  
Revised FORA Reuse Plan Land Uses

Polygon #	SEIS/EIS Land Use	FORA Revised Reuse Plan Land Use	Source of Difference
40	Monterey Institute for Research in Astronomy (MIRA)	MIRA	No Change
41	Transit Center (TC)	TC - Public Facility/Institutional	No Change



REAS WHERE DIFFERENCES EXIST BETWEEN EIS/DSEIS ANALYSIS OF LAND USES AND FORA FINAL REUSE PLAN

Community Members  
Fort Ord Restoration Advisory Board  
509 Fountain Avenue #3  
Pacific Grove, CA 93950

March 5, 1996

Mr. Bob Verkade, Project Manager  
CESPK-ED-M  
U.S. Army Corps of Engineers, Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

**SUBJECT:** Public Comments, RE: Supplemental EIS on Fort Ord Disposal & Reuse

Dear Mr. Verkade:

**I. INADEQUATE DISCUSSION OF UNEXPLODED ORDNANCE AND ORDNANCE WASTE**

**A. The SEIS Fails to Adequately Describe the Proposed Action with Respect to OEW Investigation and Cleanup.**

The proposed action evaluated in the SEIS (and the EIS) includes "contaminated site cleanup." (See Final EIS Section 2.2.2). The SEIS does not describe the Army's proposed action regarding the investigation and cleanup of OEW. For example, there is no description of the methodology and equipment used in OEW investigation and cleanup. There is also no description of the statistical sampling methods used to investigate potential OEW sites, such that the public does not know the level of confidence ("alpha") chosen for such investigations nor the criteria used to determine whether to conduct a full scale clearance of a site. Further, there is no description of the methodology for conducting an Engineering Evaluation/Cost Assessment (EE/CA), which the Army proposes for OEW sites (there is no cost/benefit analysis in the SEIS as a result). The SEIS does not provide a quantitative estimation of risk to human health and safety or the environment following investigation and cleanup. Finally, there is no information on the secondary effects of OEW clearance, such as destruction of habitat, health risk from chemical residue, and air quality impacts of open air burning/detonation of ordnance.

11:1  
See  
Section 4.0  
Common  
Comments 13 & 14

Without the type of information described above, it is impossible for the public to know whether and to what extent the action has impacts on the environment, and it is therefore impossible for the public to make meaningful comments on the environmental impacts of the Army's proposed action.

12:2

The SEIS does not incorporate any documents by reference for the purpose of describing the Army's proposed action regarding investigation and cleanup of OEW. Nevertheless, any attempt to incorporate by reference would have been inadequate. Information may not be incorporated by reference in an EIS "unless it is reasonably available for inspection by potentially interested persons within the time allowed for comment." (CEQ Regulations, 40 CFR §



1502.21). Information on the Army's proposed cleanup of OEW was not reasonably available to the public. First, the "information repository" at Seaside Library is in disarray. Documents are stored in boxes with no labels, and documents on shelves often have no discernible label. There is no index or table of contents to allow interested members of the public to locate desired information. Second, on about February 29, 1996, the authors of these comments went to the repository to discuss these comments, and discovered a sign stating that all documents relating to OEW had been removed by the Army.

12:2 (cont.)  
See  
Section 4.0  
Common  
Comment 13

**B. The Description of the Affected Environment is Inaccurate.**

An EIS must "succinctly describe the environment" in the vicinity of the proposed action. (CEQ Regulations § 1502.15). As discussed below, OEW sites are hazardous waste disposal sites. However, the SEIS fails to describe OEW sites as hazardous waste disposal sites, and the SEIS therefore fails to accurately describe the environment as required by NEPA.

The OEW sites on Fort Ord are hazardous waste disposal sites, and the cleanup of OEW is therefore regulated under the California Health and Safety Code and California Code of Regulations. First, OEW is a "waste." California law defines "waste" as "any solid, liquid, semisolid, or contained gaseous discarded material. . . ." (Health and Safety Code § 25124(a).) "Discarded Material" is defined as any material which is "relinquished." (H&SC § 25124(b)(1).) "Relinquished" is, in turn, defined as any material that is "disposed of." (H&SC § 25124(c)(1).) The term "disposed of" means either: "(1) The discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste so that the waste or any constituent of that waste may be emitted into the air or discharged into or on any land or waters, including groundwaters, or may otherwise enter the environment"; or "(2) The abandonment of any waste." (H&SC § 25113(a)). The Army "discharged" ordnance so that the ordnance or constituent parts of the ordnance (e.g. projectiles) entered the Fort Ord environment throughout the history of the Base. In addition, the Army's act of closing Fort Ord constitutes "abandonment" of ordnance remaining on the Base. Therefore, ordnance on Fort Ord has been "disposed of" and meets the statutory definition of "waste." Second, ordnance and explosive wastes on Fort Ord exhibit the characteristics of hazardous wastes. For example, consider the lead bullets present in the dunes near the Army's small arms training ranges. Since the bullets were virtually pure lead when they were discharged to the dunes, the bullets exceeded the "Total Threshold Limit Concentration" for lead found in the California Code of Regulations. As a result, the bullets are classified as characteristic "toxic" hazardous wastes. Therefore, the dunes are properly classified as hazardous waste disposal sites. Other OEW sites on the Base are also properly classified as hazardous waste disposal sites.

11:3  
See  
Section 4.0  
Common  
Comments 13 & 14

**C. The Analysis of Environmental Consequences of the Action is Inadequate.**

An EIS must discuss both the direct and indirect effects of an action and their significance. [CEQ Regulations § 1502.16(a) and (b)]. The SEIS fails to present information relating to the level of risk to human health and safety or the environment remaining after OEW investigation and clearance has been conducted, and fails to describe the secondary (indirect) effects of OEW clearance, such as destruction of habitat, health risk from chemical residue, and air quality impacts resulting from open detonation/open burn of ordnance.

11:4  
See  
Section 4.0  
Common  
Comments 13 & 1

An EIS must also describe "possible conflicts between the proposed action and the objectives of Federal, regional, State, and local . . . policies and controls for the area concerned."

11:5

[CEQ Regulations § 1502.16(c)]. Further, among the factors considered in an EIS to determine whether an action significantly affects the environment is "Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment." [CEQ Regulations § 1508.27(b)(10)]. The investigation and cleanup of OEW at Fort Ord is currently in "conflict" and "threatens a violation" of Federal and State environmental law. For example, the Army's failure to file a Removal Action Workplan (RAW) or Remedial Action Plan (RAP) on the investigation and cleanup of OEW violates California Health and Safety Code § 25358.9. In addition, the Army's open burn/detonation of ordnance wastes at Range 36A appears to constitute treatment of hazardous waste without a "Part B" permit from the state in violation of state hazardous waste laws. The California Department of Toxic Substances Control (DTSC) apparently agrees with these position. A copy of a January 30, 1996 letter to that effect from DTSC to Colonel Mettee-McCutcheon is hereby incorporated by reference and attached to these comments for the Army's review.

11:5 (cont.)  
See  
Section 4.0  
Common  
Comments 13 & 14

The Army is not exempt from state law(s) regarding the cleanup of OEW. For example, the Army must comply with H&SC § 25358.9 in conducting OEW investigation and clearance. CERCLA makes clear that "[n]othing in [section 120] shall affect or impair the obligation of any department . . . of the United States to comply with any requirement of [RCRA]." (42 U.S.C. 9620(i)). Thus, the NPL exemption from state law found elsewhere in CERCLA § 120 does not apply to state law made applicable under RCRA. The Army is required, by RCRA, to comply with "state, interstate, and local requirements . . . respecting control and abatement of solid waste or hazardous waste disposal and management." [42 U.S.C. § 6961(a) (emphasis added)]. California H&SC § 25358.9 is found in H&SC Chapter 6.8, which establishes "a program to provide for response authority for . . . hazardous waste disposal sites. . ." [H&SC § 25300(a)]. Therefore, H&SC 25358.9 is applicable to the Army's cleanup of OEW (hazardous waste) sites on Fort Ord because it relates to the "abatement of . . . hazardous waste disposal." [RCRA § 6961(a)].

11:6  
See  
Section 4.0  
Common  
Comments 13 & 14

Overall, the SEIS fails to discuss the direct and indirect effects of OEW cleanup and fails to discuss the potential violation of state law arising from the Army's OEW cleanup operations. Therefore, the discussion of environmental consequences is defective.

11:7  
See  
Section 4.0  
Common  
Comments 13 & 14

**D. The SEIS Fails to Discuss Reasonable Alternatives Relating to the Investigation and Cleanup of OEW.**

An EIS must include analysis of "alternatives including the proposed action." [CEQ Regulations § 1502.14]. This section is "the heart of the [EIS]," and should "present the environmental impacts of the proposal and the alternatives in comparative form, . . . providing a clear basis for choice among options by the decisionmaker and the public." [Id.]. As discussed above, the SEIS fails to describe the proposed action of cleanup of OEW on Fort Ord, and fails to adequately evaluate the environmental consequences of the action. Moreover, the SEIS is totally devoid of any alternatives to the proposed action for investigation and cleanup of OEW. There is not even a "no action" alternative relating to OEW cleanup. The SEIS does include information on likely land use restrictions (see pp. 4-20-1 and 4-22-3). These restrictions relate to alternative land uses, but do not provide any basis for comparing alternative methods of investigating and clearing OEW on the Base. The total lack of discussion of alternatives relating to investigation and cleanup of OEW sites renders the SEIS legally inadequate for failure to comply with the statutory mandates of NEPA.

11:8  
See  
Section 4.0  
Common  
Comment 13 & 14

## II. INADEQUATE DISCUSSION OF WATER SUPPLY AND WATER QUALITY IMPACTS

The two reuse alternatives considered in the SEIS involve the consumption of nearly 18,000 acre feet per year of water. The current agreement between the Army and the Monterey County Water Resources Agency (the Agreement) limits the Army's right to withdraw groundwater from the aquifers under the Base to a maximum of 6,600 acre feet per year. The SEIS fails to discuss any proposed actions for increasing (above that allocated in the Agreement) the water supply necessary for reuse of the Base, and fails to discuss alternatives for meeting such increased water demand.

11:9  
See  
Section 4.0  
Common  
Comment 8

In addition, the Agreement states that groundwater withdrawals on the Base have contributed to the seawater intrusion problem, which affects groundwater quality and water supply in the Salinas Groundwater Basin. (Agreement ¶ 3.b). The SEIS fails to discuss the nature and extent of the seawater intrusion problem caused by the proposed action and alternatives. At a minimum, the SEIS should have included data on the extent of the seawater intrusion problem and included groundwater modeling for the proposed action and alternatives to permit the public and the decisionmakers to make an informed and reasoned choice between the alternatives.

11:10  
See  
Section 4.0  
Common  
Comment 8

These collective comments are respectfully submitted by the following members of the Fort Ord Restoration Advisory Board, as individuals,

Restoration Advisory Board  
Ordnance & Explosive Waste Committee Chairperson:

Curt Gandy

Restoration Advisory Board  
OEW Committee Members:

Scott J. Allen  
Richard E. Bailey  
Rodger Faranato  
Joe Monaea

Fort Ord RAB Member:

Mary K. Myles  
David Rodriguez

# FORT ORD TOXICS PROJECT

PO Box 3115, Carmel, CA 93921-3115

Voice & Fax 408 375-9464

March 4, 1996

Mr. Bob Verkade, Project Manager  
CESPK-ED-M  
US Army Corps of Engineers, Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

**SUBJECT:** Public Comments, RE: Supplemental EIS on Fort Ord Disposal & Reuse

Dear Mr. Verkade:

I am aware of Mr. Scott Allen's procedural comments dated March 4, 1996, and I here by incorporate them by reference. In addition, I have included some more specific comments regarding "WATER SUPPLY AND WATER QUALITY IMPACTS" beginning at II.

## I. INADEQUATE DISCUSSION OF UNEXPLODED ORDNANCE AND ORDNANCE WASTE

- A. The SEIS Fails to Adequately Describe the Proposed Action with Respect to OEW Investigation and Cleanup.
- B. The Description of the Affected Environment is Inaccurate.
- C. The Analysis of Environmental Consequences of the Action is Inadequate.
- D. The SEIS Fails to Discuss Reasonable Alternatives Relating to the Investigation and Cleanup of OEW.

Same as  
11:1-8

## II. INADEQUATE DISCUSSION OF WATER SUPPLY AND WATER QUALITY IMPACTS

- A. The SEIS Fails to Adequately Describe the Proposed Action with Respect to the Defense Environmental Restoration Program (DERP) Goals.

SARA 1073, Sec. 211. amends Title 10 USC, to include, "Chapter 160 - Environmental Restoration, "Sec. 2701 through 2707.

12:1  
See  
Section 4.0  
Common  
Comment 7

Specifically, "Sec. 2701 (b)(3) Demolition of unsafe buildings and structures ....." The large concrete stormwater outfalls projecting in to Monterey Bay described on page 5-23, and figure 5-5 of the Draft SEIS are unsafe structures with in the meaning of the above Code, as are the other buildings and structures in the coastal area west of Highway 1.

**B. The Description of the Affected Environment is Inaccurate.**

The Draft SEIS does not adequately describe the physical, environmental, and safety hazards and contaminants unique to the military's presence at this coastal location. There is no description of the stormwater outfalls, sewage treatment plants, and other deteriorating structures subject to the goals of DERP. There is no mention of the potential existence of military munitions in the coastal beach and dunes area west of Highway 1.

12:2  
See  
Section 4.0  
Common  
Comments  
7, 13, & 14

**C. The Analysis of Environmental Consequences of the Action is Inadequate.**

There is no analysis of the impact of demolition and removal of the stormwater outfalls, sewage treatment plants, and other deteriorating structures subject to the goals of DERP.

12:3  
See  
Section 4.0  
Common  
Comment 7

The Clean Water Act permit requirements, under the National Pollutant Discharge Elimination System (NPDES) and the alternatives, have not analyzed. There is no mention of the potential existence or to what extent there has been an investigation of military munitions in the coastal beach and dunes area west of Highway 1.

12:4  
See  
Section 4.0

Common  
Comments 7, 13, & 14

**D. The SEIS Fails to Discuss Reasonable Alternatives Relating to the Implementation, and Non-Implementation of the Goals of DERP, and NPDES.**

There are no alternatives to the demolition and removal of the stormwater outfalls, sewage treatment plants, and other deteriorating structures subject to provisions and goals of DERP discussed in this draft.

12:5  
See  
Section 4.0  
Common  
Comment 7

The Clean Water Act's, National Pollutant Discharge Elimination System (NPDES) permit requirements, and alternatives are not discussed. There is no mention of any alternative methods of explosives remediation (including deed restrictions), when the presence of military munitions is confirmed in the coastal beach and dunes area west of Highway 1, or any where on former Fort Ord.

12:6  
See  
Section 4.0  
Common  
Comment 7

Respectfully submitted,

Curt Gandy  
Executive Director  
Fort Ord Toxics Project

Attachment: 1 (DTSC letter, 1-30-96)

1           Now, I'd like to turn the meeting back over  
2 to Captain LaBranche to deal with public comment.

3           MR. LaBRANCHE:   Thank you.   Mr. Nicholson  
4 (phonetic), were you interested in making a verbal  
5 comment?   Okay.   Well, we thank you very much at this  
6 point.   We have completed our presentation, but  
7 before we conclude I will offer the floor again for  
8 anybody who would like to make an oral comment,  
9 tonight.

10           Mr. Gandy, and anybody who wishes to make a  
11 comment, we please ask you to use the podium here.

12           MR. GANDY:   I have your cord.   I'll give  
13 it to you in -- building here.

14           MR. TAYLOR:   I think we need to, the court  
15 reporter needs the information down, etcetera.   As  
16 you come to the podium, please state your name.

17           MR. GANDY:   Okay.   I hope I got it.   My  
18 name is Curt Gandy and, uh -- I'm the Director of  
19 Fort Ord Toxics Project, that's the capacity in which  
20 I'm addressing tonight.   Uh -- I had some, uh --  
21 actually a question and then I -- it's.   Well, let me  
22 rephrase this.

23           I'm confused.   Where does the -- where does  
24 the -- FORA's SEQA Process fit into the Draft SEIS,  
25 and that may sound like a rhetorical question, but

12:7

1 uh -- I'm concerned that the Fort Ord Reuse  
 2 Authorities, Reuse Plan, uh -- is based on the -- the  
 3 Draft SEIS and the EIS which was stated at, uh --  
 4 their notice of preparation, uh -- for the SEQA  
 5 Process. And it's not really clear to me, it makes  
 6 it difficult to ask you very well focused questions  
 7 because it's not clear what the difference in that is  
 8 and I didn't really hear that outlined here.

9 Uh -- my understanding is that SEQA  
 10 requires mitigation measures when there's an impact  
 11 and I think that's -- clearly there's an impact.  
 12 Uh -- SEQA requires assessments of growth and we need  
 13 to know the overall big picture of the development,  
 14 before I think I am able to ask you very specific  
 15 question.

16 So uh -- the other suggestion, I -- I would  
 17 request that you will represent the information in  
 18 your Draft SEIS in a matrix fashion. Uh -- I think  
 19 it would be better to understand. I know that SEQA  
 20 has uh -- a uh -- it's not a requirement, but they  
 21 suggest doing that. And the Department of Defense  
 22 also has a matrix process for land reuse that, uh --  
 23 has been suggested through the DIRTA (phonetic)  
 24 Defense Restoration Task Force.

25 Bare with me a minute, I kind of wrote

12:7 (cont.)  
 See  
 Section 4.0  
 Common  
 Comment 1

12:8  
 See  
 Section 4.0  
 Common  
 Comment 3

12:9  
 See  
 Section 4.0  
 Common  
 Comment 6

1 these down hastily on the way over here. One of my  
2 very specific questions and I guess this is a  
3 question/comment, I don't know if you're gonna  
4 respond to these now or probably at a later time,  
5 uh -- but I am concerned with how much the reuse plan  
6 and I guess you call the Pumpkin Plan or the  
7 December '94 Reuse Plan, the federally accepted reuse  
8 plan, how much that has changed with the plan that is  
9 being proposed now and if that's a -- if there are  
10 substantive changes, and I know that there were 22  
11 that I know of, uh -- has the Corps of Engineers  
12 evaluated a need for a supplemental RIFS? Has the  
13 Corps of Engineers assessed the feasibility study,  
14 uh -- being -- being done, is that sufficient?

15           And also I'm concerned with the unexploded  
16 ordinance issue. I don't -- it's my opinion that the  
17 ROD -- let me rephrase that. I'm very concerned that  
18 the Record of Decision for Fort Ord is being proposed  
19 and forwarded to be signed before the, uh -- Federal  
20 Facility's Compliance Act Munitions Rule will be  
21 promulgated.

22           You're proposing a ROD to be signed in June  
23 or July and the Munitions Rule which will, promulgate  
24 rules and regulations on how unexploded ordinance  
25 should be -- uh -- you know, whether it's subject to

12:10  
See  
Section 4.0  
Common  
Comment 13

12:11



1 RCRA, CERCLA and all these other issues that we're  
2 all struggling with here at Fort Ord, uh -- that rule  
3 is scheduled to be put out as a final rule on October  
4 31st, so we have a ROD being signed before the rules  
5 is in place.

6 I'm very concerned by that. And I'll send  
7 you some written comment that is -- are a little bit  
8 more coherent, but I just wanted to get that out  
9 there.

10 MR. TAYLOR: Just briefly, in the response  
11 to a couple of the items and of course based upon the  
12 written comments and they will all be responded to in  
13 the final EIS, how does the EIR SEQA Process fit into  
14 this, that's a state requirement.

15 Part of the Army is responding to federal  
16 statute and the requirement of the National  
17 Environmental Policy Act which is a separate  
18 requirement from the Environmental Remediation  
19 Process, different set of series, statutes are  
20 applicable.

21 So in the respect of the relationship to  
22 that I would refer you to the Fort Ord Reuse  
23 Authority, because the EIR is their requirement  
24 against California requirements, uh -- not a federal  
25 requirement.

1           Uh -- this respect to a matrix that's used  
2 in the DIRTA (phonetic) Process and I'm familiar with  
3 what you're talking about there, uh -- that is again  
4 on the level or extent or determination of the  
5 process of our environmental remediation as opposed  
6 to the National Environmental Policy Act Process.

7           National Environmental Policy Act

8 Process -- an organization of the document kind of  
9 thing, not necessarily the exact presentation of data  
10 is spelled out in the, uh -- County Environmental  
11 Quality Regulations, uh -- CQ's they're commonly  
12 called, and the Army regulations on it, we do use  
13 matrixes in terms of where it's, uh -- makes sense in  
14 the presentation of that data.

15           But the uh -- Draft SEIS or the EIS is not  
16 into the level of detail on how environmental  
17 remediation will be accomplished, which techniques,  
18 which methodologies, which actions will be achieved  
19 on it.

20           Uh -- in terms of the December 1994 Fort  
21 Ord Reuse Plan versus whatever the FORA may be doing  
22 today, we look forward to seeing FORA's comments in  
23 that regard. You heard Mr. White address some of  
24 that. We will take a look at this and see how much  
25 the Army needs to address, if any, in that regards.

1 I don't want to change whether substantive  
2 or not substantive from a NEPA perspective. And in  
3 that regards since, uh -- remediation actions by the  
4 Army is based upon, uh -- reuse, uh -- scenarios or  
5 reuse -- intended reuse of the property. That will  
6 be examined, that, but it would be inappropriate to  
7 address whether or not the Army would do a  
8 supplemental RIFS given the amount of money we  
9 spent.

10 My personal view hopefully is that we will  
11 not need to do that. We'll need, get off of it  
12 instead and we'll be delighted to address the issues  
13 that you provide us in writing again. Thank you,  
14 very much.

15 MR. LaBRANCHE: Thank you Mr. Gandy. Are  
16 there any other public comments? If not, then, uh --  
17 we thank you all for being here this evening, ladies  
18 and gentlemen.

19  
20  
21  
22  
23  
24  
25

THE LEAGUE  
OF WOMEN VOTERS  
OF THE MONTEREY PENINSULA

February 8, 1996

Bob Verkade  
U.S. Army Corp of Engineers (CESPK-ED)  
Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

Dear Mr. Verkade:

The League of Women Voters of the Monterey Peninsula would like to provide the following comments on the Draft Supplemental EIS for Fort Ord Disposal and Reuse.

1. The document is extremely difficult to understand. It should be revised to more clearly identify total project impacts in relationship to the existing environment. I3:1  
See  
Section 4.0  
Common  
Comment 3
  
2. The Final EIS on Fort Ord Disposal and Reuse completed in 1993 left for future analysis those areas with "no proposed use"- approximately 3,000 acres comprising the future urban core of Fort Ord. Only those areas "in excess of" the "no proposed use" areas are addressed in any depth in this document, apparently deferring analysis of most of the 3,000 acres to some later unknown time. I3:2  
See  
Section 4.0  
Common  
Comment 4
  
3. While the "no proposed use" areas are included in the cumulative analysis, the analysis is cursory and in most cases unquantified. For example, traffic impacts are identified on a conceptual level, leaving to future studies impacts on level of service, congestion, etc. The finding regarding wastewater disposal simply states that the "... demand for capacity beyond current plans would have an adverse cumulative effect if other entities plan for and allow growth to exceed current AMBAG projections." I3:3  
See  
Section 4.0  
Common  
Comments 4 & 5
  
4. Mitigation measures are vague and unenforceable, and the DSEIS does not indicate if the measures will reduce impacts to less than significant. For example, mitigation measures for traffic and wastewater disposal are:
  - "To provide capacity to handle 195,000 daily trips at level of service (LOS) C, between 13 and 33 lanes of roadway would need to be provided between former Fort Ord and the surrounding communities." (p.5-58) I3:4  
See  
Section 4.0  
Common  
Comment 3

- "...FORA already has agreed to review the overall traffic impacts of its plan and intends to implement transportation demand management strategies as needed to minimize local congestion. This mitigation is considered feasible for this impact and would not result in foreseeable secondary impacts." (p.5-61)

13:5  
See  
Section 4.0  
Common  
Comment 3

- "A wastewater treatment master plan could be developed and implemented to serve projected growth in MRWPCA's service area." (p. 5-53)

13:6  
See  
Section 4.0  
Common  
Comment 3

It is difficult to take these measures seriously. The County doesn't even have funding to correct existing major deficiencies (e.g., Highway 101 near Prunedale), much less construct 13 to 33 lanes of new roadway. Transportation demand management strategies have not been effective in decreasing existing congestion; it is hard to understand how such measures would be successful in the future.

13:4-6 (cont.)  
See  
Section 4.0  
Common  
Comment 3

5. The feasibility of proposed mitigation measures and to what degree they would reduce impacts should be identified in the FSEIS.

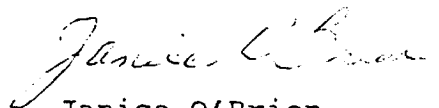
13:7  
See  
Section 4.0  
Common  
Comment 3

In conclusion, the SEIS should be rewritten to include a complete and quantified impact analysis of the project as a whole and of mitigation measures. This is particularly important since the Final SEIS will be used as the basis for the EIR for the FORA plan.

13:8  
See  
Section 4.0  
Common  
Comment 3

Thank you for the opportunity to review the document. We look forward to reviewing the Final SEIS.

Sincerely,



Janice O'Brien  
President

cc: Congressman Sam Farr

## **Arlene Campbell**

The following comment was received on the Record of Attendance card submitted by Arlene Campbell at the February 26, 1996 public hearing on the draft SEIS:

Please consider recreational facilities with the state parks; for recreational vehicles. Plus buffer zones for open space, and fish hatcheries, a marine biology center, and a refuge for homeless people.

14:1  
See  
Section 5.0

**Debra Mickelson**

The following comment was received on the Record of Attendance card submitted by Debra Mickelson at the February 26, 1996 public hearing on the draft SEIS:

Thanks for the hard efforts and good work product of analyzing the moving target (i.e. local reuse plan).

I5:1  
See  
Section 5.0

# **Section 4.0 Common Comments and Responses**

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## **INTRODUCTION**

This section contains common comments, which summarize individual comments that are similar or address the same issue. Individual comments that comprise the common comment are listed at the end of the common comment. Responses to all other specific comments are contained in Section 5.0.

Common comments and responses have been formulated to provide the reader and the decision maker with a succinct, comprehensive indication of the major environmental issues. The comment statements have been developed through review of public comment on the draft SEIS. The most common and controversial comments have been compiled, with responses, in this section in an effort to avoid repetitive responses to individual comments in Section 5.0. Page revisions have been made to the text when deemed appropriate and are referenced in the response and included in this SEIS and are indicated with a line in the right margin.

The common comments are organized by subject area in the following order:

- Common Comment regarding Preparation of Another SEIS and Coordination with the Revised FORA Base Reuse Plan,
- Common Comment regarding Identification of a Preferred Alternative, No-Action Alternative, and Baseline Conditions,
- Common Comment regarding General Nature of Mitigation Measures for Reuse Impacts,
- Common Comment regarding the Need for Further Analysis of the NPU Areas,
- Common Comment regarding Cumulative Analysis,
- Common Comment regarding Request for Summary Tables,
- Common Comment regarding Analysis of the Environmental Impacts of Existing Public Utilities Infrastructure in the Coastal Zone,
- Common Comment regarding Request for Additional Data and Mitigation Information Associated with Water-Related Impacts,
- Common Comment regarding Roadway-Specific Traffic Volumes and Level of Service,
- Common Comment regarding Regional Transportation Issues,
- Common Comment regarding Comparison to 1991 Conditions Rather than to 1993 ROD Conditions,
- Common Comment regarding the Army's Need to Obtain a Formal Consistency Determination for the Project,



- Common Comment regarding Analysis of the Environmental Impacts of HTRW Cleanup Activities,
- Common Comment regarding Analysis of the Environmental Impacts of OE Cleanup Activities,
- Common Comment regarding Consistency of the Alternatives with the HMP, and
- Common Comment regarding Mitigation Strategies in Appendix D.

### **1. Common Comment regarding Preparation of Another SEIS and Coordination with the Revised FORA Base Reuse Plan**

Will another SEIS be prepared to incorporate and assess information from the latest FORA base reuse plan and the latest traffic study and information on any impacts resulting from unidentified mitigation measures? A new SEIS or additional analysis should be included in this SEIS to cover differences between the alternatives evaluated in the SEIS and the current FORA land use map and circulation systems, including differences in polygons 1c, 4, and 11b and differences in housing and employment numbers, because FORA is basing its CEQA analysis on the FEIS and SEIS.

*Comments: R1:2a, R1:2b, R2:6, L3:1, L3:2, I2:7*

#### **Response to Common Comment 1**

The Army does not intend to prepare another SEIS to analyze the latest FORA reuse plan for former Fort Ord or the traffic study conducted as part of the FORA planning process. The Army has made a good faith effort to analyze the indirect effects of plans to reuse former Fort Ord, including the infrastructure needed to support the reuse. The draft and final SEISs have included updated information as it is available and appropriate for inclusion, as described below. The Army is required to comply only with NEPA, not with the supplemental requirements of CEQA.

The June 1993 Fort Ord Disposal and Reuse Final EIS analyzed a broad range of reuse alternatives to provide information for those responsible for local reuse planning and development. These alternatives ranged from very high intensity use to open space uses and covered a wide spectrum of land uses and reuse intensities. Each of the uses now being proposed by FORA in polygons 1c, 4, and 11b were evaluated for other locations at former Fort Ord under one or more of the FEIS or SEIS reuse alternatives. A summary of this coverage is as follows:

Proposed Use	Alternatives (including subalternatives)
Golf course	1, 2, 7, and 8
Hotel	1, 2, 7, and 8
Medium-density residential	1, 7, and 8
High school	1, 2, 3, 4, 7, and 8
Community park	1, 2, 6R, 7, and 8
Equestrian center	5, 7, and 8
Office park	1, 2, 3, 6R, 7, and 8

The draft SEIS was prepared to address the environmental effects of a number of changes in the plans for Fort Ord disposal and reuse, including updated information on local reuse planning. These changes included the following:

- additional property made available for disposal as a result of downsizing the POM Annex;
- lands identified as requiring further analysis in the Army's 1993 NEPA ROD;
- FORA's Final Base Reuse Plan of December 12, 1994; and
- other land use changes suggested during the SEIS scoping process.

Since issuance of the draft SEIS, the Army has decided to analyze the effects of portions of the FORA Draft Fort Ord Reuse Plan (March 1996), including the changes recommended for polygons 1c, 4, and 11b. The analysis of these proposals has been incorporated into Revised Alternative 7. Only the portions of the latest FORA plan that are not in conflict with laws and other policies, previous land disposal, existing disposal agreements, the Draft Revised HMP, or existing Army regulations or commitments were included in Revised Alternative 7. The Army has not adopted the Draft FORA Fort Ord Reuse Plan (March 1996) as a preferred reuse scenario. A discussion of the cumulative housing and employment implications of these changed reuse plans is included in the cumulative impact analysis of Revised Alternative 7. The site-specific implications of these changes are also addressed in the Revised Alternative 7 analysis. Revised Alternative 7 is composed of the following elements:

- land uses established through property transfers or memoranda of agreement for property transfers already completed by the Army,
- land uses from real estate screening for the newly excessed lands,
- land uses required in the Draft Revised HMP,
- land uses for remaining areas as proposed in the Draft FORA Fort Ord Reuse Plan (March 1996) that do not conflict with the Draft Revised HMP or other Army policies,
- relocation of the resort hotel originally proposed in the Hayes housing area to the adjacent existing Fort Ord golf courses parcel, and
- utility easement needed for transfer of utility systems.

For further information on the land uses now proposed in polygons 4 and 11b, refer to Section 3.2.3 and Table 4-1 in this final SEIS.

The Army does not intend to prepare a new SEIS to analyze the traffic and air quality implications of FORA's traffic study. This traffic study is part of a mitigation agreed to by local planning entities; this mitigation is included as part of all three reuse options analyzed in this final SEIS (see response to Common Comment 3). The Army cannot speculate on the environmental effects of unidentified mitigation for the non-Army action of reuse. FORA is in the process of preparing a CEQA analysis of its March 1996 draft plan; any changes in FORA's plan that are not reflected in the reuse options contained in this final SEIS, including proposed traffic mitigations, can be analyzed in the CEQA document.

On completion of this SEIS, the Army's NEPA analyses will be adequate to support completing its disposal action.

## **2. Common Comment regarding Identification of a Preferred Alternative, No-Action Alternative, and Baseline Conditions**

The SEIS should identify a preferred alternative and an environmentally preferable alternative; describe and assess a no-project alternative; and better document baseline conditions.

Several recommendations for a no-project/no-action alternative were provided. The no-project alternative for the SEIS could consist of all actions included in the 1993 NEPA ROD. Because the 1993 NEPA ROD has been approved, if "no action" is taken under the SEIS, disposal as described in the 1993 NEPA ROD will be implemented.

Two no-action alternatives could be analyzed, each corresponding to the two types of actions discussed in the SEIS—specifically, the direct action of disposing of POM Annex land and the indirect effects associated with reuse. The disposal no-action alternative would consist of the Army retaining the land to be disposed of in a caretaker status. The reuse no-action alternative would consist of the action carried forth in the 1993 NEPA ROD.

A description of baseline conditions is necessary to assess impacts associated with the project alternatives. The baseline should consist of conditions prevailing in 1991, shortly before the decision to close Fort Ord. These recommended baseline conditions are not described in the 1993 FEIS and SEIS with the degree of precision necessary to evaluate environmental impacts. One comment specifically addresses data presented for baseline "existing traffic conditions" in the FEIS (Volume I, pages 4-67 and 4-68). The comment states that the data presented are undated, qualitative, and without actual traffic volumes.

The Army is encouraged to focus on developing a preferred alternative that best balances environmental quality with economic productivity. The Army should consider working with local resource agencies in developing an alternative that draws on the best elements of both Alternatives 7 and 8.

*Comments: F3:4, F3:6, F3:7, R1:1a, R1:1b, R2:9*

### **Response to Common Comment 2**

A supplement to an EIS is prepared when there are substantial changes in the proposed action or when there are significant new circumstances or information that is relevant to environmental effects. In the case of Fort Ord, an EIS was prepared to evaluate the environmental effects associated with the disposal and reuse of the installation property. Since that EIS was issued, new parcels of land became available for disposal and transfer and other parcels required additional analysis for new proposed uses not analyzed in the EIS as agreed to by the Army in the 1993 NEPA ROD. The SEIS has been prepared to provide analysis and documentation for these parcels and other recent changes in the FORA Final Base Reuse Plan (December 1994) and real estate screening requests. The SEIS is not considered a stand-alone document. Rather, it is to be considered along with the 1993 FEIS.

The 1993 FEIS concluded that the open space alternative and the anticipated reuse alternative were the environmentally preferred reuse alternatives. This conclusion has not changed. Based on the current status of land disposal and requests for public benefit conveyances, however, the Army has updated its preferred disposal process on page 2-4 in Section 2 of this final SEIS. Revised Alternative 7 is considered the most likely reuse scenario.

The 1993 FEIS described and evaluated a no-action alternative. This alternative consists of lands at Fort Ord being retained in caretaker status and not being disposed of. Baseline conditions analyzed in the FEIS consisted of conditions at Fort Ord in 1991 when the 7th Infantry Division (Light) was present at the installation. Because the SEIS expands on the analysis and documentation in the FEIS, the original baseline

and no-action alternative are generally not changed in the SEIS. The SEIS does contain some updated baseline information. Section 4.0, "Affected Environment", contains descriptions of changes in conditions for each resource. Alternative 7, Revised Alternative 7, and Alternative 8 in the SEIS were analyzed using the updated baseline information.

The 1993 FEIS provides site-specific analysis for effects of disposal of newly excessed lands where appropriate detail for the action was available. Baseline data provided in the FEIS on traffic and circulation are of a broad and general nature, consistent with the level of analysis performed. The SEIS alternatives have been evaluated at the same level of detail, based on information available from FORA and communities relative to their reuse plans and the level of analysis performed for the wide range of reuse alternatives and subalternatives contained in the FEIS. The level of analysis used in the document to assess the cumulative effects of reuse is appropriate for considering this indirect effect.

### **3. Common Comment regarding General Nature of Mitigation Measures for Reuse Impacts**

Overall, the draft SEIS is very difficult to understand. The mitigation measures are general in nature. The SEIS generally does not quantify impacts to the degree necessary to specifically define mitigation measures. In some cases, the SEIS recommends or offers a list of possible mitigation measures. The Army should provide distinct impact statements and identify the feasibility of proposed mitigation measures, the extent to which they would reduce the impact, and the likelihood that such measures will be adopted or enforced by responsible agencies. Impact and mitigation requirements as described in CEQA should be utilized, specifically, an assessment of growth impacts. Two commenters suggested the following specific mitigation measures related to infrastructure and traffic and requested that the measures be included in the final SEIS:

- a. The EIR and reuse plan should require that roadway infrastructure and improvements will be provided concurrently with development so that Fort Ord and surrounding communities can maintain the appropriate level of service standard for the applicable roadway.
- b. The Army should adopt the following mitigation measure: "All measures necessary to mitigate the environmental impacts from reuse of this property as identified by TAMC and FORA shall be implemented concurrently with the reuse actions which will cause those impacts."

*Comments: F3:8, R1:3a, R1:3b, R1:3c, R2:13, L2:4, I2:8, I3:1, I3:4, I3:5, I3:6, I3:7, I3:8*

### **Response to Common Comment 3**

We acknowledge that the organization of the SEIS is somewhat complex. It is organized to be consistent with the 1993 FEIS. The SEIS, which is not a stand-alone document, must mirror the organization and approach of the original FEIS. The approach and level of detail in the SEIS are the same as in the 1993 FEIS, which was reviewed by the public and has been used by the Army to proceed with land disposal actions. This approach to the level of detail for reuse analysis was announced to the public and agencies through the scoping process for the SEIS.

Impacts are quantified, and viable mitigation measures are identified. A focused impact evaluation was performed for all identified impacts of each of the newly excessed and revised use areas. The resulting impact analysis and mitigation available to the Army, FORA, and other government agencies, as well as reuse proponents, are described in Sections 5.3.1.1 and 5.3.2.1 of the final SEIS. In addition, a new basewide cumulative impact analysis with identified mitigation was performed and is described in Sections 5.3.1.2 and 5.3.2.2 of the final SEIS. These impact analyses provide Army decision makers with adequate information to make informed decisions regarding disposal and the likely secondary effects of reuse by others. This

information is also useful to FORA and others but may need to be expanded and further supplemented to completely support implementation of specific reuse proposals. CEQA provides for this type of tiering process.

The Army's proposed action is disposal of former Fort Ord lands. The direct impacts of disposal are not substantial, and there are no new significant effects beyond those described in the 1993 FEIS and 1993 NEPA ROD. The direct effects were quantified if appropriate, such as for the biological resources discussions (i.e., loss of federal protection for 7 acres of Monterey spineflower), and specific mitigation measures to be taken by the Army are provided. Refer to the discussion of disposal effects on pages 5-4 through 5-10 of the final SEIS.

Reuse is the secondary action to be taken by others, and implementation of the mitigation plan is the responsibility of the reuse proponent. The Army has provided general guidance on the type of mitigation available.

As required by NEPA, the Army has identified and made a good faith effort to explain the indirect effects that are known. The broad range of reuse alternatives developed and analyzed in the EIS/SEIS was intended to provide information for use by those responsible for local land use planning and development in making these decisions. Because this document is part of an EIS/SEIS process, the Army is required only to follow the guidelines included in NEPA. However, as a means of facilitating economic recovery and reuse of excess Army lands, the Army agreed during the scoping process to accommodate some items that would allow local planning authorities to use the Army's NEPA document to help satisfy CEQA elements. The reuse analysis quantifies and identifies site-specific impacts and recommends appropriate mitigation measures throughout Sections 5.3.1.1, 5.3.1.2, 5.3.2.1, and 5.3.2.2. For example, biological resources have been quantified throughout Section 5 (see discussions beginning on pages 5-30 and 5-67 and tables beginning on page 5-68 of the final SEIS). Traffic generation estimates, a discussion of the existing roads affected, and possible mitigating transportation improvements on specific roads are provided (see discussion beginning on page 5-55 of the final SEIS). Other quantified impact analyses in the final SEIS include, but are not limited to, socioeconomics (page 5-47), public services (pages 5-18 and 5-51), water resources (pages 5-20 and 5-53), and air quality (page 5-62). A summary table of impacts and mitigation measures has been provided in the Executive Summary of this final SEIS (Tables ES-2 and ES-3), indicating those mitigation measures being adopted by the Army, as well as by FORA and other local agencies, if known.

A local mitigation agreement was made following publication of the 1993 FEIS. In March 1994, after the 1993 FEIS and 1993 NEPA ROD were prepared and during preparation of the coastal consistency determination, the member jurisdictions of the Fort Ord Reuse Group (which was ultimately replaced by FORA) agreed to mitigation measures (summarized below from page 3-11 of the draft SEIS) in recognition of the potential effects that reuse of former Fort Ord may have on the coastal zone; these measures have been considered in the SEIS analyses as part of Alternative 7, Revised Alternative 7, and Alternative 8:

- **Traffic.** As the final reuse plan is developed, a traffic study will be undertaken by the five cities and county in coordination with TAMC to assess the cumulative effects of the planned uses on area roadways. Actions to be taken by local jurisdictions to balance supply and demand could include modifying development intensities and improving infrastructure, such as widening SR 1.
- **Water availability.** Reuse will be planned and implemented in coordination with the Monterey County Water Resources Agency and other appropriate agencies to ensure adequate water supplies for all reuse areas. The initial phase of development will use existing water supplies. The development of subsequent phases will be based on the availability of new water sources.
- **Visual resources.** To protect the visual buffer between the former Fort Ord coastal zone and the inland areas, the landscaping and natural landform screening immediately east of SR 1 will be maintained and enhanced.

Additionally, as a result of consultation with the California Coastal Commission and preparation of the coastal consistency determination, height restrictions for the resort hotel proposed in polygon 22 under Revised Alternative 7 have been incorporated into the property transfer agreement. Seaside, the potential property recipient, will be required to ensure the hotel does not break the view of the skyline from SR 1.

FORA has been asked to indicate those mitigation measures it has adopted. The list of potential mitigation measures is summarized in Table ES-3 in the Executive Summary of this final SEIS.

One commenter stated that the EIR and reuse plan should include the requirement that infrastructure be provided concurrent with development as mitigation (identified as "a" in Common Comment 3). Providing such mitigation is the responsibility of the local planning authorities. FORA has already agreed, in principal, to provide roadway infrastructure concurrent with development (see "Traffic" bullet above). This request has been forwarded to FORA, and the recommendation has been added to the discussion of mitigation for cumulative traffic and circulation impacts (page 5-62). Federal grants have been appropriated for local planning efforts, and a general plan and EIR are being prepared for the current local reuse plan. FORA is also implementing a Department of Commerce grant to improve water, wastewater, electricity, gas, and other infrastructure elements.

Another commenter stated that a requirement to implement all measures necessary to mitigate the environmental impacts from reuse concurrently with development, as identified by TAMC and FORA, should be included in the final SEIS (identified as "b" in Common Comment 3). This mitigation measure is too broad to include; the corresponding individual impacts cannot be identified. Further, implementation of this mitigation measure would be the responsibility of FORA. The December 12, 1994 FORA base reuse plan already includes the assumption that development will be phased based on the availability of infrastructure and urban services (Executive Summary, Section 1), and it addresses methodology for providing future infrastructure (Section IV). FORA is being consulted concerning the specific language of this measure. If FORA agrees to this measure before publication of the final SEIS, it can be included in the document. The SEIS already recommends that such measures occur concurrently with development. This recommendation has been clarified by adding language to the discussion of the mitigation agreement (page 3-11) and the traffic mitigation discussion (page 5-62).

#### **4. Common Comment regarding the Need for Further Analysis of the NPU Areas**

The SEIS does not adequately address the approximately 3,000 acres of no proposed use (NPU) areas identified in the preferred alternative in the 1993 FEIS. The NPU areas are included in the cumulative analysis, but the analysis is cursory and unquantified. The SEIS should be revised to address reuse of all NPU lands from the 1993 FEIS.

*Comments: R2:2, I3:2, I3:3*

#### **Response to Common Comment 4**

The NPU areas were included in Alternative 6R of the FEIS. As described in the FEIS (page ES-2), Alternative 6R was developed to reflect actual anticipated reuse based on the official screening process. At the time, approximately 23,500 acres of Fort Ord had been requested by other federal, state, and local agencies through the real estate screening process. The remaining excessed lands (approximately 3,000 acres) were designated "no proposed use" because they would be disposed to private entities and future owners would determine future use of these lands, in accordance with local land use and regulatory agency requirements. The NPU designation allowed a clear analysis of anticipated reuse in the unincorporated Monterey County area and in the Cities of Marina and Seaside.

Alternative 6R, which was identified as the preferred alternative, was updated in the 1993 NEPA ROD to include the latest federal, state, and local screening requests and to incorporate portions of the current local reuse plan that were analyzed in the 1993 FEIS. The 1993 NEPA ROD was presented to the community in Monterey.

Although reuse of the NPU areas was not analyzed as part of Alternative 6R, likely reuse of the NPU areas was analyzed, including impacts and mitigation measures, elsewhere in the FEIS and ROD. Refer to the discussion of Alternatives 1, 2, and 3 in the 1993 FEIS (detailed analysis in Volume II with revisions in Volume IV, Section 6.0). The purpose of the SEIS does not include describing land uses for the NPU areas of Alternative 6R, but rather new land uses not already described in the 1993 FEIS and 1993 NEPA ROD.

The 1993 NEPA ROD placed property at Fort Ord into three categories: areas that could be disposed of without further environmental review, reuses proposed in the FORG preliminary reuse plan being developed at the time of the 1993 NEPA ROD, and areas that could require further NEPA documentation before disposal because these land uses had not been described in the 1993 FEIS. Since that time, some of the proposed land uses have changed, some records of environmental consideration (RECs) have been prepared to document NEPA coverage or application of categorical exclusions for revised land uses (refer to "Response to Comment R2:8" for a discussion of the RECs), and the FORA Final Base Reuse Plan (December 1994) was approved. The areas to be treated in the SEIS and the reuse alternatives to be included in the SEIS were determined through the extensive scoping process for the SEIS. Those areas requiring further review are identified in the final SEIS as "newly excessed and revised use areas", and these areas are analyzed at the same level of detail as Alternative 6R in the 1993 FEIS throughout Sections 5.3.1.1 and 5.3.2.1 of the final SEIS.

## 5. Common Comment regarding Cumulative Analysis

The cumulative impact analysis is cursory, and it is unclear why the SEIS concludes that the direct cumulative impacts are not considered significant beyond the individual, incremental effects described in the cumulative impact analysis for disposal (Section 5.2).

*Comments: R2:12, I3:3*

### Response to Common Comment 5

The overall cumulative effect of disposal is slightly greater than that described in the 1993 FEIS but still does not result in substantial effects requiring additional mitigation beyond that described in the final SEIS in Sections 5.2.2 through 5.2.16. Additional language has been added to Section 5.2.17 (page 5-9 of the final SEIS) to clarify this point.

The entire SEIS analysis is inherently cumulative. It is intended to *supplement* the 1993 FEIS, and many of the impacts described in Sections 5.2.2 through 5.2.12 of the SEIS are incremental additions to the effects of disposal described in the 1993 FEIS. Association of Monterey Bay Area Governments (AMBAG) projections were used to help analyze cumulative effects. In the 1993 FEIS, cumulative effects are discussed at the end of each resource category discussion (in Volume I, Section 6.0, for Alternative 6R; in Volume II for Alternatives 1-6).

The Army does not agree that its cumulative impact analysis is cursory; the analysis provides Army decision makers and the public with sufficient information to support decisions on land disposal. The Army's conclusions on the significance of the incremental increases in direct cumulative effects are based on the small size of the increases and the short-term nature of some of the increases. The Army adopted mitigation measures in the 1993 NEPA ROD appropriate for Army implementation during caretaker and disposal actions. In addition, the Army provided other mitigation descriptions for the community to use during reuse planning

and to determine which mitigation measures the community would implement as part of the process. The final SEIS includes a table (Table ES-3) that identifies mitigation that the community is considering for adoption.

## 6. Common Comment regarding Request for Summary Tables

Several commenters requested that summary tables be included in the SEIS to help clarify various points. Summary tables were requested related to the following information:

- A) On page 5-18, paragraph 4, the draft SEIS finds that buildout of newly excessed and revised use areas would increase population by 14,100. The forecasts that these changes would be added to should be identified and presented in a summary table.
- B) On page 5-24, paragraph 2, the draft SEIS finds that buildout of newly excessed and revised use areas would increase average daily trips (ADT) by 223,278. The forecasts that these changes would be added to should be identified and presented in a summary table.
- C) The draft SEIS should include a summary table or matrix of impacts, mitigation, and significance level after mitigation.
- D) The final SEIS should contain a summary table that compares the proposed action and the indirect action alternatives with their respective no-action alternatives.

*Comments: F3:9, R2:14, R2:15, L1:3, I2:9*

### Response to Common Comment 6

A summary table providing the information requested in item A has been included in Appendix B in this final SEIS. The information requested in item B is limited and has been added textually to the final SEIS in the "Traffic and Circulation" section referenced by the comment.

Two summary tables are provided in response to item C; one related to the action of disposal (Table ES-2 in the Executive Summary of the final SEIS) and the other for the action of reuse (Table ES-3 in the Executive Summary of the final SEIS). The tables summarize impacts included in the SEIS; identify mitigation measures from either the draft SEIS, the FEIS, or the 1993 NEPA ROD that apply to the impact; and list the source document and location where the mitigation measure is described. The tables also list the agency responsible for implementation of the measure. Table ES-2 does not identify the significance level of impacts after mitigation because all mitigation for disposal would reduce impacts to less than significant. Table ES-3 does not identify the significance level after mitigation for the secondary effect of reuse because reuse is speculative, potential impacts are general in nature, and any mitigation recommended would need to be approved by local agencies and is speculative. However, Table ES-3 has been provided to FORA for review with a request to identify which mitigation measures the agency will agree to adopt, or may have already incorporated into its reuse planning process. Based on the FORA response to this request, it may be possible to conclude that no significant impacts would remain after implementation of mitigation measures agreed to by FORA. The FORA response will be incorporated into the final SEIS if received before final publication.

The summary table mentioned in item D requesting a comparison between the proposed action, secondary action, and no-action alternatives is included in the final SEIS in Appendix H. As stated in Section 3.1.3, "No Action", on page 3-1 of the SEIS, the No-Action Alternative is the same as that described in the 1993 FEIS. Sections 2.2.1, 3.5, and 5.2.1 of Volume I of the FEIS are referenced in the SEIS as areas where the No-Action Alternative is described. In summary, under the No-Action Alternative, lands at former Fort Ord would be placed in caretaker status and not disposed of. Analysis of the No-Action Alternative is included in



the FEIS. Based on this analysis, and as indicated in the 1993 NEPA ROD, the Army has elected to proceed with disposal of land at former Fort Ord and has rejected the No-Action Alternative.

## **7. Common Comment regarding Analysis of the Environmental Impacts of Existing Public Utilities Infrastructure in the Coastal Zone**

The draft SEIS is inadequate because it does not analyze the environmental impacts of the existing public utilities infrastructure, specifically, in coastal locations. The draft SEIS does not accurately describe the affected environment; environmental consequences; or alternatives to removing or demolishing stormwater outfalls, sewage treatment plants, and other deteriorating structures subject to the goals of Defense Environmental Restoration Program (DERP).

The draft SEIS also is inadequate because it does not analyze implementing the goals of the National Pollutant Discharge Elimination System (NPDES) permit requirements. Water quality policies of both DERP and NPDES permit requirements are not discussed. The reuse alternatives have not been evaluated with respect to these policies or permits.

*Comments 12:1, 12:2, 12:3, 12:4, 12:5, 12:6*

### **Response to Common Comment 7**

Public services and utilities are described in Section 4.4 of the 1993 FEIS and Section 1 of the Other Physical Attributes Baseline Study (U.S. Army Corps of Engineers 1992). The components and the condition of each infrastructure system are described in detail in these documents.

Demolition and removal of infrastructure are not proposed actions of the Army; consequently, they are not analyzed in the 1993 FEIS or the draft SEIS. It is anticipated that these types of activities would require California Environmental Quality Act (CEQA) review and that analysis would be undertaken by the reuse entity. Evaluation of conformity or compliance with local (including DERP), state, and federal goals, plans, rules, or regulations should be covered in the CEQA process. FORA is the CEQA lead agency for reuse of former Fort Ord, and these concerns should be forwarded to that agency.

Water quality regulations, including the Clean Water Act, Coastal Zone Management Act, and Marine Protection, Research, and Sanctuaries Act, were described in Section 4.5 of the 1993 FEIS. The section also briefly describes the NPDES program.

The Army is not required to describe the specific NPDES permit requirements for each potential reuse activity in the 1993 FEIS or draft SEIS. Compliance with NPDES or other permits is the responsibility of the reuse entity. The Army is pursuing permits with RWQCB for industrial activities at its POM Annex facility.

## **8. Common Comment regarding Request for Additional Data and Mitigation Information Associated with Water-Related Impacts**

Reuse of former Fort Ord will result in contaminated urban runoff and increases in surface water runoff. Specific mitigation measures should be proposed to reduce these impacts to less-than-significant levels both onsite and offsite. Mitigation measures could include constructing onsite drainage facilities, obtaining stormwater permits, installing erosion control structures, implementing a hazardous substance control plan for construction activities, implementing the NPDES permit process, and utilizing retention/detention devices. Retention/detention devices could mitigate both stormwater runoff and onsite water withdrawals through groundwater recharge.

In addition, because water demand under Alternatives 7 and 8 will be incrementally more adverse than that projected under the 1993 NEPA ROD, implementation of these alternatives could further aggravate water supply shortages and problems with saltwater intrusion. The MOU between the Army and the Monterey County Water Resources Agency (MCWRA) states that groundwater withdrawals on former Fort Ord have contributed to the seawater intrusion problem. The draft SEIS fails to discuss the nature and extent of the seawater intrusion problem caused by the proposed action and alternatives and should have included additional data and groundwater modeling to better describe this problem and the consequences of implementing the various actions.

The MOU between the Army and MCWRA limits the Army's right to withdraw groundwater to 6,600 acre-feet per year (af/yr). However, Alternatives 7 and 8 each involve the consumption of nearly 18,000 af/yr. The final SEIS should provide additional discussion of how future site users, under either Alternative 7 or 8, could be encouraged or required to protect the local aquifer. Such options could include adopting specific conservation techniques, using "brown" water systems for landscaping, and developing alternative water sources. The SEIS also should discuss proposed actions for increasing water supplies (above the amount allocated in the MOU) and alternatives for meeting increased water demands.

The Army also should provide maximum support for MCWRA in managing future water use at former Fort Ord and coordinate with MCWRA to develop options for requiring nonfederal land recipients to implement or follow conservative water practices.

*Comments: F3:1, L2:9, L2:10, I1:9, I1:10*

## **Response to Common Comment 8**

This comment addresses several issues, including urban runoff, water demand for Alternatives 7 and 8, seawater intrusion, water conservation opportunities under reuse, and water supply opportunities under reuse.

Urban runoff and potential impacts on surface water quality are discussed in Section 5.3.1.1 of the SEIS. Increases in site runoff, water quality degradation from urban runoff, construction-related erosion, and hazardous material spills are described. Mitigation measures for these types of impacts are described in the 1993 FEIS, Volume I, pages 6-53 through 6-55. The SEIS (Section 5.3.1.2) also refers to the same discussion in the FEIS.

The comment notes that the water demands for Alternatives 7 and 8 are nearly 18,000 af/yr. (These numbers have been revised downward since release of the draft SEIS; see Table ES-1.) These amounts are approximately three times greater than historical water use during the period when intrusion was clearly occurring (before approximately 1985). The comment suggests that additional data and groundwater modeling should have been used to evaluate the potential impacts of the alternatives on seawater intrusion. Unlike in areas further north along the coast, groundwater quality in the Fort Ord area is not routinely monitored by MCWRA or any other agency for the purpose of tracking the inland movement of seawater. Data collected since 1993 indicate that seawater intrusion in the 180-foot aquifer near Marina has stabilized and is no longer advancing inland. This decrease in intrusion resulted from a shift in pumping to deeper wells and wells farther inland, accompanied by a decrease in total pumping at Fort Ord in the late 1980s and early 1990s (refer to Section 4.6.2 of the final SEIS). Groundwater modeling is not required to conclude that a three-fold increase in groundwater pumping in the Fort Ord area would result in seawater intrusion.

Regarding opportunities for water conservation and new water supplies, the draft SEIS briefly mentions a complete discussion of numerous conservation and water supply options presented on pages 6-57 to 6-59 of Volume I of the 1993 FEIS. The conservation options described included use of reclaimed water to flush toilets and urinals; drip-irrigated, drought-tolerant landscaping; graywater irrigation; and ultra-low-flow

plumbing fixtures. Of the new water supply options described in the FEIS, the ones receiving most attention are desalination and a modification of the Salinas Valley Water Transfer Project.

The final SEIS (Section 3.2.2) also indicates that reuse under Alternative 7, Revised Alternative 7, and Alternative 8 would be phased and contingent on development of additional water supplies. This would ensure that demand remains less than or equal to the available supply and that seawater intrusion is avoided. Furthermore, it states that the reuse of former Fort Ord lands will be planned and implemented in coordination with MCWRA and other appropriate agencies to ensure adequate water supplies for all reuse areas. This addresses the commenters' concern that water supply development be coordinated among the various local agencies.

## **9. Common Comment regarding Roadway-Specific Traffic Volumes and Level of Service**

The draft SEIS does not provide detailed analyses of roadways and intersections. Instead, it defers the analyses to a future traffic study that must rely on a balancing of traffic supply and demand by several jurisdictions. The analysis of roadway volumes and levels of service included in the draft SEIS is not based on a defined roadway network. In addition, the coverage appears varied in its detail. The SEIS should describe how detailed noise and air quality analyses were performed by roadway segments and carbon monoxide (CO) dispersion modeling near study intersections.

The draft SEIS identifies significant impacts but generally does not locate or even quantify them. It also should more clearly define the mitigation measures specified for the transportation impacts instead of deferring the identification of mitigation to others. In addition, the SEIS should address a series of scenarios with different mixes of conventional and alternative transportation modes so that true transportation alternatives are evaluated.

*Comments: R1:3, R2:5, L1:1, L2:5*

### **Response to Common Comment 9**

The purpose of the SEIS is to supplement the 1993 FEIS by addressing additional alternatives. It is not intended to supplement the FEIS by adding to the level of detail of the analysis. Neither the FEIS nor the SEIS provides information on intersection level of service. The level of detail contained in the SEIS is consistent with the level of detail contained in the FEIS. Both the level of detail and the assessment of transportation modes contained in the FEIS/SEIS are considered adequate for supporting the assessment of the Army's disposal action.

However, in response to the request for additional information, Table 5-15 has been added to the "Traffic and Circulation" portion of Section 5.3.1.2 of the final SEIS to provide a summary of levels of service on roadway segments within the road network. Table 5-15 presents a summary of roadway volumes and levels of service for the roadway network analyzed as part of Alternative 7 in the SEIS. As noted on page 5-25 of the final SEIS, the transportation system analyzed in the SEIS is based on plans included in the FORA Final Base Reuse Plan (December 1994). The transportation system is presented in Figures 3-3, 5-6, and 5-7 of the final SEIS. Additional roadway segments have been named in Figure 3-3 to allow better understanding of the network.

The broad range of reuse alternatives analyzed in the FEIS/SEIS is intended to provide information for use by those responsible for local land use planning and development in making these land use decisions. The specific effects of the reuse alternatives are not quantified in all cases, and detailed mitigation measures have not been identified for all issues. The local planning authorities that receive former Fort Ord lands will be responsible for making decisions on reuse of lands to be disposed of by the Army.

The carbon monoxide modeling analysis was conducted using information supplied by the traffic modeling analysis. Peak-hour CO concentrations were estimated using p.m. peak-hour traffic information. For each alternative, traffic volumes for each road segment were obtained from the traffic model. Road segment levels of service (LOS) were estimated using p.m. peak-hour traffic volumes and roadway capacities. Road capacities were based on the traffic modeling assumptions regarding road type and number of lanes. Because intersection turning movements and levels of service were not estimated by the traffic model, p.m. peak-hour road segment levels of service were used to estimate vehicle speeds. Emission rates were based on the average vehicle speeds associated with the p.m. peak-hour levels of service.

As noted earlier, the purpose of the SEIS is to supplement the 1993 FEIS by addressing additional reuse alternatives. It is not intended to supplement the FEIS by providing a detailed assessment of a series of alternative transportation modes. The SEIS uses assumptions regarding transportation modes consistent with the FEIS to allow for comparison of reuse alternatives.

## **10. Common Comment regarding Regional Transportation Issues**

The SEIS should analyze intercounty and regional travel impacts. Development of former Fort Ord could generate significant new travel to, from, and through Santa Cruz and Monterey Counties, the San Jose/Silicon Valley region, and the City of Salinas. The draft SEIS states that there will be an estimated 195,000 vehicle trips per day between former Fort Ord and surrounding communities, including travel through former Fort Ord en route to other destinations. Please specify the expected trip generation and distribution of this traffic because it will be the source of offsite impacts on peninsula cities and Salinas.

Specific information is requested on the number of trips expected to come to and from Salinas from former Fort Ord at full buildout, the number of lanes of roadway required to accommodate these trips, and what alternative road alignments are under consideration to accommodate this increased rate of travel.

Another issue to consider in a regional travel analysis is the potential change in travel patterns expected after development of educational and research based land uses at former Fort Ord, as opposed to previous military-related uses. It is recommended that the final SEIS discuss this potential change in travel patterns in more detail.

Also, both Santa Cruz and Monterey Counties are actively studying the potential to bring passenger rail service to the central coast. Such regional travel services could alleviate potential transportation impacts associated with the reuse of Fort Ord and should be included in the discussion of regional travel impacts.

Implementation of Alternative 8 is recommended by one commenter.

*Comments: R3:1, R3:2, L2:2*

### **Response to Common Comment 10**

The SEIS is intended to supplement the EIS by addressing additional alternatives. It is not intended to supplement the 1993 FEIS by adding to the geographic area of analysis. The geographic area addressed in the SEIS is consistent with the geographic area addressed in the FEIS. Both the geographic area of coverage addressed in the FEIS/SEIS and the levels of detail provided for the areas addressed in the FEIS/SEIS are considered adequate for supporting the assessment of the Army's disposal action.

Table 5-15 presents a description of traffic volumes and levels of service on some roadways in Monterey County and the City of Salinas. Consistent with the FEIS, the SEIS also describes travel to, from, and through the former Fort Ord, but not other specific geographic areas.

As noted in the response to Common Comment 9, the transportation system analyzed in the SEIS is based on plans included in the FORA Final Base Reuse Plan (December 1994). As a result, the SEIS assumes the regional travel route connections included in the December 1994 version of the FORA plan.

It is acknowledged that Santa Cruz and Monterey Counties are actively studying central coast passenger rail service. It would be appropriate for those studies of regional travel service to examine whether and how Fort Ord fits into both counties regional travel plans. The feasibility, appropriateness, and desirability of regional passenger rail service, however, needs to be examined at the scale of the entire central coast, not at the scale of a single point in the region. As noted in the response to Common Comment 9, the purpose of the SEIS is to supplement the 1993 FEIS by addressing additional alternatives. The SEIS is not intended to supplement the FEIS by adding a detailed alternatives-based assessment of transportation modes. The assessment of transportation modes contained in the FEIS/SEIS is considered adequate for supporting the assessment of the Army's disposal action.

### **11. Common Comment regarding Comparison to 1991 Conditions Rather than to 1993 NEPA ROD Conditions**

The analysis of individual and cumulative traffic and air quality impacts in the draft SEIS is based on information in the 1993 NEPA ROD. However, because the federal action approved in the 1993 NEPA ROD is part of the project itself, it cannot be part of any baseline. Analysis in the SEIS should be compared against the baseline of the 1991 existing environment. All comparisons of project impacts to the 1993 NEPA ROD should be deleted and replaced with expanded, complete comparisons to the 1991 baseline. Based on this comparison the SEIS should identify all significant traffic and air quality impacts, recommend feasible mitigation measures, and conclude whether impacts would be mitigated to below significance.

*Comments: R2:1a, R2:1b, R2:1c, R2:1d*

### **Response to Common Comment 11**

The draft SEIS analyzes traffic and air quality impacts and recommends feasible mitigation measures. Table 5-15 has been added to the "Traffic and Circulation" portion of Section 5.3.1.2, "Cumulative Impacts", of the final SEIS. This table contains a comparison of traffic conditions under Alternative 7 with existing conditions. Other tables already in the draft SEIS present a comparison of Alternative 7 with both existing conditions and the 1993 NEPA ROD. For example, Table 5-7 presents this comparison for air quality. Table 5-25 also compares Revised Alternative 7 with existing conditions and the 1993 NEPA ROD.

Deleting the comparison of project impacts under the different alternatives with those under the 1993 NEPA ROD would reduce the amount of information in the SEIS. This reduction in the amount of information would degrade the value of the SEIS. Therefore, the SEIS retains information comparing project impacts under the different alternatives with those under the 1993 NEPA ROD.

### **12. Common Comment regarding the Army's Need to Obtain a Formal Consistency Determination for the Project**

The Army needs to obtain a formal consistency determination from AMBAG for the project.

*Comments: R2:17, R2:19*

### **Response to Common Comment 12**

The consistency determination described on page 5-68 of the draft SEIS was based on a telephone conversation with Steve Williams at AMBAG. A written consistency determination has been solicited from

AMBAG as requested by the commenter. The solicitation requests that the consistency determination include both Alternatives 7 and 8. A copy of that determination will be included in the final SEIS if it is received before the final SEIS is completed.

### **13. Common Comment regarding Analysis of the Environmental Impacts of HTRW Cleanup Activities**

The SEIS does not adequately analyze the environmental impacts of hazardous and toxic radiological waste (HTRW) in both the coastal and inland areas of former Fort Ord. Although HTRW-contaminated site cleanup is identified as part of the proposed action (1993 FEIS, Section 2.2.2), there is no discussion of non-OE munition-related waste (e.g., bullet fragments, shell casings, chemical residue) cleanup activities. The 1993 FEIS and the SEIS are inadequate because:

- they do not adequately describe the proposed action with respect to non-OE munition-related waste cleanup,
- they fail to accurately describe the affected environment with respect to the presence of non-OE munition-related waste,
- they fail to analyze the environmental consequences of non-OE munition-related waste removal (e.g., removal of bullet fragments from coastal trainfire ranges), and
- they fail to discuss alternatives related to non-OE munition-related waste investigation and cleanup.

There are no discussions of the secondary effects of non-OE munition-related waste clearance, such as destruction of habitat, or health risks from chemical or metal residue.

In addition, the 1993 NEPA ROD reuse plan is significantly different from the Draft FORA Fort Ord Reuse Plan (March 1996). Because of the proposed changes in land uses, the RI/FS prepared for HTRW cleanup activities may not accurately assess potential human and environmental health risks.

*Comments: 11:1, 11:3, 11:4, 11:5, 11:6, 11:7, 11:8, 12:2, 12:4, 12:10*

### **Response to Common Comment 13**

The scope of the SEIS is focused on the disposal of newly excessed lands resulting from downsizing the Presidio of Monterey (POM) Annex; reuse areas identified in the 1993 NEPA ROD as needing further evaluation; land uses described in the FORA Final Base Reuse Plan (December 1994) that were not analyzed previously; and land uses contained in the Draft FORA Fort Ord Reuse Plan (March 1996) that do not conflict with the Draft Revised HMP, public benefit conveyance requests for newly excessed lands, and land transfers that the Army has completed or for which it has memoranda of agreement or other agreements to complete (included as part of Revised Alternative 7) (final SEIS, Section 1.2.1). In addition, the draft SEIS includes new information related to ongoing coordination actions, including the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Community Environmental Response Facilitation Act of 1992 (CERFA).

Section 2.2.2 of the 1993 FEIS describes the process that the Army is undertaking to prepare lands for disposal and certify that the lands are suitable for disposal. The draft SEIS provides the latest information regarding the progress of the cleanup activities.

As described in Section 4.11 of the final SEIS, the Army is conducting separate but overlapping HTRW and OE cleanup actions. Under CERCLA, the Army is remediating chemical contamination of soil and groundwater. The studies supporting these actions are cited on page 4-15 of the final SEIS. Remedial Investigation/Feasibility Study (RI/FS) studies by Harding Lawson Associates have been circulated by the U.S. Army to signatory agencies to the Fort Ord Federal Facilities Agreement (FFA) for review and comment. These agencies include the U.S. Environmental Protection Agency (EPA), Regional Water Quality Control Board (RWQCB), California Environmental Protection Agency (CALEPA), and Department of Toxic Substances Control (DTSC). These reports are voluminous and go into extensive detail concerning the hazardous materials at both coastal and inland areas of former Fort Ord, human and environmental health risk assessments, and cleanup alternatives. These documents are the basis for the hazardous materials cleanup.

Although the FORA Final Base Reuse Plan (December 1994) and the Draft FORA Fort Ord Reuse Plan (March 1996) are different in some respects from the 1993 NEPA ROD reuse plan, the existing RI/FS studies adequately describe the potential hazards to human and environmental health. The RI/FS studies evaluated several receptors and exposure pathways to assess the cancer and noncancer health risks of potential future land uses. Ecological risk analyses also were evaluated for endangered species and for predator food base species. The proposed FORA land uses are similar to the 1993 NEPA ROD land uses and are consistent with the human and environmental health risk analyses conducted previously.

The primary residuals of range uses are metals and chemical residue from explosive compounds. Where these exist, the Army is evaluating whether they should be evaluated as hazardous waste under applicable regulations. An example of this is the concentrations of lead residue from intensive small arms use at the beach firing ranges. Cleanup activities in training areas, such as the beach trainfire ranges, are described in Section 4.11 of the final SEIS.

It is not within the scope of the 1993 FEIS and SEIS to analyze the effects, appropriateness, or costs of the HTRW cleanup activities. The NEPA process is separate from the environmental remediation process, although the 1993 FEIS and the draft SEIS discuss HTRW. The NEPA documents do not provide detailed analysis of HTRW; the discussions presented are for information on the coordination activities with other regulatory processes.

Issuance of the 1993 NEPA ROD does not exempt the Army from applicable federal or state hazardous materials/waste laws.

#### **14. Common Comment regarding Analysis of the Environmental Impacts of OE Cleanup Activities**

The SEIS does not adequately analyze the environmental impacts of unused ordnance and explosives (OE) cleanup activities in both the coastal and inland areas of former Fort Ord. Although HTRW-contaminated site cleanup is identified as part of the proposed action (1993 FEIS, Section 2.2.2), there is no mention of OE removal activities. The 1993 FEIS and the SEIS are inadequate because:

- they do not adequately describe the proposed action with respect to OE cleanup,
- they fail to accurately describe the affected environment with respect to the presence of OE,
- they fail to analyze the environmental consequences of OE removal, and
- they fail to discuss alternatives related to OE investigation and cleanup.

Furthermore, the 1993 FEIS and SEIS do not quantitatively estimate human and environmental health risks of OE, describe the statistical sampling methods or equipment used to evaluate potential OE sites, or describe the methodology or equipment used to remove OE. There are also no discussions of possible conflicts of the OE cleanup activities with respect to federal, state, and local laws, goals, or policies. The SEIS

does not describe the Engineering Evaluation/Cost Assessment (EE/CA) methodology or provide cost/benefit analyses for OE cleanup activities.

There are no discussions of the secondary effects of OE clearance, such as destruction of habitat, health risks from chemical residue, or air quality impacts of open air burning or detonation of OE.

Finally, the information repository at the Seaside Library is in a state of disarray. A sign indicates that all documents relating to OE have been removed by the Army.

*Comments: S1:2, I1:1, I1:2, I1:3, I1:4, I1:5, I1:6, I1:7, I1:8, I2:2, I2:4, I2:11*

## **Response to Common Comment 14**

The scope of the SEIS is focused on the disposal of newly excessed lands resulting from downsizing the POM Annex; reuse areas identified in the ROD as needing further evaluation; land uses described in the FORA Final Base Reuse Plan (December 1994) that were not analyzed previously; and land uses contained in the Draft FORA Fort Ord Reuse Plan (March 1996) that do not conflict with the Revised Draft HMP, public benefit conveyance requests for newly excessed lands, and land transfers that the Army has completed or for which it has memoranda of agreement or other agreements to complete (included as part of Revised Alternative 7) (final SEIS, Section 1.2.1). In addition, the final SEIS includes new information related to ongoing coordination actions, including CERCLA and CERFA.

Section 2.2.2 of the 1993 FEIS describes the process that the Army is undertaking to prepare lands for disposal and certify that the lands are suitable for disposal. The final SEIS provides the latest information regarding the progress of the cleanup activities.

As described in Section 4.11 of the final SEIS, the Army is conducting separate but overlapping HTRW and OE cleanup actions. Residuals of range uses may include metals and chemical residue from explosive compounds. Where these residues exist, the Army is evaluating whether they should be evaluated as hazardous waste under applicable regulations. If necessary, a cleanup action for these residues would be implemented as a CERCLA remedial action. An example of this is the concentrations of lead residue from intensive small arms use at the beach firing ranges.

The Army does not consider UXO to be a hazardous waste or a hazardous substance requiring a CERCLA response action. Nonetheless, the Army has determined that it will conduct a voluntary CERCLA removal action to address UXO at former Fort Ord in an effort to expedite the cleanup and transfer of former Fort Ord. An example of this is the removal of UXO and physical remnants from historical training areas before land transfer.

The Army is required to clear OE under U.S. Department of Defense (DOD) standard 6055.9. The OE removal is being handled through a special Corps unit in Huntsville, Alabama. The Army is conducting specific Engineering Evaluations/Cost Analyses (EE/CAs) or preparing other technical evaluation reports for the removal of OE from former Fort Ord. Those studies will evaluate and characterize the potential OE areas; identify and analyze the removal action alternatives, including a risk and cost analysis; provide a comparative analysis of removal action alternatives; and recommend removal action alternatives. The results of these studies will be documented in an EE/CA or other technical evaluation report.

The final SEIS presents a summary of the OE characterization to date, potential cleanup methods, and standards for OE clearance. The presence of OE in training areas and the Army's cleanup plans for such areas are described in Section 4.12 (pages 4-21 through 4-24) of the final SEIS, which is a summary of the findings of OEW Sampling and OEW Removal Action - Final Report. Section 5.2.2 of the 1993 FEIS describes possible methods for clearing OE from former Fort Ord. As described on page 5-8 of the final SEIS, final standards for OE clearing will be determined by the DOD Explosive Safety Board.



The EE/CA process is described in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and CERCLA. If an EE/CA is prepared, it must be coordinated with federal and state regulatory agencies and the public. At former Fort Ord, an EE/CA or other technical evaluation report will propose the recommended depth of clearance, evaluate residual risk, and propose any necessary use restrictions.

It is not within the scope of the 1993 FEIS and SEIS to analyze the effects, appropriateness, or costs of the OE cleanup activities. The NEPA process is separate from the environmental remediation process, although the FEIS and the draft SEIS discuss OE. The NEPA documents do not provide detailed analysis of OE; the discussions presented are for information on the coordination activities with other regulatory processes.

Issuance of the 1993 NEPA ROD does not exempt the Army from federal or state hazardous materials/waste laws, nor would it exempt the Army from the Federal Facility's Compliance Act Munitions Rule.

Documents regarding the investigation and cleanup of OE should be available at the Fort Ord information repositories. If not readily available at those locations, they can be obtained by contacting the Presidio of Monterey Directorate of Environmental and Natural Resources Management.

### **15. Common Comment regarding Consistency of the Alternatives with the HMP**

Two commenters expressed concern regarding interpretation of the November 21, 1995 letter received from the U.S. Fish and Wildlife Service (USFWS) (included in Appendix E of the draft SEIS) and found some discussions of HMP-related impacts in the draft SEIS confusing. It appears that text descriptions of the USFWS letter took part of the letter out of context (e.g., lines 38-43 of page 5-33 of the draft SEIS). The statement that "no mitigation is required" (used in various places in the document) for impacts on biological resources under Alternatives 7 and 8 is not accurate, and neither alternative should be considered consistent with the existing HMP.

The USFWS letter was written in response to a letter from the Army dated October 19, 1995 (included in Appendix E of the draft SEIS) that requests review of a proposed Draft Revised HMP scenario. To the commenters it appeared that information provided to USFWS in the Army letter did not contain the detailed resource information and impact analysis included in the draft SEIS. There appeared to be new impacts in the draft SEIS greater than those previously discussed with USFWS and in the Army letter.

Commenters also state that implementation of either Alternative 7 or Alternative 8 would result in additional impacts on biological resources beyond those expected from implementing the February 1994 HMP. Therefore, mitigation measures should be developed for those impacts. Mitigation measures could include designation of new areas as habitat reserves to ensure that the HMP objective of no net loss of populations of HMP species would not be compromised.

Based on the above concerns for impacts on listed species beyond what was considered in the February 1994 HMP, the Army should coordinate with USFWS to resolve these issues. Any coordination with USFWS should be reported in the final SEIS.

Commenters also requested inclusion of more specific information in the SEIS on mechanisms to be used to ensure that land recipients (particularly nonfederal recipients) will implement mitigation measures described in the SEIS and February 1994 HMP to preserve biological resources. Specifically, in the second paragraph of page 4-30 of the draft SEIS, the discussion of "deed restrictions, covenants, reversion clauses or other methods" should be made more specific to allow evaluation of effectiveness of proposed restrictions.

*Comments: F1:2, F1:4, F1:9, F2:1, F2:3, F3:3, F3:5*

## Response to Common Comment 15

It is acknowledged that some discussions of HMP-related impacts in the draft SEIS are confusing and do not appear to agree with impacts identified in the October 19, 1995 Army letter. This particularly applies to impacts identified in the coastal area. Both Alternatives 7 and 8 show developments in the area west of Highway 1. However, these developments are not included as part of the revisions to the HMP described in the draft SEIS and were not presented as such in discussions and correspondence with USFWS. A Draft Revised HMP has been incorporated into Revised Alternative 7. The Draft Revised HMP includes uses in the coastal area consistent with the February 1994 HMP. Unfortunately, by having additional coastal uses included as part of the SEIS reuse alternatives (as well as some other additional uses in other portions of the installation), agency reviewers questioned whether these uses also applied to the Draft Revised HMP and whether greater impacts would occur than were presented to USFWS in the Army's letter.

The use of the phrase "no mitigation is required" within the sentence "Therefore, no mitigation is required for the impacts described below other than modifying the HMP to reflect the . . . reuse scenario. . . ." did not clearly convey that some mitigation offsets had already been determined to be needed for the impacts associated with the Army's Draft Revised HMP as described in the draft SEIS. Statements in the draft SEIS that implies that no mitigation would be required for impacts on biological resources under Alternative 7, Revised Alternative 7, or Alternative 8 or the Draft Revised HMP have been corrected.

To resolve the USFWS concerns, representatives from the Army, USFWS, and FORA met on March 15, 1996, and conducted a telephone conference with UC on March 28, 1996, to clarify information presented in the draft SEIS regarding what is proposed by the Army and by FORA in terms of modifications to the February 1994 HMP and mitigation measures needed to avoid significant impacts on HMP species. The meeting resulted in an agreement by the Army, FORA, UC, BLM, and USFWS to adopt the following items:

- a. The requirement for the landfill parcel to be included as an HMP habitat management area is revised from being an Army responsibility to being a UC or FORA responsibility. The Army will not be required to restore habitat on the landfill cap, nor will the Army be required to perform habitat management activities in the parcel while the landfill is being remediated or in caretaker status.
- b. UC (if not UC, then FORA) will obtain the landfill parcel as part of an economic development conveyance (EDC) transfer. Following land transfer from the Army, UC or FORA will manage 75% of the landfill parcel (including the completed landfill cap) as habitat. The remaining 25% of the parcel will be available for development. Other changes in boundaries and trade-offs of development and habitat areas will be made in the Draft Revised HMP as shown in Figure 5-D, "Draft Revised Habitat Management Plan for Former Fort Ord". This will satisfy basewide HMP habitat management requirements for all proposed development areas (shown as land areas with no HMP habitat preservation requirements in Figure 5-D).
- c. The other development areas adjacent to the BLM Natural Resources Management Area (NRMA) will be obtained as part of the EDC. In these areas of undeveloped habitat adjacent to the NRMA, FORA either will arrange to have existing native habitat managed or will construct and maintain fire breaks and vehicle barriers to separate these areas from the NRMA until such time as roads and other developments are constructed in these locations. (See Figure 5-D for locations of fire breaks along the edge of the NRMA.) This will replace the individual development parcel prescriptions contained in the February 1994 HMP. The Draft Revised HMP will rely on this measure to accomplish the desired separation of habitat areas from future development areas. The land use-specific requirements for development parcels will be removed in the Draft Revised HMP.

These measures have been included in a Draft Revised HMP. The Draft Revised HMP has been incorporated into Revised Alternative 7. These measures are described in the Revised Alternative 7 discussion in the final SEIS in the "Coordination with USFWS" subsections of the "Vegetation, Wildlife, and Wetland Resources" portions of Section 5.3.2.2, "Cumulative Impacts", and in Appendix D.

## **16. Common Comment regarding Mitigation Strategies in Appendix D**

Mitigation strategies in Appendix D of the draft SEIS frequently state that actions "could" or "may" occur. If these measures are to be adopted as mitigation the text must be changed to "shall" and "will". Additionally, the ROW to the Fort Ord Expressway should be transferred to BLM and an easement should be provided to FORA to build the expressway. The easement should include the condition that the expressway be designed to minimize impacts on habitat.

*Comments: F1:7, F1:8*

### **Response to Common Comment 16**

To resolve ongoing concerns with the proposed modified HMP included in the draft SEIS (developed to accommodate portions of Alternatives 7 and 8), representatives from the Army, USFWS, and FORA met on March 15, 1996, and conducted a telephone conference with UC on March 28, 1996, to clarify information in the SEIS on modifications to the HMP and mitigation measures needed to avoid significant impacts on HMP species. Among the mitigation measures discussed were those included as part of the mitigation strategies proposed in Appendix D in the draft SEIS. The meeting resulted in an agreement by the Army, FORA, UC, BLM, and USFWS to adopt several measures that address impacts and mitigation for biological resources at former Fort Ord. The measures agreed to by the Army, FORA, UC, BLM, and USFWS are described in Common Comment 15, "Common Comment regarding Consistency of the Alternatives with the HMP". The reader is referred to this section for more detail on these measures.

These new measures (to be included in a Draft Revised HMP) replace those presented in Appendix D in the draft SEIS. Appendix D in the final SEIS now describes the Draft Revised HMP. The Draft Revised HMP has been incorporated into Revised Alternative 7 in the final SEIS.

Summary tables of all mitigation measures, including those associated with Army disposal actions and those proposed for adoption by others, are included as Tables ES-2 and ES-3 in the Executive Summary of this final SEIS.

The following portions of the new mitigation measures adopted by the Army, FORA, UC, BLM, and USFWS and included in the Draft Revised HMP respond to the commenters concerns on enforceability of mitigation measures and ownership of road ROWs. As agreed to by the Army, FORA, UC, BLM, and USFWS on March 15 and 28, 1996, FORA will obtain the area in the southwestern portion of former Fort Ord (along the BLM boundary where the Fort Ord Expressway is proposed) as part of the FORA EDC application. In these areas of undeveloped habitat adjacent to the NRMA, FORA either will arrange to have existing native habitat managed or will construct and maintain fire breaks and vehicle barriers to separate these areas from the NRMA until such time as roads and other developments are constructed in these locations. The Draft Revised HMP will rely on this measure to accomplish the desired separation of habitat areas from future development areas. UC (if not UC, then FORA) will obtain the landfill parcel as part of an EDC transfer. Following land transfer from the Army, UC or FORA will manage 75% of the landfill parcel (including the completed landfill cap) as habitat. The remaining 25% of the parcel will be available for development. Other changes in boundaries and trade-offs of development and habitat areas will be made in the Draft Revised HMP as shown in Figure 5-13. This will satisfy basewide HMP habitat management requirements for all proposed development areas (shown as land areas with no HMP habitat preservation requirements in Figure 5-13). This mitigation requires no easements to others for construction purposes and ensures that suitable compensation lands will be selected for development impacts.

# **Section 5.0 Responses to Specific Comments**

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## **INTRODUCTION**

All the comments received on the Fort Ord disposal and reuse draft SEIS are contained in Section 3.0. Responses to common comments are contained in Section 4.0. Responses to the remaining specific comments are contained in this section and have been organized by type of commenter: agency (federal, state, regional, or local), organization, or individual.

## **FEDERAL AGENCIES**

### **U.S. Department of the Interior, Bureau of Land Management**

#### **Response to Comment F1:1**

The text of Section 4.7.1, "Law Enforcement", has been modified to reflect the incidences of trespass in the "back country" at former Fort Ord.

#### **Response to Comment F1:3**

The text in the Ordnance and Explosives portion of Section 5.3.1.1, "Newly Excessed and Revised Use Areas", has been revised to reflect that BLM will have responsibility for maintenance of fences in the approximately 1,750-acre area identified in the SUMP after it receives management responsibility for the area.

The Army does not agree that BLM responsibility for the area identified in the SUMP (SUMP area) will not begin until all other OE identification and response actions are complete. It is possible that as response actions are completed in portions of the Multi-Range Area adjacent to SUMP area, it could be appropriate or beneficial for BLM to receive management responsibility for a portion of the property. This scenario would require negotiations between the Army and BLM and would likely be undertaken on a case-by-case basis.

#### **Response to Comment F1:5**

Widening of Barloy Canyon Road could create a barrier to "passage of wildlife and seeds and pollen" if the road were widened substantially. However, a widening of this magnitude is highly unlikely. The traffic and circulation portion of Section 5.3.1.2, "Cumulative Impacts", has been updated:

If the widening of Barloy Canyon Road were substantial, it could also adversely affect the ability of wildlife and plant seeds and pollen to move between natural areas on both sides of the road. However, this level of widening is not likely because of topographical constraints in the area.

## **Response to Comment F1:6**

The intent of the SEIS is to analyze the effects of disposal of newly excessed lands and revised use areas and to provide a description of the secondary effects of reuse associated with Alternative 7, Revised Alternative 7, and Alternative 8. Transfer of the Peace Officer Standards and Training (POST) facility to BLM and issuance of a use permit to the Federal Bureau of Investigation (FBI), as described in the comment, is not included in these actions. Therefore, analysis of the information presented in the comment is outside the scope of the SEIS.

Concept planning for the Public Safety Training Center (PSTC) facility, being developed by the Monterey Peninsula College (MPC), has not been concluded. Some of the uses proposed for the PSTC may be transferred to the POST facility as Monterey County and MPC attempt to resolve overlaps between their plans for development and use of the lands in the vicinity of the East Garrison. Habitat management requirements in the February 1994 HMP and Draft Revised HMP for this area also influence methods for resolution of the Monterey County and MPC overlap. Firing ranges for the PSTC may be more compatible in the POST facility area than in the vicinity of the East Garrison. The "Compatibility of the Proposed Public Safety Training Center with Proposed RV Park/Campground" impact (included in the land use portion of Section 5.3.1.1, "Newly Excessed Lands and Revised Use Areas") describes the overlap between Monterey County and MPC proposed land uses near the East Garrison and identifies the relocation of some PSTC uses to the POST as a potential mitigation measure for various land use conflicts associated with this overlap.

### **U.S. Department of the Interior, Fish and Wildlife Service**

## **Response to Comment F2:2**

As stated in the draft SEIS, the Army actions analyzed in the document are the disposal of newly excessed lands and revised use areas and disposal of remaining Fort Ord lands (other than the POM Annex and Reserve Center, which will be retained by the Army). Associated with reuse, the Army has responsibility for initial implementation of the February 1994 HMP (and Draft Revised HMP) as well as compliance with Army and other federal requirements for historic preservation, OE, HTRW, conditions contained in the Army's Coastal Zone Management Act consistency determination approved in March of 1994 and negative determination approved November 13, 1995, and other selected laws and regulations. The Army is not proposing to transfer lands according to any reuse alternative or portion of an alternative that is in conflict with these laws and policies or adopted mitigation. The typical mechanism for the Army to fulfill these responsibilities is through the land transfer process in which covenants, deed restrictions, MOUs, and other methods may be used to require land recipients to fulfill obligations and requirements.

Actual reuse of property is not an Army action but the action of recipients of former Fort Ord lands. Therefore, the land recipients are responsible for reuse actions, not the Army. However, the Army must comply with the Endangered Species Act concerning its action of disposal. To mitigate for impacts on biological resources associated with disposal of property at former Fort Ord, the Army prepared and is implementing the February 1994 HMP as required in the biological opinion received from USFWS. As part of the Army's implementation of the February 1994 HMP, as lands are transferred, individual parcels will contain deed restrictions, memoranda of understanding, reversion clauses, or other methods to ensure that conservation and management guidelines described in the February 1994 HMP for each parcel are complied with. It is the Army's responsibility to implement the February 1994 HMP in this manner. However, after lands are transferred, reuse actions in each parcel and compliance with HMP guidelines included in the deed during reuse are the responsibility of the land recipient.

Concerning changes to the February 1994 HMP identified in the draft SEIS, the Army is responsible for changes to this HMP because they would affect lands that have not been disposed of and are still in Army

ownership. This is the case for the Draft Revised HMP identified in Appendix D and incorporated into Revised Alternative 7. The Army is responsible for completion of this document because it affects lands still in Army ownership. However, if changes to the February 1994 HMP or Draft Revised HMP are instigated by land recipients concerning lands they have already received, these changes would be the responsibility of the land recipient.

## U.S. Environmental Protection Agency

### Response to Comment F3:2

Paragraph 1 of Section 4.13.1 (page 4-23) of the draft SEIS (page 4-24 of the final SEIS) states, "The 'Affected Environment' section of the 1993 FEIS (Volume I, page 4-95) and documents referenced therein should be used as the primary sources of information on biological resources at former Fort Ord." These documents contain various figures and text that describe wetlands at former Fort Ord. Figure 4-5 of the draft and final SEIS also shows wetlands at former Fort Ord as part of a description of new occurrences of California tiger salamander.

One wetland is located in Revised Use Area A. This is the only wetland habitat identified in newly excessed and revised use areas. This wetland areas consists of a human-made pond stocked with fish for use as a fishing pond in association with the Army family camp. The pond is filled from human-made water sources and would likely not fall under Corps jurisdiction. This pond will be identified in Section 5.3.1.1, "Newly Excessed and Revised Use Areas". Another wetland is located just south of revised use area F3, but is not within its boundaries.

Table 5-17 shows that 2 acres of pond and freshwater marsh habitat would be removed under Alternative 7. The table shows the same amount of habitat removed under the ROD. This acreage consists of an abandoned borrow area that collects water in the southwestern corner of parcel 29a (Figures 3-1 and 4-5).

The discussion of Alternative 8 on pages 5-125 and 5-126 of the draft SEIS describes areas where Alternative 8 would have an effect on biological resources different from that of Alternative 7. These areas of difference contain no wetlands, so no additional wetland impacts are mentioned for Alternative 8.

All other ponds, freshwater marsh, and vernal pools recorded at former Fort Ord occur in the Natural Resource Management Area parcel or other habitat reserve parcels and are considered preserved.

The same 2 acres of pond and freshwater marsh removed under the ROD and Alternatives 7 and 8 are also considered removed in the February 1994 HMP. These 2 acres are considered marginal habitat, and no occurrences of special-status species have been recorded there. However, as part of the management requirements for parcel 29a (parcel LM7 in the February 1994 HMP) where these wetlands are located, the February 1994 HMP states, "Any conservation management, or mitigation required for impacts on the potential wetland site will be determined during reviews for compliance with Section 404 of the Clean Water Act" (page 4-66, paragraph 5 of the February 1994 HMP). USFWS and other agencies involved with HMP preparation and review have agreed to this mitigation approach for the 2 acres of pond and freshwater marsh habitat affected.

Text has been added to Section 5.2.13, "Vegetation, Wildlife, and Wetland Resources", and the vegetation, wildlife, and wetland resources portion of Sections 5.3.1.1 and 5.3.2.1, "Newly Excessed Lands and Revised Use Areas", to indicate no wetlands occur in these areas (except in revised use area A). Text also has been added to the vegetation, wildlife, and wetland resource discussions for Alternatives 7 and 8 to reflect where the wetland impacts occur and the mitigation strategy included in the HMP.

## STATE AGENCIES

### California Environmental Protection Agency, Department of Toxic Substances Control

#### Response to Comment S1:1

Most uses proposed for the landfill parcel other than nonirrigated open space will require review and approval from signatories to the Fort Ord Federal Facilities Agreement (FFA). EPA is responsible for evaluating changes in the approved CERCLA ROD. Draft changes will be coordinated with other agencies with jurisdiction over these issues and disputes will be resolved in accordance with the Fort Ord Federal Facility Agreement. Changes in design of the land fill cap or modifications of land use restrictions will need to be coordinated with FFA signatories.

Representatives from the Army, USFWS, and FORA met on March 15, 1996, and participated in a telephone conference with UC on March 28, 1996, to clarify impact and mitigation information presented in the draft SEIS and to agree on mitigation measures needed to avoid significant impacts on HMP species. The meeting resulted in an agreement by the Army, FORA, UC, and USFWS to adopt several items, of which the following apply to the landfill:

- The requirement for the landfill parcel to be included as an HMP habitat management area is revised from being an Army responsibility to being a UC or FORA responsibility. The Army will not be required to restore habitat on the landfill cap, nor will the Army be required to perform habitat management activities in the parcel while the landfill is being remediated or in caretaker status.
- The University of California (if not UC then FORA) will obtain the landfill parcel as part of an Economic Development Conveyance (EDC) transfer. Following land transfer from the Army, UC or FORA will manage seventy-five percent (75%) of the landfill parcel (including the completed landfill cap) as habitat. The remaining twenty-five percent (25%) of the parcel will be available for development.

These items are incorporated into a Draft Revised HMP. Implementation of these measures will retain the landfill cap as nonirrigated open space.

#### Response to Comment S1:2

The text of the draft SEIS has been revised in response to this comment. The statement on page 5-29—"in most areas, access will be unrestricted to the depth of clearance of OE within each area"—has been replaced with the following: "The EE/CA or other technical evaluation report will propose the recommended depth of clearance, evaluate the residual risk, and propose any necessary use restrictions within each area."

### California State University, Monterey Bay

#### Response to Comment S2:1

The numbers contained in Table 3-3 and elsewhere in the draft SEIS for the CSUMB parcel have been revised to reflect current estimates developed during the early stages of the CSUMB master planning process. However, these numbers are considered speculative by CSUMB. As the master plan is developed, these estimates will be refined further. Separate CEQA documentation will be prepared for development of this parcel.

## California Coastal Commission

### Response to Comment S3:1

These summary comments are responded to in the following responses to specific comments. Please note that the letter of comment is postmarked March 12, 1996, beyond the official close of comment period, which ended on March 4, 1996.

### Response to Comment S3:2

As indicated in the comment letter from the California Coastal Commission (Comment S3:2), the Army agreed to coordinate with the California Coastal Commission regarding additional consistency review if the conditions that were the basis for its original consistency determination changed in the process of disposing of Fort Ord property. In compliance with this agreement, the Army forwarded a negative determination for disposal of additional parcels at Fort Ord to the federal consistency supervisor of the California Coastal Commission on November 1, 1995. This negative determination included the action of disposal of approximately 250 acres of newly excessed lands and the possible transfer of two existing golf courses through special legislation. The negative determination also described the changes in reuse being considered by local planning entities at that time and described minor changes to the remedial actions underway in the coastal zone. The Army briefly described some of the potential environmental effects of the changes to the local reuse plan.

On November 13, 1995, the executive director of the California Coastal Commission forwarded a letter to the Sacramento District of the Corps, indicating that he concurred with the negative determination on the action (described as ND-109-95, Negative Determination, U.S. Army, Disposal and Reuse of Parcels on Former Fort Ord, Monterey County). The November 13 letter is included in this final SEIS as Appendix G. The Army feels that this concurrence indicates that the Army has adequately addressed the environmental implications of its disposal action and has properly identified the potential impacts and mitigation measures available to offset the effects of the reuse plans of local entities.

The Army's intent remains to dispose of the coastal zone at former Fort Ord to the California Department of Parks and Recreation, with the condition that the use be consistent with the February 1994 HMP and Draft Revised HMP and the original consistency determination.

### Response to Comment S3:3

The mitigation measures proposed by the Fort Ord Reuse Group have been included in the SEIS as part of Alternative 7 (see page 3-11). They continue to be obligations of the local reuse entities regarding their reuse plans and are referred to specifically in the California Coastal Commission's letter of concurrence of November 13, 1995.

### Response to Comment S3:4

The text of page 5-45 of the final SEIS has been revised to reflect the change from the consistency determination to public works plan.

### Response to Comment S3:5

Changes in the HMP are addressed in response to Common Comments 15 and 16.



## **Responses to Comment S3:6**

Minor adjustments to the remediation efforts in the coastal zone have been described and reviewed through the Fort Ord Restoration Advisory Board. The California Coastal Commission is represented on that board and therefore is aware of these minor changes in remediation. The Army mentioned these minor changes in its negative determination submitted to the California Coastal Commission on November 1, 1995. The commission concurred with the negative determination for these changes in its letter to the Sacramento District of the Corps dated November 13, 1995 (see Appendix G). Further impact analysis is not deemed necessary.

## **REGIONAL AGENCIES**

### **Association of Monterey Bay Area Governments**

#### **Response to Comment R1:4**

At the request of the commenter, the following text is added to the seventh bullet on page 1-9 of the final SEIS:

AMBAG included in the Federal Transportation Improvement Program several requests for public benefit conveyance of real property for various transportation uses. According to AMBAG, some of these conveyances were also included in the December 12, 1994 reuse plan. AMBAG's approval of these requests and any subsequent approval by Caltrans and the U.S. Department of Transportation do not constitute approval of funding or construction on the property requested, nor of the reuse plan transportation network as a whole. (Papadakis pers. comm.)

### **Monterey Bay Unified Air Pollution Control District**

#### **Response to Comment R2:3**

The draft SEIS compares the proposed action and reuse to various baselines in the air quality impact analysis. On page 5-7 of the final SEIS, the disposal action is compared to the no action, or caretaker status, situation and identifies the potential for public exposure to asbestos as buildings are transferred out of federal ownership. In the reuse (or indirect effects) analysis, the effects of building out the land use plan are compared to baseline conditions when the 7th IDL was present and Fort Ord was fully operational (pages 5-25, 5-62-5-66). This baseline for comparison of reuse effects was established and approved through development of the original disposal EIS. To inform decision makers and the public about how these new reuse alternatives compare to alternatives analyzed in the 1993 FEIS or described in the ROD, the reuse effects of Alternative 7, Revised Alternative 7, and Alternative 8 are compared to the land use plan described in the ROD (pages ES-6 and Section 6.0, "Summary Comparison", of the final SEIS). These are comparisons only and are not the basis for establishing the need for mitigation.

The land reuse concepts being considered by the local communities have been modified and updated regularly since the NEPA process was started for Fort Ord disposal. The 1993 FEIS analyzed a full range of reuse options as they were known in 1993 so that Army decision makers and local planning entities would be aware of the range of indirect effects expected from disposal. Alternative 6R, which did not include uses for all of Fort Ord, was considered the most likely reuse scenario in the FEIS. The cumulative impact analysis of this option included likely land uses in those areas of the plan where no use was proposed through the land disposal screening process. This cumulative analysis is contained on pages 6-146 to 6-153 in Volume 1 of the 1993 FEIS.

Following publication of the FEIS, the Army received additional comments from the public regarding the local communities' reuse plans. In response to these comments, the Army further considered the environmental effects of a modified Alternative 6R that included land use proposals for the entire Fort Ord area. This land reuse scenario was included in the ROD, and the Army concluded that the indirect effects of this modified Alternative 6R were within the range of effects it had considered in the 1993 FEIS and were very similar to those addressed in the cumulative analysis of Alternative 6R in the FEIS. The Army has since proceeded with land disposal in those areas considered fully analyzed in the ROD.

In the process of considering the cumulative effects of Alternative 6R, the Army developed approximate population, housing, and employment estimates for this land reuse scenario using the same generation factors used for other alternatives in the FEIS. These numbers are summarized in Table ES-1 of the draft SEIS but were not listed in the FEIS or ROD. The reason why these numbers are much higher than those for Alternative 6R is that the NPU areas were filled in with uses based on what the Army understood was being proposed when the FEIS and ROD were being developed. The numbers for modified Alternative 6R are well within the range of numbers considered in the FEIS. The FEIS addressed the effects of reuse scenarios with buildout populations ranging from a high of 256,900 to a low of 4,800. Similar ranges exist for housing and employment.

The important point to note is that the Army has considered the effects of a wide range of reuse densities in its 1993 FEIS and has added further analysis in its SEIS. The impacts of disposal and reuse that would be the responsibility of the Army to mitigate have been identified and mitigation has been proposed. In addition, the Army has obtained written agreements from local reuse entities stating that they will pursue certain key mitigation in support of their reuse planning efforts. In addition, FORA has participated in development and review of this final SEIS and has been asked to indicate what additional mitigation it would be willing to adopt as part of its planning and CEQA processes (see Table ES-3).

## **Response to Comment R2:4**

The commenter is only partially correct in stating that the specific air quality impacts attributable to the 1993 ROD were not addressed in the ROD or in the 1993 FEIS. Operational air emissions associated with buildout of the ROD are summarized in the draft SEIS in Table 5-7 on page 5-26 and in Table ES-1 of the final SEIS.

During development and adoption of the ROD, FORG and affected communities provided information on what development they envisioned for portions of Fort Ord that had not been requested for transfer in the real estate screening process. An analysis was completed to estimate emissions and mitigation measures for the FORG draft plan. This analysis quantified traffic and air emissions and identified the potential for significant impacts related to jobs, housing imbalance, high trip-generating land use types, and overall density of development and congestion. FORG identified the mitigation measures it was willing to address as part of its ongoing planning process. Those mitigation measures are presented in the ROD. The SEIS provides a description of these estimates, revised in some cases to reflect ongoing changes and improvements in the quantification of those impacts.

The FEIS and ROD found that some of the reuse alternatives could not be implemented (Alternatives 1, 2, and 3) and concluded that only Alternative 6R would allow for reuse and economic infill while avoiding widespread significant environmental impacts.

The commenter is correct in stating that the emissions associated with the ROD are higher than those associated with Alternative 6R in the draft SEIS. However, the ROD also indicated that some added NEPA documentation would be needed to allow the Army to dispose of some lands described in the modified Alternative 6R land use plan attached to the ROD.

## **Response to Comment R2:7**

Revised Alternative 7 is addressed more specifically in the final SEIS by being addressed as an individual alternative. However, the traffic and circulation impacts of land uses associated with Revised Alternative 7 still have not been analyzed to the same level of detail as those associated with Alternative 7. A detailed estimate of traffic volumes that would be generated under Revised Alternative 7 has not been prepared, primarily because portions of the transportation network included with the Draft FORA Fort Ord Reuse Plan (March 1996) potentially conflict with elements of Revised Alternative 7 such as land transfers that the Army has completed or for which it has memoranda of agreement or other agreements to complete, or the Draft Revised HMP. Therefore, the road network included in the Draft FORA Fort Ord Reuse Plan (March 1996) has not been analyzed in site-specific detail. Subsequently, a precise quantitative comparison of traffic and circulation impacts that would result from implementing Alternative 7 and Revised Alternative 7 is impossible. However, an analysis based on projected employment and housing levels provides a generalized comparison of the relative impacts.

As noted in Section 5.3.2 of the SEIS, Revised Alternative 7 is projected to result in about 1,200 more housing units and 20,000 fewer jobs than Alternative 7. As noted in Table ES-1 of the SEIS, implementing Alternative 7 is projected to result in approximately 58,500 jobs. Implementing Revised Alternative 7 would result in approximately 38,800 jobs. The relative levels of employment and housing are good indicators of the probable levels of traffic and circulation impacts that would result under Alternative 7 and Revised Alternative 7.

Based on the information presented above, implementing Revised Alternative 7 would result in approximately 34% fewer jobs and 9% more dwelling units than implementing Alternative 7. As shown in Table 5-14 of the SEIS, land uses in the Fort Ord area are expected to generate 435,139 vehicle trips under Alternative 7. Land uses in the Fort Ord area would be expected to generate approximately 395,000-405,100 vehicle trips under Revised Alternative 7.

The higher level of employment and lower level of housing expected under Alternative 7 result in trip generation and traffic volumes being moderately higher than trips and volumes expected under Revised Alternative 7.

For Revised Alternative 7, the net result of reduced trip generation from a substantially lower number of jobs and a slight increase in trips from the increased number of dwelling units equates to 30,000-40,000 fewer trips overall compared to Alternative 7.

## **Response to Comment R2:8**

AR 200-2 describes RECs, which are completed before a proposed action to determine whether the proposed action is either categorically excluded from any further NEPA documentation or is already addressed in an existing environmental assessment (EA) or EIS. RECs were prepared, between the time the ROD was completed and the SEIS scoping occurred, for several areas on former Fort Ord. These areas had minor land use changes or minor boundary modifications. Impacts associated with disposal and reuse of these parcels were already addressed in the previously issued FEIS. Development of areas that were addressed through the REC process was covered in the cumulative impact analysis in the FEIS. Specifically, development of the airfield area, travel camp area, and lands north of Inter-Garrison Road was included in the cumulative analysis of Alternative 6R in the FEIS and Alternative 7 and Revised Alternative 7 in the SEIS. The Army did not segment these into separate actions. For these reasons, the Army prepared RECs for these properties. No additional analyses are required.

## **Response to Comment R2:10**

The Army will not maintain any indirect control of disposed property when the transfers are made to other federal agencies or to nonfederal entities and will not retain continuing authority to control emissions associated with the lands being transferred. The Army leases lands undergoing hazardous waste cleanup under CERCLA. After cleanup is completed, the leased properties will be transferred, and the Army will have no continuing authority to control emissions. For leased properties where the Army would maintain continuing authority to control emissions, most leases would likely qualify for an exemption under the conformity regulations. If the leased use qualifies for an exemption, the exemption will be utilized. In the unlikely event that an exemption cannot be obtained, a de minimis analysis could be conducted to determine if emissions are below de minimis levels. Only if emissions are found to be above de minimis levels would a full conformity analysis be considered.

## **Response to Comment R2:11**

The commenter states that the general conformity rule requires that the applicable federal agencies, not the project applicant, find that the federal action would conform. This statement is true in that CFR Subpart W, Section 51.850(b), states that "a Federal agency must make a determination that a Federal action conforms to the applicable implementation plan in accordance with the requirements of this subpart before the action is taken."

## **Response to Comment R2:16**

The commenter is correct. The threshold of significance for particulate matter less than or equal to 10 microns in diameter (PM10) is 82 pounds per day rather than 86 as described in the draft SEIS. The correction has been made to page 5-25 of the final SEIS. This change does not change any of the significance conclusions for PM10.

## **Response to Comment R2:18**

The text in the Air Quality portion of Section 5.3.1.2, "Cumulative Impacts", has been modified to read: "Under the MBUAPCD's ozone SIP, the North Central Coast Air Basin will attain the federal ozone standard well before 2025."

## **Response to Comment R2:20**

The Army does not intend to revise or recirculate the draft SEIS. Appropriate corrections and additions are included in the final SEIS considered to be an accurate assessment of the potential impacts associated with Alternative 7, Revised Alternative 7, and Alternative 8.

## **Santa Cruz County Regional Transportation Commission**

All comments from the Santa Cruz County Regional Transportation Commission are addressed in Section 4.0, "Common Comments and Responses".

## LOCAL AGENCIES

### City of Marina

#### Response to Comment L1:2

Table 5-8 has been corrected to remove the inaccurate reference to an association between Reservation Road and First Street.

#### Response to Comment L1:4

The corrections to Table 5-1 concerning numbers of single family and multifamily dwelling units have been made in the final SEIS.

### City of Salinas

#### Response to Comment L2:1

The 435,139 trips referred to on page 5-55 of the draft SEIS are the total number of vehicle trips that would be generated in the Fort Ord area under Alternative 7. Conversely, the 223,278 trips referred to on page 5-22 of the draft SEIS are, as noted on page 5-22, only for "land uses in the newly excessed lands and revised use areas . . . of Alternative 7." The 223,278 trips are a subset of the 435,139 trips.

#### Response to Comment L2:3

As noted on page 5-22 of the draft SEIS, the traffic analysis is based on trip generation rates from industry-standard and local sources, including FORA. In general, the rates are based on previously conducted trip generation surveys and studies of actual similar land uses. Therefore, the amount of telecommuting, transit use, bicycling, walking, carpool use, and van pool use actually occurring at the surveyed land uses is reflected in the trip generation rates. The trip generation rates used in the draft SEIS, including those provided by FORA, were based on the best information available at the time of the analysis and reflect use of these modes to the degree that these modes are actually being used at the surveyed land uses. The level of use for these modes of travel would approximate the average values measured in trip generation surveys and studies, and values assumed by FORA in rates that it provided.

#### Response to Comment L2:6

The local safe yield of the groundwater basins in the former Fort Ord area is not known precisely because it is affected by the depth and location of major water supply wells. Recent water quality data indicate that seawater intrusion in the 180-foot aquifer near Marina has stabilized and is no longer advancing inland. This could be the result of a shift toward deeper and more inland wells during the last 10 years or to the decrease in water use on Fort Ord during the recent drought and downsizing periods. The memorandum of understanding (MOU) between the Army and MCWRA states that MCWRA will not object to the Army's pumping of up to 6,600 acre-feet per year (af/yr) of groundwater, provided that such withdrawals do not threaten to aggravate or accelerate the existing seawater intrusion problem. The only year in which Fort Ord water use reached 6,600 acre-feet (1984) was during a known period of seawater intrusion, so the local safe yield may be less than 6,600 acre-feet.

The initial phase of reuse under Alternative 7, Revised Alternative 7, and Alternative 8 would be limited to available existing supplies. FORA is actively developing plans for additional water supplies to support subsequent phases of reuse. The additional supplies under consideration include desalination of

seawater. MCWRA is also developing plans to provide additional water supplies to the coastal area. If FORA wishes to receive water from MCWRA, it will need to participate in the development, design, and construction of the MCWRA supplies.

Alternative 7, discussed in the SEIS, would have a water demand of approximately 5,500 af/yr for the newly excessed lands and revised use areas and a total water demand of approximately 16,900 af/yr to achieve full buildout. Revised Alternative 7 would have a water demand of approximately 5,310 af/yr for the newly excessed lands and revised use areas and a total water demand of approximately 17,000 af/yr. The "Water Resources" discussion in Section 5.3.1.1 of the SEIS mentions the need to ensure adequate water supplies:

The great majority of the water demand for Alternative 7 derives from civilian reuse of former Fort Ord lands. These users will need to cooperate with MCWRA in developing new water supply projects or develop their own water supplies from other sources (e.g., desalination). MCWRA is pursuing a number of options to meet projected water demand in the Fort Ord area, including the Salinas Valley water transfer project and the Castroville seawater intrusion project.

This measure is also referenced in the "Water Resources" discussion for Revised Alternative 7. Other water supply options are described in the 1993 FEIS, pages 6-57 to 6-59. The comment letter requests that the environmental impacts of developing these offsite water supplies be evaluated. These impacts will be evaluated in environmental documentation for each of the new water supplies as they are identified and designed to a level adequate to allow meaningful environmental review.

## **Response to Comment L2:7**

Leaks from underground water pipes are a common source of groundwater recharge in urban areas. The American Water Works Association has found that losses to leakage typically amount to 10-20% of the delivered water, and a leakage rate of 15% was used in the study of future Fort Ord water demand commissioned by the Army (Planning and Management Consultants, Ltd. 1993). The commenter might specifically be questioning whether leakage rates would be this high for newly constructed development on former Fort Ord. Although new systems generally have lower leakage rates than old ones, this is not necessarily always the case. For example, a water system installed in 1988 to serve the new portions of the Abrams and Hayes family housing areas developed 200-300 leaks per year from 1988 to 1990 (Fort Ord Community Task Force 1992). This information confirms that leakage from water mains is likely to be a source of groundwater recharge in newly developed areas on former Fort Ord.

Deep percolation of irrigation water in landscaped areas also would be a source of recharge. Deep percolation past the root zone is a form of inefficiency in an irrigation system. Well-managed agricultural irrigation efficiencies are typically 60-90% for sprinkler and furrow systems (Hanson and Schwankl 1989). Overall, urban irrigation efficiencies in reuse areas are expected to be lower than typical agricultural efficiencies because of overspray and overlapping application in small, irregularly shaped landscape areas, the widespread use of fixed-schedule sprinkler timers which do not adjust applications to reflect current weather conditions, and rapid deep percolation of water from the sandy soils prevalent on former Fort Ord. A detailed study of residential irrigation water use indicated an average efficiency of 50% for manually operated irrigation systems (Interface Planning and Counseling Corporation 1989). These studies and the site characteristics in the reuse areas indicate that deep percolation of irrigation water will be a source of groundwater recharge.

Deep percolation of irrigation water and leakage from water pipes would become part of the usable groundwater supply in most parts of former Fort Ord. The Salinas Valley Aquiclude is a fairly extensive and continuous clay layer in the northern part of the Salinas Valley, and it impedes the downward movement of water from the land surface to the shallowest aquifer used for water supply (the 180-foot aquifer). In the Fort

Ord area, however, the aquiclude is absent near the coast and has gaps near East Garrison (see Figure 4.5-1 in Volume I of the 1993 FEIS). Recharge is able to flow horizontally across the top of the aquiclude to one of these gaps and then percolate downward into the aquifer system used for water supply.

Overall, this analysis indicates that pipe leaks and irrigation return flow will provide some usable groundwater recharge on former Fort Ord.

### **Response to Comment L2:8**

The commenter refers to an MOU between FORA and the MCWRA. However, we are unaware of an MOU between these two agencies. The commenter and several agencies that may have information on this issue have been called; however, none have responded to date. Descriptions in the comment letter of items in the MOU match items in an MOU between the Army and MCWRA, so it is assumed that the commenter is referring to the MOU between those agencies.

The MOU between the Army and MCWRA does not specify whether the water can be used anywhere on Fort Ord or only on those portions within the jurisdiction of the MCWRA's Basin Management Plan.

### **Fort Ord Reuse Authority**

All comments from FORA are addressed in Section 4.0, "Common Comments and Responses".

### **ORGANIZATIONS AND INDIVIDUALS**

#### **Fort Ord Restoration Advisory Board**

All comments from the Fort Ord Restoration Advisory Board are addressed in Section 4.0, "Common Comments and Responses".

#### **Fort Ord Toxics Project**

All comments from the Fort Ord Toxics Project are addressed in Section 4.0, "Common Comments and Responses".

#### **League of Women Voters**

All comments from the League of Women Voters are addressed in Section 4.0, "Common Comments and Responses".

#### **Arlene Campbell**

### **Response to Comment I4:1**

The California Department of Parks and Recreation is completing its planning process for the dunes west of SR 1. Its current internal draft of the master plan includes buffer zones for open space but does not include facilities for recreational vehicles, fish hatcheries, a marine biology center, or a refuge for the homeless (Gray pers. comm.). Alternatives 7 and 8 address proposed uses submitted by FORA. Revised Alternative 7 addresses proposed uses submitted by FORA where they do not conflict with the Draft Revised HMP, lands that the Army has disposed of or for which it has MOAs or other agreements for disposal, or other Army obligations or requirements. The analysis of additional uses beyond those included in Alternative 7, Revised Alternative 7, and Alternative 8 are not within the scope of this document.

Army plans for the area west of SR 1 are to transfer the property to State Parks consistent with the February 1994 HMP and Draft Revised HMP and coastal consistency determination. The FORA uses included in Alternative 7 were considered by State Parks during development of their Master Plan. However, State Parks will be required to manage property they receive in accordance with the Draft Revised HMP, National Park Service requirements included in the public benefit conveyance transfer, and their final Master Plan.

**Debra Mickelson**

### **Response to Comment 15:1**

The commenter's acknowledgment of the "hard efforts and good work" produced by the project team is greatly appreciated.





## Section 6.0 Citations

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### PRINTED REFERENCES

- Fort Ord Community Task Force. 1992. Fort Or Community Task Force strategy report. Fort Ord, CA.
- Hanson, B., and L. Schwankl. 1989. Sprinkler irrigation. University of California, Davis, Department of Land, Air, and Water Resources. Davis, CA.
- Interface Planning and Counseling Corporation. 1989. City of Santa Barbara water demand factor and conservation study. (Technical report No. 1.) Santa Barbara, CA. Prepared for City of Santa Barbara Community Development Department and Department of Public Works, Santa Barbara, CA.
- Planning and Management Consultants, Ltd. 1993. Water requirements at Fort Ord under base realignment and closure. June. Carbondale, IL. Prepared for U.S. Army Corps of Engineers, Institute for Water Resources, Fort Belvoir, VA.
- U.S. Army Corps of Engineers. 1992. Other physical attributes baseline study of Fort Ord, California. Sacramento, CA. Technical assistance from Jones & Stokes Associates, Inc. Sacramento, CA.

### PERSONS CONSULTED

- Gray, Ken. District ecologist. California State Parks and Recreation, Monterey District, Monterey, CA. March 18, 1996 - telephone conversation.

