



MEETING MINUTES

Restoration Advisory Board (RAB)

For the Former Naval Station Roosevelt Roads

Club Cívico La Seyba, Ceiba, Puerto Rico

Meeting No. 3 - April 12, 2007

Note: These minutes are a summary based on informal notes taken at the meeting. They are not intended as a verbatim transcript and may not have captured everything that was discussed. If comments or additional notes are provided by others who were present at the meeting, within 30 days of distribution of these minutes, those will be added as an attachment to these minutes.

I. CALL TO ORDER AND WELCOMING REMARKS

The meeting began at 6:15 p.m. with Susana Struve (CH2M HILL) welcoming RAB members and visitors. The following agency representatives were in attendance to address local community members' questions and concerns: David Criswell, Base Realignment and Closure (BRAC) Deputy Base Closure Manager, Navy; Mark Davidson, Remedial Project Manager for BRAC, Navy; Jeffrey Meyers, Environmental Coordinator for BRAC, Navy; Pedro Ruiz, Environmental Program Manager - Naval Activity Puerto Rico (NAPR); and Mark Kimes, Baker Environmental, Inc. (Navy Installation Restoration Program contractor). Attachment 1 provides a copy of the attendance list.

II. TOPICS DISCUSSED AND PRESENTATIONS

IIa. Meeting Agenda/Introductions - Susana Struve presented the meeting agenda and items to be discussed during the presentation to RAB members and visitors in attendance.

Mark Davidson (RAB Navy Co-Chair) presented the action items from the March 12, 2007 meeting (#2) and discussed the status of each item. He pointed out that the Los Machos Beach parcel will soon be transferred to the municipality of Ceiba and there will be a public announcement the week of April 16, 2007; the signing ceremony will take place the last week of April. He also pointed out that the Navy signed a Finding of No Significant Impact (FONSI) document for the proposed disposal of Former Naval Station Roosevelt Roads on April 10, 2007, and that there will be an announcement to the public in the local and

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regional newspapers. The FONSI summarizes a Draft Environmental Assessment that was released for a 30-day public comment period in February 2006. The Final EA and FONSI will be available in the Ceiba public library.

He reminded the meeting attendees that the public comment period on the Covenant Deferral Request (CDR) is currently open, and that two websites may be accessed in order to view the entire document. The direct links to the CDR are http://www.bracpmo.navy.mil/bracbases/pr/roosevelt_roads/viewdocs.aspx?doc_cat=public_notices and <http://nsrr-ir.org/rab.asp>. These website addresses were added to the presentation per RAB request (Jorge Fernández Porto).

Discussion Points

- Lilyana Betancourt (community member) asked whether the CDR would be publicized in local media. Mark Davidson answered that public notice had been provided through local media before the public comment period began. Lilyana said that many people were not aware that the RAB meetings were open to the public. She also said that not many people can understand the document (CDR), as it is provided only in English. As a result, she believes that people are unable to make a valid statement/comment at this point. She asks that the public comment period be extended.

Mark Davidson said that if she submits a written request to extend the comment period it will be most likely approved. *[Note: the following week, the Navy received this request via email and extended the comment period by 15 days.]*

Susana added that comments must be provided in written form according to the guidelines provided on the public comment process. Otherwise the structure that is in place will not function properly.

- A community member requested that all public notices be advertised in the local newspapers, such as *El Horizonte*. This newspaper is free and available in the region. Another community member added that journalists from the local media be invited to attend in order to provide coverage of the meetings.

Susana pointed out that the meeting and other public notices are advertised through other sources as well, such as radio broadcasts, megaphones, and banner displays. She added that it is the responsibility of RAB members to spread the word throughout the community as well.

- Ramón Ríos (RAB member) pointed out that the public notice that was advertised in *El Horizonte* provided the incorrect date for the RAB meeting.

Susana replied that this was a mistake made by the newspaper, and it was corrected in the next weekly issue of *El Horizonte*, on April 11, 2007.

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- Luis Mercado (community member) suggested that public notices be advertised through the radio station WMDD 1480, which covers the entire Eastern area of the island. He believes that more than 75% of the local population is not hearing about the meetings. He will provide the name of the radio contact to the Navy.

Iib. Election of the Community Co-Chair – Susana Struve discussed the roles and responsibilities of the RAB members in relation to the election of the Community Co-Chair. A brief period of intermission was called in order for RAB community members to discuss the issue privately and with Antonio Colorado (LRA, Portal del Futuro).

Discussion Points

- Lilyana Betancourt (community member) expressed her opinion that a consensus must be reached among the group members, counter to Susana’s statement that each member comments as an individual and that they do not make recommendations as a group. [Note: the statement about individual comments comes from the RAB regulations that the Navy must follow.] She also was concerned that the members and community that were present were not sufficiently knowledgeable about the issues to make informed comments.
- After the brief private meeting, it was announced that Ramón D. Figueroa was elected as the RAB Community Co-Chair. He provided opening remarks and thanks to the RAB and community members present.

Iic. Mission Statement and Operating Procedures (Charter) – Susana Struve requested that the RAB members consider the development of the Roosevelt Roads RAB Charter. It was decided that the Charter will be developed during the next RAB meeting.

Discussion Points

- Jorge Fernández Porto (RAB member) suggested that the discussion of the charter be addressed at the next meeting. Antonio Colorado (LRA) concurred with Jorge’s suggestion.

Susana suggested that the RAB members meet in a separate forum to discuss the charter and its components, and come prepared to discuss and negotiate the charter at the next meeting.

Iid. Discussion of the Covenant Deferral Request (CDR) – David Criswell (Navy) began a discussion of the CDR. He gave a brief summary of the document and its components, because an in-depth discussion of the CDR was provided at the last meeting held in March. He reiterated that public notices announcing the public comment period were published in the *San Juan Star* and *El Vocero*, and would end on April 24. [Note: the comment period has been extended until May 9.] The written comments provided by the public will be considered and incorporated as necessary into the final document. He added that copies of the complete document are provided on two websites [see section II.a. in these

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minutes] and the Community Guide to Early Transfer document is provided in English and Spanish in the public information repositories, have been mailed to RAB members, and will be made available in the Ceiba public library.

Discussion Points

- Lilyana Betancourt (community member) pointed out that the CDR is approximately 185 pages, which is impossible to memorize or take notes on. She expressed concern that community members would not be able to comprehend the document and asked that an executive summary in Spanish be provided to them.

David Criswell reminded the members present that the Community Guide was developed, and provided to RAB members and the library, in both English and Spanish, for that specific purpose. He also pointed out that the CDR contains a very detailed and easy to comprehend table that shows the sites and their specific contamination information. [*See Attachment 4 to these minutes.*]

- A community member asked what type of contamination was being talked about.

David answered that the presentation given at the last RAB meeting provided a summary of the type of contamination found on the base. He said that it is primarily contamination related to industrial-type activities (e.g., pesticides, fuels, and metals), and contaminants addressed by CERCLA, not RCRA.

He added that Piñeros Island is currently undergoing special operations to address unexploded ordnance (UXO) issues, but the main area of the base does not have any UXO present.

The base has mainly soil and possible groundwater contamination, and there is no surface water or sediment contamination. The main exposure risk to people would be from exposure to contaminants in soil through contact with skin or ingestion of dust from contaminated soil. David pointed out the graphic (pie chart) that is presented in this month's fact sheet details the acreage where contamination exists and the status of the sites.

- Jorge Fernández Porto (RAB member) expressed concern that since the property is not a National Priorities List (NPL or "Superfund") site, the government of Puerto Rico (i.e., the Governor) will determine whether the property is suitable for early transfer for the intended land use. Since the Governor does not know who the buyer will be, how will he ensure that the land will be used as intended? He pointed out that the Navy will dispose of the land to the best buyer.

Antonio Colorado (LRA) replied that a land use and zoning plan has been developed in conjunction with the local community to ensure its proper and best use. Each area and the existing issues will be addressed in that plan, and the LRA will work closely with the community.

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David Criswell added that the Navy also has many controls in place, in addition to the controls imposed by the Puerto Rico Environmental Quality Board (EQB) and U.S. Environmental Protection Agency (EPA). He reiterated that the Navy has a legal obligation to enforce the restrictions in place and ensure full compliance by the purchasers of the property.

- Samuel Caraballo-López (RAB member) asked for confirmation that SWMU 30 (the incinerator) has been found to be contaminated with highly carcinogenic polychlorinated biphenyls (PCBs). He did not see it in the lands that will be transferred in the CDR or in the cleanup plan and wondered why it was not there.
- Ismael Velázquez (RAB member) added that he is working on the base and has knowledge of this issue. There is a parcel for early transfer that has PCBs. He said that he had asked about this issue before, and has not heard a response yet. He said PCBs are highly dangerous and will bring pictures of this site to the next meeting. He was concerned that even if the land next to it is transferred, it can cause harm to someone walking on the land adjacent to it.

Mark Kimes (Baker Environmental) replied that during the last meeting, he explained that both of those areas have been remediated. The contaminated soils have been removed and shipped to the U.S. for proper disposal.

- Luis Velázquez (RAB member) expressed concern that if the public does not witness the cleanup activities, how can they be sure that it is being conducted properly?

David Criswell responded that there are legal checks and balances to the process to ensure that the cleanup is conducted properly. They are primarily EPA and the legal documents that the Navy signs to document that the cleanup does take place in accordance with EPA's requirements. There are technical experts who review the documents to verify that it has been done properly. The cleanup activities conducted by the Navy are overseen by EPA and EQB. He also emphasized that as environmental professionals, we try to do the right thing. The community must trust the environmental laws that are in place.

- William Lourido (RAB member) asked how the information about contamination and cleanup of the parcels that will be transferred for public sale will be publicized. David Criswell answered that in 60 to 90 days, the offering of parcels for sale to the development community will be made public. From this point until approximately October or November, there will be a due diligence period where all of the information will be fully disclosed to the public and to interested buyers. The bidding process for the property will begin around November. The bidders will be pre-qualified, according to the guidelines that were presented during the March RAB meeting.

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- Lilyana Betancourt (community member) requested that the Navy obtain certification of the cleanup for the sites that are to be sold. She suggested that it will be a faster way for people to know what they will be buying. She added that the Navy will thus be better equipped to respond to people's questions.
- Hiram Privera (community member) asked about the use of the land in the Los Machos parcel, and how many acres would be given to the municipality of Ceiba.

David Criswell responded that the parcel that is being transferred to the municipality of Ceiba is approximately 145 acres. Since it is intended to be used for recreational purposes, it will be transferred through the U.S. Department of the Interior, which is the federal agency that handles land transfers for that type of purpose.

- Lirio Márquez (RAB member) expressed concern that No Further Action (NFA) status had been given to Piñeros Island and Cabeza de Perro Island. She said that she believes it is unrealistic to prohibit human use on these areas since they are so heavily transited by ships.

David Criswell responded that when property has been identified as NFA, it may mean that the contamination can be left in place and there is no further cleanup action necessary, but there are controls and restrictions that will be put in place that will prevent certain types of usage. The people who will receive these sites must use the land in accordance with these strict controls.

- Lirio, reading from the CDR, read that the parcels on the island were designated for residential development in the CDR. David Criswell clarified that it should indicate that there will be NO residential development in those areas. He added that there will be security in place to prohibit trespassing while the Navy performs any cleanup activities. David said that the CDR would be revised to clarify the restriction from residential development.
- A RAB member asked if they would have access to documentation regarding the toxic materials that have either been removed from Puerto Rico or transferred from one site to another on the island.

David responded that the issue of hazardous waste removal/disposal policy that is in place was discussed during the March 12 RAB meeting. He reiterated that petroleum materials may be disposed of in Puerto Rico, but materials such as PCBs are required to be shipped away from Puerto Rico. There are checks and balances in place to ensure this is done correctly. He added that this documentation is available in the Administrative Record and in the Ceiba library.

- Francisco Frontera (representing RAB member Rogelio Figueroa) expressed concern that the Puerto Rican government is not adequately taking care of water quality issues on the island. He claimed that there are several ecosystems that are being

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managed poorly, with no buffer zone management systems in place. He pointed out that fishermen who need access to certain areas are prohibited from entering.

- John Henry (RAB member) expressed concern about the sale of Los Machos for recreational purposes. He said that the local community would like it to be zoned for conservation purposes.

David Criswell responded that the transfer of the property to the Municipality of Ceiba is identified as for recreational use because of the way it is being transferred from the U.S. Department of Interior. In addition, the beach has been used for years by Ceiba under a license from the Navy.

- Antonio Colorado (Portal del Futuro) requested that this and other similar land use issues be addressed in a separate forum (not in the RAB meeting) with the community. Jorge Fernández Porto agreed and proposed to hold separate meetings outside of the RAB forum to address this and related issues.
- Ramón Figueroa (RAB Community Co-Chair) says that before the next RAB meeting, the RAB should meet with the community to identify issues and concerns so that they can present an agenda and be more organized. Ramón requested the email addresses of all RAB members so that they can focus on the duties and responsibilities of the RAB. He pointed out that this process is a two-way process, and that any finger-pointing is unfair.
- Jorge Fernández Porto asked whether usage restrictions of Los Machos beach area extended offshore to the waters surrounding the area.
- Mark Kimes (Baker) answered that this area, which is to the east of Los Machos beach, is being transferred to the municipality. He responded that the waters and sediments in that area have been sampled, and all results have come back as very clean. Jorge asked for confirmation that there is no UXO present in these waters.
- John Henry (RAB member) said he has met with three local fisherman associations, and it was pointed out to the EPA that the fisherman are willing to take you to see strange structures that were sighted there. He says that the fisherman have knowledge of possible UXO left in place there. The EPA never responded to the letter he wrote in which he provided evidence of the existence of the UXO.
- Ismael Velázquez (RAB member) expressed concern that the firing range will still be used by the Navy and other government agencies to fire munitions, and that this will cause future contamination and harmful exposure to the local population. Lirio Márquez asked whether the restrictions that are in place for navigation of the ship channel (from the year 2000) will still be in place when the firing range is being used again. David Criswell answered that the Department of Homeland Security will be the agency that determines the restrictions.

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- Jose J. Díaz (RAB member) expressed concern about the amount of clean water that can be supplied to the former naval base. He seemed concerned that this might be inadequate for the population on the base property once it is developed. It was pointed out that the water treatment plant can provide 4 million gallons per day (mgd) of clean (treated) water.
- John Henry presented a video that he made with local fishermen demonstrating the areas they suspect as having UXO in an offshore area in Puerca Bay. The video showed a drop-off (which is actually a sunken barge) that the fishermen suspected as having UXO present.

Mark Kimes answered that there is a 40-ft channel that extends to the dry dock area. John Henry responded that it doesn't show very well, but it is a rectangular structure with a drop-off. He suggested a visit be conducted in this area with Navy personnel. Pedro Ruiz (NAPR) added that it is a structure that was left in place and that has no contamination emanating from it. He said this structure is better left in place to form an artificial reef, as it would do more environmental damage to remove the structure than to leave it in place. Mark Davidson (Navy Co-Chair) said that he would request that the Navy's security patrol boat go by the area in question to ensure there is no oil in the water leaking from the suspected vessel, and provide information at the next meeting as to the status of the structure.

IIe. Planning for the Next Meeting - Susana Struve discussed the agenda for the next meeting.

Discussion Points

- Susana Struve suggested that the next meeting be held in mid-June at a location in Naguabo. If a meeting location is not available, then a location in Fajardo or Ceiba will be identified.

III. ADJOURNMENT

The meeting was adjourned at 8:45 PM.

IV. ACTION ITEMS:

Description	Status <i>(will be updated in the next meeting minutes)</i>	Comments
RAB members prepare for discussion/development of Roosevelt Roads RAB charter by reviewing sample charters provided during February 2007 meeting.	Ongoing	
RAB members: Elect Community Co-Chair of RAB.	Closed	Ramón Figueroa is the RAB Community Co-Chair.

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Description	Status <i>(will be updated in the next meeting minutes)</i>	Comments
RAB members: Provide comments on the CDR.	Ongoing	Public comment period has been extended to May 9, 2007.
Advertise public notices on radio station WMDD 1480.	New	
Revise the CDR to clarify areas with NFA status which should be zoned for NO residential land use.	New	
Confirm that there is no UXO present in the waters off Los Machos beach.	New	
Consider a site visit with Navy personnel to investigate an offshore area in Puerca Bay that local fishermen suspect as containing UXO.	New	

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ATTACHMENT 1 - Meeting Attendees

RAB Members in Attendance:	RAB Members Absent:
Ramón D. Figueroa, RAB Community Co-Chair	Rogelio Figueroa (sent representative)
John T. Henry	Ángel L. de Jesús Matta
Lirio Márquez	Agustín Velázquez Santos
Luís A. Velázquez Rivera	Daniel González
Jorge Fernando Porto	Zoraida Vázquez Arce
Samuel Caraballo-López	
William Lourido	
Ismael Velázquez	
Ramón Ríos	
Carlos Brown	
Debra McWhirter	
José J. Díaz	
Jimmy Concepción Robles	
Rafael Montes	

Community Members and Visitors:	
Francisco Frontera (representative for Rogelio Figueroa)	Matilde Ortíz
Jeanette Rodríguez	Nelly López
Hiram Rivera (Municipality of Ceiba)	Freddy de Jesús
Lilyana Betancourt	Licenciada Sonia Rodríguez (Legal Action Center Corp.)
Luis E. Mercado	Myrna Maldonado
Elizander Otero	Ismael Torres Millán
Roberto Hernández	Florence Torres
Carmen García	Aurelio Colon
Alicia Ponce de León	

Agency Representatives in Attendance:	
David Criswell	BRAC Deputy Base Closure Manager, Navy Program Management Office Southeast

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Agency Representatives in Attendance:

Mark Davidson, Navy Co-Chair	Remedial Project Manager for the former Naval Station Roosevelt Roads
Jeffrey Meyers	Environmental Coordinator for BRAC, Navy Program Management Office Southeast
Pedro Ruiz	Environmental Program Manager, Naval Activity Puerto Rico (NAPR)
Wilmarie Rivera	Puerto Rico EQB
Enid Villegas	Puerto Rico EQB
Antonio Colorado	Portal del Futuro (LRA)
Alfonso Martínez	Portal del Futuro (LRA)

Agency Representatives Absent:

Neida Pumarejo Cintrón	Puerto Rico Conservation Trust
Yarissa Martínez	Remedial Project Manager, Puerto Rico EQB
Timothy Gordon	Remedial Project Manager, U.S. EPA, Region 2, RCRA Programs

Support Staff Present

Susana Struve	CH2M HILL, Inc. (meeting facilitator, Navy contractor)
Mark Kimes, Baker Environmental, Inc.	(Navy Installation Restoration Program contractor)
Adam Gailey	(Navy contractor)
Sara Vivas	CH2M HILL, Inc. (meeting notes, Navy contractor)
Michelle Beekman	Matrix Design Group (LRA contractor)

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ATTACHMENT 2 - Meeting Presentations

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ATTACHMENT 3 - Meeting Handouts

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ATTACHMENT 4 - CDR Summary Table

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