

**From:** [Mark Osokow](#)  
**To:** [MSFC-SSFL-EIS](#)  
**Subject:** San Fernando Valley Audubon Society comments on NASA SSFL Draft Environmental Impact Statement  
**Date:** Tuesday, October 01, 2013 10:50:34 PM  
**Attachments:** [NASA DEIS Comments\\_Final Draft.doc](#)

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Dear Mr. Elliott or other NASA personnel,

Attached are the comments on the NASA SSFL Draft Environmental Impact Statement.

Thank you for the opportunity to comment on this important subject.

Mark Osokow  
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## San Fernando Valley Audubon Society

Incorporated as California Audubon Society 1913

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*“For nature education and the conservation of wildlife”*

October 1, 2013

Allen Elliott, SSFL Program Director,  
NASA MSFC AS01, Building 4494,  
Huntsville, AL 35812  
Via e-mail to [msfc-ssfl-eis@mail.nasa.gov](mailto:msfc-ssfl-eis@mail.nasa.gov)

Re: SFVAS comments on NASA SSFL DEIS

Dear Mr. Elliot:

San Fernando Valley Audubon Society (SFVAS), a 2000 plus member chapter of the National Audubon Society, submits the following comments on the Draft Environmental Impact Statement (DEIS) concerning the clean-up of the NASA portion of the Santa Susana Field Laboratory (SSFL).

### **SUMMARY**

Regarding the removal of contaminants from soil, the DEIS considers only the “no action” alternative and the Administrative Order on Consent (AOC) alternative of cleaning up to “background” standards. Cleaning up to such a standard will be devastating to the natural, cultural, and historical environments at SSFL. This is indicated to some extent in the DEIS. However, as discussed below, the DEIS does not fully reflect comprehension of or describe the severity of the adverse impacts that will occur; including, the potential for harm to public health. Under these circumstances, SFVAS has no choice but to recommend that the deciding official select the “no action” alternative, which will be less adverse to the environment and more protective of public health.

Unfortunately, NASA has chosen a course of action precluding reasonable alternatives less damaging to the environment. Such alternatives will only be available under a revised DEIS, if, and only if, the AOC is modified or thrown out entirely. SFVAS favors the latter approach, as it is unlikely that modification will correct the many flaws in the AOC, which underlies much of the purpose and need of the action.

Looked at another way, implementation of the “no action” alternative will be less hazardous to human and ecological health and more protective of vegetative cover, topographical, hydrological, and geological features that protect communities and

ecological systems down-slope from landslides, slippage, erosion, dry creep, flooding, dust, and pollution from runoff, dust, vehicular traffic, and potential spills of soils containing toxic materials than the alternative of clean up of soils to the AOC's background standard. To use a seemingly worn out but apt cliché, the cure that NASA has proposed is worse than the disease.

## **INITIAL CONSIDERATIONS**

The comments below advocate throwing out the existing AOC and drawing up a new agreement with the California Department of Toxic Substances Control. However, the bulk of the comments assume, *arguendo*, that the DEIS will give rise to a Final EIS that is substantively unchanged from the Draft version, in spite of the opposition from many community members and groups, due to the same kinds of political pressures that gave rise to NASA agreeing to the AOC in the first place. In support of this theory, the following is noted.

Several months ago SFVAS sent a letter to Olga Dominguez, NASA Assistant Administrator for Infrastructure, regarding the narrowing of the EIS scope following a series of communications on the subject of NASA's responsibilities under NEPA. These communications involved letters from Senator Barbara Boxer of California, Deborah Rafael, head of the California DTSC, and Nancy Sutley of the President's Council on Environmental Quality. Specifically, these responsibilities concerned whether NASA was required to include analyses of various alternative clean-up scenarios in the EIS along with the clean-up to background standard previously agreed upon by NASA in the AOC. The SFVAS letter was incorporated into a report (Report No. IG-13-007, February 14, 2013) produced by the NASA Office of the Inspector General (OIG). That report, which is herein incorporated by reference, includes copies of all of the relevant communications referenced above. It also contains a number of conclusions and recommendations, based on the OIG's audit of NASA's SSFL clean-up.

The report concludes the following in part:

We question whether NASA's agreement to clean its portion of the SSFL to background levels is the best use of limited NASA environmental remediation funds, *particularly in light of the expected use of the property and the Agency's need to address other higher-risk environmental issues.* NASA's estimate of more than \$200 million to clean the site to background levels is more than two times the cost of restoring the land for residential use and more than eight times the estimated cost of restoring the site for recreational use. Given NASA's other environmental commitments and the fiscal constraints facing the Agency and the Nation, *NASA can ill afford to spend tens of millions of dollars to clean up an area beyond its risk level or expected land use. Moreover, we are concerned about the potential adverse effects on the surrounding community and on natural and archeological resources at the site should NASA press forward with a cleanup to background levels.* (OIG Report, p. 16) [*Emphasis added.*]

The key points will be discussed further below.

The DEIS contains, in an appendix, only one of the letters reproduced in the OIG's report; namely, the letter from Nancy Sutley justifying the consideration of only the two alternatives for soil clean-up indicated. It does not include the OIG report in its entirety, nor does it include the letter from SFVAS challenging the assumptions of the Sutley letter. Therefore, the DEIS is inherently incomplete both in its statement of Purpose and Need and in the ensuing analysis. The failure to include the OIG Report or any reference to it or the SFVAS letter appears deceptive, and it may be reasonable to infer that this was done deliberately in order to deprive the public and other governmental agencies of information that does not favor NASA's approach to the clean-up as represented by the DEIS.

Moreover, the OIG Report states "According to NASA officials, input from members of Congress and local California leaders as well as advice from the CEQ played a significant role in the Agency's decision to agree to the terms of the AOC and in its subsequent decision to exclude clean-up alternatives other than background levels from further consideration in the NEPA process." Such "input," particularly when it arises from a U. S. Senator, must be regarded as inherently threatening to NASA officials and biases the NEPA process towards a particular outcome that tends to favor certain groups while others, possibly representing a majority of constituents, are effectively excluded. The deliberative processes of NEPA cannot take place effectively in such an atmosphere of intimidation. Furthermore, this type of meddling may be construed as a violation of the doctrine of separation of powers between the Executive Branch of government (viz. NASA) and the Legislative Branch, *i.e.*, Congress.

Unfortunately, time and space constraints do not allow for a complete analysis of all of the issues addressed in the OIG Report. Suffice it to reiterate that the entire report should have been included in the DEIS, and NASA administrators should not have dismissed the OIG recommendations in what appears so casual a manner.

One further comment is in order here. The OIG Report notes the response received from NASA administration as follows:

"Rather, after noting that NASA 'fully appreciates' our recommendation, the Associate Administrator stated that the Agency will continue to work with the DTSC and local community stakeholders 'within the requirements' of the AOC and at the same time will 'make every effort to implement a [cleanup] program that will achieve both cost avoidance and protection of cultural and natural resources.' "

However, as should be clear from the comments below, it appears that, based on the DEIS, NASA has no intention of implementing a program that will achieve cost avoidance and protection of resources. Instead, we are witnessing what appears to be a decision-making process that is arbitrary, capricious, an abuse of power, or otherwise not in accordance with law.

## **PURPOSE AND NEED**

The DEIS is extremely vague regarding the purpose and need for the project. Section 1.1.3 indicates that metals, dioxins, polychlorinated biphenyls, volatile organics including TCE, and semivolatile organics are present in the soils and upper groundwater, known as the Surficial Media Operable Unit (SMOU), while volatile organics, metals, and semivolatile organics also are present in the deeper groundwater, known as the Chatsworth Formation Operable Unit (CFOU). However, the statement fails to relate the presence of these contaminants in any rational or reasonable way to a *need* for the clean-up being proposed.

The RI reports referenced do not suggest that there is undue risk to human or ecological health from the presence of these contaminants such that the clean-up of soils to the AOC's background standards would reduce those risks to an acceptable level while avoiding the added risks to human and ecological health from the clean-up action itself. The RI reports are, therefore, disconnected from and irrelevant to the determination of purpose and need, without specific reference to risk levels that are consistently sought in other NASA projects.

Implicit in NEPA is that the public has a right to expect that reasonably consistent clean-up standards will be applied in cases where a clean-up is necessary. Yet, as noted in the OIG Report, "According to [NASA] environmental management officials, several other projects pose greater risks to human health and the environment than Santa Susana." Such inconsistencies are, in this case, the probable result of political meddling that has forced the application of a peculiar standard based on emotion rather than on objective criteria governing risk to the extent practicable.

Furthermore, that standard is not consistent or applicable with the expected land use following the clean-up; namely, as open-space parkland. The parkland clean-up standard does not require meeting background values for contaminants. It, and the more stringent suburban residential standard, is more realistic and a far less costly standard to meet, as is indicated in the DEIS itself.

As noted above, the Proposed Action, with respect to the AOC, is not needed to protect human health and the environment, contrary to the statement in Section 1.2, and the assumption that it is needed for the benefit of property disposition is without basis. Numerous other properties have been disposed of without such a clean-up.

## **PROPOSED ACTION AND ALTERNATIVES**

### **STRUCTURES EVALUATED FOR DEMOLITION**

Section 2.2.1.1 states that plans for demolition include all structures, with certain very limited exceptions. The following should not necessarily be demolished:

- Aboveground and subsurface structures, if they are of historic nature
- Water tanks, needed to provide water to ponds for wildlife
- Observation lookouts, roadways, and drainageways: lookouts may be used by the public for viewing the landscape, wildlife, and historic areas; roads will be needed for continued access; drainageways will be continuously needed for proper drainage from the site.

As a general rule, no structure should be demolished during the bird nesting season, if the structure supports nesting birds. Outside of the nesting season, structures that are to be demolished but have supported bird nesting should be replaced with nesting structures prior to the next nesting season. Special attention should be given to owls and hawks, which may nest at any time of year. In such cases, new nesting structures should be provided before old ones are demolished.

### PROPOSED DEMOLITION ACTIVITIES

Section 2.2.1.3 states that “[d]emolition would include the removal of structures and soil under the structures up to 5 ft below grade.” The inclusion of soil removal in demolition adds to the volume of soil to be removed in the Proposed Action and the additional amount should be added to the total. The soil volume, haul trips, and related items should then be re-calculated to accord with this reality. Along these same lines is the failure to include the total number of haul trips for demolished material (3476 trips) in the total for the number of haul trips from the site. Thus, the DEIS is misleading in that regard and underestimates the impact.

A very serious defect in the DEIS is the failure to describe the timing of demolition activities or of efforts to avoid unnecessary destruction of habitat or soil compaction during that process. In particular, there is no mention of planning the demolition to avoid bird nesting seasons.

### PROPOSED SOIL REMEDIATION ACTIVITIES

The section states that temporary access roads will be constructed. These will add to the adverse impact directly by further fragmenting wildlife habitat. In addition, these temporary roads will have to be removed at some point, thereby adding to the number of haul trips.

Table 2.2-3 SSFL AOC Soil Cleanup Values Comparison–April 2013 speaks very loudly against imposition of the AOC background standard for cleanup. Little more need be said on this point. The AOC is at the core of problems with the DEIS. Its defects have been noted above to some extent and in the OIG Report.

Section 2.2.2.3 Soil Cleanup Technologies notes that technologies were eliminated if they were not in compliance with the 2010 AOC or were considered likely to be ineffective given the geologic setting or contaminant profile. Here, again, the AOC is responsible for the presumed requirement to implement environmentally damaging

excavation when other, less damaging, technologies are available. Part of this problem is that the AOC mandated completion date of 2017 limits the use of some alternative technologies, which, though less damaging or costly, may require more time to implement.

Table 2.2-5: Estimated Total Soil Volumes and Truck Requirements under the Proposed Action Excavation and Offsite Disposal Cleanup Technology contains additional serious errors. The number of trucks required for soil removal is underestimated by more than half, as it does not include trips by trucks coming *to* the site, nor, as noted above, does it include the number of trips to and from the site in connection with hauling of demolished materials. Thus, the actual number of one-way trips to or from the site will be closer to 82,000! The number of trips per day, as well as the contribution to pollution, must be re-calculated based on this figure.

#### *Action Alternatives Eliminated from Further Consideration (Section 2.4.1)*

This section states that “risk-based alternatives were eliminated from further consideration because they would not meet the requirements of the 2010 AOC. In addition, a CEQ letter dated June 19, 2012 Appendix A), states that NASA is not compelled to consider comprehensive cleanup measures as alternatives that are less than the cleanup to local background levels described in the 2010 AOC.” Once again, NASA’s commitment to the AOC will result in unnecessary adverse environmental impacts and waste of funds. Per the OIG Report, the court found that the less restrictive standards [than background] were fully protective of public health. As noted in the SFVAS letter to Olga Dominguez, the skirting of NEPA required analyses and the lack of consideration of reasonable alternatives by engaging in, what is essentially, nullification of the law by prior agreement is contrary to the entire intent of NEPA and may, in fact, be a violation of law. There are certainly grounds for civil action.

#### *Soil Technologies Eliminated (2.4.2.1)*

Phytoremediation was eliminated as a soil treatment technology without proper study. In this case, NASA chose to wait for DOE to complete its feasibility study, in spite of the fact that phytoremediation techniques exist now and have been used for years for eliminating some contaminants from soils, especially TCE, the most widespread contaminant at SSFL. All of the technologies listed in Table 2.2-7 were eliminated because they might not meet the standards of the AOC. Yet, some or all of them might meet standards of suburban residential or others.

#### *Resources Eliminated from Further Consideration (Section 2.5)*

The following comments apply to Table 2.5-1:

Land use: This summary is speculative and should be modified to reflect changes that may be necessitated by interest in the property expressed by the Santa Ynez Band of the Chumash.

Reclaimed Water: System Infrastructure: Dismantling of system infrastructure will create an adverse impact. The reclaimed water system could be re-activated and used to provide water to the various ponds at SSFL that support wildlife. If dismantling occurs, a new system would have to be constructed at significant cost and will create further disruption to the environment. The summary is incorrect and short-sighted.

Critical Habitat: Discussed elsewhere in these comments. (See below.)

Particulate Matter Hot Spot: As noted above, calculations regarding the number of truck trips up and down Woolsey Canyon have been severely underestimated in the DEIS. More than 80,000 truck trips down Woolsey Canyon Road must constitute a particulate matter hotspot during the two years or so of the action.

Mobile Source Air Toxics: See comment at “Particulate Hot Spot.” In addition, toxic discharges will be concentrated in the area of Woolsey Canyon Rd. and Valley Circle Bl. between Woolsey Canyon Rd. and Roscoe Bl. . The former accommodates, at most, only a few thousand cars per day. Thus, the contribution from trucks approaches 10% or more trips locally and diesel fumes are not controlled as well as regular auto exhausts. The analyses also fail to include cumulative impacts arising from area construction projects occurring simultaneously, such as *The Village at Westfield*, the Dayton Canyon development, *Woolsey View Estates*, as well as the clean-up of the DOE and Boeing portions of the SSFL.

Geology: Removal of test stands would impact geology locally. The actual impact will depend on the depths of excavations and other factors.

Seismicity: The assumptions are unduly optimistic. They fail to consider the impact on traffic from added contribution of truck trips. This could lead to interference with emergency operations, especially if trucks are involved in accidents. It is easy to imagine that this could easily result in serious injury or death of some earthquake victims, who might otherwise be spared.

Socioeconomics: The constant passage of trucks carrying waste will cause a general deterioration of quality of life in the neighborhoods along the routes from traffic, noise, and the potential hazards from spills and truck accidents. These neighborhoods will become less desirable as places to live resulting in erosion of property values and efforts by current residents to relocate to less disturbed areas.

Effects around Designated Landfills and Disposal Facilities: Regardless of the accuracy of the findings here, the impacts would be greatly lessened if the AOC background standard was not imposed. It is suspected that the actual impacts have been greatly underestimated.

In addition to the above, it is felt that potable water supply infrastructure should be retained to the extent that it will be needed to provide make-up water to the various

ponds supporting wildlife on site. Electrical connections sufficient to power the pumps that might be needed to circulate water for this and other purposes should also remain.

## CULTURAL RESOURCES

The DEIS contains insufficient information to formulate coherent comments in the absence of an actual proposal affecting specific cultural areas or sites. Therefore comments are being withheld until such a time as more specific proposals are put forward. In general, however, cultural areas or sites, including historical areas (such as test stands and support facilities) should be free from adverse impact to the maximum extent possible. The AOC should be thrown out, as it will necessitate the maximum adverse impact.

## BIOLOGICAL RESOURCES

### *Vegetation and Land Cover Types (Section 3.4.1)*

The vegetation and land cover types described in this section appear to be adequate, except that Venturan coastal sage scrub could have been better delineated as Type I or Type II formations.

### *Wildlife and Migration Corridors (Section 3.4.2)*

Figure 3.4-2 Purports to illustrate the wildlife corridor that traverses SSFL. This figure is extremely inaccurate and misleading, as it suspiciously truncates the corridor to the west just at the boundaries of NASA areas I and II. It is unlikely that this rendition of the corridor was actually produced by the U. S. Fish and Wildlife Service or any other responsible government wildlife agency. There is ample evidence for this.

In actuality the entire area of SSFL, including the NASA portions, is used by wildlife as a corridor. One example will suffice. Mountain lion ranges in the area have been carefully documented by radio tracking. Some ranges include the entire area of SSFL and adjacent areas to the west in the Upper Las Virgenes Canyon Open Space (Mountains Conservancy property), and the cats have been observed passing through the area from the Santa Susana Mountains and Los Padres National Forest on the north via the Simi Hills to the Santa Monica Mountains to the south. A recent sighting of a young mountain lion in the vicinity of SPA provides additional confirmation, as it is unlikely that this animal was born at SSFL.

Deer and other mammals, as well as birds and other wildlife, undoubtedly utilize the entire SSFL area as a corridor in a like manner. Wildlife does not alter its movements simply because a line is drawn on a map. There are no geological or other features on the site that would restrict animal movement across the NASA areas.

At the same time, the existence of the corridor on the rest of the site does not relieve NASA of its responsibility for this sensitive habitat in its areas. It must be kept in

mind that the entire area will be subject to adverse impacts from clean-up activities, and NASA should be willing to do its part to maintain the existing ecological functions of the area and to restore lost functions in cases where NASA is responsible for the loss. The failure of NASA to honestly address this issue in the DEIS is inexcusable and reflects a lack of willingness to deal honestly with the environmental impacts of the Proposed Action based, in large part, on its unwise commitment to the AOC. The statement that the “NASA administered portions of SSFL are outside of the critical habitat corridors in the region identified by the U.S. Fish and Wildlife Service (USFWS) (Figure 3.4-2) (Ventura County, 2005)” is irrelevant to the actual facts concerning this corridor and is obviously incorrect and unsupportable.

The list of Sensitive Species found on NASA administered property is deficient in a number of respects. The list should include the coast patch nosed snake, Golden Eagle (fully protected; nesting and wintering), and Oregon Vesper Sparrow (wintering). While these species may not have been observed during the very brief biological surveys conducted, they have been observed elsewhere at SSFL and are expected to occur on the NASA areas. Observations have been made by SFVAS or Southwestern Herpetologists Society volunteers as part of regular surveys or set-up activities. Furthermore, there are numerous other special status species recognized by DFW as watch list species and by USFWS as bird species of conservation concern that have been observed by SFVAS volunteers on neighboring areas. These have all been ignored in the DEIS. Hence, the importance of these areas to wildlife has been severely underestimated and understated as has the estimated adverse impact to them as a result.

#### *Migration Corridors (Section 3.4.2)*

The section states that no migration corridors exist in the vicinity of the demolition sites; consequently, there is no potential impact. Similar statements are repeated elsewhere in the DEIS. As noted earlier, this is incorrect.

A statement on p.204 defines the nesting season considered as Feb 1 to Aug 15; however, in Southern California, owls, Anna’s Hummingbirds, Mourning Doves, House Finches, and some other species may nest well outside this period. Caution must be observed so as not to disturb nesting birds at any time of year. However, in this case, what is being proposed is not mere disturbance but outright destruction of both nesting and foraging habitat. The destruction of nesting habitat itself at any time of year will have severe adverse impacts on birds at the time nesting is attempted. Disturbances to foraging areas within or outside of the nesting season as, for example, will occur with the removal of all vegetation and soils in large areas, will likewise have severe adverse impacts. The upshot is that there will be nothing for birds to nest in or eat, when all vegetation and soil containing seeds and insects and burrowing animals are removed. Yes, birds can fly away to avoid immediate harm, but they will be harmed just the same.

Similar impacts will occur to those mammals and reptiles that survive the destruction by not being killed outright. Virtually all burrowing animals will be eliminated in the cleared areas. Backhoes will dump the living animals (including legless

lizards, slender salamanders, voles, harvest mice; ground-nesting bees and numerous others) and those crushed by heavy equipment while still in their burrows, along with the soil, into dump trucks. Raptors, predatory mammals (including ring-tailed cats) and snakes will be deprived of their food source and are likely to perish. While some of these impacts may be unavoidable, they can be sharply reduced by NASA abandoning the ruinous, costly, excessively stringent background standard for clean-up unwisely agreed to in the AOC.

### *Wetlands*

As noted, NASA should participate in a program to maintain wetlands for the long-term. Perhaps, a fund could be set up in cooperation with DOE and Boeing for the purpose, since all of the responsible parties should bear some responsibility for this important maintenance of wildlife habitat.

## BIOLOGICAL RESOURCES

### *Sensitive Species (4.4.1.1)*

In this section the Loggerhead Shrike is described as a transient. It is unclear what is intended by this term. However, numerous observations of Loggerhead Shrikes have been made by volunteers of SFVAS over the past three years. This species is more accurately described as a post-breeding and winter visitor, present continuously from approximately late-July through mid-March. Although the population may be small, that is the nature of this predatory species, which requires a fairly large territory. The area is more important to this species than the DEIS indicates.

### *Wildlife*

The DEIS states “Most wildlife would vacate the operation areas and return once vegetation had been reestablished.” There is simply no basis for the assertion that wildlife will “return” to an area where existing vegetation has been replaced by an array of aggressive, invasive species. Continuous disturbance over a period of years will disrupt historical migration patterns. In addition, there may be no source population supporting such a return, after the populations have been reduced by the Proposed Action combined with the clean-up actions of DOE and Boeing. Likewise, there is no basis for the assertion that “mortality would be individualized.”

Furthermore, there is no basis for the assertion that “[t]he beneficial impacts of the incremental excavation of treatable soils, because of the reduction in soil contamination, would be moderate, beneficial, local, and long term (Biology Impact-3e).” NASA has not demonstrated that soil contamination has caused any harm to wildlife at SSFL; therefore, there can be no basis for any inference that its removal will be beneficial. The DEIS contains no information bearing on wildlife population sizes, sampling of wildlife for contaminants in blood or other tissues, etc. While models exist and may have been presented in RFI Reports, they have not been validated with real data

from on site. Moreover, the DEIS admits that, when exaction and removal are employed, "Once the soil was removed, the existing micro-ecosystem might never be restored." P.4-35.

The above is emphasized by another section of the DEIS, Section 3.1.2, where it is stated that "(at a minimum) the top 2 ft of soil would be excavated, all existing biological resources within the contaminated areas, including 32 acres of sensitive habitats, would be eliminated. The Proposed Action would result in a significant, negative, regional, and long-term impact because of the amount of ground disturbance that would occur. Additionally, changes to soil profiles (the micro and macro fauna of the soil ecosystems) are expected to be significant. The extensive level of excavation necessary to meet the 2010 AOC would lead to soil instability, decreased vegetative biodiversity, and increased spread of invasive weeds." This is completely unacceptable and would be unnecessary if the AOC was thrown out.

#### APPENDIX D

Concerning surveys of birds by NASA consultants, it is noted that "migratory breeding birds were not [present] during surveys." It is further stated that

"The time spent at each site within the study area was limited; therefore, wildlife observations were opportunistic rather than systematic. . . . Active survey techniques, such as the use of kicknets to identify benthic invertebrates or searches under logs, rocks, and debris for herpetiles were not used due to time constraints."

This represents yet another serious deficiency in the attempt to characterize wildlife at SSFL. SFVAS has conducted systematic bird monitoring at SSFL since 2011. This includes monthly point counts and bi-weekly bird banding, as well as general surveys of the area by car, and occasional owl/poorwill surveys conducted at night. During this time, more than 115 species of birds have been observed. All of these, with the possible exception of a few water bird species found at Silvernale Pond, are expected to occur on NASA administered property, yet the consultant surveys have yielded only 61 species. Doubtless, the SFVAS species count would be higher if permitted access to the NASA sites; however, except for informal observations made during NASA-sponsored site visits and a few owl/poorwill surveys, this permission has not been granted. Nevertheless, NASA's estimates of environmental impact are not in accordance with actual importance of the area to wildlife.

Bird species overlooked, in addition to those mentioned above, include White-tailed Kite, Merlin, Sharp-shinned Hawk, Golden Eagle, Red-shouldered Hawk, Townsend's, Black-throated Gray, Yellow, and Hermit Warblers, Great Horned, Barn, and Western Screech Owls – just to name some. Notoriously absent is the Lesser Goldfinch one of the commonest species in the area.

The deficiency, however, is not limited to birds. A common reptile species, the side-blotched lizard is also overlooked, as is the amphibian, slender salamander.

#### WETLAND DELINEATION SECTIONS

In discussing wetlands, the DEIS fails to address the need to provide at least some water to drainages feeding Silvernale Reservoir, Coca Pond, and R2 ponds. Although these ponds may be man-made or highly modified natural depressions that held water on a primarily seasonal basis, over the years they have become important sources of water and habitat for wildlife. It does not seem too much to expect that the responsible parties be required to cooperatively draw up a plan to assure at least some continued water supply to these ponds and associated drainages sufficient to support their now historical functions on behalf of wildlife. After importing water and modifying the environment for more than 60 years, within the context of ever-expanding urban expansion that has turned much of SSFL into a habitat island, it would be the height of irresponsibility for NASA to simply to walk away from what they have created -- whether or not there is any specific regulatory authority that would require such action. It is likely that the modifications of drainages that have occurred will, in the absence of imported water, cause more rapid drainage of surface water from the site than was true historically. Thus, wildlife will be deprived of water that might otherwise have been available in the absence of these modifications -- only, now these habitat islands are far more critical to the health of wildlife populations than was true historically. This is especially important with respect to the areas function as a wildlife corridor or linkage.

#### CONCLUSION

For the reasons described above, NASA should either discard the AOC and begin afresh with a new DEIS that seriously considers alternative clean-up standards and actions or should adopt the “no action” alternative.

SFVAS appreciates the opportunity to comment on the DEIS and may submit addenda to these comments to provide additional detail and justification for the position taken.

Sincerely,

Mark B. Osokow,  
SFVAS Member of the Board,  
Chair, San Fernando Valley Bird Observatory .