

From: [King, Jamie@Parks](mailto:King.Jamie@Parks)
To: [MSFC-SSFL-EIS](#)
Cc: [Goode, Suzanne@Parks](mailto:Goode.Suzanne@Parks); [Sap, Craig@Parks](mailto:Sap.Craig@Parks)
Subject: SSFL: Ca State Parks Comments
Date: Tuesday, October 01, 2013 5:12:40 PM
Attachments: [20131001091430796.pdf](#)

Please see the attached comment letter from California State Parks.

Jamie King, Environmental Scientist
California State Parks, Angeles District

1925 Las Virgenes Rd.
Calabasas CA 91302
P: 818.880.0373
C: 310.699.3951

NOTE: My email address has changed to Jamie.King@parks.ca.gov



DEPARTMENT OF PARKS AND RECREATION

Major General Anthony L. Jackson, USMC (Ret), Director

Angeles District
1925 Las Virgenes Road
Calabasas, CA 91302

September 27, 2013

Allen Elliott
SSFL Project Director
NASA MSFC AS01, Building 4494
Huntsville, AL 35812

RE: Draft Environmental Impact Statement (DEIS) for Proposed Demolition and Environmental Cleanup Activities for the NASA-administered portion of the Santa Susana Field Laboratory (SSFL), Ventura County, California

Dear Mr. Elliott:

California Department of Parks and Recreation (CDPR) Angeles District has reviewed the above-referenced project. CDPR interest in the project is twofold: first, the SSFL site is located near Santa Susana Pass State Historic Park (SSPSHP) and therefore would influence resource connectivity concerns affecting the park; and second, although currently in litigation, supporting documentation for Senate Bill 990 (Kuehl) included an intent to transfer the SSFL property to the State after cleanup for operation as parkland or open space, potentially involving CDPR in future management of the property. CDPR offers the following comments on the DEIS.

Purpose and Need

In the DEIS Executive Summary, the stated purpose of the action is "to remediate the environment to a level that meets NASA's cleanup responsibilities and to perform demolition actions necessary to support both remediation and property disposition." CDPR understands the need to remediate the property in order to remove contaminants and structures that could be hazardous to human health and safety. Further, we acknowledge that the Department of Toxic Substances Control (DTSC) will certify that the cleanup action of the SSFL site is complete prior to any transfer of the property.

However, CDPR is concerned that the negotiated 2010 Administrative Order on Consent (AOC) failed to account for standard risk-based assessments, uses terminology for cultural resources that are not defined under federal and state statutes, and most importantly, constituted an action subject to review under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), a review which was not performed prior to NASA's commitment. The AOCs have significantly constrained the environmental review of the project by imposing a potentially unnecessary clean-up to background standards reflected in the State Department of Toxic Substance's (DTSC) Lookup Table. For example, the

“Background” level of cleanup will require the removal and treatment of ten times the soil volume as the “Recreational” cleanup standard.

Additionally, although the DEIS states that demolition to support property disposition is a part of the proposed action, the document does not evaluate the cleanup in regards to potential future land use. The proposed clean-up alternatives would grossly modify the existing habitats, historic structures and aesthetic of the site, and would increase the potential for further degradation via invasive plant and animal incursions. The project site is also located within or directly adjacent to a key wildlife corridor, the Santa Monica Mountains-Sierra Madre Linkage. Because cleanup and demolition activities (105 acres) will have a direct impact on the resource values which make the SSFL site valuable as open space or parkland, the significantly degraded value of the site for open space uses is not fully considered.

Further, NASA and the General Services Administration (GSA) have stated that a separate NEPA review will be conducted for the disposition of the property following cleanup activities. CDPR is concerned that separating these related actions constitutes piecemealing and runs counter to the requirement of full public disclosure of potential impacts under NEPA and CEQA guidelines.

CDPR is especially concerned about the time lag between NASA’s issuance of the DEIS under NEPA and the DTSC future preparation of an Environmental Impact Report (EIR) under CEQA. Typically, joint environmental documents are prepared concurrently so as to ensure a consistent review between the two processes, to economize, and to simplify public notice and consultation by the issuance of one document. CDPR is concerned that separating the federal and state environmental reviews by several months or more will create opportunities for inconsistencies and confusion. How will NASA and DTSC rectify differences in analysis between the two documents, for example?

Description of Proposed Action and Alternatives

The commitments NASA has made in the 2010 AOC has limited a fully developed range of alternatives in the DEIS that would meet a properly scoped purpose and need. By evaluating only the “Clean Up to Background” and “No Project” alternatives, NASA has given no consideration to ultimate land use decisions or to resource connectivity concerns which may affect adjacent or nearby parklands. A land use analysis must be included in this document and it must be connected to future land use options.

For example, Figure 2.1-1 fails to adequately represent all the open space and parklands in the vicinity of the SSFL site. In particular, the boundaries of Santa Susana Pass State Historic Park are not shown, nor is the park even mentioned in the DEIS, despite the fact that the park lies on the previously mentioned wildlife corridor through the Simi Hills.

On page 2-19, the DEIS identifies the Rindge Dam in Malibu Creek State Park as a possible offsite backfill source for the SSFL cleanup activities. CDPR is currently preparing a joint EIS/EIR with the U.S. Army Corps of Engineers to evaluate the removal of Rindge Dam and other upstream barriers in order to restore Malibu Creek habitat values. We are willing to discuss with NASA the disposal of excess sediments, however, our understanding is that preliminary testing of the impounded sediments behind Rindge Dam showed that soils would not meet the AOC Look-up Table values for Background at SSFL. Have any of the identified potential offsite sources met this threshold, and if not, how will this issue be rectified?

Affected Environment, Environmental Consequences and Proposed Mitigation

Cultural Resources – The NASA-administered Area II contains important prehistoric and historic-period resources, including the National Register of Historic Places (NRHP) listed Burro Flats Painted Cave archaeological complex (CA-VEN-1072) and three NRHP eligible historic districts (Alpha, Bravo and Coca test areas). All of these resources would have tremendous historic and interpretive value within a parkland context.

However, CDPR finds that NASA's cultural resource identification efforts within the Area of Potential Effect (APE) are incomplete. A Traditional Cultural Property (TCP) study is currently underway, but this study should have been completed prior to the issuance of the DEIS because it is part of the cultural resources inventory process, which cannot be deferred. Further, given the size and importance of archaeological site CA-VEN-1072, and the general density of prehistoric archaeological sites documented in surrounding areas of the western San Fernando Valley and Simi Hills, it is unlikely that only two additional archaeological sites would have been identified in a 100%-coverage survey of the subject 490 acres. CDPR also finds that NASA's site boundary identification level of effort for CA-VEN-1072 through is inadequate per standard archaeological subsurface testing practices.

Because NASA's identification and evaluation efforts of historic properties within the APE are incomplete, a thorough assessment of effects from project implementation cannot be made. As such, CDPR finds that measures to avoid or minimize impacts to historic properties have not been considered thoroughly in the alternatives analysis and that the proposed mitigation measures are insufficient to resolve the adverse effects assumed for the identified historic properties.

Specifically, NASA is proposing to retain one test stand as mitigation for the removal of all buildings within the APE and to perform HABS/HAER documentation on all the other eligible structures prior to demolition. However, subsequent statements made by DTSC suggest that complete demolition is not required under the 2010 AOC. Since the three historic districts, including the test stands **and** other contributing structures, have high interpretive value for future parkland use, CDPR recommends that the 100% demolition requirement be revisited and that consideration for retention of one or more complete historic districts be evaluated in the alternatives analysis.

Additionally, NASA is proposing the completion of the TCP/ethnographic study as mitigation, presumably for impacts to the identified Indian Sacred Site. As mentioned previously, this study should be part of the identification and evaluation process, and proposing it as mitigation for adverse effects to an important site of tribal heritage is inappropriate and does not provide the needed information to inform how best to implement the project, and avoid, minimize and mitigate potential impacts.

Similarly, NASA is proposing to better delineate the boundaries of archaeological site CA-VEN-1072 as mitigation for adverse effects to the site. Again, this is part of the identification effort that should be used to evaluate ways to avoid or minimize impacts to the historic property. Finally, installation of protective measures for the Burro Flats site during project implementation should be considered best practices, not mitigation, and the DEIS mitigation proposals do not even require that archaeological and Native American monitoring be employed to ensure that these protective measures are enforced.

Please refer to additional comments on the identification and evaluation of historic properties, and the resolution of adverse effects by the Office of Historic Preservation (SHPO's September 24, 2013 letter to you).

Biological Resources – The extent of impacts on the Santa Susana tarplant are significant, not moderate. It is also unclear if the species could reestablish itself within cleaned up areas given the extent of soil removal and disturbance, and the apparent lack of suitable top-soil. More detailed mitigation is needed for this species, when it cannot be avoided.

We expect the impacts on coast horned-lizard to be moderate, not minor, due to the extent of ground disturbance, and demolition activities. Care needs to be taken to avoid or relocate sensitive species such as this, and not just listed species, out of harm's way.

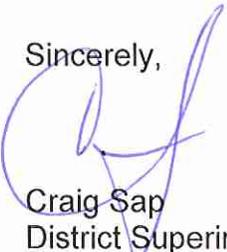
The site is directly adjacent, if not within, a key wildlife corridor, and the open space resources on the project site are significant for animal movement on a regional level. Project demolition activities are likely to increase the number and extent of invasive weeds and increase truck trips which will likely result in increased animal mortality onsite and along area truck routes. Therefore we disagree with the statement that there is no potential impact on migration corridors (pg. 4-32). Measures should be provided to protect wildlife movement through the area and out of construction zones (e.g. silt fence to deter wildlife moving into work areas, etc.).

All locally sensitive plants, as well as state listed plants, should be avoided to the maximum extent feasible. Seed collection should occur from onsite or adjacent areas for reseeded or propagation prior to construction to protect the genetic integrity of species onsite and within the watershed. This is strongly preferable to purchasing commercially available mixes which are not likely to represent the same species mix or genetic lines.

Mr. Allen Elliott
September 27, 2013
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We thank you for the opportunity to comment on this project. Please contact Jamie King, Environmental Scientist at Jamie.King@parks.ca.gov or 818.880.0373, if clarifications are required.

Sincerely,



Craig Sap
District Superintendent