

# TOURTELOT CLEANUP PROJECT



## FIVE-YEAR INSPECTION AND WRAP-UP REPORT

Benicia, California

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## Background & Overview

**The purpose of the Five-Year Inspection and Wrap-Up Report is to further ensure the continual safety of the Tourtelot Project Site. The Tourtelot Project Site consists of approximately 220 acres located in the northwest corner of the former Benicia Arsenal, north of Rose Drive and west of East 2nd Street. From 1944-1960 the Tourtelot property was leased to the U.S. Army as part of the Benicia Arsenal. In 1989 the City zoned the property for residential use. In 1996, the property owner discovered that the site contained ordnance and explosives (OE) that the Army had left on the property. The discovery of ordnance was reported to the City of Benicia, the United States Army Corps of Engineers (USACE) and the California Department of Toxic Substances Control (DTSC). The property was secured and the property owner began working on further investigation and cleanup.**

Remediation of the Project Site to remove OE was undertaken, with oversight by DTSC and USACE. The Tourtelot Cleanup Project was completed in June 2004, and the DTSC issued a No Further Action determination confirming that no further removal actions are required. All residential areas were approved for unrestricted residential use. Open space portions of the Project Site, all of which are owned by the City of Benicia, are subject to ongoing inspection and reporting requirements that are designed to monitor the Project Site. The wrap-up report helps the City of Benicia to find and understand any reoccurring problems or concerns.

The wrap-up report must be carried out by a City of Benicia representative and is due every five years beginning in 2009. It should be submitted no later than May 30 of that year.

City personnel or contractors who are responsible for conducting the wrap-up report and monitoring activities should review the past five Annual Inspection and Report Forms, the Tourtelot Restricted Areas Educational Manual and refer, as necessary to the Land Use Covenant, Contingency Action Plan (CAP) and Operations and Maintenance Plan (O&M Plan) referred to in the Educational Manual and in the Report Form.

A primary purpose of the City's Five-Year Report is to assist DTSC in assessing performance of the institutional controls that are imposed under the Land Use Covenant, CAP and O&M Plan and in evaluating whether they are successfully preventing exposure to any OE items that could potentially remain on the Project Site. The Five-Year Report also is intended to provide information to DTSC that will assist it in determining whether any changes in the institutional control measures or the procedures used to monitor them should be made to enhance their performance or to better protect human health and the environment. In preparing the Five-Year Report, please keep these purposes in mind and provide information that will assist DTSC in making such determinations.

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## FIVE-YEAR INSPECTION AND WRAP-UP REPORT INSTRUCTIONS

1. Please use the included CD ROM to print out the Five-Year Inspection and Wrap-Up Report.
2. Fill out, sign and date each section of the Five-Year Inspection and Wrap-Up Report. The signature of the person filling out the section is required.
3. A City of Benicia Representative must compile all sections of the Five-Year Inspection and Wrap-Up Report and sign and date page 1 and 12. Please include the contact information requested on page 12.
4. Mail one completed form to each of the following addresses no later than May 30th:

**Rizgar Ghazi**  
Project Manager for Tourtelot Cleanup Project  
California Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 94826-3200

**Heather McLaughlin**  
City Attorney  
Benicia Project Manager, Tourtelot Cleanup Project  
City of Benicia  
250 East L Street  
Benicia, CA 94510

**Bill McNair**  
President  
Pacific Bay Homes, LLC  
4041 Macarthur Boulevard, Suite 500  
Newport Beach, CA 92660

6-19-2014

Report Date:

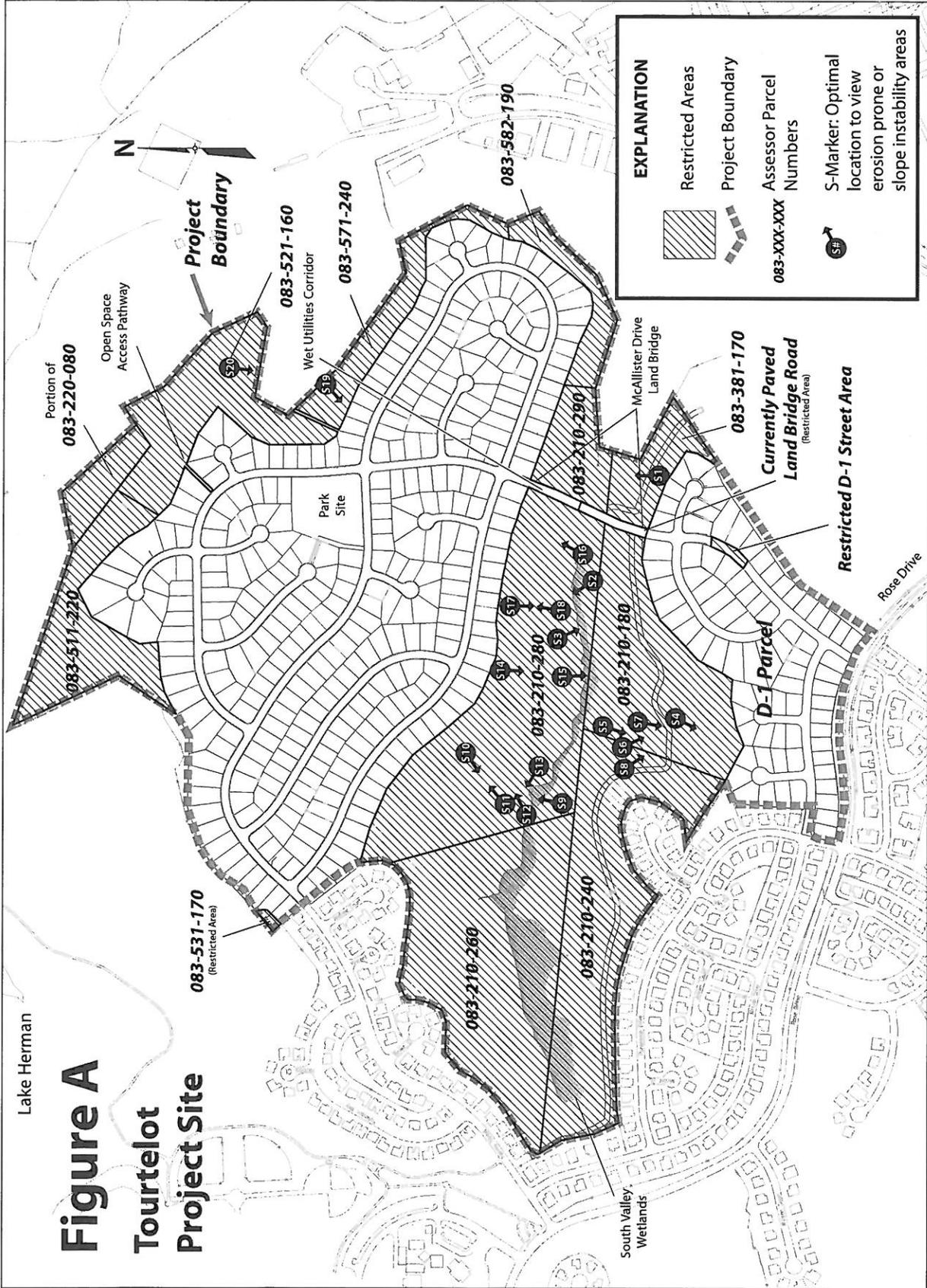
Andrew  
Kennedy

Digitally signed by  
Andrew Kennedy,  
DN: cn=Andrew Kennedy,  
o, ou,  
email=akj@kennedyanda  
ssociates.org, c=US  
Date: 2014.06.19 15:05:37  
-08'00'

Compiled By (Signature)

Andrew Kennedy

Print Name



# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## EROSIONS AND LANDSLIDES

### A. Summarize the findings for the past five years regarding erosions and landslides as documented in the Annual Inspection and Report Forms.

The findings from the last five years of inspections indicate that the erosion prone and slope instability areas have remained stable. Areas of historical activity along the EVA/Hiking Trail have been addressed in a supplemental report by the PRA Group in December of 2012. Please see Appendix D for photos corresponding to the PRAG report.

### B. Are the inspections of potential erosions and landslides achieving the intended purpose of identifying areas where erosion or a landslide could expose OE so that repairs or other action may be undertaken to prevent an event that uncovers a OE?

Yes

No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*

### C. Figure A shows the location of "S-marker" stations that were determined to be the optimal locations from which to view each erosion-prone or slope instability area. Each such station was marked in the field in June, 2004, to that the location could be found in annual monitoring events. The markers consist of 3/4 inch galvanized pipe set in concrete with an identification number. When installed, the galvanized pipe was brightly colored so it could be readily located during monitoring events. Please provide answers to the following questions:

1. Are the field markers still present?

Yes

No

2. Can they be readily located in the field?

Yes

No

3. Are the markers still in their original locations, as shown on Figure A?

Yes

No

4. Are the identification numbers still legible?

Yes

No

*Erosions and Landslides form continued on next page.*

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## EROSIONS AND LANDSLIDES (CONTINUED)

If any of your answers are no, please describe what steps the City will take to repair or replace the markers. Also, please provide any recommendations the City may have to improve the field marking of the stations for future monitoring events.

D. If this erosion and landslide evaluation was performed by a consultant retained by the City, please provide a copy of any written reports provided by the consultant to the City.

The evaluation was performed by Kennedy and Associates. Please see Appendix D for additional photos of areas identified in a report submitted by the PRA Group dated December 18, 2012.

6-19-2014

Report Date:

Andrew  
Kennedy

Digitally signed by Andrew Kennedy  
DN: cn=Andrew Kennedy, o, ou,  
email=ajk@kennedyandassociates.or  
g, c=US  
Date: 2014.06.19 15:06:19 -08'00'

Signature of Person Preparing Report:

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## UNAUTHORIZED ENCROACHMENT IN OPEN SPACE

A. Summarize the findings for the past five years regarding unauthorized encroachment in open space as documented in the Annual Inspection and Report Forms.

Since the last Five-Year Inspection and Wrap-Up Report all of the unauthorized encroachments in the Open Space have been removed and there are no new encroachments.

B. Are the inspections on unauthorized encroachment in open space achieving the intended purpose of preventing unauthorized Excavation Activities in Restricted Areas?

Yes

No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*

6-19-2014

Report Date:

Andrew  
Kennedy

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Kennedy  
DN: cn=Andrew Kennedy, o.ou,  
email=ajk@kennedyandassociate  
s.org, c=US  
Date: 2014.06.19 15:06:59 -08'00'

Signature of Person Preparing Report:

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## COVENANT COMPLIANCE

A. Summarize the findings for the past five years regarding compliance with the Land Use Covenant as documented in the City's Annual Inspection and Report Forms.

A review of the last five years of inspection reports confirms compliance with the Land Use Covenant.

B. The Land Use Covenant is intended to prevent uses of the open space within the Tourtelot Project Site that are more intrusive in nature (e.g., construction of buildings) or which would attract significantly greater numbers of people than the passive recreational uses the public typically undertakes in undeveloped open space. Are the prohibitions in the Covenant achieving this purpose?

Yes

No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*

C. Should the restrictions of the Land Use Covenant be modified?

Yes

No

*If yes, what modifications do you recommend? Please explain the rationale for the modifications that are proposed.*

6-19-2014

Report Date:

Andrew  
Kennedy

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DN: cn=Andrew Kennedy, o, ou,  
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es.org, c=US  
Date: 2014.06.19 15:07:36 -08'00'

Signature of Person Preparing Report:

# Tourtlot Property: Five-Year Inspection and Wrap-Up Report

## EXCAVATION ACTIVITIES

A. Summarize the findings for the past five years regarding Excavation Activities in Restricted Areas as documented in the Annual Inspection and Report Forms.

There are no findings of Excavation Activities to report over the last five years. No activities that would fall under Section 1.2 of the CAP were observed since the last Five-Year Inspection.

B. Are the annual reports on Excavation Activities in Restricted Areas achieving their intended purpose of verifying that City personnel and City contractors are complying with the required safety precautions outlined in the CAP?

Yes

No

*If no, please explain:*

*Also, please provide recommendations for measures that the City could implement to better achieve the intended purposes.*

6-19-2014

Report Date:

Andrew  
Kennedy

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DN: cn=Andrew Kennedy, o, ou,  
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Date: 2014.06.19 15:08:09 -08'00'

Signature of Person Preparing Report:

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## LAND BRIDGE MESH BARRIER

**A. Summarize the findings for the past five years regarding inspection of the Land Bridge Mesh Barriers as documented in the Annual Inspection and Report Forms.**

The last five years of inspection of the Land Bridge Mesh Barrier indicate that the areas where maintenance has been recommended remain the same. The mesh barrier has not deteriorated any more than previously sited. The condition of the mesh barrier is adequate to prevent unauthorized excavation as intended. All of the repairs that we suggest are still in effect and are planned to be performed by the City and/or a qualified contractor.

**B. Is the Land Bridge Barrier achieving its intended purpose of preventing digging or other intrusive activities on the sides of the McAllister Drive Land Bridge?**

Yes

No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*

**C. Does the Land Bridge Mesh Barrier show signs of deterioration or damage that could impair its integrity?**

Yes

No

*If yes, please describe the measures that the City proposes to implement to restore the integrity of the Land Bridge Mesh Barrier.*

It is our recommendation that the seams that are compromised along McAllister Dr. and in other locations be repaired.

**D. Based on the current condition of the Land Bridge Mesh Barrier, do you anticipate that it will require repairs or replacement in the next five years to maintain its integrity?**

Yes

No

*If yes, please describe the City's proposed plans for undertaking such repair or replacement.*

See the description above. Areas along McAllister Dr. and in select locations need to be repaired.

6-19-2014

Report Date:

Andrew  
Kennedy

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email=ajk@kennedyandassociate  
s.org, C=US  
Date: 2014.06.19 15:08:56 -08'00'

Signature of Person Preparing Report:

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## EDUCATION

A. Summarize the findings for the past five years regarding public education and awareness as documented in the Annual Inspection and Report Forms.

In 2009, the city reported that the school program had not been implemented. Since then it has been incorporated into the D.A.R.E. program. All other training is ongoing.

B. Are the educational and public awareness activities described in Section 3.7 of the O&M Plan achieving their intended purpose of keeping Benicia residents informed of the potential for encountering OE items from the former Benicia Arsenal and instructing them on safety measures to be taken if OE is encountered?

- Yes  
 No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*

C. Are the training requirements described in Section 3.7 of the O&M Plan for personnel in the Public Works Department achieving their intended purpose of maintaining a knowledge base within the Department of the special safety precautions that must be observed if City personnel or City contractors undertake Excavation Activities in Restricted Areas?

- Yes  
 No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*

D. Are the training requirements described in Section 3.7 of the O&M Plan for personnel in the Community Development Department achieving their intended purpose of maintaining a knowledge base within the Department of the restrictions imposed by the Land Use Covenant on changes on allowing land use changes or issuing special use permits or encroachments permits for Restricted Areas?

- Yes  
 No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*

*Education form continued on next page.*

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## EDUCATION (CONTINUED)

E. Are the training requirements described in Section 3.7 of the O&M Plan for the Fire Department and Police Department achieving their intended purpose of maintaining a knowledge base of the process that should be followed if the Departments receive reports of OE found in Benicia?

- Yes  
 No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*

F. Should the program developed by the US Army Corps of Engineers for Benicia's elementary schools continue?

- Yes  
 No

*If no, please explain:*

G. Should the Camel Barn Museum continue the educational display regarding the potential for encountering OE from the former Benicia Arsenal?

- Yes  
 No

*If no, please explain and provide recommendations for an alternate location for the display and/or an alternate program to maintain community awareness of the potential for encountering OE from the former Benicia Arsenal:*

H. Should the annual training requirements for personnel in the Benicia Public Works Department, Community Development Department, Fire Department and Police Department continue?

- Yes  
 No

*If no, please explain:*

Should the training programs continue at all?

4-2-14

Report Date:



Signature of Person Preparing Report:

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## FIRE AND POLICE DEPARTMENTS

A. Summarize the findings for the past five years regarding reports to the Fire and Police Departments regarding OE items or OE scrap found in Benicia, as documented in the Annual Inspection and Report Forms.

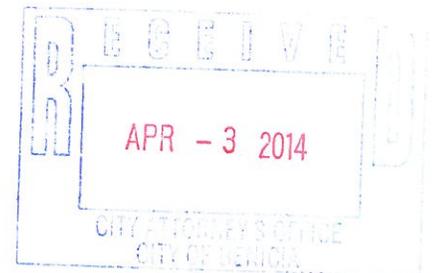
One mortar with a hole in the center was found on Valero property. The mortar was filled with dirt. Travis EOD responded and disposed of it.

B. Are the reporting requirement regarding reports to the Fire and Police Departments of OE finds achieving their intended purpose of keeping the DTSC apprised of any OE finds that may have come from the former Benicia Arsenal?

Yes

No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*



4-2-14  
Report Date:

Scott C. Bond  
Signature of Person Preparing Report:

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## WETLANDS

**A. Summarize the findings for the past five years regarding inspections of the Protective Wetland Signs as documented in the Annual Inspection and Report Forms.**

Over the last five years the wetlands signs have maintained their integrity and a couple of signs have been recommended for cleaning. Photos of all of the Wetlands signs are included in Appendix A. The City is having the signs cleaned.

**B. Are the Protective Wetland Signs achieving the intended purpose of discouraging the public from entering the wetlands?**

Yes

No

*If no, please explain and provide any recommended changes to better achieve the intended purpose:*

**C. Do the Protective Wetlands Signs show signs of damage or deterioration that could cause the signs to fall or become illegible?**

Yes

No

*If yes, please describe the measures that the City proposes to implement to repair or replace the signs.*

Two of the four signs need cleaning in order to maintain their legibility. The signs show no indication of damage.

**D. Based on the current condition of the Protective Wetlands Signs, do you anticipate that any signs will require repairs or replacement in the next five years?**

Yes

No

*If yes, please describe the City's proposed plans for undertaking such repair or replacement.*

*Wetlands form continued on next page.*

# Tourtlot Property: Five-Year Inspection and Wrap-Up Report

## WETLANDS (CONTINUED)

E. Beginning with the City's second Five-Year Inspection and Wrap-Up Report (due May 30, 2014), please also respond to the following questions regarding the viability of the thorny plants installed around the Wetlands Restricted Area:

1. Summarize the findings for the past five years regarding the continued viability of the thorny plants and measures taken to improve their viability, as documented in the Annual Inspection and Report Forms.

Our findings over the last five years show that the Thorny Plants by Stations 12 & 13 are flourishing and the Thorny Plants at and around the Head Wall and in the areas close to Stations 2,3 & 16 are growing, but slowly. In previous years the water height affected the viability of the Thorny Plants. After the 2012 report, the City had a Clemson Beaver Pond Leveler installed at the head wall. The device shown in this year's photos is working as intended. Water levels in the Wetlands have returned to optimal levels.

2. Are the thorny plants achieving the intended purpose of discouraging the public from entering the wetlands?

Yes

No

*If no, please explain and provide any recommended changes to better achieve the intended purpose.*

The thorny plants that have thrived and are well established in the areas described above are achieving the intended purpose. In the areas around Stations 2,3 and 16, the thorny plants continue to get established. In addition to the thorny plants there are numerous species of plants that are thriving and help with creating the intended barrier to keep people out of the Wetlands area.

6-19-2014

Report Date:

Andrew  
Kennedy

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Kennedy  
DN: cn=Andrew Kennedy, o, ou,  
email=ajk@kennedyandassociates.  
org, c=US  
Date: 2014.06.19 15:09:37 -08'00'

Signature of Person Preparing Report:

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## GLOSSARY OF TERMS

**CAP** – Contingency Action Plan

**Covenant** – Land Use Covenant

**DTSC**—California Department of Toxic Substances Control

**O&M Plan** – Operations and Maintenance Plan

**US Alert** – Underground Service Alert

**USACE** – U.S. Army Corps of Engineers

## OE DEFINITIONS

“OE” means ordnance and explosives and may include OE-Energetic, OE-Like or OE Scrap items.

“OE-Energetic” is defined as ammunition or ammunition components that contain measurable amounts of explosives that have been abandoned, expelled from demolition pits, burned, buried, lost or discarded; or soil containing 10 percent or more of explosives.

“OE-Like” refers to any item that is (1) any recognizable, intact component of an OE item that presents no explosive hazard or (2) an ordnance item, other than small arms cartridges, casings, or bullets that has retained the shape of a projectile. Examples of OE-Like items are expended fuzes, burster tubes, booster caps, rocket motors, tail fin assemblies, practice warheads or projectiles, or solid ball projectiles (such as a 37 mm armor piercing projectile).

“OE Scrap” includes those items that are fragments of intentionally destroyed items that do not contain explosives or explosive residue. OE Scrap is inert and does not pose a safety risk.

**If you have any questions regarding the information contained in the Five-Year Inspection and Wrap-Up Report, please contact:**

**Heather McLaughlin**

City Attorney

Benicia Project Manager, Tourtelot Cleanup Project

(707) 746-4216

**Collette Meunier**

Community Development Director

(707) 746-4280

**Dan Schiada**

Public Works Director

(707) 746-4332

# Tourtelot Property: Five-Year Inspection and Wrap-Up Report

## INSPECTION AND REPORT VERIFICATION

*To be signed and dated by the City of Benicia Representative responsible for compiling the Five-Year Inspection and Wrap-Up Report:*

Print Name: Andrew Kennedy      **Andrew Kennedy**      Digitally signed by Andrew Kennedy  
Signature: \_\_\_\_\_      DN: cn=Andrew Kennedy, o, ou, email=ajk@kennedyandassociates.org, c=US  
Date: 2014.06.19 15:10:08 -08'00'

Date: 6-19-2014

### Contact Information:

Title: Engineering Technician - Tourtelot Project Inspector

Address: 2586 Comistas Dr. Walnut Creek, CA 94598

Telephone: 925-932-7857

Fax: 925-465-4841

Email: ajk@kennedyandassociates.org

## INSPECTION AND REPORT RESULTS

*Please send one copy of the completed form to each of the following:*

### **Rizgar Ghazi**

Project Manager for Tourtelot Cleanup Project  
California Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 94826-3200

### **Heather McLaughlin**

City Attorney  
Benicia Project Manager, Tourtelot Cleanup Project  
City of Benicia  
250 East L Street  
Benicia, CA 94510

### **Bill McNair**

President  
Pacific Bay Homes, LLC  
4041 Macarthur Boulevard, Suite 500  
Newport Beach, CA 92660