

## NASA SSFL Section 106 Consulting Party Meeting

**ATTENDEES:**

Carla Bollinger/Consulting Party	Allen Elliott/NASA
Bill Bowling/Consulting Party	Merrilee Fellows/NASA
Gary Brown/Consulting Party	Jennifer Groman/NASA, host
Sam Cohen/Consulting Party	Tom Hayes/NASA
Wayne Fishback/Consulting Party	Pete Zorba/NASA
Beverly Folkes/Consulting Party	Randy Dean/CH2MHILL
Elizabeth Harris/Consulting Party	Sara Orton/CH2MHILL
Christian Killkka/Consulting Party	<b>Via Teleconference:</b>
Al Knight/Consulting Party	Mark Beason/SHPO
John Luker/Consulting Party	Rebecca Karberg/GSA
Mark Osokow/Consulting Party	Paul Carpenter/DTSC
Freddie Romero/Consulting Party	Richard Hume/DTSC
Chris Rowe/Consulting Party	Elaine Jackson-Rotondo/NPS
Alan Salazar/Consulting Party	Nancy Kidd/Consulting Party
Margie Steigerwald/Consulting Party	Dan Larson/Consulting Party
Barbara Tejada/Consulting Party	Jane Lehman/GSA
Ronald Ziman/Consulting Party	Mark Malinowski/DTSC
	Carol Roland-Nawi/SHPO
	Clark Stevens/Consulting Party

**PREPARED BY:** CH2M HILL

**DATE:** September 9, 2013

NASA held a Section 106 Consulting Party meeting on August 29, 2013, from 12:30 p.m. to 3:00 p.m. at Santa Susana Field Laboratory (SSFL) in NASA's large conference room. Consulting parties and agencies attended in person or via teleconference and LiveMeeting.

### Welcome

Jennifer Groman/NASA began the meeting with a welcome to the attending parties. She gave an introduction to the meeting and described the meeting objectives. Ms. Groman presented a few slides summarizing the impacts to cultural resources identified in the Draft Environmental Impact Statement (DEIS). She also discussed potential mitigation measures listed in the DEIS to address the adverse effects on cultural resources from the proposed cleanup.

### Open Topics

Several consulting parties expressed interest in hearing the views of the Native American representatives present at the meeting regarding soil removal, building demolition, and future use of the site, as well as their views about the larger site, not just the NASA portion of SSFL. One gentleman said provided insight into how he generally prefers to keep things close.

The California State Historic Preservation Officer (SHPO), Carol Roland-Nawi, and others said it is difficult to discuss appropriate mitigation measures to address effects that are not entirely clear, as presented in the DEIS. The boundaries and significance of the Traditional Cultural Property (TCP) are not known and the full Burro Flats site has never been fully investigated or evaluated. There is little known about the middens in the Burro Flats area and further investigation is needed to delineate the entire Burro Flats site.

SHPO requested that a detailed schedule be included in the Final EIS (FEIS) that includes ongoing consultation and when it would take place in the process. The schedule of activities and consultation plans needs to be included in the Record of Decision (ROD).

Various consulting parties commented that the schedule seems very short to complete the Section 106 process. Concern was expressed about the delay in decisions, such as the eligibility and boundaries of the TCP, the boundaries of the Burro Flats site, and the footprint of the contamination, and thus cleanup, within the Burro Flats site. Many believe there is not enough available information to complete the evaluation and analysis of impacts, thus making it premature to discuss mitigation measures appropriate for the impacts.

Because of the timeframe of the cleanup and Administrative Order on Consent (AOC) requirements, the only possible remediation is excavation and removal offsite that would have the most intense impacts to cultural and natural resources. Impacts could be reduced if the schedule were lengthened and NASA were given more time to study alternative cleanup technologies. Additional time to complete the cleanup also would give NASA additional time to complete studies of Burro Flats and TCPs.

Another comment, regarding Mitigation Measure 4a as listed in Sections 4.3.2 of the DEIS and shown on slide 6 of the presentation, was felt to be unclear and needed rewording and clarification: "Using local archaeologists and anthropologists with knowledge of the area, NASA would delineate the boundaries of the Burro Flats site (CA-VEN-1072) to gain a better understanding of the scope of the site." p. 4-25. Jennifer Groman requested that anyone could propose better wording to convey NASA's desire to undertake further research including archeological investigation if feasible within NASA's boundaries and hopefully beyond.

SHPO and others believe the delineation of the Burro Flats site is an identification and evaluation task under Section 106 and should be completed early in the consultation process rather than as a mitigation measure that would take place after execution of the ROD. Impacts cannot fully be understood without knowing the full extent of the historic properties and their character-defining features. NASA seems to be getting to mitigation too soon in the process. NASA acknowledged this comment, however because the site is already on the National Register and NASA has also provide a buffer area to further protect it, NASA believes it has met its obligations to identify historic properties under Section 106. NASA currently plans to carry out the Burro Flats investigation as mitigation after execution of the ROD and prior to cleanup activities.

Several parties expressed concern about the timing and the short cleanup schedule. The California Environmental Quality Act (CEQA) process seems out of order and it appears NASA buildings would be demolished prior to the CEQA document being published. According to NASA, CEQA will not evaluate the demolitions, because they are a NASA-only action and are being removed to in preparation for cleanup and disposal of the property and, where necessary, to clean up soil underneath. Mark Malinowski with the Department of Toxic Substances Control (DTSC) and joining by telephone confirmed that DTSC is not making decisions regarding the proposed demolitions. He also note that the AOC and the CEQA process covers water and soil, but not bedrock.

SHPO requested clarification in the FEIS regarding the different processes for the Indian Sacred Site and TCPs. The Indian Sacred Site is not covered by Section 106, but rather by Executive Order 13007. TCPs that have been determined National Register of Historic Places (NRHP)-eligible would be included in the Section 106 process and would be under SHPO purview, while the Indian Sacred Site would not. NASA noted that in anticipation of a possible TCP, our DEIS delineates a possible TCP to be the entire APE and addresses the worst case scenario in the draft to ensure it is looked at in the DEIS thus not requiring a later amendment to the EIS.

Several consulting parties requested that NASA analyze impacts to archaeological resources on all of SSFL, not just the NASA-administered portion of SSFL. It was suggested that SSFL be analyzed for impacts as a single holistic site. NASA noted that identification of resources for the purposes of this undertaking does not require NASA to consider the archeological sites outside NASA's boundary in the larger historic district context however cumulative impacts should consider other proposed actions.

One party suggested changing the name of the Burro Flats Painted Cave site because there is a geographic area in the vicinity also called Burro Flats. It could ease confusion if the name of this site were changed and such a name

change should occur in consultation with the tribes. He also said this site is outstanding and is the most important ceremonial site within at least 100 miles in all directions, if not more.

The oak woodlands contribute to the cultural site. Inadequate studies have been conducted of the natural resources in relation to the cultural resources. Additional studies should be completed to discuss the context of the natural and cultural resources in the area.

Drainages to Silvernale Pond and Bell Creek should be included in the DEIS. These do not appear to have been researched or analyzed and should be included in the impact analysis.

Several people recommended reopening the AOC with the DTSC. There is new information that was not available when the document was signed, such as the existence of an Indian Sacred Site. The AOC should be amended or rewritten to take into account the Indian Sacred Site and the wildlife corridor. It should be a risk-based cleanup and the AOC should reflect that. Also, the term "Native American artifacts" as currently used in the AOC needs to be clarified and defined.

### **Mitigation Suggestions and Recommendations by Individuals**

- Exhaust all possible research into non-excavation means of soil remediation.
- Approach DTSC for an exemption for archaeological sites, TCPs, and sacred sites.
- Commit to moving as little dirt as possible during cleanup.
- Look at something other than soil removal as remediation.
- Recommend additional time as a mitigation—time to determine boundaries of historic properties, to fully characterize the cleanup footprint, and to study remediation options that produce less intense impacts.
- Recognize that some things cannot be mitigated; preservation of archeological sites should be first, mitigation should be secondary.
- Update the Burro Flats Painted Cave NRHP nomination form.
- Contribute funds to complete the analysis of materials from the 1950s and 1960s archaeological investigations of the Burro Flats site.
- Save the Bravo test stand if one is to be saved.
- Set aside funds, possibly through an endowment, to operate the land as a park or open space after NASA cleanup is complete.

### **Next Steps**

- Draft EIS Public Comment Period (through October 1)
- NASA review and incorporation of public comments (September to October 2013)
- Additional Consulting Party Meetings (to be determined)
- Publish FEIS (targeted for November 2013)
- Publish ROD (targeted for December 2013)

## Action Items

- NASA will send a copy of the presentation from this meeting to the consulting parties.
- NASA will hold another consulting party meeting in roughly 2 weeks to continue the conversation about appropriate mitigation measures to address possible adverse effects.
- NASA will provide a summary of the results of the cost estimates to preserve and maintain test stands or other structures.
- Consulting parties will send written comments regarding the DEIS to NASA prior to October 1, 2013:

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

Location: *NASA's large conference room at SSFL*

Call in number: *1-866-203-7023*

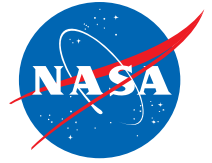
Conference Code: *538 0749 577#*

### **Meeting Agenda**

- 1) Welcome
- 2) Meeting Agenda and Meeting Objectives
- 3) Roll Call
- 4) Results presented in Draft EIS
  - a. Identified impacts and adverse effects
  - b. Mitigation measures to address adverse effects
- 5) Potential Mitigation Measures
- 6) Open Discussion
- 7) Next steps in the consultation process
- 8) Closing

### **NOTE: Consulting Party Meeting Ground Rules**

- a. Mute phone unless speaking
- b. Notes are being taken and will be distributed (no court reporter or transcript)
- c. Questions/Comments procedures: Questions will be permitted at the end of the presentation and limited to one question per person until each person has a chance to ask a question.
- d. Limit comments to 3 minutes
- e. We want to make sure everyone gets a chance to speak. We will call on people who were identified in roll call.
- f. Please be courteous and patient.



# Santa Susana Field Laboratory Consulting Party Meeting

29 August 2013

Photos of engine test facilities



# Consulting Party Meeting Agenda

- Welcome
- Meeting Agenda and Meeting Objectives
- Roll Call
- Results presented in Draft EIS
  - Identified impacts and adverse effects
  - Mitigation measures to address adverse effects
- Potential Mitigation Measures
- Open Discussion
- Next steps in the consultation process
- Closing

# DEIS Results – Cultural Resources

- **Identified Impacts and Adverse Effects**

- Historic Districts – demolition of structures
- Archeological sites – soil removal, disturbance
- Indian Sacred Site/TCP – soil and plant removal

- **Resolution of Adverse effects**

- DEIS identified mitigation measures to resolve adverse effects





# Identified Impacts and Adverse Effects

TABLE 4.3-1

**Summary of Cultural Resources Impacts and Mitigation Measures**

NASA SSFL EIS for Proposed Demolition and Environmental Cleanup

Impacts <sup>a</sup>	Project Alternatives <sup>a</sup>		Mitigation Measures <sup>a</sup>	Impact After Mitigation Measure Implementation <sup>a</sup>
	Proposed Action	No Action		
Cultural-1a: Impacts on Sacred Site from proposed demolition	Negligible, beneficial, regional, and long term <i>No adverse effect under Section 106</i> ○	No impact ▽	Cultural MM-3	Pending consultation
Cultural-1b: Impacts on historic archeological resources from proposed demolition	Minor, negative, local, and long term <i>No adverse effect under Section 106</i> ○	No impact ▽	None	Pending Consultation
Cultural-1c: Impacts on historic districts and historic structures from proposed demolition	Significant, negative, local, and long term <i>Adverse effect under Section 106</i> ●	No impact ▽	Cultural MM-1 Cultural MM-2	Pending consultation
Cultural-1d: Impacts on historic districts from proposed demolition of noncontributing structures or structures outside of the district boundaries	Minor, negative, local, and long term <i>No adverse effect under Section 106</i> ○	No impact ▽	None	N/A
Cultural-2a: Impacts on Sacred Site, historic archeological resources, historic districts, and historic structures from proposed excavation and offsite disposal and ex situ soil remediation technologies	Significant, negative, local to regional, and long term <i>Adverse effect under Section 106</i> ●	No impact ▽	Cultural MM-1 Cultural MM-2 Cultural MM-3 Cultural MM-4 Cultural MM-5	Pending Consultation
Cultural-2b: Impacts on Sacred Site, historic districts, and historic structures from proposed excavation and offsite disposal and in situ soil remediation technologies	Significant, negative, local, and long term <i>Adverse effect under Section 106</i> ●	No impact ▽	Cultural MM-1 Cultural MM-2 Cultural MM-3 Cultural MM-4 Cultural MM-5	Pending Consultation

# Identified Impacts and Adverse Effects

Impacts <sup>a</sup>	Project Alternatives <sup>a</sup>		Mitigation Measures <sup>a</sup>	Impact After Mitigation Measure Implementation <sup>a</sup>
	Proposed Action	No Action		
Cultural-3a: Impacts on Sacred Site, historic districts, and historic structures from proposed groundwater remediation technologies (pump-and-treat, vacuum extraction, heat-driven extraction, in situ chemical oxidation, and in situ enhanced bioremediation)	Minor, negative, local, and short term <i>No adverse effect under Section 106</i> ○	No impact ▽	Cultural MM-1 Cultural MM-2 Cultural MM-3 Cultural MM-5	Pending Consultation
Cultural-3b: Impacts on historic archeological resources from proposed groundwater remediation technologies (pump-and-treat, vacuum extraction, heat-driven extraction, in situ chemical oxidation, and in situ enhanced bioremediation)	Moderate, negative, local, and long term <i>Adverse effect under Section 106</i> ●	No impact ▽	Cultural MM-4	Pending Consultation
Cultural-3c: Impacts on Sacred Site, historic archeological resources, historic districts, and historic structures from proposed MNA; impacts on historic archeological resources, historic districts, and historic structures from proposed Institutional controls for groundwater remediation	No impact <i>No historic properties affected under Section 106</i> ▽	No impact ▽	None	
Cultural-3d: Impact on Sacred Site from proposed institutional controls for groundwater remediation	Minor, negative, local, and short term <i>No adverse effect under Section 106</i> ○	No impact ▽	Pending consultation	
<b>Overall Alternative Impact to Cultural Resources</b>	Significant, negative, regional, and, long term <i>Adverse effect under Section 106</i> ●	No impact ▽	Cultural MM-1 Cultural MM-2 Cultural MM-3 Cultural MM-4 Cultural MM-5	Pending Consultation
<p>Notes:</p> <ul style="list-style-type: none"> <li>● or ■ = Significant</li> <li>● or ■ = Moderate</li> <li>○ or □ = Minor</li> <li>○ or □ = Negligible</li> <li>▽ = No impact</li> </ul>				

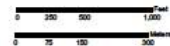
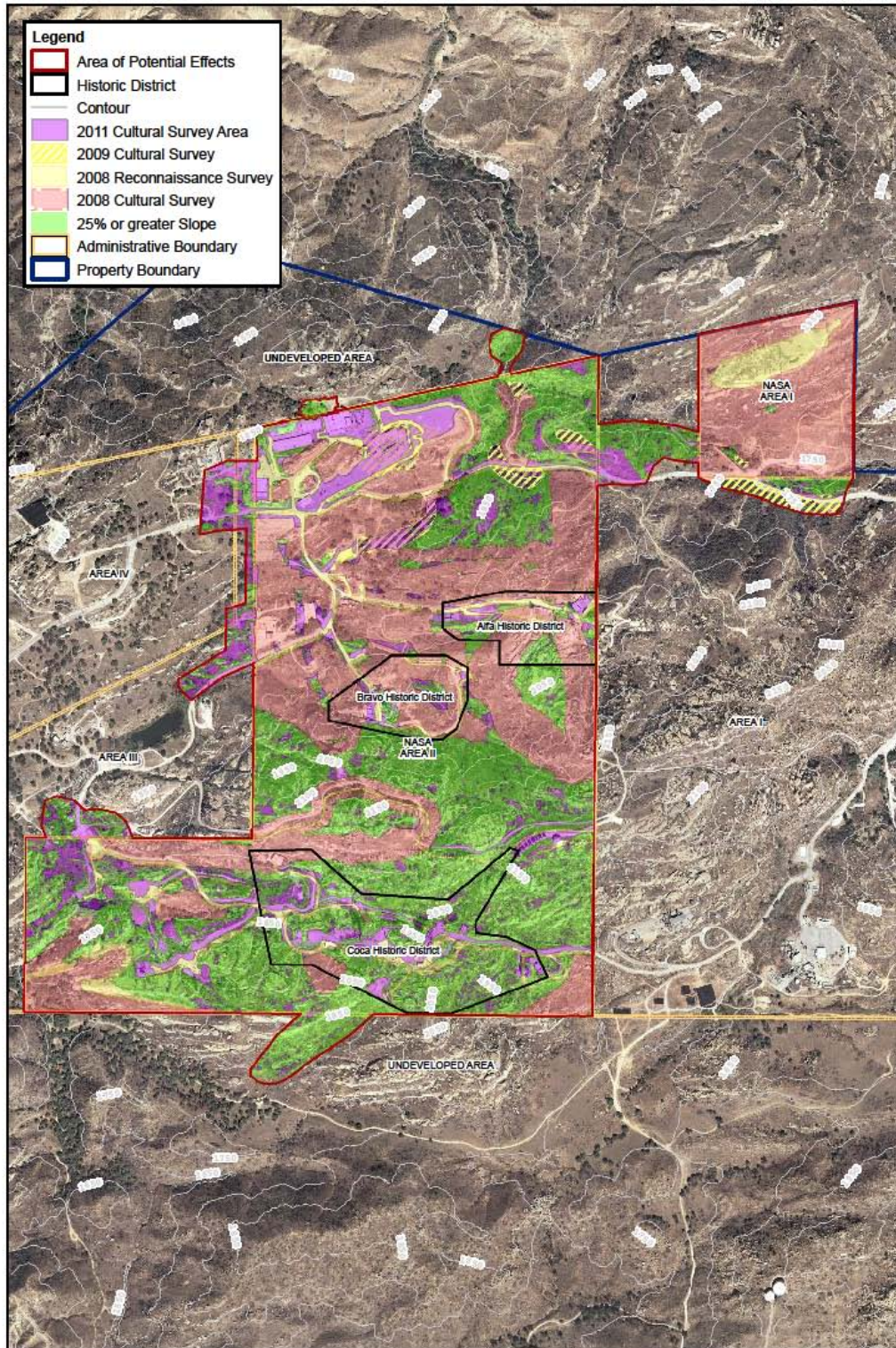
# Potential Mitigation Measures

Potential mitigation measures to address the adverse effect on cultural resources, as presented in the DEIS:

- ❖ Retain and preserve one test stand
- ❖ Document NRHP-eligible buildings to HABS/HAER standards prior to demolition
- ❖ Expand 2013 TCP investigation and produce more in-depth ethnographic study of the SSFL area
- ❖ Delineate the boundaries of the Burro Flats site (CA-VEN-1072)
- ❖ Design and install temporary protection measures to prevent access to Burro Flats



- Legend**
- Area of Potential Effects
  - Historic District
  - Contour
  - 2011 Cultural Survey Area
  - 2009 Cultural Survey
  - 2008 Reconnaissance Survey
  - 2008 Cultural Survey
  - 25% or greater Slope
  - Administrative Boundary
  - Property Boundary



Consulting Party Meeting  
29 August 2013

Area of Potential Effects  
NASA - Santa Susana Field Laboratory  
Ventura County, California

Dr. Gregory  
A. Casley

# Discussion

- Adverse Effect Finding
- Measures to Mitigate the Adverse Effect
- Other Cultural Resources Issues



# Please send written comments to:

**Allen Elliott**

SSFL Program Director

NASA MSFC AS01

Building 4494

Huntsville, AL 35812

[msfc-ssfl-eis@mail.nasa.gov](mailto:msfc-ssfl-eis@mail.nasa.gov)



# Next Steps

- Draft EIS Public Comment Period (through Oct 1)
- NASA review public comments (Sep - Oct 2013)
- Additional Consulting Party Meeting
- Publish Final EIS (Nov 2013)
- Publish Record of Decision (Dec 2013)

## *Schedule Drivers:*

- a. AOC requires NASA to complete cleanup by 2017
- b. Demolition must be completed prior to cleanup starting

