



ROSEMERE NEIGHBORHOOD ASSOCIATION

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Governor Christine Gregoire
Office of the Governor
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Dear Governor Gregoire:

I write this letter on behalf of the Rosemere Neighborhood Association (RNA), a group of residents in the Rosemere neighborhood of Vancouver, WA, located near Camp Bonneville. RNA and its members respectfully request that the Governor deny the proposed "early transfer" of Camp Bonneville to Clark County at this time. The requested early transfer should be denied because Camp Bonneville contains chemical contamination, live unexploded ordnance and chemical warfare materiel which have not been adequately abated by the U.S. Army, and which pose a significant risk to the residents of the State of Washington. Approving the requested early transfer at this time would also violate the Washington State Environmental Policy Act, which requires the Governor to prepare an Environmental Impact Statement before approving the early transfer.

1. **Overview of Environmental Risks At Camp Bonneville.**

The U.S. Army and Clark County have requested that the Governor of Washington allow Camp Bonneville to be transferred to Clark County before all necessary cleanup of toxic materials, clearance of unexploded ordnance (unexploded bombs), and clearance of chemical warfare materiel has been completed at Camp Bonneville. Allowing the transfer of Camp Bonneville at this time poses significant, and unacceptable, risks to the residents of Clark County and others in the state. Such risks include:

- (1) Camp Bonneville is known to have been the site of extensive Army training with munitions, and live unexploded ordnance have been found on the base. Live ordnance found on the base in recent years includes 2.36-inch rockets, 3.5-inch rockets, 40-mm grenades, 105-mm projectiles, 155-mm projectiles, phosphorous grenades, as well as numerous rounds of small arms ammunition. Additionally, Chemical warfare agents, including chemical land mines and chemical agent identification sets (vials containing chemical weapons agents such as mustard gas and phosgene) were also used on the base for many years. The Army's "Archive Search Report" for Camp Bonneville concludes that ordnance and chemical materiel of this sort may exist "throughout the majority of the installation." (Final Archive Search Report Conclusions and Recommendations, July 1997, p. 2-4). The investigation and cleanup of unexploded ordnance and chemical warfare materiel has not been completed at Camp Bonneville. If Camp Bonneville is conveyed to Clark County without first completing such a cleanup and lands on the Base are made available for public access, the public will be at risk of serious injury from these hazards.
- (2) Additionally, contamination at the Base has contaminated, and continues to contaminate groundwater in the aquifer that the EPA has designated as a "sole source aquifer" which serves as a primary source of drinking water for persons in Clark County. The contamination and its sources at the Base need to be fully assessed and cleanup completed as soon as possible to protect the people of this county. Further, there are numerous other sources of chemical contamination on the Base, and allowing the County to receive title and make the Base available for public access before that contamination is assessed and cleaned up poses a significant risk to the public.

2. Review Required Under SEPA.

The Washington State Environmental Policy Act (SEPA) requires that, for every "major action significantly affecting the quality of the environment," the state's "responsible official" must prepare an Environmental Impact Statement (EIS) discussing the environmental impacts of the action, the adverse effects which cannot be avoided, alternatives to the proposed action, and other matters. Revised Code of Washington (RCW) § 43.21C.030(c). This requirement applies to officials in "all branches of government of this state," *id.*, so the Governor is not exempt from the obligation to prepare an EIS.

The Governor is clearly the "responsible official" responsible for allowing (or disallowing) the proposed early transfer of the Base and for preparing an EIS under SEPA. The Governor is vested with such responsibility by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 *et seq.*. Specifically, section 120(h)(3)(C) of CERCLA, 42 U.S.C. § 9620(h)(3)(C), states that, in the case of a federally-owned facility that is not on the National Priorities List (Camp Bonneville is not on the NPL), the Governor may allow the transfer of a federal facility before all necessary remedial action is completed.

Due to the risks posed by contamination, unexploded ordnance and chemical warfare materiel on Camp Bonneville, (as described briefly in section 1 above) the proposed early transfer of Camp Bonneville is clearly a major action "significantly affecting the quality of the environment." Preparation of an EIS by the Governor is clearly required by SEPA before the proposed early transfer is approved.

Furthermore, the Governor should not attempt to rely on the Army's previous "Environmental Assessment" and "FONSI" prepared under the federal NEPA statute to satisfy the Governor's obligations under SEPA. First, the Governor is under an independent obligation imposed by state law to conduct necessary environmental review. Second, the Army's EA/FONSI is out of date and makes a number of inaccurate assumptions regarding the environmental risks posed by contamination, unexploded ordnance and chemical warfare materiel on the Base. For example, the EA's conclusion that contamination on the Base will not have

any significant environmental effects is based on the incorrect assumption that the cleanup of contamination at Camp Bonneville would either “be completed or underway, operating effectively, and approved by the [U.S.] EPA regional administrator” **BEFORE** conveyance of the property would occur. At this time, however, cleanup of contamination on the Base has neither been completed nor is it underway and operating effectively as approved by the Regional Administrator for EPA Region X. Indeed, the whole point of requesting early transfer from the Governor is to allow transfer before either of those conditions occur. Therefore, the Governor cannot rely on the EA/FONSI prepared by the Army in an effort to avoid her obligation to prepare an EIS that satisfies SEPA’s requirements.

3. Conclusion.

In summary, we respectfully request that the Governor deny the requested early transfer of Camp Bonneville at this time. We recognize that the Governor is likely under political pressure from Clark County and the U.S. Army to approve the requested early transfer. However, the early transfer poses significant environmental risks due to the presence of chemical contamination, unexploded ordnance and chemical warfare materiel remaining on the Base that must be evaluated and addressed before a transfer should occur. We believe it would be unconscionable for the Governor to approve the transfer of property that poses risks of this kind to the residents of the State of Washington. The environmental risk on the Base should be fully assessed and cleanup completed before a transfer occurs. Moreover, approving the transfer without first preparing an Environmental Impact Statement would violate the clear mandates of SEPA. Thus, at the very least, the requested early transfer should be denied at this time, pending the preparation and certification of an adequate EIS which satisfies the requirements of SEPA.

Respectfully Submitted,

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